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“Lions and Jackals“

Peace Parks in Southern Africa and their Effects
on the local Population

An Analysis based on the Kgalagadi Transfrontier Park

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„Baie Dankie!“

”I AM AN AFRICAN“

”I am an African.

I owe my being to the hills and the valleys, the mountains and the glades, the rivers, the deserts, the trees, the flowers, the seas and the ever changing seasons that define the face of our native land.

My body has frozen in our frosts and in our latter day snows. It has thawed in the warmth of our sunshine and melted in the heat of the midday sun.

The crack and the rumble of the summer thunders, lashed by startling lightening, have been a cause both of trembling and of hope.

The fragrances of nature have been as pleasant to us as the sight of the wild blooms of the citizens of the veld.

The dramatic shape of the Drakensberg, the soil coloured waters of the Lekoa, iGqili noThukela, and the sands of the Kgalagadi, have all been panels of the set on the natural stage on which we act out the foolish deeds of the theatre of our day.

At times, and in fear, I have wondered whether I should concede equal citizenship of our country to the leopard and the lion, the elephant and the springbok, the hyena, the black mamba and the pestilential mosquito.

A human presence among all these, a feature on the face of our native land thus defined, I know that none dare challenge me when I say: I am an African!

I owe my being to the Khoi and the San whose desolate souls haunt the great expanses of the beautiful Cap e- they who fell victim to the most merciless genocide our native land has ever seen, they who were the first to lose their lives in the struggle to defend our freedom and independence and they who, as a people, perished in the result.

Today, as a country, we keep an audible silence about these ancestors of the generations that live, fearful to admit the horror of a former deed, seeking to obliterate from our memories a cruel occurrence which, in its remembering, should teach us not and never to be inhuman again.”

(Thabo Mbeki, Extract from the Statement on behalf of the African National Congress on the occasion of the adoption by the Constitutional Assembly of “The Republic of South Africa Constitution Bill 1996”, Cape Town, 8 May 1996) (Embassy of the Republic of SouthAfrica, n.d.: 3 et seq.)

LIST OF ABBREVIATIONS

| | |
|-------|--|
| ANC | African National Congress |
| BEE | Black Economic Empowerment |
| CBC | Community-Based Conservation |
| CBNRM | Community Based Natural Resource Management |
| CBO | Community-Based Organisation |
| CITES | Convention on International Trade in Endangered Species of Flora and Fauna |
| CKGR | Central Kalahari Game Reserve |
| CPA | Communal Property Association |
| CSIR | Council for Scientific and Industrial Research |
| DEAT | Department of Environmental Affairs and Tourism |
| DWNP | Department for Wildlife and National Parks |
| FPK | First People of the Kalahari |
| GGR | Gordonia Game Reserve |
| GLTP | Great Limpopo Transfrontier Park |
| IUCN | The World Conservation Union |
| JMB | Joint Management Board |
| KGNP | Kalahari Gemsbok National Park |
| KTP | Kgalagadi Transfrontier Park |
| MoU | Memorandum of Understanding (also: RoU - Record of Understanding) |
| NEPAD | New Partnership for Africa's Development |
| PLAAS | Programme for Land and Agrarian Studies |
| PPF | Peace Parks Foundation |
| PRP | Poverty Relief Project |
| SADC | Southern African Development Community |
| SANP | South African National Parks |
| SASI | South African San Institute |
| TFCA | Transfrontier Conservation Area |
| TIES | The International Ecotourism Society |
| TLC | Transitional Local Council |
| TPARI | Transboundary Protected Areas Research Initiative |
| WWF | World-Wide Fund for Nature |

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1. Introduction

The drafting of this thesis closes a circle which began when I was a young pupil at grammar school back in 1990. It was the year the noble laureate and freedom fighter Nelson Mandela¹ was released from prison after almost three decades. Pictures of his release as well as his election to be the first democratically elected President of South Africa in 1994 and South Africans celebrating the end of Apartheid were broadcasted all around the world. These pictures of happiness about the changes achieved and the feeling of anger about the past motivated me to grapple with the history and current condition of South Africa in depth during my schooldays. Years later as a student, I got the chance to participate in a field trip abroad organised by the Faculty for Cultural and Social Anthropology in 2002. This trip brought me to Southern Africa for the first time, more precisely, to Botswana and South Africa and marked the first important step towards developing the topic of my thesis. For the first time the concept of *Wildlife Conservation und Community Based Natural Resource Management* (CBNRM) got some meaning for me through several visits to various national parks in Botswana and South Africa. Especially the involvement in the *Central Kalahari Game Reserve* (CKGR) and our stay at Tsodilo Hills in north-western Botswana were defining experiences. My first encounter with a Southern African indigenous group was meeting the „Ju|'hoansi“, who in 1995 had been relocated from the Tsodilo Hills – a then newly established *World Heritage Site* - to a village five kilometres away. A year later I had the opportunity to satisfy my growing interest in the interactions between local populations and protected areas by visiting the *Mole National Park* in Ghana. Again, this journey was part of a field trip organised by my faculty. These experiences, combined with the emerging popularity of *Peace Parks*, which propagate an integrative concept of humankind and nature, have prompted me to make Peace Parks and their influence on the local population the topic of my thesis.

In 2005 I was back in Africa for a four-month field trip to South Africa and Botswana to study Africa's first Peace Park, the *Transfrontier Park*. Its neighbouring communities are the Mier and #Khomani. My research work as a white anthropologist in the South Africa of 2005 took place in a completely different setting than that of anthropologists during the Apartheid era. The latter period was the topic of Adam Kuper's book "*South Africa and the Anthropologist*" in 1987. Adam Kuper, a native South African who did emigrate to England,

¹ An important book both about the history of South Africa from Nelson Mandela's perspective and about his life: Nelson Mandela's autobiography "Long Walk to Freedom" (2005).

decided to become an anthropologist for political, intellectual and personal reasons, like so many of his colleagues. For him it was one way "of breaking through those barriers which imprisoned white people of my generation within a cultural laager." (Kuper 1987: 6) The inevitable discussion about culture and ethnicity puts every anthropologist in a difficult ideological position, especially those who research the daily life of black populations. (cf.: 5) Every political group in South Africa has been associated with a particular school of anthropology. The English speaking universities usually taught a rather liberal, British *Social Anthropology*, strongly influenced by Malinowski and Radcliff-Brown, focusing primarily on social organisation and accepted cultural change as something natural. In contrast, the *Volkekunde*, as it was taught at Afrikaans universities was based on the tradition of German romanticism and provided the ideological basis for Apartheid policy. However, all major political movements of the black population in Southern Africa have influenced anthropology, too. The often nationalistic perspective of these movements, shared by many intellectuals in other African countries, demanded from anthropology to play a significant role in the formation of a national identity. (cf.: 2)

Regarding the context of my field of research I was informed by South African experts² on the environment and Community Based Natural Resource Management (CBNRM) that they do expect anthropologists to play an important role in conservation to achieve better results for CBNRM-projects as "*environmental justice is very much linked to social justice.*" (Conversation Marnewik 2005) I hope to be able to contribute to this goal with my present paper. This paper rounds up the circle started many years ago, at the same time I do hope it can be a starting point for further intensive discussions of topics related to Southern Africa. The immense experiences and confrontations during my field research in the Kalahari caused me to adopt Adam Kuper's conclusion "*My Kalahari fieldwork remains a constant point of reference for me*" (Kuper 1987: 6) for my own life.

² Following conversations: Marnewik (2005) and Steenkamp (2005) from Transboundary Protected Areas Research Initiative (TPARI) and Grossman (2005), Ecologist and "Grandfather of CBNRM in South Africa".

1.1. Protection of Nature and the Environment as part of the Peace Agenda – A Question and a Plea

I want my thesis to be understood in two ways: On the one hand, as an anthropological analysis of the Peace Park Concept in Southern Africa and of the effects these so-called *Transfrontier Conservation Areas* (TFCAs) have on local populations. On the other hand, it is a plea for involving “nature“ more in the discussions of cultural- and social- anthropology, thus leading to a better understanding and more attention for an “anthropology of nature“. In the following passages I intend to provide an introductory overview.

Peace Parks und Communities – “Lions and Jackals“³

In discussing the concept of Peace Parks and the analysis of the life of local communities I am going to use nomenclature and abstract concepts which I will define and explain in the respective chapters of the paper. In this regard I want to particularly draw your attention to chapter 6: *The Local Communities*, with an extensive analysis of terminology used in context with the Mier and #Khomani Communities. I want to preface this chapter with the definition of Peace Parks as it is used by the *Peace Parks Foundation* (PPF) and which is generally accepted:

“A peace park is a formally gazetted transfrontier complex, involving two or more countries which is under a unified system of management without compromising national sovereignty and which has been established with the explicit purpose of conserving biological diversity, encouraging the free movement of animals and tourists across the international boundaries within the peace park, and the building of peace and understanding between the nations concerned.” (PPF 2000 b: 4)

The Concept of Peace Parks with the main objective of implementing and supporting *Transfrontier Conservation Areas* (TFCA) within the *Southern African Development Community* (SADC) is greeted with immense enthusiasm by the political elite, the tourist industry and ecology groups. Hardly anyone dismisses this most positive message, which propagates Peace Parks not only in Southern Africa but globally. (cf. Zips/ Zips-Mairitsch 2007: 37) The last decades have also brought major changes to the concept of wildlife

³ “Lions and Jackals“, the title of my thesis is based on a parable told by Buks Kruiper. (see p. 107) In it the park is described as a lion and the „Bushmen“ as a jackal. In my thesis lions are a general symbol for Peace Parks in Southern Africa and jackals for the local population, effected by the establishment of natural reserves.

conservation. A new idea of conservation has prevailed, where indigenous populations are recognised as an important part of the eco-system. The need for completely closed-off sanctuaries is now only postulated for certain areas and the perception prevails that nature protection has to be done together with local people and not against them. In the long term the conservation of landscape, fauna and flora, only stands a chance if the humans in the neighbourhood are convinced that nature protection is not only a way to keep their livelihood but also a profitable source of extra income. The Peace Park Concept therefore deliberately links conservation with investments and the creation of new jobs. (cf. SAFRI 2002: 37 et seq.) This thesis deals with the basic question which effects Peace Parks or *Transfrontier Conservation Areas* (TFCAs) have on the local population in their neighbourhood. My focus is on the declared objective of Peace Parks, which is to contribute to the “*Socioeconomic Development*“ of the local population. In this regard, sub-questions are: To which extent is the intention met to include the local population in the protection of nature while simultaneously profiting from it? What effects have the *Community Based Natural Resource Management* (CBNRM)-Programmes, often referred to in the context of Peace Parks, which should guarantee the local population the administration of natural resources? Africa’s first Peace Park, the *Kgalagadi Transfrontier Park* (KTP), opened on 12 May 2000 in the border region of South Africa and Botswana serves as empirical example for these questions. The merger of the South African Kalahari Gemsbok National Park (KGNP) and the Gemsbok National Park of Botswana was celebrated as an outstanding example of Africa’s integration process. The local population in the neighbourhood of the KTP is mainly made up of the indigenous #Khomani Community and Mier Community. Their history in South Africa during Apartheid was marked by the expropriation of land and discrimination. Since the proclamation of the Kalahari Gemsbok National Park in 1932, the #Khomani were expelled from the park, which used to be their living space. Still before the opening of the KTP, the Mandela-government reached an extrajudicial agreement with these two groups, which resulted in the restitution of land to the #Khomani and Mier Communities. I have narrowed the scope of my analysis of the relationship between the KTP and local communities in two ways. On the one hand, I focus on the South African part of the KTP and on the other hand, I concentrated on the #Khomani Community. Nevertheless, my paper offers an insight into the Mier Community and Botswana’s section of the park as well. Both distinctions are necessary as the two sections of the park – South Africa and Botswana - as well as the two communities – Khomani and Mier – are set in a very diverse historical and current context.

The establishment of TFCAs in the whole of Southern Africa is associated with the hope of economical development through increased tourism, political stability through international co-operation and the protection of biodiversity through larger protected areas. From a global perspective the establishment of Peace Parks in Africa may be seen as a strong and positive contrast to the dynamics of arms build-up in the USA, Europe and Asia as well as to the never ending “War on Terror“. My thesis tries to reconsider what these “Peace Projects“ mean to the people affected by the establishment of the individual parks.

Anthropology and Nature

“Anthropology of nature“ tries to relate cultural and social anthropological topics to aspects of nature and the environment in an intensified way. Although some important papers have been published (and are published) at the Department of Social and Cultural Anthropology in Vienna, this particular field of research did receive only inadequate attention and has not been included in the institute’s curriculum for a long time – neither on a theoretical level nor on the level of field-research modules. (cf. Halbmayer/ Mader 2004: 179) However, the Bachelor’s degree, newly introduced in the fall semester of 2007/2008, shows that the anthropology of nature does receive more attention in the new curriculum. For example, the base curriculum’s compulsory module “Main Areas of Research“ comprises besides the anthropology of law, the economy, religion and consciousness also anthropology of myths and intercultural communication. (cf. Univieksa 2008) To highlight the importance of the connection between economic, social and cultural topics even the Nobel Prize committee decided to award the Kenyan Wangari Maathai the Nobel Peace Prize in 2004. She was granted the prize for her commitment to the environment, human rights, democracy and peace. The Kenyan Deputy Minister for the Environment was the first African woman to receive the award. In the past, Maathai had repeatedly been sent to prison and abused for her engagement against oppression and for the protection of the environment. All her life, the Kenyan had fought for her belief that peace starts with the conservation of nature. “*If we destroy our natural resources and they become scarce, we will start fighting for them*“ she said after the awarding ceremony in Oslo. Her understanding of the protection of the environment is quite comprehensive and includes society and politics. In 1977 she initiated the “*Green Belt Movement*“, which not only pursued the planting of 30 million trees across Africa, but also got involved with advancing women and fighting corruption. The committee-chairman, Ole Danbolt Mjös, announced: “*For the first time environmental protection set the agenda for the Nobel Peace Prize*“ and “*We have added another dimension to peace*“.(unikassel 2008) One year after

Wangari Maathai had received the Nobel Peace Prize an African was awarded the *Right Livelihood Award*, the Alternative Nobel Prize in 2005. The Botswana Roy Sesana was awarded the prize in recognition of the work of the organisation “*First People of the Kalahari*” (FPK) which he had chaired of from 1995 until 2000. Shortly before the decision to award him the prize was announced, Sesana was arrested together with 27 other „San“ in New Xade/Botswana, a sign of the restrictive policy of Botswana’s government towards the indigenous population. He was charged for breacking the assembly ban. (cf. derstandard 2005) Roy Sesana was co-founder of FPK, an organisation established in 1991 to fight for human rights and land rights for his compatriots, the „San“, who have been displaced from the Central Kalahari Game Reserve (CKGR). (cf. Rightlivelihood 2008) This example makes clear that also the international community is becoming aware of the two-way influence between humankind and nature and that more actions are needed to increase awareness. Positions such as those of Roger Chennel, the attorney at law of the #Khomani Community in their Land Claim lawsuit, who calls himself both – a human rights activist and an “*Environmentalist*” – are more and more present in discourses of the anthropology of nature. Neither does he want the #Khomani to be continuously marginalised due to the formation of a nature reserve, nor that the biodiversity of the Kgalagadi Transfrontier Park is threatened or the park neglected. (Conversation Chennels 2005) Anthropology of nature should integrate, not separate.

1.2. Structure of the Thesis

The order of the chapters of this thesis can be explained from two different perspectives. The first one assumes a theoretical part, which discusses topics such as nature reserves and Peace Parks as well as conservation strategies which encourage the local population on a wide ranging abstract level. The theoretical part is followed by real-life case studies, in this thesis from the KTP and its communities. Based on this, the relevant areas are combined and discussed. My paper is then rounded-off by empirical data and the conclusions drawn. The second perspective may see the first chapters as necessary elements, which combined form the basis for the analysis of the case studies. However, both perspectives assume a structure where the chapters are based on each other and complement one another. The initial theoretical aspects are on the one hand, drawn from the fields of *Environmental Social Sciences* and *Anthropology of Nature*; on the other hand, they deal with the various points of

view and developments in the discussion on *Indigenous People's Issues*. The description of nature reserves and their differing objectives and categories goes hand in hand with comments on the diverse wildlife conservation strategies, in which a special emphasis is placed on *Community Based Natural Resource Management*. In the ensuing chapter *Transfrontier Conservation Areas*, as a special category of nature reserves, are explained. The illustration of objectives and functions of TFCAs is followed by embedding contextual information on Southern Africa and South Africa in particular. The chapter dealing with the *Role-Player* behind the development of TFCAs, *der Peace Parks Foundation* is followed by a detailed description of the *Kgalagadi Transfrontier Park (KTP)*. The historical outline ranges from the events at the beginning of the 20th century, via the negotiations between Botswana and South Africa to the opening ceremony of Africa's first Peace Park. An evaluation of the KTP from a touristic point of view and with aspects of biodiversity in mind is preceded by an outline of the changes brought about by the conversion of the park into a Peace Park. An ethno-historical reconstruction of the Mier and #Khomani Communities is drawn up until the point in time both communities were able to file a land claim against the park. This part complements the illustration of the diverse terminologies used and still used in connection with the Mier and #Khomani. Before the final chapter provides an appraisal of the situation of the #Khomani Community after their land claim and the establishment of the KTP, which may be considered as a continuation of the chapter on the communities, chapter 7 covers in detail topics of relevance to the KTP, the park management and the communities. Most notably, the land claims and their influence on all parties involved, with a special focus on the !Ae!Hai Kalahari Heritage Park Agreement, which was concluded between these three stakeholders. Furthermore, different methods and perspectives for community involvement are discussed.

1.3. Methodical Approach

Already before my field research in Africa I did not only have the opportunity to extensively read the available literature but also to concern myself with Peace Parks at a lecture given by my thesis advisor at the Department of Social and Cultural Anthropology in Vienna. An essential part of the preparations for my field research were meetings and discussions with two scientists from Amsterdam, who have carried out research on Peace Parks both at the *Universiteit Amsterdam* and on the ground in Africa. My field research was primarily based in

South Africa but also took me to Botswana. It lasted four months and took place in 2005. Although some time has passed since my field research, ongoing contacts with people in the region have kept me up-dated on the situation in the KTP, which has, essentially, not changed since my visit. The few changes that did occur are briefly mentioned in this paper. However, my research is not only focused on the KTP but encompasses several different elements. The numerous official discussions with South African academics from the *Cape Town, Western Cape, Stellenbosch* and *Witwatersrand* Universities and scientists from specialised research institutions such as PLAAS (*Programme for Land and Agrarian Studies*) and TPARI (*Transboundary Protected Areas Research Initiative*) were both inspiring and informative. I have conducted interviews with several of these scientists who are experts in topics related to *Transfrontier Conservation* and *Community Issue*. The libraries of the universities and research institutions already mentioned, served me as a source for extensive literature research. Furthermore, I was able to conduct expert interviews with people who played important roles in connection with the land claim and the scientific research related to it. The *Research Center* of the Peace Park Foundation in Stellenbosch was available for my research and an expert interview. My field research in the Kalahari was composed of three timely separated sojourns and my participant observation took place in two completely different contexts. The first field of study was the Kgalagadi Transfrontier Park. After an initial assurance to be able to conduct interviews with members of the park's administration, in the end, an official research permit was requested. After some complications my research permit was granted by the *South African National Parks*. However, the *Department for Wildlife and National Parks* in Botswana turned down my application for a research permit on the ground that my research was too much focused on the community. Due to that fact, I was only able to informally discuss issues related to the park but not issues concerning the community with the Park Manager of Two Rivers/Botswana. On the South African side of the park in Twee Rivieren, interviews with the administration were possible thanks to my research permit. Even an interview with the local *Border Police* was granted. Only when I tried to conduct a semi-structured interview with a #Khomani-born employee of the park problems did arise. But finally, I was able to conduct even this interview. My second field of research were the communities. As my research priority was the #Khomani Community I did only hold informal talks with members of the Mier Community. The main methodical elements of my research of the #Khomani Community were formal and informal conversations as well as semi-structured and narrative interviews with members of that community. As I had no problems to be admitted to their community, I was able to conduct participant observation for some time and

got to know their daily routine. Most of the time I spent with the Kruiper-Family, the //Sa! Makai. As my knowledge of Afrikaans was rather poor I am very grateful to Dawid Kruipers (Traditional Leader) "private secretary", not only for her translations but also for her forthrightness. A structured interview with an employee of the *South African San Institute* (SASI) rounded off my field research.

Conclusively, I want to point out that it is one of my main priorities to give a voice to the members of the community and to include their quotations in my thesis whenever possible. I also allow plenty of room for the views of other actors, especially in chapter 7, to provide a realistic impression of the situation on site which corresponds with the perception of the people involved.

In addition I would like to draw the attention to the fact that the interview's transcriptions are noted down without adjusting grammar or local characteristics of the respective language to assure authenticity.

2. Abstract Facets regarding Nature and Culture

The separation of nature and culture has a long tradition in science. In social-sciences this separation should be overcome by trans-disciplinary research. In the following chapter I am discussing several theoretical aspects of this "bridge building" and focus especially on approaches in culture- and social anthropology dealing with "*Crossing of the Great Divide*" to arrive at anthropology of nature. In the context of *Transfrontier Conservation*, which tries to combine economic development and conservation, anthropology of nature plays a major role. As the worldwide establishment of *Protected Areas* mostly affects indigenous groups, I also want to add a few theoretical thoughts on *Indigenous People's Issues*. In the case of the *Kgalagadi Transfrontier Park* it is the #Khomani Community which is affected. The anthropological analysis of the "San" has a long tradition and the most important stages are summarised here.

2.1. "The Crossing of the Great Divide" - Environmental Social Sciences and Anthropology of Nature

For a long time science understood nature to be an independent and distinct field of research. However, it cannot be examined separately from social reality just like that.

Differing perceptions of nature and especially the changing environment itself not only influence the social and political arrangements but alter them. In this respect social sciences are of utmost importance in a trans-disciplinary approach of environmental management. This results in the necessity to add a debate on the changes in the interaction between society and the environment to the lively discussions on climate change, the ozone layer, the loss of biodiversity. Solutions to environmental problems must not be looked for in technology only. Sustainable solutions can only be found, if the social foundation of an existing corporative knowledge pool on the complexion of nature as well as the *Governance* of natural resources is taken into account and appreciated. (cf. Berkhout/ Leach/ Scoones 2003: 1st seq.) The hitherto concept of sustainable development in connection with environmental issues is strongly criticised by “*Environmental Social Sciences*”, which is currently gaining importance. The process that led to the general acceptance of the concept of sustainable development as a solution to economic and environmental problems started in the 1970s and 80s. The role of science was to analyse the causes of the problems as well as to develop the solutions to solve them. As the environment is a public good, the implementation of these proposed solutions was the responsibility of national governments and increasingly subject of international organisations and treaties. There were two main reasons for this internationalisation of “*Environmental Governance*”. One the one hand, the growing awareness of the global interrelation of environmental problems and on the other hand, the increasing co-operation of national states in economical and political spheres, which also resulted in more liberalisation and deregulation. (cf. Berkhout/ Leach/ Scoones 2003: 3)

Political analyses pointed out, that environmental problems were in general caused by political wrongdoings. This includes for example inapt legal parameters or a system which encourages producers to pollute or squander natural resources. This conclusion was followed by the intention to develop a system to reconcile nature with the economy through political intervention. As a result sustainable development plans were established. The global scale of problems such as climate change, loss of biodiversity, acid rain or desertification made it clear that international co-operation was needed to handle these challenges. Numerous agreements, protocols and conventions were signed during the following years, leading to a combined treaty in 1998, the Kyoto Protocol or *UN Framework Convention on Climate Change*. (ibid. 4)

The establishment of *Transfrontier Conservation Areas* (TFCAs) can be a way to achieve a more sustainable development by an intensified transnational co-operation on various levels, *Community- Based Development* and the harmonisation of nature conservation measures.

However, Nicola Morton points out that in Southern Africa a sustainable development is still hindered by various factors such as poverty, inequality, ethnical conflicts, post-colonial effects and a regional economy which is located only at the semi-periphery of the world economy. (cf. Morton 2003: 3) Social Sciences offer an alternative point of view and critique of the common perception of sustainable development, which believes that poorer societies with their social and economical inequality and their strong dependency on natural resources are the main obstacle on the path to a sustainable future and threaten nature conservation. Furthermore, the wide-spread concept of a consumer- and throwaway society causes many problems, which put a strain on nature. Often indigenous societies and their use of resources are presented as contrastive alternatives. These societies have often been marginalised by the process of economic growth forced upon them from the outside. Based on this thought the idea is developed that environmental problems can only be solved by a fundamental rearrangement of political economy. In addition to that, the role of national governments as sole entity responsible for public goods is challenged increasingly by civil society. (cf. Berkhout/ Leach/ Scoones 2003: 5 et seq.) Maano Ramutsindela, scientist at the *Department of Geography and Environmental Studies* at the University of Cape Town, considers not only civil society as a challenge to the power of national states but, above all, “*Global Players*“ such as the *Peace Parks Foundation* (PPF):

“*What is going to happen is like in many other global processes, the states authority over land use is going to diminish. Actually there is the idea behind, there is a current thinking in the environmental discourse that the state is weak, the state is not willing to do these things and let’s get people who have the money to do that. And so, we are seeing the indication of that in the Transfrontier Conservation.*” (Interview Ramutsindela 2005)

2.1.1. The Impact of Social Studies on Environmental Studies

Even if the plans for sustainable development in the field of nature conservation have improved, the economic and legal measures applied to reach the set objectives have turned out to be insufficient. (cf. Berkhout/ Leach/ Scoones 2003: 6) Thus, this mainstream model of sustainable development, which was designed during the 1980s, cannot stand up to the current dynamics of social- economic- and scientific- processes, as far as the ecosystem is concerned.

There are many reasons for social sciences to deal with environmental topics and social sciences also contribute essentially to environmental development. A problem-orientated, trans-disciplinary approach of this subject area requires social sciences to get involved with natural, biophysical processes, which is a subject area of natural science.

Changes of the environment have to be analysed from a perspective which highlights the global and cross-border effects on the various locations, identities and competences. Environmental issues often have potential for conflicts if the discussion moves to public and private property, or more precisely, when it comes to define who is in charge of deciding what public property is and what public well-being means. The unequal allocation of power as basis for these decisions, as well as the social distinction of access to resources is at the centre of the discussion. The question of “the environment” turns more and more into a buzzword, increasingly engaging public awareness. (cf. Berkhout/ Leach/ Scoones 2003: 9 et seq.)

When discussing the protection of nature and the environment Ramutsindela argues for a detailed analysis if the given reason for nature protection is really the actual reason, because “*conservation is not always the prime reason behind conservation. And it has never been historically. People have used conservation to extent their countries, the territories of their country. They have used conservation to promote money making schemes*”. (Interview Ramutsindela 2005) Likewise in the context of establishing Transfrontier Conservation Areas the question arises to what extant ecological arguments are decisive.

“The reasons that you find in the documents are ecologically nature, there are also sustainable developments in sort of, I would say, rhetorical sustainable development is there but you need to protect biodiversity. And nobody is most likely to oppose the protection of biodiversity. But what you most likely find is that the starting point of Peace Parks is an ecological argument. And then one needs to go into the ecology itself. If we are talking about habitat fragmentation and so forth, what are the ecologists actually saying about habitats themselves? That forces us to look into other areas of knowledge as well because there is also a debate in ecology about these habitats and whether they should be connected or not and how they should be connected. There is also a debate about the evidence of whether this is important for the survival of some sort of species.” (Interview Ramutsindela 2005)

In addition to this aspect of transparency and power of Global Players, *Environmental Social Science* is primarily responsible that in decision making processes attention is paid to integration and involvement. This also means the integration of knowledge and expertise, established through interdisciplinary research and the acceptance of scientific as well as

“local” lore. Involvement in this case means in particular that the population has to be directly involved in decision making processes when environmental topics are discussed. If experts and public opinion differ strongly when evaluating potential environmental impacts of processes, then the topic of “trust” in developing guidelines and directives becomes an essential keyword. In many topics concerning the environment trust plays a major role, especially for example in the field of genetically modified food. An often observed cycle in such events is that on the political level the resistant public opinion is traced back to incorrect information and an emotional overreaction. As a result, the public mistrust of governments, experts and companies involved in the decision making process increases even further. Exclusive decision making processes and communication processes are usually the reason for mistrust and the alienation of population and politics. To regain the lost trust it is not only necessary to provide new scientific data and better institutions but first and foremost an increased frankness about risks and uncertainties. A new style of political process with increased transparency and involvement is also decisive in the area of management of the environment. The main challenge is to establish a constructive framework where experts and public opinion or local knowledge can meet, bearing in mind the power structure between people with different types of knowledge. (cf. Berkhout/ Leach/ Scoones 2003: 13 et seq.) Under the influence of Environmental Social Sciences the discussion on who governs the environment has changed. Initially, the focus was usually on the national state. However, in the meantime a plurality of stakeholders, including several civil-society organisations and various companies have joined in and have taken the process from an international level to several levels of governance and away from the focus on the environment alone, to an integrative and participatory approach. Anyhow, some challenges remain. Two major ones are on the one hand, the identification of the correct level to deal with a specific issue and on the other hand, the ongoing demand for more interaction in decision making processes and knowledge transfer between the different levels, such as global environmental organisations, national governments and especially the local population. Several international studies show, that global environmental problems are best dealt with on a local level, not only pre-emptive but also when adapting to environmental changes. (cf. Berkhout/ Leach/ Scoones 2003: 17 et seq.) The players in Southern Africa emphasise the importance of involving the local population in the discussion about TFCAs and the relevant decision making processes in the context mentioned above. However, I want to illustrate how these theoretical approaches for a better integration and participation of the population are dealt with in practice and which role the Peace Park Foundation (PPF) plays on the example of the *Great Limpopo TFCA*:

“The ambivalence of the PPF concerning the development of equal partnerships with all local communities within or close to TFCA can be further illustrated by the following. In order for communities to participate fully, a prerequisite is that they are being aware and informed of the policy and plans involving their areas in TFCA development. In a PPF commissioned report by Suni/CREATE, it is stated that each family in the area of Coutada 16 Wildlife Utilization Area, which now is part of the Great Limpopo TFCA, has been informed personally that Coutada 16 has been declared a National Park, i.e. excluding the possibility of human habitation. A later survey conducted by the Refugee Research Programme of the University of the Witwatersrand showed that only 60% of the households to the west of Limpopo River had heard about plans to develop a game park. But even when these 60% were asked how informed they felt about the park, 71% responded that they had almost no information, and 83% said that they had never been consulted about the Park.” (Draper/ Spierenburg/ Wels 2004: 350)

2.1.2. *“Anthropology of Nature”*

The cultural- and social- anthropology has developed different ways of connecting and conceptualising nature and culture, whereupon the main access routes were materialistic or spiritual/ symbolic. Basically, materialistic approaches are characterised by two positions. On the one hand, we have the old anthrop-geographical axiom which says that nature or the physical surrounding dictates or defines the development of culture. On the other hand, there is a position derived from Marxist theory, which is about the active forming of nature by humankind. This Marxist approach, which is for example argued by Marshall Sahlins and Maurice Godelier, is closely connected with anthropology of the economy and the development of different ways of manufacturing, but also with aspects of religion and politics. New research results with a materialistic approach clearly show that cultures are not only subject to their natural environment but cultures actively transform nature. This may result in ecological destruction or the extinction of species as well as an increase in biological diversity thanks to human intervention. In contrast to the materialistic approach the spiritual/ symbolic tradition highlights the development of indigenous beliefs and cosmologies. Research fields, among others, were totems, animism and the analysis of the cultural and cosmological meaning of natural aspects. (cf. Halbmayer/ Mader 2004: 165 et seq.) The overcoming of the western concept of a division of culture and nature, *“the crossing of the great divide”*, was primarily borne by two sources in anthropology. On the one hand, by ethnographical evidence, that this division is inexistent in non-western societies and by the persuasion that man is a special creature in a wide sphere, which is inhabited by numerous

living beings coexisting with each other. On the other hand, modern technological innovation renders this division obsolete. Molecular biology or reproductive medicine revoke the validity of a division of nature and culture or of human and object. (ibid: 167) Below I want to point out a few examples of the cultural- and socio- anthropological research in Vienna, which throw the western concept of a division of culture and nature overboard and try to build a bridge between the two areas instead. In the field of cultural ecology the research is very much about the connection and interference of human society with the environment or the geographical region they live in. Helmut Lukas broadened the perspective of cultural ecology with a substantial analysis of the socio-political interaction of various groups, e.g. between the state and indigenous communities. In his paper on hunters and gatherers in Thailand and Indonesia he brings up the topic of land rights of indigenous populations and other non-industrialised communities. (ibid: 168) The issue of land rights of indigenous populations and other local communities is often linked to a very specific concept of nature and local expertise of the condition of nature. Conflicts about the environment usually involve several institutions and groups. Among others, national states, international companies, the local population and often NGOs, which are concerned about the rights of indigenous groups or conservation. Land conflicts between indigenous groups and the national state are usually about differing ideas for the use of natural resources. These ideas often uncover the different concepts of nature and the environment. The states' politics of managing resources and the environment is often associated with the development of infrastructure and large-scale projects such as dams, motorways, introduction of monoculture or mining. The countries of Southern Africa set a different example of managing resources and the environment by forming Transfrontier Conservation Areas (TFCA). Renè Kuppe in his paper deals with the legal perspective of the development and improvement of the legal standard of minorities and indigenous groups, whereby he strengthens their position in the dispute with national authorities and international companies. For the most part political demands, such as demands for land rights and corresponding activities of indigenous groups, are linked to their perception of nature and their world view, comprising many religious and spiritual aspects. (cf. Halbmayr/ Mader 2004: 171 et seq.) The field of anthropology of landscape is dealt with by Kirsten Melcher in a paper on the relationship between local farmers, tourists and the administration of the national parks in Nepal. In that a conflict between the stakeholders, which primarily reflects their different perceptions of nature, is revealed. On the one hand, the sacral understanding of landscape and territory, comprising ritual practices and on the other hand, the point of view of economic development and conservation put in practice by the establishment of national

parks. (ibid: 175 et seq.) The protection of the environment is usually considered to be the only way to avoid the destruction of nature through the exploitation of natural resources. In this context, Peter Schweitzer did analyse the different and often antipodal conceptions of nature by conservationists, business representatives and local citizens in Siberia. Local concepts of nature and subsistence economy are not included by the former in their conservation strategies, which leads to a complete ban of any activity by the local population in protected areas.

The interaction between local and global concepts of space and landscape are very explicit in the structure of tourist venues. In this context Elke Mader looked into concepts for tourist projects and their representation, mostly in Latin America. Specific interpretations of nature and landscape and their value for tourism are closely linked to the perception of beauty and nature and/ or the wild and adventurous. (cf. Halbmayr/ Mader 2004: 177 et seq.)

2.2 Indigenous People's Issues

During the 17th century culture- and social- anthropology “discovered” the “San” as a field of research, resulting in a number of varied discourses in the discipline. The first anthropological representation of the “San” occurred as a result of the invasion of the first Dutch settlers at the Cape of Good Hope in 1652. The conveyed images of the “San” varied a lot and were often even contradictory. They ranged from the “noble and peaceful savages” to “violent and beastlike creatures”. As of the 19th century, anthropological research was strongly influenced by evolutionary and racist assumptions. Representatives of the model of the culture area, most of all Father Wilhelm Schmidt, described the “San” as part of the “primitive culture area of hunters and gatherers” and were hoping to get an insight into the life and culture of humankind during Stone Age through them. During the Apartheid era, anthropologists such as Isaac Schapera, co-operated directly with the South African bureaucracy and the *South African Defence Force* (SADF) supplying them with anthropological material and analysis to support the objectives of the Apartheid regime. (cf. Hohmann 2003: 6 et seq.) The “*The Great Bushman Debate*“ or “*The Kalahari Debate*“ in which traditionalists and revisionists debated mostly about the identity and representation of South Africa's “San”, the main question was if the “San” were “*the product or survivors of history*“⁴. (White 1995: 2) Revisionists

⁴ On the current discussion: KUPER, Adam: The Return of the Native. In: Current Anthropology. Volume 44, Number 3, June 2003, with contributions by Omura, Plaice, Rita Ramos, Robins und Suzman. And BARNARD,

considered the “San” to be victims of economical and political processes in their surroundings whereas the traditionalists perceived the “San” as a society conditioned by the dry environment and the unpredictability of resources. (cf. Hohmann 2003: 15) The far-reaching political changes in Southern Africa in the 1990s created new challenges for anthropological research. In Namibia and South Africa independent and democratic states were formed. In this context the “San” were hoping for positive effects to be able to emerge from discrimination and marginalisation and to gain access to economic and political resources. (cf. Hohmann 2003: 10) Current anthropological research tries to avoid the Kalahari debate and distances itself from both, the traditionalist as well as the revisionist paradigm. Emic perspectives of the “San”, which have been neglected by traditionalists as well as revisionists, are ranking high and get more and more attention⁵. (ibid: 15) Although Edwin Wilmsen in his lasting paper “*Land Filled with Flies. A Political Economy of the Kalahari*“, in which he reconstructed the history and anthropology of the Kalahari and its inhabitants, already previously did lend his voice to the affected people, his analysis remain on a relatively abstract and theoretical level. (cf. Wilmsen 1989) The current research about the “San” has changed both in content as well as in the manner in which they are presented. The polyphony of the various local stakeholders is emphasised and thereby the individual subject of research is unveiled. The empirical base of the analyses gains more significance, too, whereas the theoretical orientation is taking a back seat. At the same time the “San” are more and more integrated into global networks, mostly a result of NGO involvement. The international movement for *Indigenous Rights* and self-determination is playing an increasing role in Southern Africa and with the various “San” groups. The current anthropological research primarily takes place in this context. (cf. Hohmann 2003: 16 et seq.) Even the General Assembly of the United Nations has declared the period from 1995 to 2004 the “*International Decade of the World’s Indigenous People*“, responding to the close fight of the *Indigenous Rights Movement* for more political and legal acknowledgement and thus gave hope to millions of indigenous people worldwide. Already during the 1960s indigenous groups took the stage at international institutions, the platform for human rights, as the basic human right of self-determination was withheld from them and they had no chance for political participation or access to natural resources. The result were new developments in international law and an increased policy of compensation, on a global scale advocated by the UN and on a regional level by confederations of states and individual

Alan: Kalahari revisionism, Vienna and the “indigenous peoples“ debate. In: *Social Anthropology* (2006) 14.1., with contributions by Guenther, Kenrick, Kuper, Plaice, Thuen, Wolfe and Zips.

⁵ An exceptional example is the autobiography by Marjorie Shostak published in 1981: „Nisa erzählt“, about the life of a Kung woman. (cf. Shostak 2003)

national states. Discussions about the rights of indigenous groups on an international level are no longer centred on “primitivism” or cultural purity, but are concerned with how to practically implement human rights, especially in terms of equality, procedural justice and the universal right of self-determination. (cf. Zips 2006: 27 et seq.) The land claim-agreement concluded between the #Khomani and Mier Communities, the South African National Parks (SANP) and the South African government have to be considered in this context as well.

“This agreement, seen in contrast to the client-relationships persisting in other Southern African states’ interactions with `their` indigenous peoples or `remote area dwellers`, stands out as a remarkable breakthrough towards a rights-based approach and legal readjustment of historically strained relations.” (Zips-Mairitsch 2008)

In this context one should also consider the role of culture- and social- anthropologists as those, who have supported and still support these developments on an international political and legal level, which are pursued first and foremost by the indigenous themselves. To hear the voices of the people concerned and to bestow upon them the importance they deserve. (cf. Zips 2006: 29)

3. Protected Areas und Community-Based Conservation

“Indigenous peoples and local communities live in the majority of the high biodiversity regions in the world. Their physical, cultural and spiritual survival and well-being is inextricably linked to the maintenance of the multiple relationships with and their security of tenure over their traditional lands, territories and resources. Indigenous peoples’ knowledge is a fundamental part of their cultural and intellectual heritage, including management of natural landscapes and resources, specific sites, species, sacred areas and burial grounds. And yet, their roles, knowledge and customary laws have frequently been disregarded or minimized by all sectors of the conservation community.” (Durban Action Plan 2003: 25)

During the last few decades the need for a comprehensive protection of nature and the environment reached political acceptance. However, global public awareness for the benefits of biodiversity, nature and the various ecosystems is still not pronounced enough. IUCN is a global player which tries to improve and promote the scientific knowledge of the benefits nature has in stock for humankind. IUCN is the abbreviation for *International Union for the*

Conservation of Nature and Natural Resources. In 1990 its name was changed to “*World Conservation Union*”, but it is still better known as IUCN.

IUCN was established in 1948 and brings together 80 nations, 120 governmental institutions, more than 80 NGOs as well as 10 000 experts and scientists from 181 countries. IUCN is the world’s largest knowledge base on environmental topics and a multicultural and multilingual organisation with over 1 100 employees in 62 missions worldwide. The Union is headquartered in Gland/ Switzerland and is an official permanent observer at the *United Nations General Assembly*. The task of the World Conservation Union is to lobby civil society worldwide to respect the integrity and diversity of nature. Furthermore, it promotes the sustainable and fair use of natural resources. The IUCN’s current programme, which runs from 2005 to 2008, focuses on raising awareness for humankind’s dependency of natural resources and how it could benefit from their sustainable use. (cf. iucn 2007) An essential element of the protection of nature and the environment are *Protected Areas*. In 2007 the *World Database on Protected areas* (WDPA) showed 106 926 Protected Areas worldwide, covering 19,6 million km², approximately 12% of the world’s surface. However, these numbers do not include the *Private Reserves* or *Community Conservation Areas*. By definition of the IUCN, Protected Areas are: “*Protected Areas are defined as an area of land/ or sea especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed through legal or other effective means.*” (Shadie/ Epps 2008: 9)

In this chapter I want to describe the different categories of sanctuaries and outline the objectives of nature protection in Protected Areas. The study of the various wildlife conservation strategies shows clearly, that a comprehensive protection of the environment soon hits the wall without considering the needs of the local populations and their active involvement in the management of Protected areas. Therefore it is essential to study the concept of *Community Based Natural Resource Management* (CBNRM), also called *Community-Based Conservation* (CBC).

3.1. Different Categories of Protected Areas

The various protected areas are managed differently and also the objectives, which led to their establishment, are sometimes quite diverse. The objectives of nature reserves, which in turn

have to reflect the institutional context in the respective region, have to align themselves with the different categories of protected areas.

At the *IVth World Congress on National Parks and Protected Areas*, which was held in February 1992 in Caracas/ Venezuela, the IUCN's *Commission on National Parks and Protected areas (CNPPA)* modified the system of categorisation of nature reserves. Until then the system in force dated back to 1978 and contained eight categories. The new system, which is still being used by IUCN, only applies six broad categories which shall be briefly explained at this point. (cf. McNeely/ Harrison/ Dingwall 1994:7)

I. Strict Nature Reserve/ Wilderness Area

This category includes areas of land or sea with exceptional or representative ecosystems and geological or physiologic characteristics or species. These areas are only open to scientific research and observation of the environment. Furthermore, this category includes areas which have not or barely been modified and kept their natural character. These are protected to preserve their natural condition.

II. National Park

National Parks are protected areas which primarily serve two functions - to conserve the ecosystem and offer areas for recreation. These natural areas or regions of the sea shall first of all preserve the ecological integrity of one or more ecosystems for this and future generations from damaging intrusions and exploitation and serve as an area for spiritual, scientific and recreational activities, as long as these activities are no danger to the park's ecology and culture.

III. Natural Monument

This category contains the protection of areas of specific natural or cultural significance which are exceptional or unique in their quality or appearance.

IV. Habitat/ Species Management Area

These are protected areas where an active management or intervention is needed to maintain the living space or to cater to the needs of specific species.

V. Protected Landscape/ Seascape

This are protected swaths of land or seashore which have gained an exceptional character with important aesthetics and of high cultural and ecological value through long-lasting interaction of humankind and nature. These areas often show a great biological diversity as well.

VI. *Managed Resource Protected Area*

These lands are primarily categorised as protected areas to ensure a lasting use of the natural ecosystem. On the one hand, one aims to protect the natural system and biodiversity; on the other hand, one of the objectives is to assure a sustainable supply with natural products for society. (cf. Shadie/ Epps 2008: 9)

The new system of categorisation no longer contains one specific protected area (Category VII under the old system) which had an impact on society. It was labelled *Natural Biotic Area/ Anthropological Research* and its purpose was to protect societies which opposed the use of modern technology. (cf. McNeely/ Harrison/ Dingwall 1994: 9)

3.2. Objectives of Conservation in Protected Areas

To standardise and ensure the protection of nature and the environment on a global scale, the IUCN has developed a system which lays out twelve objectives for decisions taken in connection with conservation. However, if and how these objectives and guidelines are pursued and followed depends on the regional and institutional context.

I. *Samples of various Ecosystems*

Larger swaths of the major biological ecosystems of a country should be protected to remain as representatives of the original state and to enable natural evolutionary processes to continue.

II. *Ecological Diversity*

The ecological diversity of a country should be conserved by protecting examples of the diverse characteristics of nature.

III. *Genetic Resources*

Genetic resources should be protected and the extinction of plant and animal species should be prevented.

IV. *Research and Education*

To enable formal and informal research and education the necessary facilities and possibilities should be provided in the protected areas.

V. *Protection of Water and Soil*

The flow of rivers has to be maintained and controlled to ensure a constant supply of the rivers with fresh water and a good quality of the water has to be safeguarded. This should also prevent erosion and sedimentation.

VI. *Wildlife Management*

Wildlife resources and fish stock should be protected because of their important role in maintaining the natural equilibrium as well as because of their importance for industrial, sportive and touristy purposes.

VII. *Recreation and Tourism*

Recreational facilities, both for tourists and for the local population, must be created within the protected areas to make it possible to relax in a healthy way.

VIII. *Forest Stand*

Forest stands should be increased and cultivated to ensure a sustainable supply for the production of wood products.

IX. *Cultural Heritage*

The cultural heritage of a country, which includes all cultural, historical and archaeological objects, structures and areas should be protected and open to the public as well as for scientific research.

X. *Beauty of Landscape*

To safeguard the quality of nature, scenic areas, especially near cities, motorways and industrial plants should be protected and managed as areas for recreation and tourism.

XI. *Options for the Future*

To be able to manage large protected areas in the future and to react flexibly to changes in land use, scientific research in the fields of nature protection and the ever changing demands of humankind should always be considered.

XII. *Integrated Development*

Special attention is needed to protected areas in marginalised rural areas, where sustainable job opportunities should be created. (cf. McNeely/ Harrison/ Dingwall 1994: 8)

3.3. Wildlife Conservation-Strategies

In Africa wildlife conservation strategies can usually be split up into four major categories: *Species Protection*, *Habitat Protection*, *Control of Trade in Wildlife Products* and *Community-Based Conservation (CBC)*.

I. *Species Protection*

The protection of wildlife is defined by wildlife-legislation naming certain species of animals which must not be hunted at all or may only be chased during defined annual time slots. These wildlife- and conservation legislations resulted in many Africans completely losing their traditional right to hunt and gather natural resources or have to apply for a special licence with the respective government which is only granted in exceptional cases. For example, the local populations in Zambia and Zimbabwe are banned from hunting, whereas hunting is allowed for safari-tourists. Often, units of the department for *Wildlife and National Parks* are deployed to enforce this legislation and to control protected areas. As a result, members of the local population are regularly arrested for breach of the wildlife-conservation laws. Many such cases are reported from Southern Africa, where people are arrested for something they consider to be their traditional way of life. (cf. Hitchcock 2004: 203)

II. *Habitat Protection*

In Africa the protection of the habitat of flora and fauna is usually achieved by the establishment of protected areas such as national parks or *Game Reserves*. South Africa, which ranks in third place of the world's biologically most diverse countries, dedicates 6% of its territory to nature reserves. Botswana even dedicates 17% to national parks and game reserves and another 34% to so-called *Wildlife Management Areas (WMA)*.⁶ A fundamental problem connected to the protection of habitat and the establishment of nature reserves affects the local populations. All too often they are forced to leave areas where they have dwelt for generations. In many cases of newly created protected areas, the affected population had to relocate to economically marginalised areas which are usually more densely populated. Therefore, an increased competition for natural resources takes place in these so called buffer zones surrounding the protected areas. Many people in these areas impoverish and others

⁶ Wildlife Management Areas (WMA) are rural areas in Botswana where a regulated use of wild animals is allowed and development projects are possible.

leave their homeland to look for income somewhere else. This process often has severe consequences for the stability of the local community and the families.

In Southern Africa this development primarily affects the indigenous population, which has to leave its familiar living space when protected areas are established. (cf. Hitchcock 2004: 205 et seq.) The following overview of several *National Parks* and *Game Reserves* in Southern Africa and their effects on the local population supports the proposition, that historically a political and legal setting to expropriate the previous inhabitants of the areas in question was at the bottom of the efforts to protect nature and the environment. This happened without reparations for the lost property and very limited access to the newly created protected areas. (cf. Zips/ Zips-Mairitsch 2007: 47)

| Park or Reserve Area | Date of Establishment | Size (km²) | Country | Establishment of National Parks (NP), Game Reserves and conservation areas in Southern Africa resulted in involuntary resettlements |
|---|------------------------------|------------------------------|---------------------------|---|
| ZA: Kalahari Gemsbok NP | 1931 | 9.591 | South Africa and Botswana | ~1.000 #Khomani and N amani San were resettled out of the park in the 1930s, the last of the San community were evicted from the Kalahari Gemsbok Park in 1973 |
| BW: Gemsbok National Park | 1938 | 28.400 | | |
| Bilateral Agreement: Kgalagadi Transfrontier Park | April 1999 | 37.991 | | |
| Kruger National Park and its predecessors | 1926 | Ca. 19.000 | South Africa | ~2-3.000 people were moved from Sabi Game Reserve in 1903; ~2.000 Makuleke were relocated from Pafuri area (N-Kruger) to the Ntlaveni area in 1969 |

| | | | | |
|---|--|--------|----------|--|
| Central Kalahari Game Reserve (CKGR) | 1961 | 52.730 | Botswana | 1.100 G wi, G ana and Boolongwe Bakgalagadi were resettled outside the reserve in 1997 and 2002 in nearby areas |
| Moremi Game Reserve | 1964 | 3.880 | Botswana | Bugakhwe and Ani-khwe San were relocated in the 1960s |
| Nata Sanctuary | 1989 | 230 | Botswana | Shua lost access to the sanctuary and its resources |
| Chobe National Park | 1961 | 9.980 | Botswana | Hundreds of Subiya and some San were resettled in the Chobe Enclave |
| Tsodilo Hills National Monument; Declared World Heritage Site | 1992 2001 | 225 | Botswana | ~ 40 Ju 'hoansi San were resettled 5km away from the hills in 1995 |
| Etosha Game Reserve National Park | 1907 1958 | 22.175 | Namibia | Hai//om were resettled outside the park or sent as workers to freehold farms in 1954 |
| West Caprivi Game Park, since 2000 Bwabwata National Park | 1963 Nature Park by South African admin. 1968 elevated to Game Park | 5.715 | Namibia | Khwe and Mbukushu were resettled in the early 1960s and Khew and !Xun San went to South Africa in the 1980s |
| Hwange (Wankie) National Park declared NP | 1927 29.01.1950 | 14.620 | Zimbabwe | Batwa (Tuya, Amasili) were rounded up and resettled south of Hwange Game Reserve in the late 1920s |

(ill. 1: Data from: Hitchcock 2004: 207 and Zips/ Zips-Mairitsch 2007:48 et seq.)

III. *Control of Trade in Wildlife Products*

This strategy of conservation is implemented on several levels: On the international level legislation controls the trade in endangered and vulnerable species. In the 1960s the industrialised countries realised that international trade could be an increasing threat for many wildlife products. This awareness led to the formation of CITES, the *Convention on International Trade in Endangered Species of Flora and Fauna*. The CITES-Convention was founded in 1975 and is also known as the Washington Convention on Biodiversity. It has 171 member states and is therefore the largest and most important international treaty in this field. It controls the trade in more than 30 000 species of animals and plants. (cf. Abensperg-Traun 2007: 11 et seq.) The precise mandate of the convention is the protection of affected species from non-sustainable use through international trade. Without co-operation of the local population a lasting and successful protection of species is not possible. (ibid. 13) The 14th session of the CITES-Convention in June 2007 in Den Haag/ Netherlands was focused on a discussion about the slackening of the trade in elephants to enable a sustainable and commercial use of the surplus population of elephants. (cf. Indaba 2007: 17) This demand was made by Botswana, Zimbabwe and South Africa and complied with in so far as these countries were allowed to sell all their registered federal ivory stock, built up until 31 January 2007. Simultaneously, a nine-year moratorium for the trade in ivory was resolved at the request of Kenya and Mali. (ibid. 9)

Whereas the ownership of wildlife in Africa is clear and placed in the hands of the national states, the ownership rights for natural vegetable resources growing on communal land is not solved, yet. The legal situation in most African countries does not sufficiently clarify the ownership and rights of use of plant products, including those needed by the local population for medical use. With few exceptions, plant products are freely accessible resources. This put multinational companies, especially pharmaceuticals, to take possession of wild plants, to analyse them and even to patent them. In this regard one has to consider the debate on *Intellectual Property Rights* and on the distribution of profits between these multinational companies and the indigenous populations. Many indigenous groups are fighting for the strengthening of sections of CITES and the *Convention on Biological Diversity* (CBD), to be able to better protect valuable natural plant resources. (cf. Hitchcock 2004: 208) One example is the !Khoba plant, labelled “*Hoodia*“ (*Hoodia gordonii*) on the world market. It is used by indigenous groups in the Kalahari as alternative nutrition during dry season or famine. It simultaneously supplies the body with energy and water and prevents a hungry feeling. The plant is marketed as a diet supplement to loose weight without feeling hungry. (Interview Bok

2005) In 1996 scientists of the National South African Research Centre CSIR (Council for Scientific and Industrial Research) analysed the active ingredients of the plant. A steroid-glycoside called P57 ought to cause the feeling of repletion in the hypothalamus of the diencephalons. In 1997 CSIR took out a patent on P57. Only a few months later the research centre reached an agreement with the English company Phytopharm to develop and market the active ingredient. In 2001 the US-pharmaceuticals group Pfizer acquired the licensing right from Phytopharm for USD 21mn. In 2003, supported by several NGOs, the “San” managed to reach an agreement with CSIR to receive 6% of all future licence fees for P57. (cf. Wiegele 2007: 22)

Since then the *San Council*, established in 2002, fights for the implementation of the agreement. It is uncertain if a profit-sharing can be achieved. Dawid Kruiper, the *Traditional Leader* of the #Khomani pins down the problem of the !Khuba plant.

“What are they doing? Taking my own plant and selling it to the whole world. To the whole world and I’m sitting here with nothing. This is the beginning. This is my knowledge as the traditional leader. They take my knowledge and they sell it. My knowledge, for me to sell my knowledge is wrong. Here my knowledge lies.”
(Interview Kruiper 2005 a)

IV. *Community-Based Conservation (CBC) or Community Based Natural Resource Management (CBNRM)*

This form of conservation strategy combines nature protection and economic development. The main idea of CBNRM is to ensure the right of the local population to profit from the local natural resources. Legal regulations should give local or regional organisations the chance to profit from protected areas or activities such as tourism taking place in their surroundings.

Over the last years indigenous groups in South Africa, Botswana, Namibia and Zimbabwe were able to profit from CBNRM-projects, which focused on tourism. CBNRM-linked tourism projects are not only happening in connection with protected areas but also in regions of ecological or cultural significance. (cf. Hitchcock 2004: 208 et seq.)

In most cases these are so called ecotourism projects. The TIES - *The International Ecotourism Society* defines ecotourism as follows: *“Responsible travel to natural areas that conserves the environment and improves the well-being of local people.”* (iucn 2008)

Furthermore, TIES has drawn up the following principles for ecotourism projects:

“(i) minimise impact; (ii) build environmental and cultural awareness and respect; (iii) provide positive experiences for both visitors and hosts; (iv) provide direct financial benefits for conservation; (v) provide financial benefits and empowerment for local people; (vi) foster sensitivity to host countries’ political, environmental, and social climate and (vii) support international human rights and labour agreements.” (iucn 2008)

Despite the often claimed participation and profit sharing of the local population, the main problem for indigenous groups is that ecotourism often yields very little social and monetary profit, contains a lot of risks and often leads to an expropriation of the already poor local population. (cf. Hitchcock 2004: 211)

3.4. Community Based Natural Resource Management (CBNRM)

The concepts of ecotourism and sustainable tourism are favoured and thought to be feasible by governments and international organisations such as *World Conservation Union (IUCN)*, *World Bank*, *World Trade Organisation (WTO)*, *World Tourism Organisation*, *International Ecotourism Society (TIES)* and NGOs. However, a lot still has to be done to ensure that tourism can have a positive social, economical and ecological impact on the local level as well and help to play a role in solving long standing problems of local populations. Robert Hitchcock, who has conducted several studies on CBNRM⁷ in Southern Africa, points out some of the difficulties and problems, which are primarily referring to the situation in Botswana but are also of great relevance for neighbouring countries such as Zimbabwe, Namibia and South Africa.

3.4.1. Problem Areas

A key problem faced by the local population participating in CBNRM projects is the rivalry for employment opportunities such as guided tours for tourists or the sale of craftwork. The establishment of a *Community Trust* can be an answer. On the one hand it ought to help to

⁷ An important and comprehensive book on Community-Based Conservation in Africa was published by David Hulme and Marshall Murphree. “African Wildlife & Livelihoods“ analyses how successful CBNRM-Programmes combine objectives of conservation and economic development. (cf. Hulme/ Murphree 2001) Furthermore, Harry Wels offers an informative insight into Community Involvement in Southern Africa, with a focus on Zimbabwe in his book “Private Wildlife Conservation“. This book is an important supplement to governmental Wildlife Conservation. (cf. Wels 2003)

involve the diverse sections of the population equally; on the other hand it offers a source of employment and income for all members of a local community. These options should not only be available to members of the *Trust Board* but to the whole population. A co-operation of the various groups is possible if a balance of power is established in decision making processes and everyone can benefit from tourism. (cf. Hitchcock 2004:214) Time and again social exclusions or discriminations occur within the framework of *Community Trusts*. Certain parts of the population, especially indigenous groups, have less chance to take an active part in decision making processes related to the *Trust Management* than others. One reason for this is the lack of adequate language skills in English, Setswana or Afrikaans. A lot of people from local communities feel excluded as they cannot get as many social and economic advantages from CBNRM operations as members of the Community Trusts. Frequently, criticism even comes from within the Trust as unequal distribution of income and job opportunities also exists between members. (ibid: 221) CBNRM projects often fall short of their main objective, namely to fight poverty. A large proportion of families within areas with established CBNRM schemes still live below the poverty line. Repeatedly this fact combined with the uneven distribution of profits leads to local conflicts. The monitoring of profits from CBNRM projects resides with the *Community Trust Board*. Usually the board is made-up by the community's elite, neglecting the prospects of the marginalised members of the community. (ibid: 222 et seq.) The gender-related implications of ecotourism projects are often problematic as well. Men are the main beneficiaries of hunting related ventures in Southern Africa; the same is true for projects where guides are employed. Usually men have a better knowledge of English, Afrikaans or German too and are therefore better primed to interact with tourists.

The only areas left for women are usually in domestic services. They care for the cleaning of lodges and sanitary facilities. Another field dominated by women is the production of craftwork, which in turn is sold to tourists mostly by men. In this respect men generally benefit more from the development of tourism in Southern Africa than women. (cf. Hitchcock 2004: 215)

The long existing pretence to combine development and conservation could not be achieved by the CBNRM-programmes, yet. Whereas international tourists first and foremost expect pristine natural sites, biodiversity and cultural presentations, the central objectives of the local population are an emancipated development, equal access to resources and an ensured livelihood. All too often tourist development programmes and environmental conservation are used to legitimate the resettlement of local populations (see chart p. 24 et seq.) away from the

best known protected areas of Southern Africa. (ibid: 222 et seq.) Ironically and tragically the predominant policy of establishing “*Nature at Peace*“ respectively “*Parks against People*“ sanctuaries, which aim to exclude any human intervention from the protected areas, are directed exactly against the people who, through their sustainable use of nature, in the first place made it possible for the “*Global Community*“ to enjoy these natural landscapes at present. It has been argued in this context that CBNRM is no new idea but basically what the indigenous peoples have done for thousands of years by employing the natural resources in a sustainable way. In accordance with the formation of national parks and game reserves the traditional hunt for livelihood was declared to be poaching and made illegal, thus making it impossible for the local population to use the natural resources they were depending on. Undoubtedly, this may be denounced as a tragic neglect of the knowledge and abilities of the local population in matters of environmental protection and nature. (cf. Zips/ Zips-Mairitsch 2007: 46) It is obvious to the local population, usually resettled by force, that it is not them but primarily (wealthy) foreign tourists, who can enjoy and make use of the protected areas. As a result of the fact that most profits from tourist operations go to big enterprises and not to the local communities, the new strategy of indigenous groups is primarily to advocate *Community-Based Tourism*, which focuses more on cultural elements. (cf. Hitchcock 2004: 224) Despite all problems, Robert Hitchcock concludes in his study, that CBNRM-programmes with joint co-operative companies lead to a higher economic profit than those where the communities organise their activities independently. (ibid: 218)

3.4.2. Durban Action Plan – *A Turning Point!*?

The *Vth World Parks Congress*, which took place in Durban in September 2003, first and foremost concerned itself with the precarious situation of the local population affected by the formation of protected areas. The involvement of the local population indicates a “*Turning Point*“ for the role and function of protected areas in the fields of biodiversity and sustainable development. The “*Durban Action Plan*“ calls for a paradigm shift and supports it:

“By taking its theme as ‘Benefits Beyond Boundaries’, participants at the Congress recognised that protected areas cannot remain in isolation from the surrounding areas of land and sea, and from the communities and the economic activities in and around them.” (Durban Action Plan 2003: 5)

Furthermore, it is mentioned that especially the local population has to cover most of the costs for the establishment and up-keeping of protected areas, while receiving only a small share of the profit. Whereas the entire society gets most of the profits, pays only a fraction of the costs and suffers hardly any downsides. Indigenous groups, the local population, young people, ethnical minorities, women and other civil society pressure groups are inadequately represented in the identification and management of protected areas. (cf.: 6) Another problem area often mentioned by local people involved in CBNRM-projects concerns the environment and environment protection. They are often accused by conservationists that their lifestyle evokes a negative impact on the environment. Referring to this, spokespeople of the local population often mention that they have less influence on sanctuaries as well as less negative impact on the environment than tourists and employees of protected areas. In their opinion tourists and employees of the various development projects should equally concern themselves with the sustainable management of natural resources. Integrated development- and conservation programmes call for a successful co-operation of all parties involved. (cf. Hitchcock 2004: 214)

It was already argued and acknowledged at the *World Summit on Sustainable Development* 2002 in Johannesburg, that protected areas may play an important role in the fight against poverty. To make it happen, several changes and certain procedures are necessary. The Durban Action Plan argues for a termination of all resettlement programmes and is against a forced sedentism – without reaching a consensus first – of indigenous groups and local populations. (cf. Durban Action Plan 2003: 15 et seq.) On the national and local levels development programmes must be initiated which support *Capacity Building* of the local population to enable them to participate in the conservation and management of the protected areas. On the administrative level of protected areas the Durban Action Plan stipulates:

“All protected area authorities are encouraged to adopt measures, policies and practices which provide for full recognition of and respect for the rights of indigenous peoples and local communities; ensure that their voices are heard and respected in decision-making; incorporate traditional knowledge, innovations and practices; ensure an equitable distribution of benefits, authority and responsibilities; and to encourage mutually acceptable incentive mechanisms.” (Durban Action Plan 2003: 28)

3.4.3. Challenges and Potential for Change

A fundamental problem in Southern Africa is the fact that only a few communities actually have control over their own land. It is in the interest of Community Based Natural Resource Management (CBNRM) and of the local population that the national states regard the communities as lawful owners of land, wildlife, minerals and other natural resources. Hitchcock advocates a more participatory approach to development and nature protection, which allows communities to control the natural resources. In his opinion this would reduce the potential for conflicts and lead to more co-operation and CBNRM would then be more likely to be successful. (cf. Hitchcock 2004: 226) CBNRM programmes, which have gained significance since the 1990s, still reflect the hierarchy as it developed through conservation legislation and politics. These *top-down* structured CBNRM-projects suffer from a lack of democracy and this procedural deficit is a key factor why they lack the ability to solve the major conflicts between nature protection and development in Southern Africa. (cf. Zips/ Zips- Mairitsch 2007: 41) It is obvious that CBNRM-programmes are difficult to implement because of the necessary integration of nature protection and development. Nevertheless, for many indigenous groups they are one of the few opportunities to profit from tourism. Certain aspects of CBNRM-programmes need to be improved to increase and assure the positive impact of these programmes. Essential for the success of a *Community-Based Organisation* (CBO) are transparency, openness and flexibility. One demand is for involved NGOs to focus more on the strengthening of the institutional capacities of CBOs, especially in the areas of project administration, finances and documentation. Options to participate in the decision making processes of CBNRM-projects need to be boosted. CBNRM-projects must be assisted and monitored to avoid the overstretching of their institutional capacities and them turning into a liability for nature. The devolution of often already tightened authorities should be achieved through negotiations and interactions and not through a stringent regime. CBOs and NGOs must be allowed to set their own priorities and to pursue them. Furthermore, mechanisms need to be implemented which not only support more participation but also strengthen accountability and reliability. Justice and fair treatment, also when it comes to the categories of gender, age, power and class, are key to a successful sustainable development of *Community Based Natural Resource Management*. (cf. Hitchcock 2004: 224 et seq.)

4. Peace Parks and Transfrontier Conservation Areas

*“I know of no political movement, no philosophy,
no ideology that does not agree with the peace parks concept
as we see it going into fruition today.
It is a concept that can be embraced by all.”*

(Nelson Mandela, in PPF n.d.: Brochure)

Peace Parks, also known as Transfrontier Conservation Areas (TFCA), are a world-wide phenomenon by now, also in Southern Africa. The concept of “Peace Parks“ also means that national borders are opened up and border fences are removed to allow and guarantee free movement of animals and tourists within these TFCA. John Hanks of the *Peace Park Foundation* (PPF) believes that: *“each TFCA should be a ‘visa free’ area when tourists are moving between countries within the TFCA.”* (Hanks 2001: 9)

In the following chapter I first want to explain what Peace Parks are and which objectives they have or which functions they fulfil. Initially I want to describe the complexity of the terminology in connection with TFCAs to clear out any vagueness. The broadly accepted definition of Peace Parks by the PPF, which I have already mentioned in my introduction, is the following:

“A peace park is a formally gazetted transfrontier complex, involving two or more countries which is under a unified system of management without compromising national sovereignty and which has been established with the explicit purpose of conserving biological diversity, encouraging the free movement of animals and tourists across the international boundaries within the peace park, and the building of peace and understanding between the nations concerned.” (PPF 2000 b: 4)

An essential part of the chapter is dedicated to the development of TFCAs in Southern Africa. A special focus is directed on South Africa, where so far already three *Tranfrontier Parks* have been officially opened. An equally essential part of the chapter is devoted to the major *“Role Player“* when it comes to promote and market peace parks, namely the Peace Parks Foundation.

“Peace Parks - The Global Solution?!“ deals with future perspectives of the Peace Park concept and outlines some points of critique around the implementation of the concept, whereupon I focus on the local population, which actually should benefit, besides flora and fauna or tourists, from the establishment of peace parks.

4.1. Transfrontier Conservation Areas

The terminology of nature reserves, stretching over more than one country, is far from being uniform. Terms such as “*Peace Parks*“, “*Transfrontier Conservation Areas*“ (TFCAs) and “*Transfrontier Parks*“ alternate, but they basically mean the same. Over the last 30 years a broad variety of terms has been used to describe cross-border natural reserves. They included *Parks, Transfrontier Protected Area Complexes, International Peace Parks, Adjoining Protected Areas, Transboundary Protected Areas, Transfrontier Nature Reserves* und *Cross Border Parks*. (cf. PPF 2000 b: 2) Regarding to the PPF Transfrontier Conservation Areas are also called Peace Parks because they are an expression of the harmony between humankind and nature and create wealth by the use of natural resources. Melissa de Kock, a PPF project co-ordinator, in an interview quotes Anton Rupert, the founder of the Peace Park Foundation, who used the term “Peace Park”,

“because Transfrontier Conservation will stimulate peace between men and nature, nature and nature and... ah... yes, men and nature, nature and nature and ...ah... what was it... men and men. So that’s the concept of Peace Parks. Nature being in harmony, the ecosystems can be joined and the promotion of perhaps better relations between the two countries.” (Interview De Kock 2005)

However, when categorising cross-border protected areas, PPF draws the following distinction: As soon as an international treaty to establish a common park is signed by two or more countries, the area is called *Transfrontier Park*. In any other preceding stage (see: 4.2.2. *Phase Plan for the development of TFCAs*) the area is designated as *Transfrontier Conservation Area* (TFCA). (Interview De Kock 2005) Nico van der Walt, park manager of the first African Peace Park, the *Kgalagadi Transfrontier Park* (KTP) calls it a *Park* and not a *Conservation Area* and gives the following statement on terminology:

“I think all Transfrontier Parks are Peace Parks. I think in generally we are talking about a ‘Peace Parks Concept’ in Africa. Because where you have a Transfrontier Area, you move across borders, and the main aim is to have benefits on both sides equally.” (Interview Van der Walt 2005)

4.1.1. “Waterton-Glacier International Peace Park - The World’s First”

By now TFCAs have been established on all inhabited continents, except for Australia, which is not split up by international borders. European countries were pioneers in developing and implementing TFCAs, but nowadays the concept of TFCAs is common worldwide and the first Peace Park was established by Canada and the USA. In 1932 the *Waterton Lakes National Park* in Alberta/ Canada was connected with the *Glacier National Park* in Montana/ USA to form the *Waterton-Glacier International Peace Park*, stretching over 4 101 km².

Rotary International, with branches in Montana and Alberta, was the driving force behind the undertaking. The US Congress and the Canadian Parliament agreed to the plan and enacted the legislation necessary to establish the world’s first Peace Park. In 1995 the Waterton-Glacier International Peace Park was the first Peace Park to be named a *World Heritage Site*. (cf. De Villiers 1999: 63 et seq.)

4.1.2. Objectives and Functions

In 1988 the IUCN – *The World Conservation Union* organised the “*First Global Conference on Tourism - A Vital Force for Peace*”, in Vancouver/ Canada. In many workshops and debates this conference discussed the topic “*Parks on the Borderline*” and evaluated the experiences made with transfrontier conservation.

The conference pointed out that all *Protected Landscapes*, which cross national borders have a huge potential to reduce possible tensions or conflicts between the respective countries and could enhance the peace process. Two other main functions of *Transfrontier Conservation Areas* are on the one hand, the management of nature and its resources and on the other hand, socio-economic developments through the reduction of poverty, especially among the local population, with a special focus on “*Transboundary People*”⁸. (cf. McNeil 1990: 25). Still, these three aspects are the main objectives when TFCAs are established, “*although the precise objectives of TFCA establishment are not always clearly articulated, all three options are usually exercised or used as objectives at various levels of intensity*”. (Hanks 2001: 3) In the following I would like to discuss this matter in more detail.

⁸ McNeil uses the term “*Transboundary People*”, to describe nomadic people and those who trespass borders regularly as well as settled people whose cultural identity stretches over national borders and therefore creates migration. (cf. McNeil 1990: 28)

I. Promotion of a Culture of Peace

To be in a position to establish TFCAs one has to first and foremost bear in mind the context of relations between the countries involved. McNeil differs between four levels of social preconditions, based on which the establishment of such Parks has different functions and effects.

1. With existing good relations between the concerned countries a cross-border park is first of all a symbol of the good co-operation and a common activity to strengthen peace. Common activities may include the splitting of financial resources and the labour force, common training and the common use of the park's resources. Such cases are examples of "*good practise*" for the establishment of TFCAs worldwide.

2. In case of peaceful but somehow tense or cool relations, TFCA may improve and strengthen the interaction and trust between countries. The objective of this development is to realise that peaceful relations between countries is more than the absence of war.

3. In post-war periods or after border conflicts, cross-border parks may be established to make a statement of reconciliation and to improve international relations again. Furthermore, the safety of the people living close to the border should improve and the interests of minorities strengthened.

4. In times of tension and ongoing hostility, the main objective of establishing such a park is to support peace efforts and co-operation. In this context the joint opening of a cross-border park may be seen as a non-military alternative to solve a conflict. It might also enable the parties involved to reduce the level of military presence in the area, thus reducing the threat of a destruction of biodiversity. (cf. McNeil 1990: 26)

The potential of TFCAs to advocate peace and co-operation between neighbouring countries is an essential precondition for a sustainable economic development and foreign investments in Africa. Against the background of numerous conflicts in various African countries, usually the political leaders are initially reluctant to participate in cross-border co-operations or to consider the removal of border barriers. International borders are powerful symbols and represent the territory and national sovereignty. Worldwide, there are now several examples of cross-border managed natural reserves and several cases, where boarder conflicts could be resolved by them and the economical and political stability strengthened. (cf. Hanks 2001: 7 et seq.)

II. *Conservation of Biodiversity*

Usually, the main challenge when establishing a national park is to reconcile the protection of natural resources and the build up of a tourist infrastructure. The dedication of a TFCA and the accompanying reintegration of a larger ecosystem can help to accomplish this objective more easily. The protected area in cross-border parks is in most cases significantly larger than in national ones and the joint management can solve problems better.

National borders, drawn up during the colonial era⁹ have often cut up ecological habitats. The establishment of TFCAs can reunite these habitats and help to protect animals migrating from one watering hole or pasture to another more easily. The increasing endangerment of wildlife by industrial and urban activities can be reduced and simultaneously the danger of wild animals rambling in the neighbourhood of villages and farms can be lowered as well. Furthermore, resources such as rivers, lakes and other unique areas which are split between countries can be better protected. Equally, improved cross-border co-operation may decrease the risks associated with transnational threats, such as floods, large-scale fires or pollution as a result of environmental disasters. Moreover, the joint management of resources and the environment creates additional and better tourist attractions and increases the recreational value significantly. (cf. McNeil 1990: 27 et seq.)

III. *Socioeconomic Development*

National parks are primarily established to protect nature or places of historical and archaeological significance, where required. In case of TFCAs another essential element is added which is occasionally neglected, namely the protection of the local population and the conservation of their cultural values and traditions. In most cases it is indigenous populations living in or near parks, classified by McNeil as *Transboundary People*. The intention of establishing TFCAs is to improve the economic conditions and the security situation of local populations, thereby advancing their social status, which in return should lead to more stability within their social fabric. (ibid: 28) TFCAs have the potential to turn large swaths of land into a profitable and sustainable system of land use. Income derived from tourism, especially from the growing segment of “*Adventure Nature-Based Tourism*” and from the use of natural resources is an important instrument to fight poverty in rural areas in Africa.

⁹ In 1884 at the Berlin Conference, Africa was divided up by national borders, corresponding to the ideas of the European colonial powers. The approval of the affected groups was not requested. Identity and culture of the countries were not considered. (cf. Zips/ Zips-Mairitsch n.d.: 1)

Tourism is the fastest growing industry worldwide and the sector which provides most of the new jobs within the *Southern African Development Community* (SADC) and stands for a sustainable economic development. Tourism is particularly vital for regions with a high unemployment rate, poorly trained workers and hardly any job alternatives. First and foremost this job growth is associated with “*Nature-Based or Wildlife-Based Tourism*“. For the local population making use of the wildlife-resources is at the same time an advantage but also an incentive to protect biodiversity.

Basically we can differentiate three types of employment opportunities:

- Directly employed in the tourist infrastructure (hotels, restaurants)
- Indirectly employed, in companies that are somehow linked and influenced by tourism (transportation, banks, craftwork)
- Secondary job opportunities in companies which cater to the needs of those who have profited from tourism.

Occasionally tourist ventures in Africa have operated in relative isolation from the rest of the population. The main objective of TFCAs is to try to integrate tourism into the economy of the region to fight poverty on a local and regional level. (cf. Hanks 2001: 5 et seq.) John Hanks of the PPF expresses the goal of socio-economical development:

“Ideally, development strategies, including TFCA, should be measured by the benefits they bring to those living in or close to the development concerned, and by the benefits they bring to the alleviation of the national poverty.” (Hanks 2001: 9)

4.2. Focus on Southern Africa

The far-reaching political changes in South Africa in the 1990s had major consequences for the development and consequently for the successful implementation of Peace Parks in the whole of Southern Africa. In February 1990 Nelson Mandela was freed by the then president of South Africa, F.W. de Klerk, and the ban of the *African National Congress* (ANC) was lifted. The same year most of the laws of the racist Apartheid regime were annulled. The election of Nelson Mandela as the first democratically elected president of South Africa in April 1994 was the highlight of change and paved the way for an increased co-operation between South Africa and its direct neighbours. (cf. Worden 2000: 155 et seq.) At time parts of the southern part of the African subcontinent became one of the most peaceful regions in Africa. This development brought with it a huge potential for regional co-operation in the

field of *Transboundary Protected Areas*. In September 1997 an *International Conference on Transboundary Protected Areas as a Vehicle for International Co-operation* called *Parks for Peace* was staged in Somerset West near Cape Town. John Hanks of the PPF gave a lecture and put the following on record on the regional context of establishing TFCAs:

“The history of the African continent over the last 40 years has been dominated by the growth of African nationalism. Armed campaigns to take control of the state have contributed to the withdrawal of colonial governments and also to the overthrow of repressive regimes. In some cases, this has opened the way to a peaceful settlement, but in others it has left a legacy of political violence and even civil war and a collapse of state authority and social order. Protected natural areas have all too often been severely disrupted by military actions, with a concomitant loss of biodiversity. In southern Africa, Angola, Mozambique and to a lesser extent Zimbabwe and Namibia experienced several years of savage conflict, a guerrilla war which had, and still has, a profound effect on economic relations with bordering countries, and on internal post- independent economies.”
(Hanks 1998: 133)

With regard to the already mentioned functions of TFCAs, namely the aspects of peace building, socio-economic development and the protection of biodiversity, the Chief Executive Officer (CEO) of the PPF, Willem van Riet called TFCAs the remedy for the “scars of history”. The first scar healed on 12 May 2000 when the *Kgalagadi Transfrontier Park* (KTP) was inaugurated. (cf. Godwin 2001: 111)

4.2.1. The Southern African Development Community (SADC)

In Lusaka/ Zambia on 1 April 1980 eight countries from Southern Africa established a loose alliance called *Southern African Development Co-ordination Conference* (SADCC). The main objective of the alliance was to co-ordinate development projects to reduce the level of economic dependency from South Africa, which was still governed by the Apartheid regime. The transformation of the organisation from a *Coordinating Conference* to a *Development Community* took place on 17 August 1992 in Windhoek/ Namibia. By now SADC, which is headquartered in Gaborone/ Botswana, consists of fourteen countries of Southern Africa, namely: Angola, Botswana, The Democratic Republic of Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Zimbabwe, Swaziland, Tanzania, Zambia and since 1995 also South Africa. (cf. sadc 2008 a)

The objectives of the organisation as stipulated in the article of agreement are:

- A close economic co-operation and integration on the basis of concinnity's, equality and mutual benefit. Enabling of cross-border investments and trade and free trade of production factors, goods and services across national boundaries.
- Common economical, political and social values, increased competitiveness, democracy and "*Good Governance*", respect for the law and human rights, reduction of poverty.
- Advancement of regional solidarity, peace and security, to enable the people of the participating countries to live their lives in harmony (cf. sadc 2008 b).

The objectives of SADC are in many aspects are in accord with the goals of the Peace Parks Foundation (PPF) for the use of TFCAs. SADC is about to establish a platform called "*SADC TFCA Support Team*", in order to have one common institution to co-ordinate the numerous efforts of creating TFCA in Southern Africa. Thereby the member countries should reach a common "*Southern African Position*".(cf. PPF 2003: 2) SADC is also the institution which co-ordinates and administrates regional development initiatives in Southern Africa. In August 1999 the heads of state of the member countries signed the *Protocol on Wildlife Conservation and Law Enforcement in the Southern African Development Community*. One of the goals of the protocol is "*to promote the conservation of shared wildlife resources through the establishment of transfrontier conservation areas*".(Hanks 2001: 8 et seq.)

4.2.2. Phase Plan for the Development of TFCAs

The phase plan for the development of TFCAs published by the PPF basically consists of seven steps, which may vary depending on the specific context of the individual TFCA. In this process it is essential to confer with all institutions involved to ensure that the establishment of a TFCA is supported on all levels.

1. The involved parties express their political will to establish a TFCA and to support the TFCA concept.
2. Creation of a multilateral strategy team made up from experts from governments and NGOs to develop a *Memorandum of Understanding* (MoU) between the participating countries. This is the first important step in the process of development, as on the one

hand, institutions/ corporations/ committees obtain a mandate to negotiate in the name of governments, on the other hand, the MoU formalises the declaration of intent of the participating countries to support the TFCA-process.

3. Signing of the MoU by the respective governments to support the establishment of a TFCA and to initiate formal negotiations within an institutionalised framework.
4. Development of an *International Treaty* for the establishment of a TFCA. This process is usually supported by independent co-ordinators, appointed by the respective countries. The co-ordinator is responsible for managing the various committees, which deal with topics such as immigration, finances, communities, legislation, tourism, security and wildlife management.
5. Signing of the *International Treaty* and implementation of the institutional framework, e.g. by setting up a *Joint Management Board (JMB)*.
6. Opening ceremony. Official opening of the Transfrontier Conservation Area.
7. Implementation of the agreed principles on conservation and the economy to be able to develop the TFCA into a sustainable tool. (cf. PPF 2003: 2)

To enable the implementation of TFCAs the support on five different levels is necessary: on a political, regional, technical and financial level as well as on the level of the local population. As the establishment of TFCAs is based on an intensive international co-operation, involving sensitive areas such as the opening of international borders, the full support of the respective head of state is a basic requirement. On a regional level the support of SADC for the TFCA-process is of utmost importance. On the technical level all relevant institutions need to be included, such as environmental protection agencies and the ministers responsible for immigration, police, customs and health. The development and maintenance of TFCAs are very expensive and the costs cannot be covered by the governments of the respective countries alone. The better part of funding must come from the private sector and from bi- or multilateral aid organisations. When it comes to the level of the local population, the PPF reckons the following:

“All local communities in and adjacent to the TFCAs must be consulted at the start of the development process and every effort should be made to make them partners in the business opportunities that will open up.” (PPF 1998: 3)

4.2.3. TFCAs in the SADC-Region

South Africa is leading the way when it comes to establishing Transfrontier Parks with neighbouring countries in Southern Africa. The following chapter focuses on the special situation in South Africa. In this chapter I will provide a brief overview in tabular form of TFCAs without South Africa's involvement in countries of the SADC-Region. A memorandum of understanding (MoU) has already been signed for the following TFCAs:

- Iona-Skeleton Coast TFCA between Angola and Namibia
- Okavango-Zambezi TFCA between Angola, Botswana, Namibia, Zambia and Zimbabwe)
- Malawi-Zambia TFCA
- Chimanimani TFCA between Mozambique and Zimbabwe

For the following TFCAs feasibility studies are being prepared, official negotiations about the establishment of Transfrontier Parks are not conducted, yet:

- Liuwa Plain-Kameia TFCA between Angola und Zambia
- Lower Zambezi-Mana Pools TFCA between Zambia und Zimbabwe
- Niassa-Selous TFCA between Mozambique and Tanzania
- Mnazi Bay-Quirimbas Transfrontier Conservation Marine Area (TFCMA) between Mozambique and Tanzania (cf. mapsppf 2008)

4.2.4. TFCAs in South Africa

There are currently six Transfrontier Conservation Areas in South Africa, many in different stages of implementation and with the Peace Parks Foundation involved as a supporting force. (cf. peaceparks 2008 c)

I. /Ai-/Ais/ Richtersveld Transfrontier Park (Namibia/ South Africa)¹⁰

On 17 August 2001 the governments of Namibia and South Africa signed a MoU to merge the *Richtersveld* National Park in South Africa and the */Ai-/Ais/ Huns* National Park in Namibia into one common nature reserve. (cf. Hanks 2001: 10) On 1 August 2003 the presidents of Namibia and South Africa signed the *International Treaty*, which made it possible to

¹⁰ For a comprehensive analysis of the */Ai-/Ais/ Richtersveld* Transfrontier Park with a special focus on community participation see Myburgh 2003.



(ill. 2: Transfrontier Conservation Areas identified within the SADC-Region. From: mapsppf 2008)

officially open the |Ai-|Ais/ Richtersveld Transfrontier Park as South Africa's third Transfrontier Park. This Transfrontier Park is one of South Africa's particularities of nature with a dry desert, an enormous mountain range and the world's second largest canyon, the *Fish River Canyon*, on its 6 045 km² of land. (cf. peaceparks 2008 d)

II. *Kgalagadi Transfrontier Park* (Botswana/ South Africa)

On 12 May 2000 the presidents of Botswana and South Africa officially opened the Kgalagadi Transfrontier Park (KTP), Africa's first Peace Park. The KTP unites the 28 400 km² large *Gemsbok National Park* in Botswana and the 9 591 km² large *Kalahari Gemsbok National Park* in South Africa. Based on a verbal agreement between the two countries the park de facto already exists since 1948. There were no border fences but also no common management of this semiarid desert of the Kalahari. The opening of this park was considered as a model case for the development of TFCAs in Africa. (cf. Hanks 2001: 3) Chapter 5 will go into more detail.

III. *Great Limpopo Transfrontier Park* (Mozambique/ Zimbabwe/ South Africa)¹¹

The "flagship" of TFCAs, the Great Limpopo Transfrontier Park (GLTP) was proclaimed on 9 December 2002 by the signing of the *International Treaty* by the presidents of Zimbabwe, Mozambique and South Africa. This made the GLTP Africa's second Peace Park. In the first phase of the development of this now 35 000 km² large area, the *Limpopo National Park* in Mozambique, the *Kruger National Parks* in South Africa (which was opened on 31 May 1926 as Africa's first national park), the *Gonarezhou National Parks*, the *Manjinji Pan Sanctuary* and the *Malipati Safari Area* in Zimbabwe were combined. In addition, two areas between the Kruger National Park and the Gonarezhou National Park were included in the GLTP. These areas were the *Sengwe Communal Land* in Zimbabwe and the *Makuleke Region*¹² in South Africa. During the planned second phase of enlargement of the GLTP the integration of the *Banhine National Park*, the *Zinave National Park* and the *Massingir-* and *Corumana* lands in Mozambique should take place. The total area of the park should then reach almost 100 000 km² and become "*The World's Greatest Animal Kingdom*". (cf. peaceparks 2008 e)

¹¹ Additional literature on the Great Limpopo Transfrontier Park siehe: Hofstatter 2005/ Spencley 2005 and a documentation by Arte: Big-game hunting in the Kruger Park 2003.

¹² The Makuleke Community was driven from its land in 1969. The land was then incorporated into the Kruger National Park. They could get some of the land back through a land claim. This land is now part of the GLTP. Additional literature on the Makuleke Community: PLAAS 2005

IV. *Limpopo/ Shashe TFCA* (Botswana/ Zimbabwe/ South Africa)

The planned Limpopo/ Shashe TFCA, with the confluence of the two major rivers Limpopo and Shashe at its centre, will cover 4 872 km² in Botswana, Zimbabwe and South Africa. A big challenge of implementing this TFCA is the complex ownership structure of the land in question. In South Africa the area is partially owned by the state and by private individuals. In Botswana the land, which includes the *Tuli Block Game Reserve* and livestock farms as well as wild animal farms, is entirely private property. In Zimbabwe the area is split up between communal lands, privately owned farms for livestock and wild animals and a safari-area owned by the state. (cf. Hanks 1998: 138) On 22 June 2006 the three governments signed a MoU, which clearly reflects their intention to establish the Transfrontier Park. (cf. peaceparks 2008 f).

V. *Lubombo Transfrontier Conservation and Resource Area* (Mozambique/ Swaziland/ South Africa)

The situation of the Lubombo Transfrontier Conservation Area is special and challenging at the same time as five different TFCA projects shall be combined: the *Lubombo Conservancy-Goba TFCA* between Mozambique and Swaziland, the *Usuthu-Tembe-Futi TFCA* between Swaziland, South Africa and Mozambique, the *Ponta do Ouro-Kosi Bay TFCA* between Mozambique and South Africa, the *Nsubane-Pongola TFCA* between South Africa and Swaziland and the *Songimvelo-Malolotja TFCA*, also between South Africa and Swaziland. On 22 July 2000 five different protocols were signed by the three participating governments, affecting those five TFCAs. These protocols are the basis for further negotiations to make the 4 195 km² large Lubombo Transfrontier Conservation and Resource Area possible. (cf. peaceparks 2008 g)

VI. *Maloti-Drakensberg Transfrontier Conservation and Development Area* (Lesotho/ South Africa)

On 11 July 2001 the governments of the Kingdom of Lesotho and South Africa signed a MoU to establish the 13 000 km² large Maloti-Drakensberg Transfrontier Conservation and Development Area, which will include the *uKhahlamba Drakensberg World Heritage Site*. The Drakensberg forms the most elevated region of South Africa and features the largest and most concentrated accumulation of petroglyphs in sub-Saharan Africa. Among others, the Maloti-Drakensberg Transfrontier Conservation and Development Area contain the *Sehlabathebe National Park* in Lesotho and the *uKhahlamba Park* in KwaZulu-Natal. (cf. peaceparks 2008 h)

4.3. Peace Parks Foundation (PPF)

Not only governments did advocate the establishment of cross-border Peace Parks but also non-governmental organisations such as the *World Conservation Union* (IUCN) and the *World-Wide Fund for Nature* (WWF). On 1 February 1997 the non-profit *Peace Parks Foundation* was launched in South Africa. It is a world-wide lobbying group with the objective to promote regional co-operation through cross-border natural reserves and the creation of jobs connected with it (cf. SAFRI 2002: 10). This chapter addresses the history of the PPF and focuses on its objectives and methods.

4.3.1. History

The first important occasion in the history of the PPF was probably the meeting between the president and initiator of the South African branch of the *World-Wide Fund for Nature* (WWF), founded in 1968 and then still called *Southern African Nature Foundation*, Anton (Anthony Edward) Rupert and the president of Mozambique, Joaquim Chissano, which took place at Rupert's request on 7 May 1990 in Maputo. At this meeting the possibility of permanently connected nature reserves in southern Mozambique, Zimbabwe, South Africa and Swaziland was discussed. Afterwards the WWF South Africa was commissioned to develop a feasibility-study which was handed over to the government of Mozambique in September 1991. Further surveys were conducted, primarily covering the political, socio-economical and ecological aspects of a possible co-operation. The government of Mozambique requested financial aid for the project from the World Bank's *Global Environment Facility* (GEF). In 1996 the World Bank published its recommendations in a report labelled "*Mozambique: Transfrontier Conservation Areas Pilot and Institutional Strengthening Project*". This report advocates a conceptual shift away from the mere idea to combine natural reserves, to an endeavour of a joint use of resources, also including the local population. This also included the ideas which define TFCAs. After the political change in South Africa and the democratisation which came hand in hand with it, the natural reserves of the country became more and more popular tourist destinations and an increasing source of revenue for the country. After this positive South African experience another meeting between Anton Rupert and president Chissano took place on 27 May 1996. Rupert pointed out the lucrative economic return the implementation of a TFCA together with South Africa

could provide for Mozambique. Under participation of the governments of South Africa and Mozambique a “*Transfrontier Park Initiative*“-meeting took place at the Krüger National Park where it was agreed, that the two countries would work together with Zimbabwe and Swaziland on implementing a TFCA. The peace park concept was not only well received in South Africa but also in the neighbouring countries. For the first time not single countries but the whole of Southern Africa was considered as a tourist destination. An essential part of this vision was the development of Transfrontier Conservation Areas or Peace Parks together with all of South Africa’s neighbours. One realised that tourism was the industry with the potential to become the most important economic driver and create much needed jobs in Southern Africa. The *Executive Committee* of the WWF finally came to the conclusion that a separate organisation should be established to co-ordinate the development of TFCAs and to obtain funding. That is how Anton Rupert could bring the Peace Parks Foundation into being on 1 February 1997. The *Founding Patrons* next to Dr. Anton Rupert were, among others, Dr. Nelson Mandela and HRH Prince Bernhard of the Netherlands. The PPF was established in South Africa as a non-profit company, *an Association incorporated under Section 21*. It cannot have shareholders and no profits may be distributed to the supporting members. The company is managed by a *Board of Directors*, whose current *Chief Executive Officer* (CEO) is Willem van Riet.¹³ (cf. PPF 1998: 1 et seq.) Until his retirement Anton Rupert was *Chairperson* of the Peace Parks Foundation. The founder of PPF died at the age of 89 on 18 January 2006 in Stellenbosch. Called an “*Advocate of Hope*” by some, celebrated as a man of vision and hope (cf. Esterhuyse 1986) by others, he was respected as the most successful South African businessman. However, the biography of the founder and chairman of the *Rembrandt Tobacco Company* and chairman of *Rothmans International*, one of the richest men in South Africa, also has some dark spots. In the early years of his career Anton Rupert was strongly associated with the *Afrikaanse Broederbond*, a secret network of nationalistic Afrikaner, established in 1918. Until 1974 Rupert was a member of the Broederbond, which had very close relations with the racist Apartheid regime. In 1968 when Anton Rupert formed the *Southern African Nature Foundation* he was already a “made man”, cosmopolitan, well connected and wealthy enough to support several good causes with substantial donations. (cf. Ellis 1994: 59 et seq.)

¹³ Since 1 April 2008 Werner Myburgh is the new Chief Executive Officer. (www.peaceparks.org)

4.3.2. Objectives of the Peace Parks Foundation

“Peace Parks Foundation facilitates the establishment of Transfrontier Conservation Areas, thereby supporting sustainable economic development, the conservation of biodiversity and regional peace and stability.”

(Mission Statement, in PPF n.d.: Brochure)

The specific objectives of the PPF, which adds the words *“The Global Solution“* to its logo, include the following:

- Draw up financial resources and allocate them to projects which advocate the development of Transfrontier Conservation Areas (TFCA). The respective environmental protection agencies recommend these projects to the PPF
- Support in identifying the areas needed for the development of TFCAs, whereupon the environment and rights of the population living on the land, are especially considered. Either the PPF acquires the land and leases it to the respective environmental protection agencies or it negotiates a lease with the private land owners and inhabitants of communal land
- Loan negotiations with environmental protection agencies for allotted projects
- Negotiations with governments and *semi-governmental*-bodies about ´political and legal issues, connected to TFCAs, e.g. land ownership
- Promotion of the economic development of TFCAs based on the principals of nature protection and wherever possible with involvement of the local population
- International and national promotion of TFCAs because of their positive influence on the protection of biodiversity, ecologic sustainability and economic benefits. Wherever possible it is attempted to have TFCAs recognised as world cultural heritage. Special attention is given to the education of people living in TFCAs or those residing in neighbouring areas (cf. Hanks 1998: 135 et seq.)

4.3.3. The four Pillars of the PPF

The work of PPF consists of four pillars, *Securing Space*, *Training Wildlife Managers*, *Training Guesthouse Managers* and *Improving Accessibility*.

I. *Securing Space*

The first step in the process of developing a TFCA is the drafting and signing of international agreements and protocols. Only after this has been finalised, the actual implementation can start. The PPF performs several tasks in developing and implementing TFCAs. The PPF informs political leaders about the concept of Peace Parks and tries to raise awareness as well as support for them at the highest political level. In Africa the Peace Park concept is one of the projects which express the implementation of the *New Partnership for Africa's Development* (NEPAD). The PPF nominates and pays for a negotiator between ministries, sponsors, private sector who is in charge of implementing the respective TFCA. This also includes the drafting of a management plan and calling numerous meetings on topics ranging from legislation, immigration, customs, tourism and veterinary provisions to the vested interest of the local population. The entire project management, in accordance with sustainability, is in the field of responsibility of the PPF as well as the administration of the funds provided by various donors. Satellite images and a geographical information system (GIS) are developed by the foundation to build up an ecological and social database of the various TFCAs and to draw up regional plans of land use. As soon as the funding is secured, the implementation of the peace park starts. This also includes counselling interviews with the local population, the planning of the relocation of animals and the development of the infrastructure. Despite all these competences, Melissa de Kock, a project co-ordinator with the PPF thinks:

"Peace Parks helps to assist governments at their requests, so we don't, we are not driving the process of development. The governments kind of come to us." (Interview De Kock 2005)

II. *Training Wildlife Managers*

As the economic potential of Peace Parks can only be fully utilised by a suitable management of resources, the PPF trains wildlife managers and field guides at the *Southern African Wildlife College* (SAWC) located in the vicinity of the Krüger National Park.

III. *Training Guesthouse Managers*

TFCAs can only develop into tourist hot-spots if the necessary infrastructure is in place and maintained in a good state. The *South African College for Tourism* in Graaff-Reinet trains people in lodge and guesthouse administration and management and how to meet the needs of tourists.

IV. *Improving Accessibility*

Peace-Parks must be relatively easily accessible for tourists, even if they are located in very remote areas. Often streets are modernised and improved, sometimes even an airport is erected, e.g. *Krüger Mpumalanga International Airport*. (cf. PPF n.d.: brochure)

4.3.4. Financial Aspects

The PPF has three methods to raise money: On the one hand, it charges those who want to be members of the *Club 21* or the *Peace Parks Club*, whose president was until his death Prince Bernhard of the Netherlands, a very high membership fee; on the other hand, it collects donations from bi- and multinational aid organisations and furthermore, support from individuals, companies, trusts and foundations. (cf. PPF 1998: 12)

To ensure a financially stable basis for the PPF, Anton Rupert, Nelson Mandela and Prince Bernhard of the Netherlands established the *Club 21*. This club comprises 21 people and institutions to who peacekeeping through the means of conservation is a concern. High donations of the members provide the means to keep the foundation afloat. Furthermore, the Club 21 acts as advisory board to the PPF.¹⁴ The Peace Parks Club is an international donor club whose members support the objectives of the foundation and are scattered throughout the world. Pierette Schlettwein from Switzerland acts as the club's president. Individual membership fees for a ten-year period range from \$ 5 000 to \$ 6 000. Corporate memberships cost between \$ 50 000 and \$ 60 000. To optimise the fundraising potential special tax-privileged structures were established in the USA, the United Kingdom, the Netherlands and Germany. (cf. PPF 2003 b: 12)

¹⁴ Members of the Club 21: Prinz Bernhard of the Netherlands, ABSA Bank, Cartier, Daimler Chrysler, De Beers, Deutsche Bank, Mr Paul Fentener van Vlissingen, Donald Gordon Foundation, Dr HL Hoffmann, Kumba Resources, Novamedia, Philips, Remgro, Richemont, De Rothschild Foundation, Rufford Maurice Laing Foundation, Rupert Family Foundation, Schlettwein Family Trust, Total, Venfin, Vodafone Group. (cf. PPF 2003 b: 1)

4.4. “Peace Parks - The Global Solution?!” Perspectives and Critique

The much celebrated success of the already established Transfrontier Parks and the development of the Transfrontier Conservation Areas (TFCAs) prompted the ministers of tourism of the Southern African Development Community (SADC) to commission a feasibility study on potential and already existing Peace Parks in the SADC region, which was finalised in 2002. The study shows 22 potential or existing TFCAs, covering app. 46% of the already protected areas in the region. 14 of these were picked out by the PPF as potential TFCAs in the SADC region and for ten of them international agreements could already be reached. If all potential 14 TFCAs were realised, the total area of TFCAs in the SADC region would reach around 75 million hectares. This equals approximately the size of Germany, Portugal and Italy combined. An IUCN study shows that there are 188 potential TFCAs worldwide, affecting 112 countries. (cf. peaceparks 2008 i) Africa and in particular Southern Africa have become a driving force behind the “Peace Park” concept. Without any doubt it is primarily the PPF and its global network which drives the “globalisation of the idea” forward. The “Southern Africa Initiative of German Business” – SAFRI, supports both, the Peace Park efforts and the PPF. In one of their publication, SAFRI published a map of the “Big Dream”, an area of adjacent sanctuaries from Lake Victoria to South Africa. (cf. SAFRI 2002: 5 et seq.) Maps and their effects on viewers are of essential importance in connection with TFCAs. For those people with a background in conservation or tourism, maps like the SAFRI one, are a dream that needs to be pursued. Kozette Myburgh, an anthropologist at the University of Stellenbosch/ South Africa, who has studied the |Ai-|Ais/ Richtersveld Transfrontier Park in much detail, is convinced of the positive effects of Peace Parks and believes, that “*the only real product Africa can offer is wildlife and tourism*“. (Conversation Myburgh 2005) The PPF plays a central and very professional role in drawing up maps needed for the establishment of TFCAs. In this context, Maano Ramutsindela from the University of Cape Town thinks that this monopoly of the PPF should be watched critically. “*The Peace Parks Foundation is involved in mapping. You go to all the government departments and if you find maps of Peace Parks they are produced by PPF*“. (Interview Ramutsindela 2005) Also Conrad Steenkamp, director of the *Protected Areas Research Initiative* (TPARI), a research institution in Johannesburg financed by the IUCN, reckons, that the PPF in a way conducts a “propaganda cartography” when it comes to the effect its maps have on viewers.



(ill. 3: TFCAs in Southern Africa. From: SAFRI 2002: 53)

This show itself on maps, where TFCAs are always depicted as dark-green areas, no matter if the TFCA contains a desert or a river, whereas the “rest of Africa” is depicted in a pale brown. This colour pattern is clearly visible on the SAFRI-map as well. This is an expression of the fact that the TFCA concept is doomed to success. (Conversation Steenkamp 2005) Corresponding to the objectives of TFCAs, the *Promotion of a Culture of Peace*, the *Socioeconomic Development* and the *Conservation of Biodiversity*, TFCAs clearly show positive effects in some areas. The conservation and increased protection of biodiversity as well as the necessary positive co-operation between countries needed for establishing TFCAs and the economic effects of tourism are important advantages, which Peace Parks bring about. One basic area, often referred to in this context and used as an important aspect in different concepts to show the effects and objectives, concerns the local population. I will return to this topic in more detail (see chapter 7), nevertheless, I want to put some critical considerations in connection with TFCAs and the *local community* on record already now. Many argue that in the context of Peace Parks not enough is done on the level of the local population. Conrad Steenkamp criticises that the concept of Peace Parks is only discussed on a “*higher level*” and the local population is not enough involved in the conventionalisation as well as implementation of TFCAs. (Conversation Steenkamp 2005) Critics interpret the Peace Park model as a benevolent concept which is an excuse for an internal redistribution and is based on an equally damaging policy of expropriation of indigenous groups and entry restrictions. Seen from this point of view there is not much difference between the old way of land and resource management in the name of nature protection and the new methods of centralisation of resources or “trans-nationalisation” in the interest of two or more countries. Both methods tend to dispossess the local communities of the natural resources of the country they have always been indwelling and revoke their rights. (cf. Zips/ Zips-Mairitsch 2007: 40) Even in the PPF definition of Peace Parks (see p.33) the local population is not explicitly mentioned. The already quoted excerpt of the interview with Melissa de Kock, project co-ordinator at the PPF, on the pacifying aspects of Peace Parks clearly voices, that peaceful coexistence between man and nature is more important than peace among humans.

“*Because Transfrontier Conservation will stimulate peace between men and nature, nature and nature and... ah... yes, men and nature, nature and nature and ...ah... what was it... men and men. So that’s the concept of Peace Parks.*” (Interview De Kock 2005)

Melissa de Kock also points out that it is not the task of PPF to foster *Community Involvement* or *Community Development* and that it is essential to distinguish between the concept “Peace Park” and the PPF’s field of activity.

“Bear in mind that there is a difference between the PPF and Peace Parks. TFCA is a Peace Park, is developed by a variety of people. PPF works on particular sites. The aim of transfrontier conservation is certainly to empower communities, it’s by biodiversity conservation, increasing tourism which will bring job creation. Economic upliftment for the whole region. And then the governments deal with the community issues but PPF, we are about to assist the governments with social assessments for the area at their request. But we don’t go, we don’t go and interact with the communities. Our work is completely guided by government so we would need the government to say. The community matters are at a national thing. So we, the PPF facilitates, we don’t implement.” (Interview De Kock 2005)

The author of *“African Dreams of Cohesion”*, a critical survey of the PPF’s role in developing TFCAs in Southern Africa, also argues that the PPF does not care for a strengthening of the cohesion between TFCAs and local population. In fact, this cohesion is visible on the level of the elite. In this context the history of the PPF, the personal history of Anton Rupert and his Broederbond membership are crucial.¹⁵ In their comment the authors argue, that:

“Through the TFCAs the PPF manages to foster cohesion between the old - mainly white - and new political and business elites in post-Apartheid South Africa. This is done by developing a new ‘Super-African’ identity based on bonding with nature. Furthermore, in the new South Africa the old elites need to show concern for the formerly disadvantaged groups, and one way of doing so is through community conservation.” (Draper/ Spierenburg/ Wels 2004: 343)

¹⁵ For additional literature: Stephen Ellis: “Of Elephants and Men. Politics and Nature Conservation in South Africa.” 1994.

5. Kgalagadi Transfrontier Park (KTP)

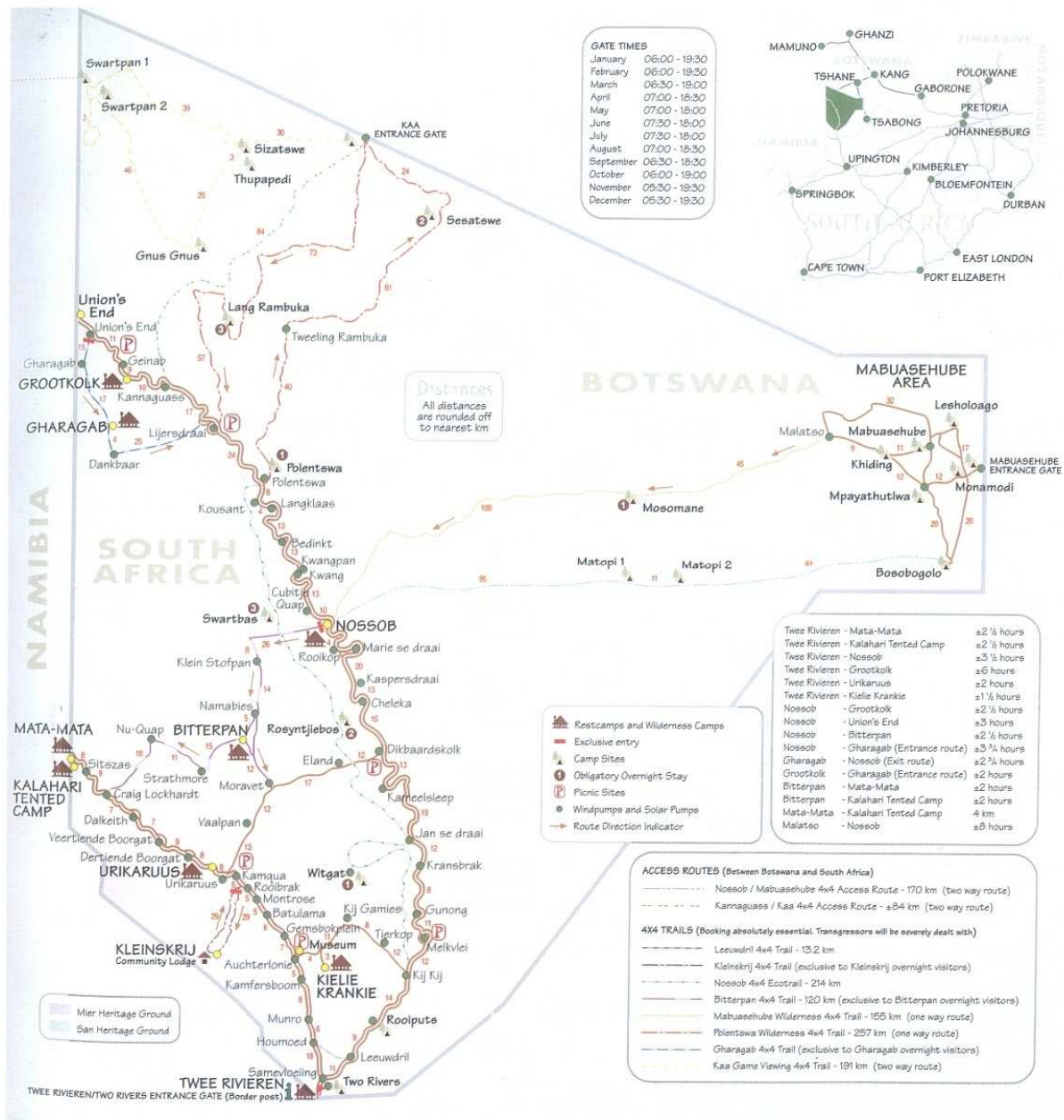
*“No two visits to the Kalahari are ever the same.
The atmosphere can change in the blink of an eye - sometimes hidden by a dust storm
and at other times with the gathering of threatening thunderclouds.
It is an open, honest world which readily shares its riches with whoever will appreciate it.
The Kalahari will reveal itself only to those who seek with a true heart.”*

(SANP 2004: from the jacket text)

In this chapter ample space is provided to discuss the *Kgalagadi Transfrontier Park*, the first Peace Park in Africa and its 100 year history in some detail. The focus is on the South African part of the park, formerly known as *Kalahari Gemsbok National Park* (KGNP). The stages of the park’s development and the various agreements between Botswana and South Africa until the opening of the KTP are reported. Furthermore, a current appraisal of the park is being made. An account of the different effects the park has on humans and the environment. The perspectives related to it for the future, round out this part of the analysis.

5.1. Overview of the Park’s History

The first part of this chapter deals with the history of the area which is nowadays the KTP. Starting with the events at the turn of the 20th century and a description of the first nature reserve in this region, the *Gordonia Game Reserve*, the chapter leads us until the opening of the *Kalahari Gemsbok National Park*. Contrary to popular believe, the latter was never divided from the *Gemsbok National Park* in Botswana by a fence, on the contrary, the two have been administered as a joint ecological unit since 1948. To provide a formal framework for this co-operation between Botswana and South Africa, a “bilateral agreement” and a “*Record of Understanding*“ (also known as Memorandum of Understanding) were signed by both countries in accordance with the stage plan for developing a TFCA. These documents were the basis for opening the KTP.



(ill. 4: Kgalagadi Transfrontier Park. From: SANP 2004: Cover)

5.1.1. From “Thirstland” to Kalahari Gemsbok National Park

The south-western end of the Kalahari is the only part of this huge „Thirstland“ which is located within today’s South Africa. This south-westerly area of the Kalahari is at the same time its driest with on average of 150- 200 mm rain a year, mostly in the months from January to April. The wide plains with their vegetation of blooming grass after a summer rain are a source of nourishment for large populations of different species of antelopes and other

herbivores such as the gemsbok, the eland or the springbok. Moreover, it is home to a range of large carnivores such as lions, cheetahs, leopards and hyenas. (cf. Ellis 2003: 16)

The land of today's park and the piece nowadays known as *Mier Area*, which is located to the south-west from the park, were integrated into *British Bechuanaland* in 1891. (cf. SANP 2004: 2) In the period from 1904 to 1908 uprisings by the Khoikhoi against colonialism increased on the other side of the border in German South-West Africa, today's Namibia. The Khoikhoi always took refuge in the Kalahari where the German military could not trace them because of their insufficient knowledge of this adverse landscape. Only Friedrich von Erckert dared to venture into the waterless area with his troops and 700 camels. On 11 March 1908 the German force reached *Groot Kolk*, formerly known as Geinab, which was located on British territory and erected a military base. Thus is how the Khoikhoi, under the leadership of Simon Koper, were chased by the military as far as the Kalahari area in today's Botswana. On 16 March 1908 the two groups met and Von Erckert was killed in battle. The crushing retaliation of the German army forced the Khoikhoi to withdraw further into the desert. (cf. Derichs 2003: 46 et seq.)

Historiography of the region usually starts with these events. The historiography is written from a colonial point of view and primarily focuses on war. A decisive role, apart from the fighting itself, was played by the waterholes alongside the Auob- and Nossob Rivers, the core area of the KTP on the South African side. It is not quite clear when and why these waterholes were drilled as the historical documentation provides us with no details. It is widely believed that the 16 waterholes were drilled in 1913/1914 by the *Union Government*, fearing an attack from German South-West Africa. However, there were no hostilities between German South-West Africa and the Union at that time, nor did the government of German South-West Africa assume an involvement of the *Union Government* after the declaration of World War I. Nevertheless, on 16 March 1915 the *Union Government's Eastern Force*, commanded by Colonel Berrangé, marched from Kuruman in the direction of German South-West Africa. There were no water resources between Kuruman and Witdraai, a distance of 111 miles. The Germans attacked the Witdraai settlement and destroyed several machines for the drilling of waterholes. Colonel Berrangé led his troops to an area south of the park, to Rietfontein where the Eastern Force defeated the German military. According to this, most of the waterholes were drilled between 1913 and 1914. It is however unlikely, that the drillings are connected to the assault nor the invasion of German South-West Africa. (cf. Derichs 2003: 16)

After World War I the government at that time intensified its efforts to search for water in the South African part of today's park, a first step in opening up the area for cattle-breeders. Until then natural wildlife in the region was ample and the settlers arriving in the 1860s focused on hunting as a source of income and therefore possessed only a limited number of livestock. Till the 20th century the rearing of livestock was very limited due to the notorious lack of freshwater. This had a positive effect for the preservation of wildlife stock as it did not have to give way to pastures. (cf. Ellis 2002: 7) In the 1920s the Scot Roger "Malkop" Jackson mapped the park area and divided the land in farms ranging from 10 200 ha to 12 800 ha. He used Scottish names for most of the farms and until today many waterholes are known by these appellations. At that time several farmers settled along the Auob River with the obligation to act as guardians of the waterholes. As long as the waterholes were kept in good condition, these farmers did not need to pay lease. (cf. SANP 2004: 2) These so called "Boorgatwagters" were almost exclusively white South Africans. (cf. Ellis n.d.: 2) In the *Official Information Guide* by SANP (*South African National Parks*) on the KTP it can be read that due to the challenging living conditions and extreme environment in the Kalahari, most of the white farmers left after some time. The deserted farms were handed over to the "Coloureds" as they were called and classified during the Apartheid era. (cf. SANP 2004: 2) On the contrary, William Ellis from the *Programme for Land and Agrarian Studies* (PLAAS) claims that the farmers were expelled from their land for their excessive hunt on wild animals in the nearby *Gordonia Game Reserve* (GGR). Thus Gordonia was also called "Game-less Game Reserve". (cf. Ellis 2002: 7) In 1908 the GGR was proclaimed by the then government primarily because there was no better use for the land due to the lack of surface water resources. It is difficult to reconstruct where the exact borders of the reserve were located. Basically, the GGR ranged from the southern bank of the Molopo River to the *Orange River*. The Molopo River was also the western border until where it drains away in the desert. In the east it probably extended until the border of the *Kuruman District*. Until the 1920s this area of originally 23 900 km² was reduced to half of its size by cessions of land to hunters, farmers, the state and the military. Finally in 1929 the remaining Gordonia Game Reserve was abolished. (cf. Ellis n.d. 1 et seq.) The then *Minister of Lands*, Piet Grobler, was concerned that the admirable ecosystem could be destroyed and decided to declare the remote area near the Auob and Nossob Rivers a national park as a surrogate for Gordonia. The main reason for this was to protect the Gemsbok from extinction. On 31 July 1931 the *Kalahari Gemsbok National Park* (KGNP) was proclaimed and has not been under threat from poaching or even World War II since then. (cf. SANP 2004: 3) The northern frontier of the KGNP follows the

Nossob River, which is at the same time today's border with Botswana, until the river reaches *Union's End* at the Namibian border. The western edge is set by the 22nd longitude which also forms the border with Namibia, until it reaches the southern bank of the Auob River. The southern border was not set until a few decades later. It was then set 20 km south of the Auob River. (cf. Ellis n.d.: 2) Several groups, such as the indigenous tribe of the #*Khomani* and the so-called „*Basters*“, had been living in the area of the newly established national park for a long time. The already mentioned white farmers were relocated and did receive new farms along the Kuruman River after the proclamation of the park. The #*Khomani* on the contrary were forcibly displaced between 1935 and 1974. They did not receive any compensation. (cf. Ellis 2003: 16) Until today, the ruined houses of the „*Boorgatwagters*“ can be seen along the Auob River. The ruin by the *Auchterlonie* waterhole was renovated and converted into a museum. (cf. Derichs 2003:18) The Le Riches, a family of traders, take a prominent place in the history of the KGNP Park. The first park ranger was Johannes Le Riche, who together with Piet Grobler played an important role in having this part of the Kalahari declared a national park. He and his co-worker Gert Jannewarie were alone responsible for the whole area of the park. However, both men died from malaria only three years after the opening of the park. (cf. SANP 2004: 3) Joep Le Riche, the brother of Johannes, took over as park ranger until his retirement in 1970. His son Stoffel Le Riche was park ranger for the following ten years until he died from a heart attack in 1980. The last park ranger from the Le Riche family was Stoffel's younger brother Elias, who managed the Kalahari Gemsbok National Park until his retirement in 1994. In the vicinity of the *Gemsbokplein* in the Auob River, the base of the house of the first ranger, Johannes Le Riche, can still be spotted. It was there on 21 March 1981 that Prof. F. C. Eloff, Chairman of the *National Parks Board* (the former name of the *South African National Parks - SANParks*), unveiled a commemorative plaque on the occasion of the 50th anniversary of the park's foundation. (cf. Derichs 2003: 18) The Botswana *Gemsbok National Park* was proclaimed in 1938 by Bechuanaland, as it was called back then. In 1971 the *Mabuasehube Game Reserve* was established and subsequently merged with the *Gemsbok National Park* in 1992. (cf. SANP 2004: 3)

5.1.2. *Names that tell a story*

The naming of different places and locations often reveals the history of a region and may tell a story of the lives of its inhabitants. This is also true for the numerous waterholes in the KTP.

Some names have been randomly chosen and have no deeper meaning whereas others are often self-explanatory, such as the *Gemsbok Plein* (Afrikaans: Plein = site), which therefore is a site where the Gemsbok can be found. However, other names need more attention to reveal their meaning. The following names are a small selection, on the one hand, to learn more about the history of the park and on the other hand, to establish a connection with the indigenous population who have been living for a long time in the region. (cf. SANP 2004: 12) As already mentioned, the Scottish surveyor Roger Jackson gave many waterholes Scottish names or named them after people who played an important role during the mapping of the land. This system of naming in that remote and rough area might surprise visitors of the park. Names such as *Monro* (Monro was a policeman who got killed during an attack by the German military) (cf. Derichs 2003: 14), *Dalkeith* (dal = field, field in the woods) or *Craig Lockhardt* (craig = rock, rock of Lockhardt) can be found here (ibid: 26). The waterholes formerly known as *Grootskrij* and *Kleinskrij* are now just called waterhole 13 and 14. The names were changed because the word *Skrij* means diarrhoea in Afrikaans. Jackson set up camp there with his oxen and his animals were feeding on tsama melons and drinking the water which is of very poor quality in this area. The consequences this had for his animals inspired Jackson to give the place its distinctive name. (cf. Derichs 2003:24) *Marie se Gat* (Afrikaans: Gat = hole) tells the story of a woman who had to drill her own waterhole because her husband, an alcoholic, was too weak to do it for her. (cf. SANP 2004: 12) Near *Kameelsleep* (Afrikaans: Kameel = Camel, sleep = to pull) the last giraffe, not camel as one might suspect, of the region was shot and dragged into nearby Bechuanaland. Many years later, in 1990, an enclosure for giraffes was built near the *Craig Lockhardt* waterhole and eight giraffes from the *Etosha National Park* in Namibia lived there for some time to be able to integrate them into the KGNP at a later stage. In 1998 the by now 18 giraffes were freed from the enclosure into the park. (cf. Derichs 2003: 26/ 34) In Khoikhoi, *Kamqua* means green pothole. (ibid: 22) *Union's End* identifies the last waterhole of the Nossob River, situated directly on the border with Namibia. It is at the same time the northernmost spot of the then Cape Province, "*the end point of a fatherland*". (ibid: 48) Also on the Botswana side, in the former Gemsbok National Park, some names tell interesting stories. *Kaa*, the new entry on the northern frontier of the park means "nothing" in Sesarwa. The spot is called Kaa because the first "San" who came here did find "nothing" in the neighbourhood. *Lesholoago* means "your death" in Sekgalagadi. The people who lived here were facing so many problems that all of them had to move away. Everybody else was told that they would have to die if they did move there. *Mabuasehube* means "red soil" and describes the colour of the

“Pans”. *Malatswa* is derived from the word “latswa” and means “to lick”. Many Gemsboks came here to lick salt. (cf. SANP 2004: 13)

5.1.3. Evolution of Africa’s first Transfrontier Park

The two neighbouring Kalahari-parks together form one of the largest conservation areas worldwide. The *Gemsbok National Park* in Botswana comprises 28 400 km² and the *Kalahari Gemsbok National Park* in South Africa 9 591 km². Together they form a conservation area of more than three million hectares of land, one million hectares more than the *Kruger National Park*. The border, which runs between the parks for 300 km never played an important role. One the one hand, there has never been a boarder fence or a similar boundary to separate the parks and on the other hand, the two areas were de-facto considered as one joint ecological entity as of 1948. As a consequence, this region was one of the last in Southern Africa where wild game could move freely, depending on season and weather conditions. As the northern part of the Gemsbok National Park in Botswana was not fenced additional land was available for the migrating animals. (cf. De Villiers 1999: 83)

These protected areas provide the space needed for ecological processes, which were once common in all of Africa’s savannahs and grasslands. These include the major migrations of wild ungulates and the raids of carnivorous mammals. Such processes cannot be sustained in smaller conservation areas and confer a particular value to the ecosystem of the Kalahari. Fauna and flora of this rough and semiarid environment has produced species which are of great scientific interest due to their high level of adaptability. The Kalahari ecosystem is at times enriched by rainfall. However, they vary in time and place and are hard to predict and understand. (cf. Modise n.d. n.p.)

An informal agreement between the two *Conservation Agencies* concluded in 1948 resulted in a co-operation of the park rangers of the then *Union of South Africa* and the *Bechuanaland Protectorate* in matters which affected both sides. This co-operation intensified in 1964 when South African park rangers were appointed to “honorary rangers” in Botswana. This made it easier for them to access the Botswana side of the park and to conduct common initiatives, such as the anti-hunting programme and the annual counting of wild animals. (cf. De Villiers 1999: 83 et seq.) A feasibility study on the potential of tourism in Southern Africa, commissioned by the Botswana Ministry for Trade and Industry in 1989, led to the idea of formulating an official agreement between both countries. The objective of this agreement is

to jointly administer this large cross-border conservation area. Among other things the study recommended to develop a joint management programme to increase the potential for tourism of both national parks. Already in 1992 the *Transfrontier Management Committee* was established with the aim of drafting further plans for co-operation.

The goal was the development of a “*Joint Management Plan*“ for a *Transfrontier Conservation Area*. To develop this management plan, the Transfrontier Management Committee was instructed to confer with all parties involved and to draw up proposals of how to harmonise the differing laws and legal positions of Botswana and South Africa, concerning the establishment of a TFCA. (cf. Modise n.d.: n.p.)

Both countries agreed that the development of a TFCA and the sustainable use of the conservation area would be a big advantage for both sides. The following positive aspects were highlighted:

- The long-term protection of wildlife resources in the southern Kalahari would be a substantial support for the preservation of the integrity of the whole Kalahari ecosystem.
- The environmental protection agencies of both countries could combine their comprehensive expertise and experience and make good use of them in a peaceful and co-operative environment.
- The international profile of this major conservation area should be improved. This would also increase the area’s tourist potential.
- Full use should be made of the economic potential of a Transfrontier Park and the economic benefit should bring advantages for both countries, especially for neighbouring communities on both sides of the border.
- The tourist potential of both countries would be increased by a joint publicity campaign and the anticipated increase in tourist numbers would generate additional income for both countries. (cf. Management Plan 1997: 3)

The joint use of expertise and experience also includes the field of tourism. As the whole area of the Transfrontier Park can be visited without a visa, tourists should be encouraged to visit the whole park. An improved international profile would not only increase revenues from tourism but would also have a positive effect on the willingness of sponsors to invest in the region. Despite of the quite unequal number of visitors in Botswana and South Africa, the total income from admission fees should be split equally, to the advantage of Botswana. The

legal foundation for the formal establishment of the Kgalagadi Transfrontier Park is based on three different documents, the *Bilateral Agreement* between Botswana and South Africa, the *Record of Understanding* (RoU) between the two environmental protection agencies and the *Management Plan*, which is the basis for the day-to-day operations but also for the phrasing of the mentioned bilateral agreement. (cf. De Villiers 1999: 84)¹⁶

5.1.3.1. Bilateral Agreement: South Africa and Botswana¹⁷

Before the bilateral agreement between South Africa and Botswana could be signed an important question had to be resolved on the South African side. Was it within the authority of the *South African National Parks* (SANP) to sign the agreement or was it within the field of responsibility of the South African government? Whereas the *Department of Wildlife and National Parks* (DWNP) in Botswana is a branch of the government, SANParks is merely a public corporation. In 1976 SANParks was established by the *National Parks Act* to administrate and supervise the South African national parks. The authority of SANParks was obviously limited to South African territory and specifically on areas dedicated as national parks. Thus it was clear that SANParks had the necessary expertise and long-term experience to be able to act as co-manager of the TFCA but that it did not have the authority to engage in projects outside of South Africa nor the capacity to sign bilateral agreements on behalf of South Africa. At the same time no ministry of the South African government possessed the necessary capacities to implement such an agreement. (cf. De Villiers 1999: 85) Under section 238 the South African constitution states “*that an executive organ of state in any sphere of government may... (b) exercise any power or perform any function for any other executive organ of state on an agency or delegation basis.*” (cf. constitution 2008) Hence, in accordance with section 238 SANParks can act as an “*organ of state*”. Consequently it was possible for a ministry of the South African government to sign the bilateral agreement and hand the issue over to SANParks as an “*organ of state*”. Thereby SANParks acts as a representative of the South African government when dealing with Botswana and not as a public corporation. (cf. De Villiers 1999: 85 et seq.)

¹⁶ Bertus de Villier was the first to write about Transfrontier Conservation Areas in Southern Africa and in particular about the first Peace Park of Africa, the Kgalagadi Transfrontier Park in his “Peace Parks. The Way Ahead“. He was one of the authors the Kgalagadi Bilateral Agreement and a legal advisor to the South African National Parks. (cf. PPF 2000a: 5)

¹⁷ Bilateral Agreement: for the original version, see appendix 1.

The bilateral agreement was signed by South Africa on 3 March 1999 and by Botswana on 7 April 1999. In October 1999 the agreement was ratified by the *National Assembly* and the *National Council of Provinces*, as it is required under the South African constitution, section 231(2). No parliamentary vote was needed in Botswana. (cf. Morton 2000: 99)

The four principal points of the agreement are:

- The territorial integrity and the different legal systems of the two countries remain in place. The KTP is administered in accordance with the agreement, but based on national legislation. This means that the KTP is no new legal entity but is actually made up of two national parks, which are jointly managed based on a management plan. The respective governments try to harmonise the relevant national laws were needed to avoid legal or practical obstructions. A joint body of rules and regulations shall be established to avoid that tourists have to deal with different prescriptions in the two parts of the park.
- Both SANParks and DWNP were authorised by their respective governments to implement the detailed management plan in the whole of the KTP as outlined in the agreement. This should clear out a possible lack of clarity of who is authorised to implement the day-to-day management.
- The procedure for dispute settlement starts with mediation and leads to a settlement by a court of arbitration if necessary. The court is made up by one representative of each country and by another two judges appointed by the parties together.
- A *Kgalagadi Transfrontier Park Foundation* is being established to direct the activities of the KTP. This forum, made up by representatives from both countries, shall discuss ideas; develop proposals and guidelines to increase the integration of both parks as intended by the management plan. Every country delegates four members from government institutions and the environmental protection agencies. The foundation is further entitled to receive donations and aid and to allot money to projects within the park when needed. (cf. De Villiers 1999: 86 et seq.) The Kgalagadi Transfrontier Park Foundation was established as a *Section 21 Company* under the *South African Companies Act* in order that donators do not have to decide for one country. (cf. Morton 2009: 99)

5.1.3.2. Record of Understanding¹⁸

The environmental protection agencies of both countries, the DWNP and SANParks, signed a *Record of Understanding* (RoU) on the same day that the bilateral agreement was signed by the governments, as they are primarily responsible for implementing the bilateral agreement.

The main points of the RoU are:

- Both agencies respect each others sovereignty when it comes to national jurisdiction. However, they also agree to co-ordinate all their activities to ensure the homogeneity of the KTP.
- A *Kalahari Management Agency* is established to act as a permanent link between the two authorities. Each authority nominates two representatives, whereby one representative has to be a park warden. Decisions of the management agency have to be taken unanimously. Communication between the two agencies is facilitated as the respective headquarters are located in neighbouring Two Rivers respectively Twee Rivieren.
- The tasks of the agency include:
 - Stay in permanent contact regarding all aspects of the RoU,
 - Develop instructions for all aspects concerning the joint administration of the KTP,
 - Recommend changes to the Management Plan,
 - Make recommendations for the use of funds donated to the foundation and to
 - Report annually to the foundation on progress and activities.

While the admission fees are split equally between the two authorities, all other revenues in connection with the Kgalagadi Transfrontier Park remain with the respective environmental protection agencies. (cf. De Villiers 1999: 88 et seq.)

¹⁸ Record of Understanding: for the original version, see appendix 2.

5.2. Africa's "First Peace Park"

On 7 April 1999 a historical bilateral agreement was signed between South Africa and Botswana, implying that from now on the *Gemsbok National Park* in Botswana and the *Kalahari Gemsbok National Park* in South Africa would be administered as a joint ecological unit. The border between the two parks, which is at the same time the border of the two countries, has never been blocked by physical barriers, thus, animals have always been able to move freely. (cf. PPF n.d.: 2) However, tourists could not move between the two parks that easily. More than 100 kilometres had to be travelled to get from one border crossing to the other. (cf. Yeld 2000 a: n.p.) On 12 May 2000 the first African Peace Park was officially inaugurated by President Festus Mogae of Botswana and President Thabo Mbeki of South Africa. The Kgalagadi Transfrontier Park "is a symbol of the much-welcomed dawn of transnational interdependence and co-operation in southern Africa." (PPF 2000 a: 1) The opening ceremony was staged near Two Rivers/ Twee Rivieren, where a large tent had been erected in the riverbed at the crossing point of the Auob and Nossob Rivers. This riverbed also marks the border between the two neighbouring countries. Several hundred guests participated in this historical ceremony. From this day on tourists could move freely across international borders in Africa for the first time. A highlight of the opening ceremony was the unveiling of a bronze sculpture, created by the artist Alan Ainslie, which depicts two Gemsboks running side by side. This statue shall symbolise the freedom of wildlife in the park. (cf. PPF 2000 a:1) Because of its impressive fauna and flora, the red sand dunes, the sparse vegetation and the dry riverbeds, the KTP is often referred to as "*The Last Great True Wilderness of Africa*". In summer temperatures often reach 40 °C and more, whereas in winter the freezing point is regularly reached at night. (ibid: 5) The word Kgalagadi is derived from the word "*Makgadigadi*" and means "salt flat" or "*Thirstland*".(cf. Derichs 2003: 12) Although the KTP was destined to become the first Peace Park of Africa, several obstacles had to be overcome first. The opening of the border would not have been possible without the end of the apartheid regime and the first democratic elections in South Africa.



(ill. 5: Board at the gate to the KTP © R. Konrad)

Also the land-claim procedure of the local population, the #Khomani and the Mier, who live in the park's direct neighbourhood, had to be concluded first. 50 000 ha of the former KGNP now belong to those two groups. (cf. PPF 1999: 1) Nevertheless, the environmental protection agencies of both countries feared protests by the #Khomani during the inauguration ceremony as this group had not been involved in the negotiations on the new Peace Park at any stage. The protest did not take place, instead several personalities of the #Khomani Community were among the ceremony guests. Elsie Vaalbooi, the more than 100 year-old mother of Petrus Vaalbooi, one of the leaders of the Community, and Dawid Kruiper, the Traditional Leader of the #Khomani were present. (cf. Yeld 2000 b: n.p.) In a comment on the opening of the KTP Dawid Kruiper alluded that: *"The table has been set now. They must just sit and do the work, and they mustn't mess."* (Kruiper cited in PPF 2000 a:1)

5.2.1. Voices on the Opening of the Peace Park

On the 12 May 2000 the first Peace Park of Africa was inaugurated in Southern Africa, whereas at the same time war broke out between Ethiopia and Eritrea at the Horn of Africa. Because of urgent talks on this crisis the Presidents Mbeki and Mogae did arrive late for the inauguration. Thabo Mbeki used his speech as an opportunity to talk about the peacekeeping arrangements between Botswana and South Africa:

“The establishment of the Kgalagadi Peace Park between South Africa and Botswana proves that Africans are capable of co-operating among themselves and do not have to resort to war like Ethiopia and Eritrea are doing. (...) It’s a bad development. Once again something has happened on the continent that allows people to say: ‘It’s a continent of conflict, of wars, of refugees, of people unable to solve their problems peacefully.’” (Mbeki quoted in Yeld 2000 b: n.p.)

Therefore he emphasised the importance of the representation of positive examples in Africa, such as the opening of the Peace Park, as *“it tells a different story. (...) May Kgalagadi promote peace and prosperity for all our people and for our region and for our continent.”* (Mbeki cited in 2000 b: n.p.)

Furthermore, Mbeki said the park was proof that no state can be successful in isolation but only through co-operation. During his speech he also disenchanted expressed his worry that the coverage of the war would be more extensive than the news on the positive event of the parks inauguration. He should be proved right. (cf. botswanaturism 2008) Festus Mogae, the president of Botswana took the same line:

“It gives both our countries the pleasure and pride to present the Kgalagadi Transfrontier Park to the SADC region and the African continent as a useful example of a building block for sub-regional, regional co-operation between and among countries. (...) In a time when the continent is experiencing stability problems in many areas, it is useful to remind ourselves and the world that we can achieve stable and mutually beneficial arrangements through peaceful and productive dialogue. (...) It takes commitment, hard work and perseverance to achieve results through co-operation. (...) Our labours were not in vain.” (Mogae quoted in botswanaturism 2008)

South Africa’s Minister for the Environment and Tourism, Mohammed Valli Moosa, viewed the opening of the KTP as the dawn of a new era of conservation and tourism in the region:

“The opening of the Kgalagadi is not the end of the road but a milestone in our plans for other transfrontier conservation areas in southern Africa. (...) The KTP initiative is a signal of the new political dispensation in Africa.” (Moosa quoted in PPF 2000 a: 1)

Also the then chairman of the Peace Parks Foundation (PPF), Anton Rupert had sent a message which was read out by Thabo Mbeki:

"This is the most significant moment in nature conservation and tourism development in Africa that I know of."
(Rupert quoted in PPF 2000 a: 1)

The President of the Peace Park Club, Prince Bernhard of the Netherlands expressed his opinion on the opening of the park:

"It is my fervent hope that the Kgalagadi Transfrontier Park will serve as a model for conservation in Africa into the future." (Prince Bernhard quoted in PPF 2000 a: 1)

It is quite obvious why the Kgalagadi Transfrontier Park was the first Peace Park opened in Africa. As the park manager of the South African part, Nico van der Walt, pointed out in an interview, the KTP was *"an easy one to start off"* especially as the two conservation areas, the Kalahari Gemsbok National Park and the Gemsbok National Park were informally already jointly administered since 1948 as *Transfrontier Area*. There have never been physical barriers between the two parks, neither was it necessary to acquire land to enable the merger of the parks, which creates difficulties in the case of other planned TFCAs. The important part still missing was the official agreement between the two states and the formalisation of the decade long co-operation of the two conservation agencies. Compared to the planned *Great Limpopo Transfrontier Park (GLTP)* dissimilarly little had to be changed or prepared for the establishment of Africa's first Peace Park. The GLTP involves three countries, namely South Africa, Mozambique and Zimbabwe, barriers need to be removed and re-erected in different places, and above all additional land must be converted into protected areas. (Interview Van der Walt 2005)

5.2.2. The Management-Plan

The joint management plan outlines the co-operative administration of the entire area as one ecological entity. The plan is carried out by the *Department for Wildlife and National Parks* and the *South African National Parks*. It provides the basis for the development of common tourist enterprises and recommends the equal splitting of the admission fees between both countries. (cf. Management Plan 1997: 3) An integral part of the accord determines that each country keeps its own tourist infrastructure and that special attention should be paid to the involvement and development of the communities in the park's vicinity. (cf. PPF n.d. a: 2) The Management Plan contains approximately 50 pages and was drafted by the scientific staff

of both environmental protection authorities. It is considered to be a “*living document*“ and will be adapted from time to time. Each of the authorities is responsible for the implementation of the plan. The following aspects are the main issues and simultaneously the objectives of the Management Plan:

- **Research and Monitoring**

Special goals for the protection of nature and the environment were identified, such as the preservation of the region’s indigenous organisms, to facilitate the migration of large herbivores, provide suitable basic conditions for research projects and to maximise the economic potential of the TFCA without destabilising the fragile ecosystem.

- **Resource Management Strategies**

Agreements on management strategies have been reached to control the fire fighting service, water supply, disease control, the removal of alien plant species and the common anti-poaching plan.

- **Development Strategies**

A number of development strategies were passed, such as the splitting of the TFCA and various zones, some open for tourists while others remain closed. Furthermore, locations, activities and facilities which are useful for tourism, were defined.

- **Visitor Management**

A harmonisation of the different regulations of South Africa and Botswana shall ensure equal admission fees, uniform rules and equal access requirements for tourists.

- **Relationship between the Kgalagadi Transfrontier Park and Neighbouring Communities**

The co-operation and partnership with neighbouring communities shall be advanced to ensure that the communities may also benefit economically from the establishment of the TFCA.

- **Wildlife Education and Interpretation**

To ensure that the KTP is appreciated and recognised on a regional, national and international level, a comprehensive awareness raising programme on the positive effects of the park is necessary, addressing visitors as well as the local population. (cf. Management Plan 1997)

5.3. Evaluation of the KTP

After an extensive and mostly theoretical analysis of Protected Areas and Transfrontier Conservation Areas in the previous chapters, I would like to use the following part of my paper to focus in detail on one example, the Kgalagadi Transfrontier Park. Thereby I want to help to make it possible to experience and realise the first Peace Park of South Africa. The chapter focuses on the tourist infrastructure, in particular the different forms of accommodation and activities the park offers, both on South African as well as the Botswana side of the border. The second principal point is the biodiversity of the southern Kalahari and provides a brief overview of the immense diversity of flora and fauna. Beforehand I want to provide some basic information on the park administration of SANParks and statistical surveys of the tourists visiting the park. The park administration of the KTP involves five departments which are responsible for the execution of the various activities and in total provide 89 permanent jobs. The executive committee consists of seven people, including the *Park Manager*. 54 people are employed in the tourism department, which is headed by *Hospitality Manager* Fanie van Tonder. This department also includes three *Duty Managers*, each responsible for one of the traditional camps or wilderness camps. The conservation department has three *Section Rangers*, responsible for the Southern Region, Western Region and Northern Region respectively. The department employs another 14 people. The technical division employs ten people and the department for *People and Conservation* has one position, which is vacant for already some time now. (Interview Van Tonder 2005 b)

The park's admission fee, also called *Conservation Fee*, knows three different categories of visitors: South Africans, citizens of the SADC-Region and internationals. The last category also includes visitors from other African countries. Accommodation is available at the same price for all three categories of visitors. (Interview Van Tonder 2005 a) The majority of the visitors come from South Africa, especially from Gauteng, Cape Town and Western Cape Area. One of the main challenges of SANParks is that still hardly any people from the black community visit the national parks. This is why SANParks increasingly advertises national parks in newspapers, magazines, radio-stations and other media which are predominantly consumed by the black majority of the population. 26% of the visitors are international guests, mostly from Germany. "*It is unbelievable, you will come here in February at Twee Rivieren and you will think you are in Germany. Unbelievable, you know.*" (Interview Van Tonder 2005 a) A detailed chart of the visitor numbers compiled by the KTP park administration,

including information on the total number of visitors, day guests and international visitors can be found in the appendix. (See appendix 3) Together with the statistics on the various options for accommodation, the data shows, that visitor numbers to the park have slightly increased in the year of the establishment of the KTP in 2000 and in the following year. This increase in tourist numbers was difficult to sustain from 2002 until 2004, at times visitor numbers even declined. During the season of 2002/2003 a total of 25 166 park visitors were recorded, in the 2003/2004 season only 24 609 guests were welcomed. However, the park's generated income which is made up from the admission fees, the tourist activities and the sale of petrol did increase continuously over the years. Total revenues in the season of 1999/2000, thus the last season before the inauguration of the Peace Park, amounted to 8.537.276 Rand. Three years later in the 2002/2003 season, total revenues did already reach 12.536.420 Rand. (cf. KTP 2005) In 2002 the *Institute for Tourism and Leisure Studies* did a study on tourists who visit South African national parks. (see appendix 4) The outcome of it was that 72% of the KTP's visitors were men and the prevailing age bracket was that of the 35 to 49 years-old with 32%. 57% of the visitors spent the night on camping sites and the largest language group represented by visitors was Afrikaans with 65%. (cf. Saayman 2002)

5.3.1. Tourist Infrastructure

The Kgalagadi Transfrontier Park – is a Peace Park with completely different tourist concepts in Botswana and South Africa. In Botswana camp sites are the only accommodation provided, which are only equipped with basic infrastructure or none at all. Especially in the *Mabuasehube Region* camp sites are usually not more than a “*Camping Site*“ sign, at least the camping site in Two Rivers is equipped with sanitary installations and sun shades. Four-wheel drive vehicles are needed on the entire Botswana area of the park. On the contrary, the management of the KTP on the South African side even had a study made to analyse the tourist potential of the park, especially to find out how many visitors the park could bear. It turned out that due to the already high numbers of visitors and the notorious lack of water, the park's capacities regarding tourist numbers were close to their limits already. Furthermore, in some parts of the park the quality of the very salty water is so bad that it cannot even be used for cooking. Due to the lack of water, the maximum number of visitors per day is limited to 698 people a day on the South African side. This number results from the accommodation available in the park, both in tents as well as in chalets. As the park is very remote, day

visitors are usually not seen and tourists normally stay for at least one night. The extremely poor condition of the last 60 km of the road to the park is another deterrent for day visitors and also because of that a limitation of their numbers is not necessary. However, Fanie van Tonder, manager of the Department for Tourism at the KTP expects numbers of day visitors to increase as soon as the road is improved and asphalted. He expects that the park administration at some point will have to consider a limitation of day visitors as especially the picnic areas in the park, which would be frequented most by short time visitors, should not get overcrowded. A big challenge for the future is to motivate guests to visit the park also during the hot season between November and February, as during the main season at some times tourists are refused admittance because no accommodation is available inside the park. Ten to fifteen years ago there were sometimes no guests visiting the park at all during December and the employees were sent on holidays. Since the chalets are equipped with air-condition, tourists also visit during the hot season. The camp in Twee Rivieren has a 24-hour power supply; the camps in Mata Mata and Nossob provide electricity from 5 a.m. till 11 p.m. only. (Interview Van Tonder 2005 a)

I. Traditional Camps

There are three fenced Rest Camps on the South African side. These are equipped with basic infrastructure and information centres. *Twee Rivieren* is the administrative centre and at the same time, the largest Rest Camp on South African side. It is located at the most southern point of the park, right after the main entrance. An information centre, the border control, a restaurant, a shop and a petrol station as well as a swimming pool are located there. It is also the starting point for “*Guided Day Walks*“ and “*Nightdrives*“. (cf. SANP 2004: 8) 31 chalets with a total number of 112 beds and a camp site with 30 spaces with a maximum of six people per space bring the total of accommodation provided at Twee Rivieren to 292 people. (cf. Interview Van Tonder 2005 b) The *Nossob Camp*, constructed in the 1960s, is centrally located on the bank of the Nossob River. This newly renovated Rest Camp features a shop and a petrol station as well as an information centre on predatory animals. Guided day walks and nightdrives can be arranged at this camp as well. (cf. SANP 2004: 8) 18 chalets with a total of 59 beds and 20 positions at the camp site for six people each, mean that 179 people can be housed at Nossob. (Interview Van Tonder 2005 b) *Mata Mata*, which was also constructed in the 1960s, is the smallest of the three traditional camps and is located near the border with Namibia on the Auob River. As is customary in Rest Camps, it offers a petrol station and a shop as well as the opportunity to book Guided day walks or nightdrives. (cf.

SANP 2004: 8) Eight chalets with a total of 29 beds and a campsite with 20 positions for six people each bring the total number of accommodations to 149. (Interview Van Tonder 2005 b)

II. *Wilderness Camps*

The inauguration of the KTP has further increased the popularity of the park so that the demand for accommodation could no longer be met during high season. Instead of constructing another large Rest Camp, the park administration decided, also bearing the water situation in mind, to build six small *Wilderness Camps* offering tourists the opportunity to stay overnight at nine different places on the South African side. (Interview Van Toonder 2005 a) These new wilderness camps are not fenced to give visitors the feeling of “becoming one with the Kalahari”. Then again this also has the consequence that an armed ranger has to be present day and night in each camp and the park guidelines advice not to leave the individual housings during night. Every camp is built in an individual design and is superbly equipped with kitchen, bedroom and bath. Solar panels supply energy and gas-fired heaters provide the different accommodation units with hot water. Shops, petrol stations or other infrastructure are not available at wilderness camps. The *Kalahari Tented Camp* with its 15 chalets and 38 beds is the largest of the wilderness camps. It is located nearby the Mata Mata Camp and also provides a swimming pool. The elegantly designed linen-made tents are aligned to offer the visitors a breathtaking view on a water hole in the parched Auob River. *Bitterpan* is only accessible with a four wheel drive vehicle and connects the two traditional camps Mata Mata and Nossob. The four chalets with eight beds look out over a large pan with only very little trees. *Gharagab* can also only be reached with a four wheel drive car. It is located in the very north of the park, close to Union’s End, the border with Namibia. The four chalets with two beds each are situated in the middle of the tree- and grass savannah. *Grootkolk* is also located near Union’s End but reachable with a two-by-four vehicle. The four chalets with two beds each overlook a water hole, often visited by beasts of prey. *Kielie Krankie* is situated on top of the Kalahari’s highest sand dune and therefore guarantees an endless view over the dunes. Furthermore, another watering hole can be viewed from the camp’s four housings with two beds each. The *Urikaruus* wilderness camp is built on stilts is surrounded by camelthorn trees and located on the Auob River. As from most of the other camps, the four chalets with a total of eight beds offer a view on a waterhole. (cf. SANP 2004: 9f) Since 2007 another accommodation is available in the park, the *!Xaus Lodge*. It was

built on the *Mier and San Heritage Ground* and offers luxurious ecotourism. Additional information on the !Xaus Lodge can be found in chapter 7. (cf. xauslodge 2008)

III. *Botswana Camps and 4x4 Trails*

Contrary to the well established tourist infrastructure on the South African side of the KTP, the picture is a completely different one in Botswana. The chances for tourists to encounter another car while being on a game drive on one of the 4x4 trails, is very little. Camp sites exist in Two Rivers, Rooiputs, Polentswa and the Mabuasehube area. Often a shady tree is the only infrastructure provided. Furthermore, there are three main 4x4 roads in Botswana. The *Kaa Game Viewing Trail* can be followed in both directions, trailers, however, are not permitted. The distance can be done in one day, whereas the park administration recommends one overnight stay. This part of the Kalahari is only sparsely populated by deer. The *Polentswa Wilderness Trail* is open to a maximum of five vehicles per day and no less than two a day. No trailers are allowed here as well and it is a one-way route. The relatively flat and sandy trail leads through an impressive pan, where game can often be watched. The exclusive *Mabuasehube Wilderness Trail* may only be followed from Mabuasehube to Nossob and no trailers are allowed here as well. Most of the trail runs through the tree savannah, a striking contrast to the red dune savannah of the park's south-western part.

In addition to the three main roads two *Access Routes* exist. One runs between Nossob and Mabuasehube and the other between Kaa and Nossob. These access routes are accessible in both directions. (cf. SANP 2004: 11)

IV. *Park Activities*

Activities in the park, offered by SANParks, include options inside the various camps as well as in the wild. Two 4x4 trails are on offer, the short *Leeuwdril Trail* from Leeuwdril to Houmoed and the long *Nossob Eco-Trail* from Kij Kij to Polentswa, which may only be completed with a guide. Night drives are on offer to be able to watch wild-life activity during dawn and in total darkness. The Kalahari's night sky with its innumerable stars is a perfect backdrop for a night drive. In early morning one may participate at a day walk and experience the Kalahari by foot. The *Twee Rivieren Information Centre* offers slideshows and videos of the Kalahari, a photo exhibition can be visited and guests are informed about the history of the park. At the *Nossob Information Centre* tourists learn interesting facts about local beasts of prey. (cf. SANP 2004: 8 et seq.)

5.3.2. Biodiversity of the Southern Kalahari

The Kalahari-Desert is the largest continuous area of sand worldwide, extending over nine countries, from the equator to the Orange River in South Africa and covering 896 000 km². The *Southern Kalahari*, where the KTP is located makes up app. 20% of the total area of the Kalahari and is classified as a semi-desert because of rainfalls occurring from time to time. (cf. Le Riche/ Van der Walt 1999: 5 et seq.) Temperature varies between -11°C during winter nights and 42°C in the shade in summer. The surface temperature of the Kalahari reaches up to 70°C in summer. Winter is a cool and dry season, lasting from May till August. September and October are dry and warm. Summer, the hot and humid season lasts from November till April. Both rivers in the KTP, the Auob and Nossob are ephemeral. They only flow for a short period of time during a sound rainy season. One section of the Auob River carries water approximately every eleven years whereas the Nossob River only carries water twice in 100 years. (cf. SANP 2004: 4 et seq.) The now following two chapters provide a brief survey of fauna and flora of the KTP, by selecting several specifics of the park and in now way a claim to offer a complete list is made¹⁹.

I. *Flora*

The vegetation of this efficient ecosystem is rather limited with respect to the diversity of species, it offers however a plurality of shapes. In the whole of Southern Africa the vegetation of the Kalahari offers the largest amount of natural field crops which enables wild animals to survive even in most diverse climatic conditions. (cf. Le Riche/ Van der Walt 1999: 37 et seq.) Four groups of vegetation are discerned: trees, bushes, shrubs and grasses.

Trees: In all ecosystems trees are of utmost importance, in the Kalahari they are also life savers as their shade often is the only protection from the summer sun for many animals and the only source of cooling. The *Camelthorn* is the most dominant tree of the Kalahari and can reach altitudes of up to 15 metres. Its grey hull is alimental for animals. The *Grey Camelthorn* reaches a height of up to nine metres in the river beds, whereas it grows as a bush in the dune areas. The evergreen *Shepard's Tree* grows up to seven metres and its branches always form a circular umbrella, cooling down the sand near its bole from a maximum of 70°C to a more moderate 21°C. (cf. SANP 2004: 20)

¹⁹ For detailed information on the biodiversity of the Kalahari, see Le Riche/ Van der Walt 1999, Main 1987 and Knight/ Joyce 2003

Bushes: The aromatic *Yellow Bush* prevails along the Nossob River and grows to a maximum height of one metre. Its green leaves turn yellow/orange and its tiny blooms are chartreuse. The *Candle Thorn* may develop into a small tree of up to eight metres in height or it grows as a spreading bush, covering a radius of up to 20 metres. The leaves, seed and blooms are aliment for animals. (cf. Derichs 2003: 70 et seq.) The slightly bluish coloured *Blue Pea* is an extremely nutritious bush and particularly vital for the parastizopus beetle. The *Driedoring-Bush* has white to pink blooms and drops its leaves during dry season to economise its water reserves. The driedoring bush is the principal source of food for the springbok. (cf. Le Riche/ Van der Walt 1999: 69 et seq.)

Shrubs: The *Gemsbok Cucumber* is an oval fruit with jags, which turn to a yellowish green when ripe. The acrid fruit is a principal source of aliment for the gemsbok. The *Devil's Claw* first shows a beautiful trumpet-shaped flower. After withering, catchy spikes grow at the same spot. The *Devil's Thorn* is the most famous creeping plant of the Kalahari. After a rich rainfall it bears countless yellow blooms. (cf. SANP 2004: 17)

Grasses: The *Kalahari Dune Grass*, which is a distinctive feature of the Kalahari, grows primarily on dunes and reaches heights of up to two metres. The *Small "Bushman" Grass* is one of the most important grazing plant for several herbivores. It grows area-wide and gets only six centimetres high. On the contrary, the *Silky "Bushman" Grass*, which blooms in early summer and is studded with soft, white pollen, grows considerably taller. This grass grows back most quickly after a large-scale fire. (cf. Le Riche/ Van der Walt 1999: 91 et seq.) A very special plant is the *Tsamma Melon*. It is one of the most essential plants in the Kalahari's semiarid ecosystem. During dry season the melons are the main source for water. The plant grows after rainfalls and survives up to one year. (cf. SANP 2004: 19)

II. Fauna

The incredible variety of the KTP's wildlife can only be rudimentary indicated here and classified in the following groups:

Birds: The park is home to 264 different species of birds, not all of these are living in the Kalahari all year round. The 78 species which dwell in the park year-round include the *ostrich* (population: 2 800/as per: 2003), the *Secretary Bird*, *Kori Bustard*, the *Giant Eagle Owl*, the *Pale Chanting Goshawk*, the *Sociable Weaver*, the *Lanner Falcon*, the *Lappetfaced Vulture*, the *Whitebacked Vulture* and the *Martial Eagle*. (cf. Management Plan 1997: 45)

Small Sand-Animals: These include the *Giant Millipede* which is so characteristic of the Kalahari, the *Blister Beetle*, the *Parastizopus Beetle*, the *Buckspoor Spider*, the poisonous *African Monarch-Butterfly*, the *Barcking Gecko* and two species of scorpions. (cf. SANP 2004: 32 et seq.)

Small Mammals: This category includes the *Suricates*, *Ground Squirrels* as well as the *Yellow Mongoose*, which are legendary in the KTP. Furthermore, the *Striped Mouse*, the *Aardvark*, the *Porcupine*, the *Pangolin* and the *Springhare*, which is also known as the “outback kangaroo”, can be found in the park. (cf. Derichs 2003: 64 et seq.)

Reptiles: South Africa’s largest tortoise, the *Leopard Tortoise*, is endemic to the KTP, just as the *Ground Agama*, the *Puff Adder* and the *Cape Cobra*, which even includes the Puff Adder in its animals of prey. (cf. SANP 2004: 37)

Antelopes: The numerous species of antelope include the *Springbok* (population: 3 800/as per 2003), the *Eland* (6 000), the *Hartebeest* (4 700), the *Gemsbok* (3 400), the *Blue Wildebeest* (800), the *Steenbok* and the *Giraffe* (18). (cf. Derichs 2003: 54 et seq.)

Predators: The most exciting predators of the KTP include the *Lion* (340), the *Cheetah* (100), the *Leopard*, the *Spotted Hyena* and the *Brown Hyena*. Furthermore, the *Aardwolf*, the *Black-headed Jackal*, the *Honey Badger*, the *African Wild Cat*, the *Cape Fox* and the *Bat-eared Fox* dwell in the KTP. (cf. SANP 2004: 41 et seq.)

5.4. Impacts of the Establishment of the Kgalagadi Transfrontier Park

Some of the consequences and changes caused by the establishment of the KTP shall be mentioned here. Special notice is taken of the concrete situation in the park, the changes for the border police, the potential future prospects of a tourist development of the region and the whole *Northern Cape Province*. Factored out at this stage are the consequences for the local population. This particular question will be dealt with in chapter 7.

5.4.1. Changes for the KTP

Even if the establishment of a common Transfrontier Park was possible without overcoming major obstacles, nevertheless several smaller changes, some with far-reaching consequences did occur. Concerning the protection of biodiversity no major changes happened. In the particular case of the KTP the transformation of the two parks into one joint TCFA had no consequences for flora and fauna at all.



(ill. 6: Border mark of the Republic of South Africa without barrier © R. Konrad)

Also the perception of the park administration on the South African side lets one conclude that not much has changed in the park since May 2000. Park manager Nico van der Walt expressed the opinion that:

"I think that's basically the formalizing of it and that it's worldwide known that it's the first Transfrontier Conservation Area that was established. So the emphasis on the importance of that, I think that's one of the big benefits. Because it's formal now it's easier to work together with legislation, if there is research issues, if there is poaching issues." (Interview Van der Walt 2005)

The hospitality manager of the KTP, Fanie van Tonder, explains the changes for tourism in the park:

"I wouldn't say there was a big change, you know. We got a lot of international coverage being the first Transfrontier Park. (...) But otherwise, I mean it has been a popular place due to its uniqueness. Yes, the Transfrontier thing did give us a good media coverage at that stage and that definitely helped, especially for overseas tourists. But the local people here, we got a few new faces in but the majority of people visiting this area is people coming over and over again." (Interview Van Tonder 2005 a)

However, the already mentioned Management Plan leads to some changes for the two environment protection agencies. The co-operation between the employees of South African National Parks (SANP) and the Department for Wildlife and National Parks (DWNP), located in Twee Rivieren and Two Rivers, has intensified further. Every month the two park managers, Mr. Van der Walt from South Africa and Mr. Mamani from Botswana, meet for a *Bilateral Meeting* on management level. At these meetings topics of mutual interest are discussed. Primarily this concerns the daily work in the park, be it the rebuilding of a road or a fence which needs to be repaired. In urgent cases, such as a lion or another wild animal crossing the boarder of the park and roaming neighbouring territory and must be returned, it pays off that the two headquarters are located close to each other and joint actions can be easily arranged. In addition, every six months a meeting of the *Executive Committees* takes place with representatives of SANParks and DWNP present. This committee discusses legal issues, common funds and other executive issues and takes decisions. Also changes to the Management Plan are discussed by the executive committee. (Interview Van der Walt 2005) Probably the biggest change since the establishment of the Peace Park is that tourists may move freely within the KTP and thus making the border between South Africa and Botswana irrelevant. Before the park's establishment, it was not possible to cross the border without passing the far-afield border posts.

On 12 May 2000, simultaneously with the inauguration, two new boarder posts were established near Two Rivers and Twee Rivieren. Tourists have to pass by these boarder posts if they enter the park on South African side and leave via Botswana, or the other way round. If tourists leave the park via the same country as they have entered, they may visit the whole park without border control. Thereby it is irrelevant which gate is used for entering and leaving. In Botswana there are three gates, namely Two Rivers, Kaa and Mabuasehube. The gate at Twee Rivieren is the only gate in South Africa. No fees are collected for border control, only a valid passport and valid documents for the vehicle used are needed to ensure that the car is not stolen. This arrangement also applies for the local population. However,

many of them do not have valid documents and the crossing of the border therefore impossible. (Interview Jacobs 2005)

5.4.2. Challenges for the Border Police

The border police at Twee Rivieren confirm that even after the inauguration of the KTP and the “opening” of the border illegal migration is no problem. Ultimately the border was only moved into Botswana and South Africa. In this sense one cannot even call it an opening of the border. Concerning illegal trade the situation is somewhat different. Indeed, since 2000 only two stolen vehicles crossed the border illegally and were confiscated inside the park, but the police and border guard on both sides are aware of the potential for criminality, anyway. In South Africa, the *South African Defense Force* (SADF) guarded the border between Botswana and South Africa outside the park, until the end of 2004. Since then a special unit of the border guards, the so called “*Border Line*“, is responsible. Round-the-clock patrols take place and again and again bootleggers are caught by the “*Border Line*”. Primarily sheep and goats are smuggled but sometimes drugs, too. Border police is content with the co-operation of the local population, which often passes on information on alleged illegal activities to them. These smuggler activities are in no way related to the establishment of the TFCA. Based on his experience, inspector Jacobs sees no negative effect of the establishment of the Peace Park on the situation inside the KTP, or on the security of the country.

”I mean one can not lose the fact that it’s possible, anything can happen. Personally I feel that it is not really a problem for the safety of the country because once you know the park as your hand then it is no problem. For us, who have been such a long time here, we know where to police and where to go. So the country, South Africa, we try to keep it safe.” (Interview Jacobs 2005)

Poaching is one of the issues that need constant monitoring in the KTP, as is the case in many other nature reserves. This is particularly true on the Botswana side, where large areas of the park are not fenced. However, Inspector Jacobs believes, that with the resources at hand, poaching can be contained to a minimum. Hardly any illegal hunting is reported in the KTP. (Interview Jacobs 2000) Critical voices from the neighbouring population have a slightly different opinion and do report illegal hunting and a decline of the animal population inside the park since the establishment of the Transfrontier Park. As an example it is mentioned that in the 1990s a proper herd of Springboks consisted of app. 1 000 animals. Nowadays such

large herds are no longer to be found. Especially during the tenure of Elias Le Riche as Park Warden, more patrols were carried out, referring to Prof. Rasa who used to work as a researcher in the park back then. The current patrols could not be compared to those back then and the co-operation between South Africa and Botswana is poor and no side really feels responsible for the animals. Rasa got her information from the late Vet Piet, a legendary master tracker of the #Khomani Community, who had worked all his life in the park. The decrease of the animal population is primarily caused by the following situation in Botswana:

“There are many hunting farms and lodges in the park’s neighbourhood in Botswana. It’s a very simple story. A short section of the fence is removed and placed flat on the soil, some salt is sprinkled onto it and the animals start roaming over to the other side. Even better if there is water, salt and water and the animals migrate. The law says that the animals are yours, as soon as they are on your soil (...) The numbers of animals have decreased considerably. They blame it on the drought and say that more rain has fallen in Botswana and therefore the animals have migrated. All those excuse!, The truth is, that the animals are no longer here!”
(Interview Rasa 2005)

Regarding to the border police the co-operation between the park rangers on both sides, the border guards and the *Botswana Defence Force*, which guards the not-fenced section of the park in Botswana, is excellent. Occasionally, both sides of the park are even controlled by air surveillance. However, the aircrafts and helicopters necessary for this are stationed in far-away Kimberley. (Interview Jacobs 2005)

5.4.3. Perspectives of further Tourist Development in the Region

Both environment protection agencies are constantly working together to develop common strategies to further increase the tourist potential of the KTP and to harmonise the different regulations for visitors. A highly symbolic and long planned intention, the construction of a joint gateway to the park with border guard right at the border between the two countries in Twee Rivieren has not been implemented, yet. This joint border post should be easily accessible for tourists coming from both countries, without detour. The planned office building should also be the new home of the two *Conservation Authorities* to further facilitate the joint management of the park. The reason why this project has not been completed until 2008 is primarily the lack of funding. (cf. PPF 2000 a: 4) The life-size statues of the two gemsboks, which were unveiled during the opening ceremony, should be placed directly in

the centre of the new *Entrance gate-complex*. (ibid: 1) Until then, the two statues are located near the entry area of the *Information Centre* in Twee Rivieren on the South African side.



(ill. 7: Gemsbok-Statue in front of the Information Centre in Twee Rivieren. © R. Konrad)

The KTP's increased prominence has caused the regional leaders to promote the whole *Northern Cape Province* as a new tourist destination. The east coast, up to the Krüger Park, is a popular destination for international tourists in the context of national park tourism. Professor Anne Rasa, a behaviourist, who has researched for years in the Kalahari Gemsbok National Park and now runs a private *Game Farm* outside the park, including overnight accommodation, mentions the example of overseas tourists with only a few weeks of holidays a year, who want to spend their time-off in South Africa. They fly to Cape Town and within only three weeks can drive up the east coast, visit the *Addo Elephant Park*, *Mountain Zebra National Park*, *Golden Gate National Park* and the *Tsitsikamma National Park* as well as the famous *Krüger National Park* and return to Cape Town. The Northern Cape and the KTP in particular are very remote and therefore not very attractive for short-term visitors. (Interview Rasa 2005) This is the reason why the Northern Cape Province now first and foremost focuses on a desert-tourism strategy, in co-operation with Namibia. It wants to connect the various national parks in the province, from the *Namaqualand Flower National Park* on the west coast, via the *Ai-/Ais/ Richtersveld Transfrontier Park* and the *Augrabies Falls National Park* till the *Kgalagadi Transfrontier Park*. On the Peace Parks Foundation's webpage is stated, that on the Namibian side it is planned to convert a "prohibited zone" of 26 000 km²

into a national park. Thus, would create another attractive nature reserve which could be included into the desert-tourism concept, which aims to put the Northern Cape Region and southern Namibia on the map of international tourism. The “prohibited zone” is closed off for more than 100 years now which greatly helped biodiversity to prosper. This area would be joined with the *Namib-Naukluft National Park* on its northern boarder. (cf. peaceparks 2008 a) Another element in turning the Northern Cape Province into a tourist region, to further increase the tourist potential of the KTP and to meet the demands of visitors, is the planned construction of a new border crossing. The border crossing between South Africa and Namibia at Mata Mata, which was closed long ago, shall be reopened. Inspector Jacobs, from the border guard, who is stationed at the border post in Twee Rivieren since 2001, expects this crossing to be reopened already in 2006. (Interview Jacobs 2005) However, the park administration still has to work on a new strategy to avoid the new border crossing and the street running through the park turning into a regional highway. It is planned that each person wanting to cross from one country to the other via the park has to book one compulsory night accommodation in the park. (Interview Rasa 2005) In the meantime this plan has been turned into reality. On 12 October 2007 the border crossing was inaugurated by the three presidents, Hifikepunye Pohamba from Namibia, Thabo Mbeki from South Africa and Festus Mogae from Botswana. Commercial traffic is not permitted and tourists who wish to leave the KTP for Botswana or South Africa have to stay in the park for at least two nights. (cf. sanparks 2008 a) Furthermore, it is planned to open a new lodge at the so-called San and Mier Heritage Ground. The accommodations and infrastructure are already constructed. The only issue remaining is to select a franchise holder to run this outsourced venture. (Interview Van Tonder 2005 b) Detailed information on this particular lodge will be provided in chapter 7.

6. The Local Communities

Historical evidence proves that the #Khomani are the native inhabitants of the northern part of the Northern Cape Province, where today the Kgalagadi Transfrontier Park is located. Insofar they are an inherent part of the *Local Community*. In addition, this part of the Southern Kalahari was inhabited by Tswana speaking herdsman and seasonally visited by Nama speaking herdsman. The cultural influence of the Nama is particularly evident in the regional use of the Nama language. (cf. White 1995: 29) Nico van der Walt, the park manager of the KTP, describes his definition of the neighbouring community in an interview:

“That’s always ah, not a difficult question but there is no real answer to who is a community to any area. (...) Because we could argue from Kgalagadi side our community is also you, in Germany. Cause you also come to us and spend money. So we always not struggle but, to define who is a community around a park. Where we depart from is the closest people bordering on to the park will be our community in National Parks. And although we do have customers from Johannesburg, all over the Western Cape, we got the province in Upington. They are also our community, I mean they serve us and we serve them. As I said, it’s a debateable thing. We depart from the point that people who are bordering us is our mediate community. And in Kgalagadi’s case, Transfrontier Park, it’s the Mier community, which is mostly coloured people if I can call it like that. They have been farming here for many years. They are mostly farmers, goat, sheep and cattle farmers. And then the #Khomani San, the Bushmen community which is also around the park but actually the municipal area is the Mier area. It has been run by the municipal area from Upington which is our constituency. So the Mier municipality is our closest and the San falls under the Mier. So those are the two. And then of course our, the other farmers, there is a few couple of white farmers as well. So we are talking about the white farmers, the Mier famers and the #Khomani San.” (Interview Van der Walt 2005)

Following Van der Walt’s definition, the local community is basically made up by three different groups: the #Khomani, the Mier cattle-breeder and the white stock-farmers. In my analysis of the *Local Communities* I intend to focus on the Mier and #Khomani. Both groups have been dispossessed and penalised by the establishment of the Kalahari Gemsbok National Park (KGNP) in 1931. The analysis of these two groups on the one hand, focuses on the terminology used and on the other hand, provides an overview of their history especially in the 20th century. In both cases the historical analysis ends with the emergence of the *Land Claim* issue. The appraisal of the newer history of both communities continues in the following chapter and a current survey of the #Khomani Community is provided in chapter 8.

6.1. The Mier Community

One has to differentiate between the *Mier Community* and the *Mier Municipality*. The Mier Municipality is larger than the *Free State Province* in South Africa and includes the areas of Rietfontein, Philandersbron, Loubos, Klein Mier, Groot Mier, Welkom, Askham and Noenieput. (cf. mier 2008) Also the #Khomani as well as the white cattle breeders are part of the Mier Municipality. The Mier Community consists of app. 4 500 people, mainly cattle breeders. (Conversation Ellis 2005) In the following I want to provide a brief overview of the terminology used in connection with the Mier Community, which mostly carries negative connotations. The historical aspect focuses on the question of the roots of the Mier Community, where they came from and their relationship with the KTP.

6.1.1. Terminologies

Racism is continuously created by language and works through linguistic use. It is only through naming that things, facts, emotions and people become visible and distinguishable. People are related to various groups and classified by different criteria, such as appearance, employment or age. By denomination or non-denomination people can be enhanced or degraded in status, become the norm or be excluded. In this way language can be an instrument of power and a potential source of violence. (cf. Arndt/ Hornscheidt 2004: 7) It is therefore of importance to me to examine the various terminologies used in connection with the Mier and #Khomani Communities, to analyse them and to find a language free of discriminating connotations. Instead of using the word “*Baster*” or “*Coloured*” and their variations, scientists recommend the designation “*People of Colour*”. In the present case of the Mier community I prefer to use the term “Mier” to refer to members of their community. This term is used by large parts of the population of the Mier Municipality and carries no discriminating connotation.

I. “*Baster (Afrikaans)/ Bastard (English)*”

In various encyclopaedias and dictionaries, the term “Bastard” is described as: a child born outside marriage, mixed race, a person with roots in different races, a child of bawdiness. These are only a few of the discriminating and racist patterns of explanation used, to highlight the insulting use of this word. According to this the term “bastard” is closely linked to the

idea of a “nonconventional” or “obscene” procreation. (cf. Arndt 2004: 89 et seq.) During the colonial era, the defaming connotation of the term was boosted further and children from relationships between white and blacks were called “bastards”. It was quite normal in the colonial practice for white males to rape black women. Also concubines were common, whereas marriages were rare. (ibid: 91 et seq.) In the Northern Cape Province of South Africa, people from the group we now aptly name as “*Mier People*” and who mainly dwell in the area of the Mier Municipality, were (or still are) called by that name. People, out of the socio-political situation, even called themselves “Baster”. This classification meant in the then prevailing hierarchy of classes, that they were part of a higher category than the indigenous population. As already mentioned, in most cases the decisive criteria why someone was called a “Baster” was the existence of a white ancestor.

”So if you could show that you had a white father then you were a baster. So for them the white ancestors were elevated, they wanted to hold them up high. They wanted to advertise that by saying: ‘I’m a baster! I’m not a black! I’m not a bushmen! I’m a baster!’ It also had an economic connotation. It made that you were in a class position higher than indigenous people as well.” (Interview Ellis 2005)

Just as there were different types of “Basters” even within one family, e.g. a black, white or brown “Baster”, the term also had different meanings from region to region, as the definition of the term shows. Currently nobody identifies him/herself with this term anymore. (Interview Ellis 2005) To avoid an interaction between racism and language, the specialist in German and African studies Susan Arndt proposes to use alternatively terms such as human (woman/man) of binational/ multinational origin or *People of Colour* (POC). (cf. Arndt 2004: 94)

II. “*Klering (Afrikaans)/ Coloured (English)*”

Since it became apparent that the word “NegerIn” (Negro) has a very strong racist connotation, the term “FarbigeR” (Coloured) is often used in German language, however, without reflecting on the analogue meanings, which even this word transports. The construction of the dichotomy between “Coloured” and “White” is based on the assumption that the “white skin colour” is considered the norm. (cf. Bauer/Petrow 2004: 128 et seq.) The term “Coloured” got a distinct meaning during the Apartheid era in South Africa. The logic of Apartheid considered the “Coloured” to be a “race” of their own, in the hierarchy situated between “White” and “Blacks”. However, this term was a culturally heterogeneous construction, comprising children from relationships between “blacks” and “whites”, Asian

migrants and certain African societies such as the Nama. The use of the word nowadays carries on the racist connotation of the Apartheid. (ibid: 130) For a long time, (and partially even today) a distinction was made between the terms “Coloured” and “Baster” in the Mier area. Decisive was, at which point in history a person or family did arrive in this very remote region. The “Basters” dwell there since the 1860s and the “Coloureds” since the 1950s. The social anthropologist William Ellis further notes that this differentiation is also a distinction of economic classes. Not the category itself, but the disparity between them defines the class.

”So it could be either category, it could be coloured or bastard, but usually the person speaking is saying that this other category where I don’t consider myself as part of is gaining all the benefit or is doing all the bad things that are linked to the bad life of the rest of us.” (Interview Ellis 2005)

As it was already the case when discussing the term “Baster”, also when analysing the categorisation as “Coloured”, the relationship between the respective groups is pivotal. These interethnic relationships, also methods and conceptions, can be paraphrased with the term ethnicity. Ethnicity describes the respective relationship between two or more groups, when the concept prevails, that they differ culturally in important questions. Ethnicity changes over time and varies again and again, depending on the circumstances. (cf. Gingrich 2008: 102 et seq.) This relationship can be applied to the distinction between “Baster” and “Coloured” as well as between these two and the #Khomani. Just as the term “Baster” has been dropped in more recent literature, the term “Coloureds” is exchanged for *People of Colour* (POC). Thus, these problematic terms are reinterpreted by appropriation. POC develops into a political self-designation. The add-on of *People* and the use of capital letters show the political and social construction while distancing itself from a racial terminology. (cf. Bauer/ Petrow 2004: 130)

III. “Mier“

The word Mier describes an area in the north of Northern Cape Province at the border with Namibia and Botswana as well as the “Basters” section of the population, who have settled in the region since 1865. The most widely-used legend surrounding the naming claims that Dirk Vielander, the leader of the settlers discovered an above ground waterhole, which is extremely rare in this region. He wanted to drink from it but discovered that it was infested with ants. In Afrikaans ant is translated as “Mier”. This is why he named the area Mier and it is still the name of the region today. (cf. SANParks 2004: 15)

6.1.2. The History of the Mier Community

The area of the Southern Kalahari, which is part of the Mier Municipality today was only settled by the then so called “Basters” as of 1865. Until then the area was used as a seasonal grazing land and hunting ground by various indigenous groups, such as the Korana, a Nama speaking group, who were dwelling on the *Orange River*. The only group permanently living in the remote region were the #Khomani. The reason for the settling of the then called “Basters” in today’s Mier area was their flight from the oppression by the colonial system in the *Cape Colony*. During the rule of the colonial administration the “Basters” were revoked their personal rights, among other things this meant that they were not allowed to own land. Only when settling beyond the borders of Cape Colony, they had economical freedom. Around the year 1860 the Cape Colony extended its sphere of influence inland, as far as the village of Vanrhynsdorp, to where the “Basters” had from time to time withdrawn. Once again their land was expropriated and split up among European farmers. They found their next refuge in today’s Mier region in 1865. (Interview Ellis 2005)

“They again have to move and move, so the eventual movement of baster people or of people with mixed race origin into what is today the Mier Area, Rietfontein, Southern Kalahari area - it represents in a kind of the end of the road for a group of people who were gone through this continual kind of process of being moved on from where they were.” (ibid.)

The leader of this group was Dirk Vielander, who had lobbied for the sovereignty of the “Basters” for years and demanded the independence of the Mier area. He was denied a republic of its own, in contrast to numerous „*Boeren Republiken*“ which spread in the north-east of today’s South Africa in that period. However, the farmland which Vielander had distributed among his settlers was acknowledged as property of the “Basters” by the Cape Colony in 1891. Hence, the “Basters”, who had been without rights for decades, from this moment on legally owned more than 90 different farms in the Mier area. These property relations did not last for long as already by 1902 all farms but eleven were in the hands of white farmers, who had bought them. (Interview Ellis 2005) Some white farmers live in today’s Mier area, which stretches from Askham northwards till the KTP, from there on westwards until the border with Namibia and south till Noeniput. However, part of the Mier Community are only the farmers formerly called “Basters” or “Coloureds” who speak mostly Afrikaans and hardly any English. (Interview Spies 2005) The history of the Mier Community

in the 19th century knows cases of compulsory expropriation and discrimination. Three interconnected lawsuits formed the basis for the *Mier Land Claim* in 1998. In a first phase the Mier lost their farms within the park, pasture and hunting grounds within the park, after the establishment of the KGNP. The Mier were not the only ones who made use of the park's resources. As the area was considered as uninhabited, several dwellers of the region used the resources of the park. The perception of the area as uninhabited land prevailed among the Mier population as well as the white farmers and the South African government. Because of their lifestyle the #Khomani were not considered to be the owners of the area but rather tolerated as a migrating minority by the groups mentioned above. The second phase of the expropriation of the Mier was marked by the fact that in the early 1960s, for the first time the southern border of the KGNP was fenced in. During the drawing up of the border, areas of the *Mier Reserve Lands*, land which was reserved for common use, was incorporated into the park. (cf. Ellis n.d.: 4)

“The southern boundary of the park was never clearly drawn, it has always been very fuzzy. It wasn't so much a clear border as a transition. So there was a kind of a transition zone that represented the southern boundary of the park. And at some time during the 60ies, the National Parks Board decides that we need to clearly define our boundary. And through the definition of this boundary they actually cut into Mier. So an area that has been previously available to the Mier Communal Reserve, or Coloured Reserve, now it's included into Kalahari Gemsbok National Park.” (Interview Ellis 2005)

Ultimately, from the 60s until the 80s the legal situation in South Africa changed insofar as more privatisations took place and the ownership of land was individualised. As a consequence, the Mier Community had less land available for common use within the so called Mier Reserve than before. The problems caused by this development are explained by Ellis:

“That programme tended to privatize or individualize tenure throughout the Mier region. That means, one man, one farm. But in real terms that meant that there will be 300 farms allocated to individuals in Mier and there will be a 2700 individuals with nothing, right.” (Interview Ellis 2005)

Those three phases of expropriation of land and right of land use form the core of the *Mier Land Claims*. (cf. Ellis n.d.: 4)

6.2. Die #Khomani Community

The history of the various indigenous groups in Southern Africa, especially of those from Botswana, Namibia and South Africa is a history of expropriation, discrimination and genocide as Sandy Gall wrote in his book *“The Bushmen of Southern Africa. Slaughter of the Innocent”* (2001). In the particular case of the #Khomani of the Southern Kalahari of South Africa it is also a history of “white” patronage and wage labour on the farms of cattle breeders in Mier – both a consequence of landlessness and expropriation. (cf. White 1995: 31) This fate, which is shared by many indigenous groups in Southern Africa, is portrayed by Rupert Isaacson in his book *“The Healing Land. The Bushmen and the Kalahari Desert”* (2001). It is about people searching and fighting for land – land, which they regard as theirs but to which they have no access any more. Land claims are dealt with by the various governments of Southern Africa in different ways. The land claim of the #Khomani, of whom currently only app. 1 000 members dwell in the Northern Cape Province, scattered over an area of 1 000 km² and who were reclaiming a large part of the former KGNP from the state, was a precedent in South Africa. (cf. Chennels/ Du Toit 2004: 98) Before I deal with the land claim in detail in the following chapter, this chapter focuses on the various terminologies and in detail with the history of the //Sa! Makai, the former residents of the park, who are at the same time the protagonists of the land claim. Explanations and analysis of the constantly reoccurring topics of patronage and Dawid Kruiper’s *Leadership* are added at the end of the chapter.

6.2.1. Terminologies

Megan Biesele and Robert K. Hitchcock did write in an article on the terminology of “San”, “Khwe”, “Basarwa” or “Bushmen” about the still prevailing processuality and conflicting nature in the usage of these names. Above all, in the different countries of southern Africa, separate discourses on the naming of the respective indigenous group take place. In South Africa for example the term “Bushman” had been in use for a long time, as a consequence of the process of democratisation the word “San” is used nowadays. This also becomes apparent in the naming of SASI, the *South African San Institute*, founded in 1996. An example picked up by the authors demonstrates very clearly the usual discourse on terminology. Two Jo/hoan-brothers in Namibia, both politically active, argue at a community meeting for the use of the term “Bushmen”, respectively against its use:

”One said that he never wanted to hear the term used again in post-Apartheid Namibia. The other argued that the term could be ennobled by the way in which they themselves now chose to use it. Thus, he argued, the term ‘Bushman’ could be used in a positive way for all the people in southern Africa who shared similar ethnic backgrounds and customs.” (kalaharipeoples 2004)

Nowadays, because of *political correctness*, the governments of South Africa and Namibia as well as development organisations and the press mostly use the term “San”. In many cases, the name indigenous groups would give themselves is derived from their own language. Over the last few years, several indigenous groups in Southern Africa try to construct a common “San”-identity. To strengthen the common identity, more and more groups use “San” or “Bushmen” as their self-designation. Hohmann argues that this trend has to be understood against the background of the increasing awareness of the disadvantaged indigenous minority, aiming to show its unity in the fight against discrimination. The designation “*Indigenous*” is used in the same way as the common name “San” to achieve a cultural and political emancipation, certainty of their land ownership and access to resources. Local communities describing themselves as “indigenous” qualify themselves as long-term subjects of so called “Anthrop-Tourism” and as beneficiaries of development programmes aimed at ethnical minorities, which are often explicitly linked to indigenous groups. (cf. Hohmann 2003: 2 et seq.) As Saugestad later argues, one should use the term a group uses to describe themselves. The case study of this paper is a family-group, summarised by the term #Khomani and who are also identified by this name. A special group of #Khomani, the Kruiper-family calls itself //Sa! Makai. This name can be derived from an important ancestor of that family, a certain Ou Makai. Whenever I focus explicitly on that particular family, I use the name //Sa! Makai. The term #Khomani is used when referring to various indigenous groups in the Southern Kalahari region of South Africa. Before I continue, I would like to define some common terminologies used to describe this indigenous group, which is the subject of this paper.

I. “Bushmen (English)/ Bosjeman (Afrikaans)”

“Bushman” is a colonial concept, with a depreciative connotation not least because of the term itself. Biological characteristics, geographical criteria and lifestyle are used as criteria for classification of “Bushmen”. Neither these criteria nor others legitimate the identification of “Bushmen” as a homogenous society. The word “Bushmen” derives from the Dutch term

“Bosjeman”, meaning “people, who live in the bush”. This term describes people based on a stereotypic conceptualised living space. In doing so, the natural area “bush” is exchanged in the colonial conceptualisation into a “cultural area”, suggesting by the term “Bushmen” that the people called by that name live in the “bush”. Furthermore, the colonial mentality thereby constructs Africa as “nature” in opposition to Europe as “culture”. The term “Bushmen” is associated with nature in general and in connection with the term “bush” in particular with characteristics such as “close to nature”, “aboriginal”, but also “wild” and “threatening”. Furthermore, the term “Bushmen” is also a sexist structure as the term “men” is used as generic concept for humanity as a whole. (cf. Boussoulas 2004: 103 et seq.)

II. “San/ Khoisan“

The term “San” was originally derives from “Sonqua” or “Soacua”. “Sonqua” is the “Khoikhoi’s” description of “Bushmen”, and means: “people, who are different from us”, “people without livestock”, “people, who steal livestock” or “roamers”. This shows that even the term “San” as a synonym for “Bushmen” contains a pejorative meaning. As a logical consequence also the word “Khoisan”, which is often used as a generic term for “San” and “Khoikhoi” (languages) nowadays, is constructed, as the criteria used for subsuming the languages is the use of “clicks”. However, there are some languages containing clicks which are not covered by this term. (cf. Boussoulas 2004: 105) “Khoi” (which means: human), not as a linguistic but ethnic criteria was primarily used to name people who were active in livestock production. (cf. Saugestad 2004: 23) Furthermore, the term “San” was constructed by the European occupiers, legitimating for taking over power. Nowadays, whenever possible, the individual names of the various societies - thus, their self-designations such as #Khomani, !Kung, Halliom and others - are used. Nevertheless, often it is necessary to use the construct “Bushman” because of certain historical or social contexts. In such cases, specialist literature preferably uses the term “San”. Quotation marks show the intrinsic problem of the term “San”. (cf. Boussoulas 2004: 105)

III. “#Khomani“

Basically, #Khomani is an umbrella term for several indigenous groups, dwelling as hunters and gatherers in the southern Kalahari. This appellation may not be compared to !Kung or !Kwe, which label homogenous groups. The indigenous group of the #Khomani is made up

by different families, such as the //Sa! Makai. #Khomani denotes “*people we don’t understand*“. (Interview Flemming 2005)

IV. “//Sa! Makai and //Sa! Makaip“

Saugestad argues that when naming the different groups, the societies’ self-designations shall be considered whenever possible. As every name gets an insulting meaning as soon as one uses it to describe a negative attribute of a particular group, it is always the social context which shall guide the use of a particular term. (cf. Saugestad 2004: 23) To give an account of the wishes of the group I am focusing on in my paper, I am quoting an excerpt from an interview with Dawid Kruiper, the *Traditional Leader* of the #Khomani:

“Somebody from outside decided on the term San. That was too much in a hurry with this term. Why not use //Sa!? //Sa!Makai is the big grandfather, our grandfather and the //Sa!Makaip Traditional House is the Kruiper family. It’s all the families which form the Kruiper family, the Kruiper tree. Bushmen is also good, I’m proud of it! It has no bad meaning, also if outsiders say so. Bushmen is okay! I’m not a Khoisan, I’m a Bushman! In my language //Sa!, not San.” (Interview Kruiper 2005 b)

Also Petrus Vaalbooi, who acts as *Political Leader* of the #Khomani, calls himself a “Bushman”. *“I’m actually a Bushman, that’s what I am. Nothing more and nothing less.”* The situation of the children of the #Khomani is somewhat different. They often get verbally harassed and discriminated as “Bushman”, primarily at school. Petrus Vaalboois children left school after being discriminated by the teachers.

“The principle would say to his children: Ah, I see, he is again off to overseas with his dirty Bushmen feet full of sand. Don’t think because you are a Bushman and get a land claim that you can be joking in my class.” (Interview Flemming 2005)

6.2.2. The History of the //Sa! Makai Community

„Ou Makai te Kiraha
Ou Makai te Kiraha
Na ke !au Kwena Hocha
Na ke !au Kwena Hocha“²⁰

(Makai quote from Isaacson 2001: 150)

Within the #Khomani, the //Sa! Makai group plays a major role. On the one hand, it is the largest and most dominant group of the #Khomani and on the other hand, its members are, as already mentioned, also the protagonists of the land claim. In addition to that, Dawid Kruiper, a member of the //Sa! Makai, acts as “Traditional Leader” of the #Khomani. The //Sa! Makai are to be equatable with the Kruiper family. This family is also called *//Sa!Makaip Traditional House*. The members of the Kruiper family consider Ou Makai, the grandfather of Dawid Kruiper, to be a point of reference and founder of the //Sa! Makai. It is not clear since when the Kruiper family uses the name //Sa! Makai. According to tradition, before that the terms “Bushmen” or only //Sa!, which means “human”, were used. (Interview Kruiper 2005 b) For a better understanding I have decided to use the term //Sa! Makai whenever portraying the history of this group in the 20th century. Regopstaan Kruiper, Ou Makai’s son and successor as Traditional Leader was born in 1905. His memories of the early years of the 20th century were characterised by the availability of large stretches of land for nomadic activities such as hunting and searching for food. This independent use of land by the //Sa! Makai was subsequently drastically restrained by two government proclamations. In 1930, most of the area of the Southern Kalahari was declared the *Mier Coloured Settlement Area*, one of the numerous communal reservations which were designed by the government for settlements of “Coloureds”. In 1931 the Kalahari Gemsbok National Park was established right next to it. The consequence of the Mier-proclamation was that during the following years and decades numerous “Coloured” stock farmers moved to the reservation. The drawing up of borders was needed for the fencing in of pasturages. The “Bushmen” were prohibited from using the natural resources of these areas, severe jail sentences were the consequence of hunting. The construction of fences in the region, which turned the wide, open land into private property, was a decisive step in the process of the expropriation of the #Khomani and especially of the

²⁰ Translation: „The old Makai is getting older. The old makai is getting older. And the strangers are come. And the strangers are comming.“ This text is a prophecy in the form of a song, left to his offspring shortly before his death by Ou Makai. (cf. Isaacson 2001: 150)

//Sa! Makai. Fences are not only boundaries of a piece of land but also mark social demarcations and identities. (cf. White 1995: 29 et seq.) Regopstaan Kruiper expressed his desperation after the construction of the fences in the following words:

”There were no fences in Mier, just Bushman tracks. Then the camp-dwellers began to arrive, and now it is Mier Coloured Area. It kills my soul. I walked all over there, but now if a Baster sees a Bushman’s tracks he calls the police. Everything is closed now: I have no land, no water, no meat.” (Regopstaan quote after White 1995: 30)

The anger of the //Sa! Makai about the expropriation of the land, which they considered to be theirs, was not directed against the state as the really responsible entity, but against the “Coloured” stock farmers, whose fencing in of private property had a direct effect on the drastically deteriorating situation of the //Sa! Makai. The fictive borderline which still today runs between the Mier and the //Sa! Makai is based on the experience of expropriation. It is considered by many to be the endpoint of an alleged “idyllic” period of prosperity and independence for the //Sa! Makai. Against this background one has to consider the current claims of the //Sa! Makai regarding their identity as hunters and gatherers as an expression of the historic anger and as a demand for land rights. (cf. White 1995: 31) Linguistically, the //Sa! Makai are described as “San” and in everyday language as “Bushman”. However, during the Apartheid era a reclassification of the //Sa! Makai took place because of their bright skin and they were counted among the “Coloureds”. Hence, the “Bushman Problem” was temporarily solved by the state. (cf. Schrire 1995: 212)

6.2.2.1. “*The Bushmen Campaign*”

Since the 1930s the //Sa! Makai were often clients of various white patrons and benefactors, such as academics, journalists, filmmakers, environmentalists and entrepreneurs. The first of them was the professional hunter Donald Bain. He took a stand for the //Sa! Makai, who had been made landless by the proclamations of the KGNP and the Mier Colour Settlement Area and he demanded the establishment of a *Bushman Reserve*. (cf. White 1995: 31 et seq.) To raise public awareness and sympathy for his intention, he took 77 “Bushman” from the Southern Kalahari down to Johannesburg to participate in the celebrations on the occasion of the *Empire Exhibition* in 1937. They were put on display, danced and sang for the audience who should get the impression of being able to watch “*the last living remnants of the purest*

Bushmen". (Schrire 1995: 208). Bain's reasoning for the exhibition of the //Sa! Makai was the following:

"The purpose I had in mind when I brought these people out of the Kalahari was to make propaganda to educate the public to realize what an unremitting struggle these children of nature are fighting and losing against nature, man and animal. Apart from what they might be, no matter how primitive or rascally (*skelm*), these individuals are still living beings, and if reserves can be created for wild animals, why can we not stand together to create a reserve for these unfortunates and thus save them from assured extinction." (Bain quote from Gordon n.d.: 2)

An extensive description of Bain's intention and of the situation of the //Sa! Makai in the Kalahari, written by Bain himself, can be found in the appendix. (see appendix 5) The so called "*Bushman Camp*" was one of the biggest sensations at the Empire Exhibition and a true crowd puller. More than half a million visitors came to see the "Bushman Camp" during the exhibition which lasted from 15 September 1936 until 16 January 1937. (cf. Gordon 1993: 2) Donald Bain, who intended to use 50% of the proceeds from the exhibition for the establishment of a "Bushman Reserve", had already been trying to find land for the //Sa! Makai since 1925. The two already mentioned proclamations made his cause even more pressing. While he was recruiting "his Bushmen" for the exhibition in Johannesburg, the //Sa! Makai were expelled from the territory of the Kalahari Gemsbok National Park (KGNP). Mr. Grobler, the *Minister of Native Affairs*, visited the exhibition and promised, that the //Sa! Makai would be allowed to hunt in the traditional way inside the KGNP. It had also been Mr. Grober in his previous function as *Minister of Land* who, when proclaiming the Kalahari Gemsbok National Park, declared that "*Bushmen were to be allowed to live there undisturbed*". (Gordon n.d.: 3) However, the KGNP was in the responsibility of the *National Parks Board* (NPB), an autonomous body and thus imperious to the arguments of individual politicians. As a consequence, the //Sa! Makai continued to be prosecuted for hunting in the park. To protest for their hunting rights, in 1937 Bain organised the famous *Protest March on Parliament* to Cape Town, attended by 55 //Sa! Makai. This protest was insofar successful as even General Smuts, the then Prime Minister, declared his sympathy for "*those living fossils*" and guaranteed that they would be allowed to hunt inside the KGNP, as long as they only use their traditional weapons. The NPB was not impressed and mainly argued that the //Sa! Makai were no "*pure Bushmen*", primarily because a majority of them spoke Afrikaans or Nama and no "*Bushman language*." Furthermore, the NPB feared that landless people would be drawn to the area if the //Sa! Makai were allowed to settle in the park. Also, game would shy away, making it harder for tourists to watch wild animals. (cf. Gordon n.d.: 3 et seq.) As part of his

publicity campaign Donald Bain had invited the Universities of Cape Town and Witwatersrand to send scientists to his camp in the Kalahari to conduct studies on the //Sa! Makai. (cf. Gall 2001: 136) Together with his academic allies, Bain argued with the government for a solution of the problem in two phases. To start with, the KGNP should be declared a “Bushman Reserve”. As a second step, a corridor for the //Sa! Makai from South Africa via the then Bechuanaland till Ghanzi should be established. He considered this option to be most viable as he did not believe in a solution within the borders of South Africa. As Bechuanaland was a British protectorate, Donald Bain planned a journey to Great Britain with the //Sa! Makai to promote their cause with a “*Bushman Show*” directly in front of the government. It never happened. Before the trip to Great Britain a “Bushman Tour” to Port Elisabeth and Durban ended with a financial disaster and Bain had to declare bankruptcy. This was the end of the first promising “white patronage”. Even Bain’s “Bushman Camp” in the KGNP was closed and the remaining //Sa! Makai resettled on a farm. (cf. Gordon n.d.: 6)

6.2.2.2. Resettlement and Expulsion

As a consequence of the march on Cape Town, a “*Committee to Promote the Preservation of the Union’s Bushmen*” was formed and led by Tommie Boydell. The first task of the committee was to exactly define “*What is a Bushman?*”. Isaac Schapera, a renowned “Bushman”- expert and anthropologist was entrusted with this task. The result of his study was that there was no danger the “Bushmen” would die out. The anthropologist Robert Gordon from the University of Vermont remarked in his article that Donald Bain and his campaign did receive surprisingly little support from anthropologists. Another study by the *Ministry of Native Affairs*, published in 1940, assumed that there were only 129 Bushmen left “*who were pure or almost pure, spoke a Bushman dialect and still lived a Bushman way of life as far as possible*”. (cf. Gordon n.d.: 7) The report also recommended to settle the remaining Bushmen on a farm called *Struis Zyn Dam*²¹. The Struis Zyn Dam is part of the Mier Coloured Reserves but was not used for agriculture at that time. Denys Reitz, *Minister of Native Affairs* and the cabinet agreed to the plan of handing the farm over to the //Sa! Makai. However, even this decision initiated a history of conflicts and misunderstandings.

²¹ Struis Zyn Dam: today Struizendam. Located on the road between Andriesvale and the KTP on the side of Botswana.

As no suitable *Reserve Supervisor* could be found, the Ministry of Native Affairs asked the NPD if the *Gemsbok Park Ranger* could undertake the task. The offer was accepted and ranger Le Riche was entrusted with the matter in November 1940. This event also marks the beginning of the decade long and often ambivalent relationship between the Le Riche family and the //Sa! Makai. Yet, the //Sa! Makai never really settled in Struis Zyn Dam. On the one hand, there was strong resistance within the Mier population, who considered the farm to be their property and the „*Saamstaan Boerevereniging*“ (Stand together Farmers Association) emerged as another local opposition. On the other hand, misunderstandings between the NPB and the Ministry of Native Affairs resulted in the //Sa! Makai being accommodated in the KGNP temporarily. In total 29 people could resettle within the borders of the KGNP back then. The terms and conditions and the duration of the stay were not determined. (cf. Gordon n.d. 8 et seq.) Park ranger Le Riche described the situation as follows:

“The Bushmen are still very suspicious because they have been told by coloreds and even by whites that they will be branded, fattened and then slaughtered. Makai and Regopstaan were so scared that they wanted to run away when I told them that they had to stay here in the camp so that the Government could give them food. It took much talk to convince them that the Big Bosses meant well.” (Le Riche quote from Gordon n.d.: 10)

Finally, Struis Zyn Dam was sold to a white settler, the //Sa! Makai were dropped and remained as unwanted guests in the park. For the following two decades the NPB tried vehemently to get rid of the //Sa! Makai. (cf. Gordon n.d.: 10) Among those //Sa! Makai were Ou Makai as well as his son Regopstaan Kruiper, his wife and their sons Petrus and Dawid. Regopstaan worked as herdsman for the private drove of the Le Riche family, while most of the other men were employed as animal keepers and trackers, thanks to their excellent knowledge of the regional flora and fauna. Furthermore, they helped students with their botanical research and soldiers training survival-techniques in the bush. Despite the less than benevolent attitude of the park administration, at least they did receive a minimum of clothes, small wages and some game. They had limited access to land and natural resources, too. In the early 1970s these rights were revoked by the new park administration. (cf. White 1995: 32) Almost all of the //Sa! Makai left the park after a long “war of social erosion” because they were finally threatened with deportation to Tsumkwe. Hence, they settled in the nearby Mier Coloured Reserve. (cf. Gordon n.d.: 10) William Ellis from the University of Western Cape includes the aspects of the special role of the La Riche family and the issue of “*Bushman-ness*” into the “war of social erosion”. The families still living in the park in the

1970s where those willing to co-operate with the park administration, represented by the Le Riche family. The others, who did not want to co-operate had been expelled from the park much earlier. William Ellis describes the situation of the group around Regopstaan and Dawid Kruiper from the park administration's point of view:

“Okay, we have this nice little group of lucky bushmen, let's use them! They work nicely, they are good boys. They have been accommodated in the park, because in the first place they have been seen as pure Bushmen. Then the park prevents them from contact with other coloured people, they lived separately and they were forced to live separately. And this was to retain their purity. The number of domestic animals they could have was limited, they couldn't own livestock because it wasn't seen as a bushmen thing.” (Interview Ellis 2005)

This perception of the park administration changed noticeably when the //Sa! Makai were no longer “needed” and their “Bushmen-ness” was negated. This should happen again and again in the history of the //Sa! Makai.

“No, these people are not pure enough, they have inbred, they have changed their culture, they don't speak their own language, they don't even practise that kind of culture anymore - they should just be ejected from the park. There is no more reason for them to be here.” (Interview Ellis 2005)

Ou Makai died shortly after the forced resettlement and, as Hylton White explains, on his deathbed he said *“that the old Bushmen existence had finally been taken from him and that he no longer had the will to live. His death, co-inciding with the last blows of dispossession, is regarded as a fundamental break with the past.”* (White 1995: 32)

The resettlement of the //Sa! Makai in Welkom, the neighbouring Mier Coloured Reserve, was anything but free of conflicts. William Ellis considers this incidence as one of the main reasons for the conflict between the Mier and the //Sa! Makai. In an interview he gives an account of the following conversation with a member of the Mier Community on the situation at that time:

“An old man I knew, he says that in 1978 nobody, when the park put out Oum David and his people and his family members, nobody in Mier would accommodate them, not one single baster or coloured farmer came forth to accommodate these people. He then did accommodate them on his grazing strip. In response to him accommodating the San people, the rest of the Mier farmer go ballistic, they say: ‘This shouldn't have been done, these people have no rights. How can you do this, they must move!’ But eventually they provided place at Welkom. You see where the pink house is in Welkom. That is really the bad spot where they were put. They were

thrown at the outskirts of Welkom. So while the people said: Okay they can live in Welkom, but they must live over there. I don't want to have them around my house or my backyard.” (Interview Ellis 2005)

In Welkom the //Sa! Makai lived on the meagre income as workers on the farms of the “Basters”, few as guards in the park. In addition, the oldest members of the //Sa! Makai received a small state pension. (cf. Schrire 1995: 212)

During the 70s and 80s most of them remained in the Mier area, looking for occasional jobs. Others worked in Namibia during those years. The //Sa! Makai describe their relationship with the Mier-employers as degrading and bogus. The hard labour, the uncertainty of the jobs and the low salary resulted in many of them experiencing the “*enforced rural proletarianisation*“. (cf. White 1995: 33) Dawid Kruiper remembers this period as follows:

“Then I began to work under the Basters - herding sheep and doing piece-work for very little money. We suffered there in [Mier]. But what could I do? I had no land anymore. I still had to feed the children.” (Kruiper quote from White 1995: 33)



(ill. 8: Pink House in Welkom. Served as a meeting place for the //Sa! Makai © R.Konrad)

6.2.2.3. “Bushmen-ness“in Kuruman

Again and again “rescue missions” for the so called “Bushmen” were launched. Commercial film agencies discovered the //Sa! Makai and their skills as hunters and shamans in their search for new motives for African adventure films. (cf. Schrire 1995: 212) Between 1987 and 1989 most members of the //Sa! Makai were back under “white” patronage, demonstrating their “Bushmen-ness”. A certain Lokkie Henning took them to Kuruman for several advertising activities. These included performances for tourists in Kuruman and in other villages as well as advertising- and documentary films. Furthermore, their pictures were used as design for T-shirts and postcards. Lokkie Henning kept the proceeds from these activities for himself and only cared for the immediate basic needs of the //Sa! Makai. He never kept his promise to save half of the earnings to acquire a farm for them. The members of the //Sa! Makai were living a dire existence on leased land outside Kuruman. Discontent with the situation one part of the group returned to Mier to work as wagers on the farms. The other part remained for some more time in Kuruman. (cf. White 1995: 33)

6.2.2.4. ”Kagga Kamma - Place of the Bushmen“

One of the TV series featuring the //Sa! Makai as actors was “*The Poisoned Butterfly*”, broadcasted in South Africa. A certain Pieter de Waal, a farmer from the south-west Cape, who owned a large farm in the “Cederberg Mountains”, was inspired to a momentous idea by the series – the tourist construct of “*Kagga Kamma- Place of the Bushmen*“. De Waal met the //Sa! Makai in the KGNP and made them the proposal to join him on his farm and live on land which used to belong to prehistoric hunters. They should earn their living by producing craftwork and weapons for sale and de Waal would earn his share from the tourists coming to see and examine “the last remaining real Bushmen”. The children of the //Sa! Makai could attend school and their parents would finally have a place to stay. (cf. Schrire 1995: 213) Pieter de Waal negotiated with Dawid Kruiper who had returned from Kuruman and did agree to the plan. A few weeks later the first 28 members of the //Sa! Makai moved to Kagga Kamma and more should follow. The situation for those who stayed in the Kalahari deteriorated more and more. Thus, more members of the //Sa! Makai decided to join the others in Kagga Kamma, among them also Regopstaan Kruiper. (cf. Schrire 1995: 214 et seq.) Since January 1991, when the first group arrived in Kagga Kamma, the //Sa! Makai were

presented to interested tourists as "*the last relics of southern Africa's aboriginal population who remain true to their traditional foraging culture*". (White 1995: 2) By the end of 1991 already 49 members of the //Sa! Makai were living in Kagga Kamma, three of them were born during this year in the reservation. However, the situation was not ideal for all of them and soon 16 members of the group left the reservation and returned to the Kalahari. (cf. White 1995: 9) To the outside world Kagga Kamma was advertised as "*Heritage Exhibition*" as well as "*Heritage Conservation*". The true intention of the exhibition of the //Sa! Makai as "traditional hunters and gatherers" was a clearly economically motivated manipulation. For the daily "*Bushman visits*" tourists were taken to a reconstructed "Bushman Camp" where the //Sa! Makai were "representing their culture", dressed in loincloths and sitting under a rock spur or in front of a small grass-hut. The men showed off their hunting techniques with bow and arrow and their skills as trackers while the women fabricated necklaces and bracelets made of natural materials. The tourists were allowed to hug the children and naturally, to take photos of everything. (ibid: 11 et seq.) Occasionally, night performances with dance, singing, music and storytelling were organised. Then again the idea of conservation was marketed to save the Sa! Makai from extinction. Kagga Kamma was allegedly the place where they could live their culture and have a place to stay. Because in the Kagga Kamma reservation numerous petroglyphs of indigenous groups were found, the relocation of the !Sa Makai to this place was celebrated as "*return of the last of the South African Bushmen to ancestral territory*". (ibid: 13) However, the conditions of work and life in the reservation were very poor. They did not receive any salary for their performances and no share in other income. They were sparsely provided with poor shelters and were to some extent allowed to use the local fauna and flora for their subsistence. As their so called traditional lifestyle was adapted to the sandy Kalahari, the rocky Cedermountains, where even snow falls, could not provide much for them. Their only sources of income were the sale of home made crafts and the state pension for Regopstaan. As a consequence, many of them were highly indebted with local shops. (cf. White 1995: 40 et seq.) Conflicts and resistance within the group were the consequence. The leadership of Dawid Kruiper was also questioned by the fact that again and again members of his group left Kagga Kamma because of the adverse conditions. Pressure on him was increasing and he found himself in an irresolvable dilemma. His group was demanding improvements from him; then again he was completely dependent on the Kagga Kamma administration. This dilemma is reflected in two statements, which on the one hand, are pro "Heritage Conservation" and on the other hand, stand for economic exploitation. (cf. White 1995: 44) In 1994 Dawid Kruiper travelled to the United Nations in Geneva to speak

about the situation of the indigenous population and how the //Sa! Makai were saved from extinction by their resettlement to Kagga Kamma:

"[In] Cape Town... Van Riebeeck's statue is messed on all day by birds. That's his eternal punishment while the Bushman statue is protected from rain and wind behind the glass in the South African Museum, just as we are protected at Kagga Kamma." (Kruiper quote from Schrire 1995: 219)

On the other hand, Dawid was fighting for the loyalty of his people:

"I said to the whole world on television: I'm coming here and I'm not coming to visit - if we come here we must not leave even till the twentieth generation. But now they are already going back. In the end I will sit here alone - a bogus leader - and then what shall I do?" (Kruiper quote from White 1995: 44)

"Please will you find us some land?"

In this situation a person appeared whose name is closely linked to the initiation of the land claim: Cait Andrews. Her interest in the //Sa! Makai, caused by formative events and coincidences, brought her to Kagga Kamma. Several meetings and conversations with Dawid Kruiper and other members of the group intensified her relationship with them and offered her an insight into the living conditions of the //Sa! Makai. Their discontent with the situation in Kagga Kamma and their desire for land they could call their own, prompted the //Sa! Makai to ask Cait Andrews for help. A friend of Andrews brought her into contact with the human rights lawyer Roger Chennels. Together they visited the //Sa! Makai in Kagga Kamma in 1992. This occasion initiated the historic process of the return of land to the //Sa! Makai. (cf. Gall 2001: 42 et seq.)

6.2.3. Topic "Patronage"

Even if the position of the //Sa! Makai in a patronage situation was always marked by dependency and insecurity, as with Donald Bain and Pieter de Waal, or even by outright exploitation as was the case with Lokkie Henning, the majority of the group's members nevertheless appreciated these relationships. This is because they were in sharp contrast to wage work, which was characterized by poverty, prejudice and diaspora. As clients in a patronage relationship they got the opportunity to survive without wage work and to keep their social relationships by collective participation at the various initiatives. Furthermore, the patronage relationships were the reason why the //Sa! Makai again and again had to underline their identity as "traditional hunters and gatherers" to fulfil the expectations. For the patrons

themselves, the main explanation for dropping their clients after a while was that they were “not traditional” enough and too close to the “*Coloured Population*”.

Both, the park administration as well as Lokkie Henning used this argument. The state’s classification of the //Sa! Makai as “Coloureds” in the 1970s made it increasingly complicated for them to enter into patron-relationships. (cf. White 1995: 34 et seq.) The diverse forms of patronage coming from outside, especially the cases of Kuruman and Kagga Kamma, where the main interest was an economic one, forced the //Sa! Makai into dependency and made them vulnerable to exploitation. Dawid Kruiper expressed this vulnerability in the following words:

”Lokkie Henning said on TV that we are Baster-ised, because we don’t speak the Bushman language anymore. Yet I know that if he takes me now - who speaks just Nama and Afrikaans - then I’m a Bushman. If I just work, like in films or anything that he needs, then I’m a Bushman. But if he doesn’t need us, then we are Basters.”
(Kruiper quote from White 1995: 54)

6.2.4. Dawid Kruiper’s Leadership

The following comments about the aspects of Dawid Kruiper’s *Leadership* are referring to the context explained in this chapter and must therefore be considered as a historic analysis and not a current one. The ideological legitimating of Dawid Kruiper’s authority is the result of the “*discourse of Bushman identity*”. As the majority of the //Sa! Makai affirm, Regopstaan on his deathbed handed over the leadership to Dawid and instructed him to care not only for the future of the offspring of Ou Makai (these are the //Sa! Makai), but for the wellbeing of all “Bushmen” of the Southern Kalahari. Dawid Kruiper is therefore considered the main guardian of the cultural heritage and identity of the #Khomani. Generally, his status is acknowledged by the #Khomani as well as by the outside world. However, the main purpose of his leadership is to act as mediator between the group and the outside world. During the 70s and most of the 80s, when most of the #Khomani were employed as wagers and scattered on different farms, he did not assume the role as leader. Effectively, he became leader of the //Sa! Makai when conducting the negotiations with Lokkie Henning on the relocation to Kuruman in 1987. When Henning’s company collapsed and a large part of the //Sa! Makai returned to Mier and only Dawid and some others remained in Kuruman, he lost his position again. Only in 1991, when negotiating the relocation to Kagga Kamma with

Pieter de Waal he regained his status. Considered from this perspective, his role is a constant social and symbolic negotiation. The sustainability of his position is therefore closely linked with a distinguished group identity. This is why he tries so hard to keep the group's identity incontestable. This aspect is also important in negotiations with potential benefactors and patrons, who want "true and pure Bushmen". The so called "Bushman-ness" is best described as some sort of "symbolic capital", which especially plays an important role when dealing with patrons. As any form of capital also this "Bushman-ness" is integrated in relationships of power and questions of ownership. Therefore, this capital plays practically no role in the context of wage work on Mier farms. (cf. White 1995: 36 et seq.) Also Robert Gordon wrote, that:

"While the Bushmen might have been socially marginal, symbolically they were central to a number of different ideological constellations." (Gordon n.d.: 18)



(ill. 9: Dawid Kruiper. Traditional Leader of the #Khomani. © R. Konrad)

7. “A Jackal Riding on a Lion’s Back?!” -

The Kgalagadi Transfrontier Park and the Local Population

”You see, the park is the lion. They have the big catch, they are the ones who can always catch the big one, and they have it all. The jackal is the Bushman; he’s a scavenger, but he’s also a hunter, he plays around, you never know who he is. There is a time that’s coming, a changing time. The lion is the king now. But soon, the jackal will be riding on his back. Because sooner or later, lion has to go and sleep. And when he does, that’s when jackal climbs in and he’ll either take all the meat away with him, or finish it right there and disappear with a full belly. So soon, the jackal will ride the lion.” (B. Kruiper quote from Kruiper/ Bregin 2004: 13)

This parable was told by Buks Kruiper, Dawid Kruiper’s brother at the advent of the #Khomani Land Claim. It is linked to the idea that just as the “jackal” is winning over the “lion”, the #Khomani Community will succeed in their land claim. The great symbolism used by the #Khomani in their language and which they use to describe accurately what they want to express, needs to be interpreted to be accessible for outsiders. Regarding to Dawid Grossman²² much of the symbolism is lost in the interpretation.



(ill. 10: The lions – Transfrontier Conservation Areas © R. Konrad)

²² Dawid Grossman is called the „grandfather of community involvement in South Africa“. (Conversation Steemkamp 2005). He describes himself as an „Ecologist“ and was involved in the Makulele Land Claim concerning the Great Limpopo TP, the development of community projects in Rievasmaak in the Northern Cape Province and especially in the #Khomani community land claim. He acts/ acted primarily in the background and was significantly responsible for the *Human Rights Commission* examining the situation in Andriesvale and surroundings. (see chapter 8.3.) (Conversation Grossman 2005)

It is the task of this chapter to study, if the meaning of the parable has come true. Starting at the different ideas of if and how the park administration of the KTP and the local population could or should enter into a co-operation, via the history of the Mier and #Khomani Community land claims, the chapter continues to analyse the changes since the establishment of the first African Peace Park and studies the community involvement in the park.

Community involvement in the park is greatly influenced by the job opportunities available as well as the rights of the community in the park as laid down in the *!Ae!Hai Kalahari Heritage Park Agreement*. Just as the whole of this paper discusses the situation of the Mier and the #Khomani, so does this chapter. However, with a special focus on the #Khomani Community. It is of great importance for me to let the individual proponents have their say in this chapter. The result is polyphony of voices which are mirrored in many citations. Above all it is my greatest concern to offer the “*Voices of the San*” a platform. As Pippa Skotnes writes, providing a platform offers a “*unique insight into other, often neglected aspects of the story of the San, one which hints at the scope of their exploitation and marginalisation by others.*” (Skotnes 2004: blurb) So do I and I will try to provide the #Khomani with a platform *to tell their own stories in their own words.* “

7.1. Introductory Remarks

“Now it’s called a park.

Most of the Bushmen who worked here are out now.

I can call that all of the Bushmen are out now.”

(Interview Kleinman 2005)

“My heart lies in the park.

That is where I was born and I grew up.

There lies the culture and the tradition.

But I, Dawid, don’t have the right and the power to go in.”

(Interview Kruiper 2005 a)

The history of most indigenous groups is characterised by a drastic limitation of their right of access to land and natural resources. It is currently of utmost importance for them to identify the best combination of legislation, politics and governance-models and to implement them,

to improve their human rights situation and standard of living. This approach should result in the protection of living spaces, societies, economies and ecological processes, for our generation as well as for those to come. (cf. Hitchcock 2004: 202) Also in Africa, the land of their ancestors has been taken away from many indigenous groups, without them being in a position to claim their land rights, especially in those areas where the land was declared to be “*State Land*“. The reason for this is that governments of Southern African countries did not respect the aboriginal property rights and in addition to that, countries like Botswana did not recognise their “Khoi” or “San” communities as their indigenous population. Another problem for indigenous groups in Southern Africa, fighting for their land and resources, is the discrepancy between wildlife conservation and development. The original land of the indigenes was taken by the national states to turn it into national parks, reservations or protected areas, or was placed under a preservation order. The conflicts resulting from this were nourished on the one hand, by the mostly governmental demand for a stricter protection of habitats, wild animals and resources and on the other hand, by the demand, usually favoured on a *Grassroot Level*, for a *Community Based Natural Resource Management* (CBNRM), which allows the local population to profit from the natural resources. (cf. Hitchcock 2004: 203 et seq.) This conflict between wildlife conservation and development is also omnipresent in the context of the KTP and the neighbouring local population, especially for the #Khomani. The park administration on the one hand, tries to implement strict nature protection measures and to limit human influence; on the other hand, they want to max out the tourist potential of the park. The #Khomani consider the park to be their aboriginal living space, which they want to be returned to, together with its resources. The opinions on the current situation, mirroring this conflict, could not be more contrasting. The needs of the #Khomani, expressed by their Traditional Leader Dawid Kruiper, are clearly formulated:

“My wish is that concerning the park, nobody must tell me what to do. Not the Parks Board. Why does the Parks Board stop me when I want to go to the park and want to live traditionally? We actually want to live in the park. Why must we ask? That’s my birth ground. And that is the core of the land claim. Why must I ask the park every time I want to go?” (Interview Kruiper 2005 a)

The park administration also has a very clear position in this matter; however, it is contrary to the needs mentioned above. The biggest problems the park administration would face if the #Khomani were allowed to live in the park are summarised by Nico van der Walt in the following passage:

“I think it would be their natural way of living. They are hunting, I mean they are hunters and gatherers. You know we have got a Management Plan on game, how we handle the game and so on. So you’ll have tourism on the one side and then you have the hunter, gatherer - not the other side, but I think they would be all around. And to control the management of the whole situation, I think that would have been quite a challenge. Tourists come here also. I think you have to, to use the word, ‘protect’ the conservation area as well. In a sense when somebody goes into a wilderness camp he doesn’t want to see any people around, and it might be a Bushman hunting, chasing an eland or something like that.” (Interview Van der Walt 2005)

However, in addition to those contrasting opinions, there are also voices to be heard who show that even in this tense situation there is a potential for compromise. Diedie Kleinman, one of only three members of the #Khomani Community working in the park, whose father Karel Vet Piet Kleinman²³ had already worked in the park and played an important role in its history, advocates a position which is currently neither shared by his own community nor by his employer. He militates against the #Khomani living in the park:

“I can see that most of our Bushmen at the moment now, there are too much people who are drinking and this is a wilderness place. And this generation, they didn’t know how to live in the wild without a gun, without a house, without nothing. And they won’t make it if they are here without nothing like motorcars, no donkey cars, nothing. They won’t make it in this park because they didn’t suffer also like our forefathers and grandfathers did.” (Interview Diedie Kleinman 2005)

According to Kleinman, the #Khomani should have access to the park without restrictions, to collect plants for nourishment or medical uses, to observe wild animals to teach their children

²³ Karel Vet Piet Kleinman was born near Twee Rivieren and spent his entire life in the park, as only a few #Khomani did. He was employed in the park until his retirement because of his excellent skills as a tracker and field ranger. Vet Piet was the most renowned Master Tracker in South Africa and even headed the //uruke Tracking-Projekt of SASI. Together with Lui Livenberg he developed a *Cyber Tracker System* for illiterates, recording animal footprints with the help of pictograms. His tragic death in a car accident meant the loss of one of their main bearers of hope for the #Khomani Community. (Interview Flemming 2005) “*Oom Vet Piet*”, as he was called, was awarded the “*Life Time Achievement Award*” at the Kudu Awards posthumously by SANParks on 29 June 2006. “*The award given to acknowledge Oom Vet Piet’s lifetime commitment to his people and his park.*” (sanparks 2008 b) Because of his skills he also performed in several documentaries and films. (cf. Van der Merve: „Little Tracker“ 2000)

the art of tracking and to enjoy the beauty of the national park as such. However, he speaks out against the re-introduction of hunting in the park:

“And for me, myself I could say that we could just maybe go to Upington and buy wild meat and if we want wild meat or to buy from the near farmers or so, but just leave the park as it is! Yeah. And just to show tourists that the Bushmen are still going on with their tracking and that the Bushmen are still getting medicine from the plants of the Kalahari, you see. Because if you are hunting in this park, you have to go by 4x4 in the dunes and you will damage most of our plants and that’s also, you don’t just damage the plants of the park but you also damage the scenery, the landscape of the park.” (Interview Kleinman 2005)

These three position and the ungratified needs connected to them regularly clash and create tensions and conflicts within the #Khomani Community as well as in their relationship with the park administration. The status quo in and around the KTP reflects the position of the park administration, which means, that many stakeholders are loosing out. Simultaneously the position of the park administration can be hardly challenged.

7.2. The #Khomani and Mier Land Claim and the consequences

The land claims of the #Khomani Community and the Mier Community and their successful completion is a historical landmark not only in the Southern Kalahari but worldwide. Directly effected are three groups, whose relations with each other were conflict-laden until then. The #Khomani Community, the Mier Community and the SANParks park administration of the KTP are all owners of different shares of the park and therefore business partners; however, with an unbalanced distribution of power. In addition to the land within the park, the communities were allocated farmland outside the park. This chapter will describe the land claim processes of both communities and the impacts the restitution of land had. The relationship between #Khomani and the park administration was not improved by the new constellation. Belinda Kruiper, a former employee of SANParks who did also work for SASI later, wrote on the situation in her semi-biographical book the following:

“The two sides had so much in common - their shared love for the land, its plants and animals. The Bushmen, with their fine-tuned tracking skills and incredible veld knowledge could have been an invaluable resource for Park conservationists to draw on. And instead of constantly throwing the Bushmen out, the Park could have searched for ways to incorporate them into the tourist attractions of the area. One of my biggest regrets was that

there was never any attempt by those at the top to forge better relationships with the community outside the gates. A better relationship would have had benefits for all." (Kruiper/ Bregin 2004: 23)

7.2.1. General Conditions in the New South Africa

Indigenous organisations worldwide, local leaders and supporting institutions point out, that it is important to have not only the *de facto* control of land and resources but also *de jure* control. On the one hand, this can be achieved by binding agreements with governments and on the other hand, by court decisions recognising the property title of the land and right to make use of its resources. (cf. Hitchcock 2004: 203) The transitional phase towards democracy in South Africa and the introduction of an interim constitution, a new basis for the rights of indigenous people was perceptible. Indigenous groups were encouraged to maintain their identity and culture to take up their merited place in the "*Rainbow Nation*", the new South Africa. The then President Nelson Mandela held a speech at the 1997 "*Khoisan Identities and Cultural Heritage Conference*" and declared:

"By challenging current perceptions and enriching our understanding of Khoisan cultural heritage, this conference will contribute to the renewal of our nation, our region and our continent." (Mandela quoted from Chennels/ Du Toit 2004: 100)

In the Apartheid era, 85% of South Africans did not have a voting right or the right to legally own land. During the transitional period in South Africa, the implementation of property rights and the return of land to the majority, who had been without rights until then had the highest priority. Thus, parliament passed the *Restitution Act (Restitution of Land Rights Act 22 of 1994)* to enable an efficient and fair land reform. The same year the *Land Claims Court* was established. (cf. Chan 2004: 114) Two fundamental elements of the *Constitution of South Africa* are the equal access to land for all and the compensation for racially motivated expropriation of land in the past. The Constitution of South Africa, ratified in 1997, declares under section 25(7), that:

"A person or community dispossessed of property after 19 June 1913 as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to restitution of that property or to equitable redress." (constitution 2008)

Two aspects of the *Restitution Act* passed by parliament are of relevance:

“A person shall be entitled to restitution or a right in land if -

d) it is a community or part of a community dispossessed of a right in land after 19 June 1913 as a result of past racially discriminator laws or practices, and

e) the claim for such restitution is lodged not later than 31 December 1998. (restitutionact 2008)

With the support of NGOs and human rights activists the indigenous groups could use the framework of the new legislation to pursue the restitution of land, previously taken from them by racist and discriminative laws and practices. Although there is no law especially designed to deal with the expropriation of the “Khoi” and the “San”, these groups could make successful use of the existing legal framework in some cases. (cf. Chennels/ Du Troit 2004: 104) For example, the *Nama Community*, neighbouring the *Richtersveld National Park* brought their land claim forward in a lawsuit. In October 2003 the Richtersveld Community was successful with their case at the highest level of jurisdiction, the *Constitutional Court of South Africa*. (cf. Chan 2004: 115)

7.2.2. Preliminary Phase of the #Khomani Land Claim

The preparations of the land claim, conducted by a team of scientists, lawyers and members of the #Khomani, consisted primarily of genealogical research, establishing contacts to relatives and the re-settlement of the Kagga Kamma group in the Southern Kalahari. Anthropological research based on historic material and *Oral History* provided by key members of the #Khomani Community clearly proved, that the #Khomani had been living in most of the area of today’s Kalahari Gemsbok National Park (KGNP) for a long time. (cf. SASI n.d.: 2 et seq.) Nanette Flemming, an employee of the *South African San Institute* (SASI) in Andriesvale, who had been involved in the preparation of the land claim, tells an anecdote of Ouma |Una Rooi. This anecdote, together with others, was used to prove that the #Khomani had been living in the park for a long time in the preparation of the land claim. Ouma |Una Rooi is one of the oldest #Khomani alive and one of the few who speaks the old N|U language. Nigel Crawhall, a linguist who also helped to prepare the land claim and who conducted research into the origins of the N|U language since 1997, went to the KGNP with several members of the #Khomani to search for prove of their former abodes.

“And then the whole thing happened: Ouma /Una said to them, when I asked her about did she live in the park, she said yes, she was born there. She can take them to a sight where she, when Donald Bain came to fetch them to take them in 1936 to Jo’burg, he was apparently eating Biltong and cheese on a small little plate. And they were chasing each other around the table and they pumped the plate, it was this beautiful plate. And then she said to Nigel, if you take me there I will dig out this plate it looks like this. And in 1998 Nigel took her there, they all went there and she dug in the sand and she took it out and said: ‘Here it is!’ That was actually the prove that they lived there, that they knew the park. So that all came through.” (Interview Flemming 2005)

Based on the information provided by several key members of the community and with the help of a modern *Global Positioning Systems* (GPS), a map could be drawn up which shows the hunting grounds of the #Khomani, waterholes, trails, sites of important medical plants, the locations of ritual acts and burial sites. In August 1995 the land claim was handed over to the *Commissioner of Land Restitution* and was declared valid after a revision by the Department of Land Affairs. (cf. SASI n.d.: 2 et seq.) As the original group fighting for land within the park was small but demanded half of the park’s area, the land claim’s chances of success were considered to be low. The government saw two options which were put to Dawid Kruiper via the lawyer of the #Khomani, Roger Chennels. Either the extent of the Land Claim must be drastically reduced or the group pursuing the claim must be increased. (Conversation Ellis 2005) It was decided to increase the group. To do that, additional people needed to register as #Khomani. This registration, a multi-level process, was conducted by the *Communal Property Association* (CPA). As a matter of fact, there existed no proper guidelines which the CPA could have used to conduct the registration process.

“The registering wasn’t very kosher either because somebody could just say: ‘I like Bushmen!’, and be registered as a Bushmen because they thought there is money involved of being a Bushmen. They went around and then asked and you need to have a grandmother and refer these things. The last one was a big dispute of people just being able to register and this. So the first two CPAs just registered people. And now with the last one the government came in and they registered selectively, so you had to prove one or two generations, that you knew your grandfathers and grandmothers and where they lived and the whole thing. Otherwise you couldn’t register. But the first were just people’s names going down.” (Interview Flemming 2005)

On this situation and the process back then Dawid Kruiper later commented, that:

“They opened up the bus and all these people climbed in just to have another land claim. We are very few people of the park. We were a small number of the people from the park that actually started this land claim.” (Interview Kruiper 2005 a)

A common metaphor also used by Dawid Kruiper in this context is the “*Restitution Bus*“. The process of registration turned out to be quite problematic in the aftermath of the land claim, especially when dealing internally who had a right to receive what and who had the legitimating to decide on this question. (Conversation Ellis 2005)

7.2.3. The #Khomani and Mier Land Claim

The new political situation in South Africa and the encounter of the //Sa! Makai with Cait Andrews and Roger Chennels in Kagga Kamma cleared the way for the initiation of the #Khomani Land Claim in 1995. The claim contained the demand for land within the park as well as for neighbouring land, in an area under the administration of the *Mier Transitional Local Councils* (TLC). In December 1998, shortly before the deadline for land claims, the Mier TLC also filed a land claim for an area inside the park. Hence, both parties claimed the same area within the park. Combined with the already decade-old conflict-laden relationship between the two groups, this increased tensions and hostilities even further. (cf. Ellis 2003: 16) William Ellis, a leading social-anthropologist at the University of Western Cape, who had already been involved in the research in the run-up to the land claim, describes the situation regarding the Mier TLC Land Claim as follows:

“The Mier land claim is in direct response to the San land claim! The San logic claim for land, not only inside the park, they claim nearly 500 000 ha in the park, but they also claimed a significant section of the, just below the southern boundary of the park. This other section actually belongs to the Mier municipality and the Mier realised that: they are claiming part of our land. When the Mier realised that they started constructing their own claim. They started gathering the evidence for submission of their own claim. In fact, their claim is submitted at the last minute, the last day, December 31., 1998 at 12 o’clock they submit their claim to the government. Last minute!” (Interview Ellis 2005)

The first phase of land restitution to the #Khomani was successfully finalised in 1999. At a large ceremony on 31 March 1999 six farms outside the then Kalahari Gemsbok National Park were handed over to their new rightful owners, the #Khomani. The total area of the farms amounts to app. 38 000 ha. (cf. Chennels/ Du Troit 2004: 104) Some of the farms, which had been bought by the *Land Claim Commission* for the #Khomani Community, already had a livestock. Another R 35 000 were used to buy wild animals for the other farms in the name of the #Khomani. (cf. Ellis n.d.: 5) Even Thabo Mbeki, then South Africa’s Vice

President, was present at the ceremony in Andriesvale and he underlined the significance of the event: “*What we are doing here in the Northern Cape is an example to many people around the world. We are fulfilling our pact with the United Nations during this decade of Indigenous People.*” (Mbeki quote from Chennels/ Du Toit 2004: 100)

In this first phase of the Claims, the Mier Community did receive 27 000 ha of farmland outside the park. This land was mostly allocated to small farms. In addition to the land also the infrastructure on it was handed over to the Mier TLC. They also received money to buy land for the communal reserve of the Mier Community. (cf. Ellis n.d.: 5) One of the biggest challenges in connection with the restitution of land in South Africa is reflected in the example of the first phase of the #Khomani Land Claim. As, for several reasons, the community had difficulties to administer the adjudicated farms, the call for a governmental intervention was very loud in 2002. To the *High Court* it was obvious that the community leaders did not possess the abilities needed to properly deal with all aspects of the new land ownership. It was therefore decided, that until the community leaders would develop a proper governance themselves, the management of the farms would be supervised and examined by the *Department of Land Affairs*. (cf. Chennels/ Du Toit 2004: 104) The negotiations on the second phase of the land claims between the #Khomani Community, the Mier Community, the SANParks and the Department of Land Affairs took years to be completed. The topic in question was the size and location of the area of land given to the #Khomani and Mier Communities within the park. In addition, the rights of these groups in and round the - in the meantime renamed as - Kgalagadi Transfrontier Park, still had to be discussed. On 31 August 2002, the so called “*!Ae!Hai Kalahari Heritage Park Agreement*“ was signed in the presence of the Minister of Land Affairs, Thoko Didiza, in Twee Rivieren. (cf. SASI n.d.:3) In the second phase 25 000 ha each, were allocated to the #Khomani and Mier Communities in the southern part of the park. The two areas were bordering each other. In addition, the #Khomani Community did receive important cultural, symbolic and commercial rights, applying to almost half of the former KGNP. (cf. Chennels/ Du Troit 2004: 104) The charts on page 118 and page 119 show the land restituted to the Mier and #Khomani Communities. The marked land within the park is split in half between the Mier and the #Khomani Communities. In the context of the #Khomani Land Claim, the aspect of “hunting” is of utmost importance and I want to point this out explicitly. The historical land used by #Khomani stretches out over an area of half a million hectares. This estimation is based on stories told by the old #Khomani, who described their former hunting grounds during the preparatory phase of the land claim. The embedding of the aspect of hunting in the land claim, even if this was not explicitly done,

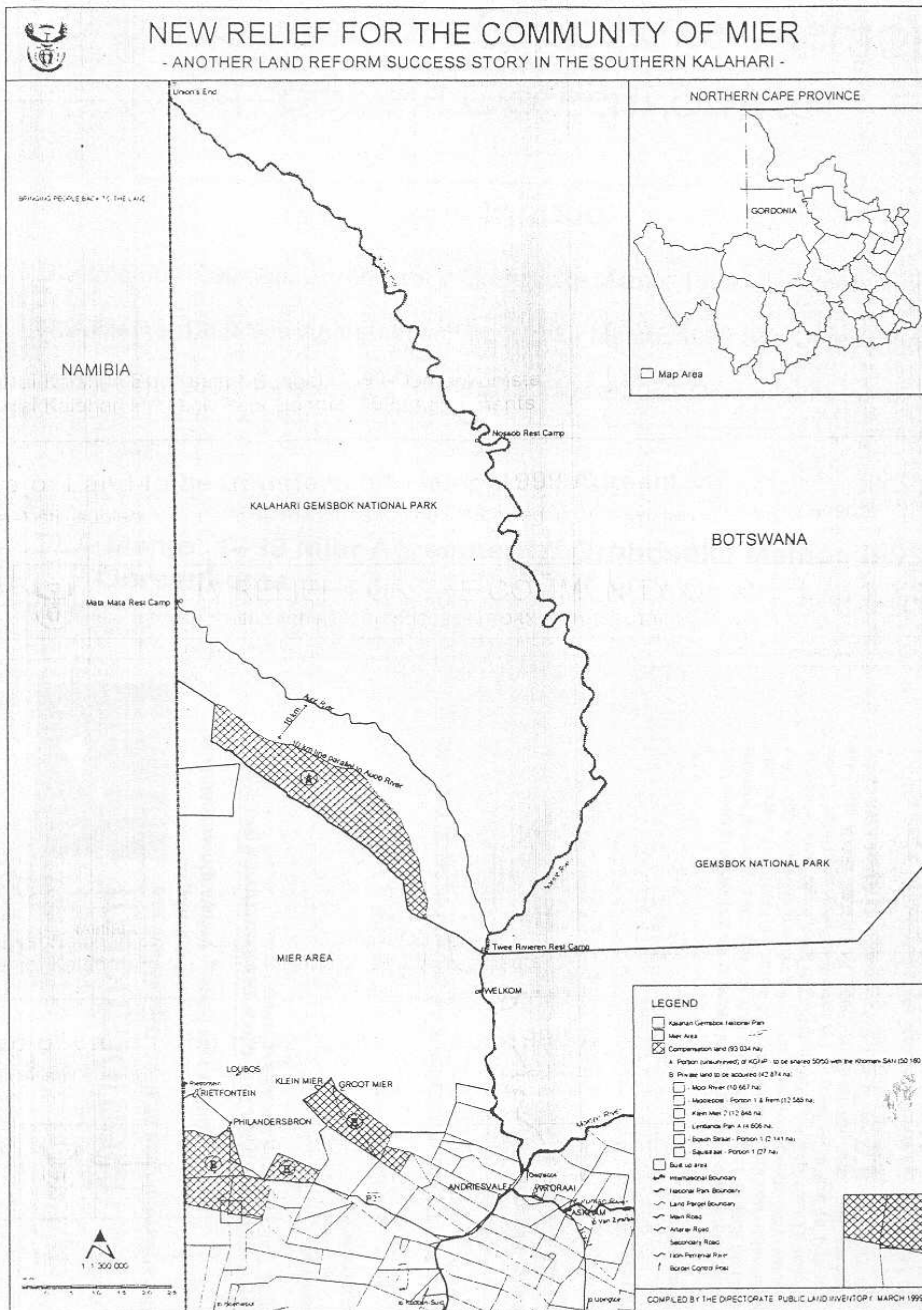
had the consequence that many members of the community thought that they were free to hunt in this particular area of the park as soon as the land had been allocated to them. The #Khomani Community did expect to receive all rights and were facing no restrictions after the restitution. The #Khomani Community did not only expect to receive the land ownership but also all rights of exploitation. (cf. Ellis 2002: 8) After the finalisation of the first phase and while the negotiations on the “!Ae!Hai Kalahari Heritage Park Agreement“ were still ongoing, South Africa and Botswana signed the agreement to establish the first Peace Park in South Africa, the *Kgalagadi Transfrontier Parks*. The interesting aspect is that via the Heritage Park-Agreement also the #Khomani Community and Mier Community are part owners of the South African share of the park. Nevertheless, the Mier and #Khomani were completely excluded from all official negotiations on *Trans-Frontier Issues*. The official justification for this was that their share of the park was geographically not within the *Cross Border Resource Management Area*. (cf. Ellis 2002: 8)

Maano Ramutsindela from the University of Cape Town provides the following explanation:

“In terms of ownership it’s going to be very difficult to prove who owns this. The people, the San in the Kalahari, they are disentitled to their land. To say that somebody is owning the land who is not registered becomes more complicated but maybe land use has fairly little to do with registered title. But landownership and authority over land maybe has something to do with who uses the land or who dictates the rules of land use other than whose land it is registered.” (Interview Ramutsindela 2005)

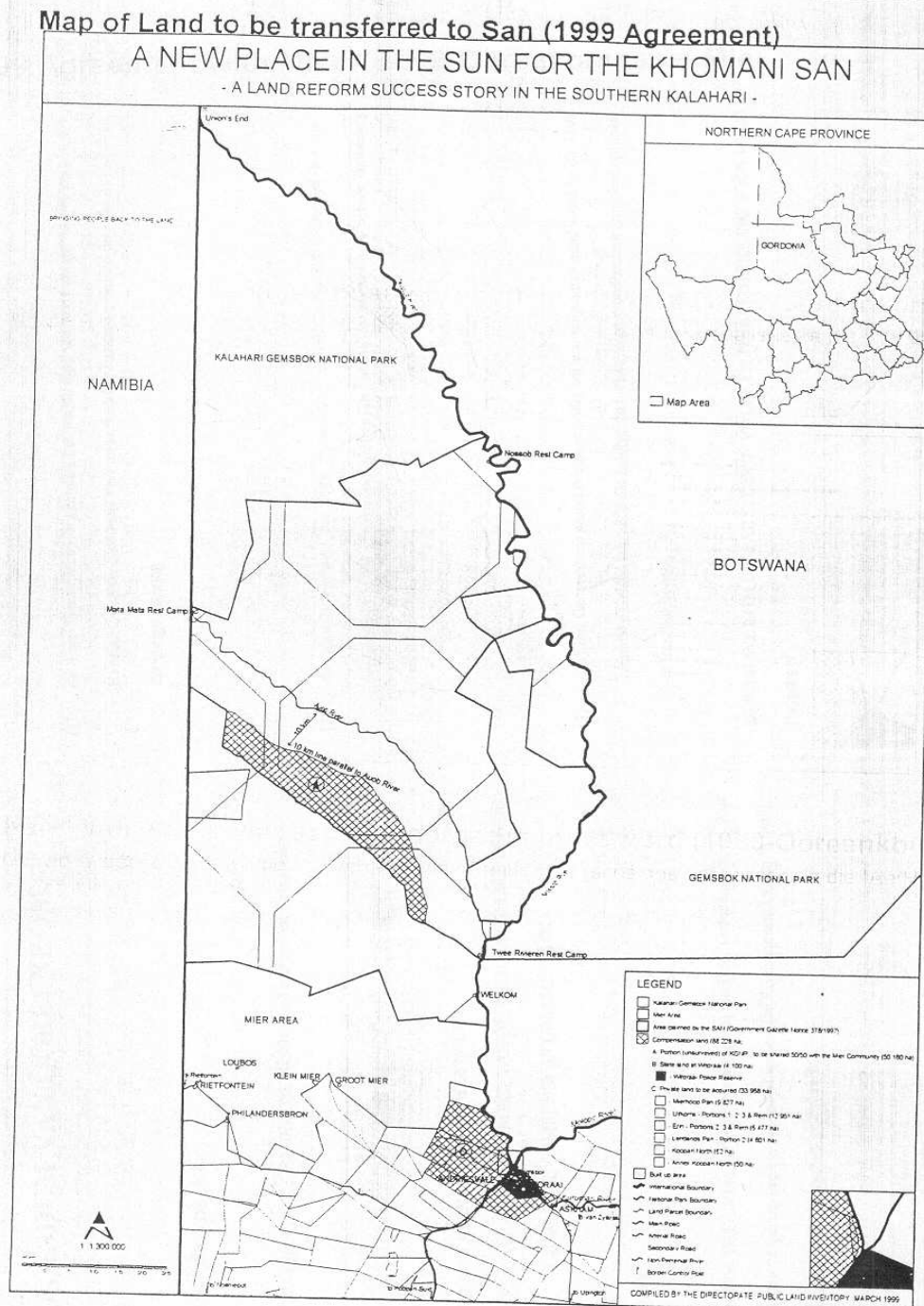
Map of Land to be transferred to Mier (1999 Agreement)

Area A still subject to further negotiations (as now finalised in the !Ae!Hai Agreement of 2002)



Kaart van Grond wat aan Mier oorgedra moet word (1999-Ooreenkoms)

(ill. 11: Restitution of land to the Mier Community. From: !Ae!Hai Kalahari Heritage Park Agreement 2002: 326)



Kaart van Grond wat aan San oorgedra moet word (1999-Ooreenkoms)

Gebied A steeds onderworpe aan verdere onderhandelings (soos nou gefinaliseer in die !Ae!Hai-Ooreenkoms van 2002)

(ill. 12: Restitution of land to the #Khomani Community. From: !Ae!Hai Kalahari Heritage Park Agreement 2002: 321)

7.2.4. The Welkom Declaration

Because of the discontent with the outcome of the Land Claim, the complications with the CPA and due to the conflicts between the so-called “*Original Claimants*”, synonymic with the Kruiper Family, the //Sa! Makai and those, who, as Kruiper explained, had boarded the “*Restitution Bus*“ at a later time, the Original Claimants composed the so called “*Welkom Declaration*“ on 6 February 2004. (see appendix 6) This very emotional and sincere declaration was forwarded to the government and the media to point out the disadvantageous situation of the Kruiper Family. The principal claim of the Welkom Declaration is that the Original Claimants should be allowed to live in the park again.

“The last of our original people, also the original claimants in the #Khomani San Land Claim, thank the Government for that land given to us, but we are deeply heartsore, and have carried this pain with us for the past five years, and we are bitterly dissatisfied over the manner in which our Kruiper clan has been treated, we are insulted, belittled and discriminated. (...) We are the last and original clan and insist on going back to our land and living on the land of our forefathers, we insist on this.” (Welkom Declaration 2004)

7.3. Community Involvement in Africa’s first Peace Park

Regarding the co-operation between KTP and the local population, park manager Nico van der Walt explains the structures for participation and strengthening of the local population as follows.

“To serve the community we have got certain bodies going. Which is the CPA, you know, the Communal Property Association, that’s one body that represents all the partners of the community. Then we have got the Park Forum where both of them are members on, you know the San, the Mier, the conservation, the police. But that’s a park established incentive. Every park has one in South Africa, so there is 20 Park Forums. We had representatives, as I said, from all the interested parties. So in that sense we even go a bit further. And then with the Botswana representatives, Mamani (Park Manager in Botswana, Anm.) he also sits in the Park Forum. So whatever issues come up on the Botswana side he will address at that meeting. When it’s a community issue or so, he represents that side and the communities from the Botswana side.

And then, the third body we work with is the so called JMB, the Joint Management Board. But that’s a Contractual Board. We have a contractual issue with the San and the Mier where we are building a lodge. So there is also an economic incentive and so on. And this Board mainly looks after the running of this new ‘Kleinskrij Lodge’. And it’s also the Mier and the San and SANParks representatives. That’s more specialised because it’s drawn up to run this specific activity. That’s basically it.” (Interview Van der Walt 2005)

However, the *Comunal Property Association (CPA)*, which will be described in more detail in chapter 8.1, is a panel of the local population without involvement of the park administration. The so-called *Park Forum*, where the representatives of the different groups meet, takes place at least four times a year. The Park Forum may also meet more often, if urgent issues need to be discussed. (Interview Van der Walt 2005) However, in reality there is no participation of the #Khomani. Also when it comes to the *Joint Management Board (JMB)*, the theory is more promising than reality. Joint decisions regarding the *Heritage Park* should be made by the representatives of the three parties in the JMB. As per information of SASI employee Nanette Flemming, only one meeting of the JMB was held until May 2005. This meeting, which took place in late 2003, escalated, due to severe conflicts of interest and ended without decisions being made. The former person in charge for *Community involvement* in the KTP, *Social Ecologist* Nicolette Raats, was strongly criticised for not establishing and maintaining contact with the community. Since she left the park no replacement for her position as Social Ecologist was found. (Interview Flemming 2005) Regarding the guidelines and structures for Community Involvement, the park administration does not differ if the community members are indigenous or non-indigenous people. Both groups, in this case the #Khomani and the Mier Community, were treated in the same way by the park administration, ensures Van der Walt. (Interview Van der Walt 2005) The following chapter, which describes the employment opportunities in the park, shows that this is not the case and that members of the #Khomani Community are severely disadvantaged. The *!Ae!Hai Kalahari Heritage Park Agreement*, which regulates the restitution of land to the Mier and #Khomani Communities within the park, deserves special attention. In this chapter also the *Co-operation Lodge* in the Heritage Park, jointly planned by all three parties, which could create great opportunities for Community Involvement, is discussed.

7.3.1. Employment Opportunities for the Local Population in the KTP

*“The people come mostly from the area.
And that’s also our aim,
to see if we can first help our surrounding community
by job creating and permanent job creating”.*
(Interview Van der Walt 2005)

Since the opening of the KTP in 2000 the park is increasingly marketed as a tourist attraction which has also increased its presence in the international media. By implementing several infrastructure projects in and around the park it is attempted to fulfil the expectations of the KTP as a tourist attraction. In this context, this chapter tries to analyse the job opportunities for the local population in the park. An important effect on the local infrastructure brought about by the establishment of the KTP is the construction of roads outside the park. As this activity also creates employment opportunities, I am including this aspect in the chapter as well. However, my focus is on the jobs available inside the park, especially for the #Khomani Community.²⁴ Out of a total of 89 employees of the KTP only three are members of the #Khomani Community, namely Diedie Kleinman, Andrew Kruiper and Albert Bojane. The rest is made up by members of the Mier Community and the “white” co-management.

“Most people are from Welkom and the Mier community, that’s right! It’s the brown people, when I can say it. And the white people, they are all not from say around here. Most of our, not most, the co-management are all white, it’s pure white in the park.” (Interview Kleinman 2005)

Hospitality service manager Fanie van Tonder even mentions only two employees with #Khomani background, those working for the conservation department, namely Andrew Kruiper and Albert Bojane, stationed in the Rest Camps at Mata Mata and Nossob. Diedie Kleinman is not mentioned by him. The remaining “*Junior Staff*” is entirely made up by members of the Mier Community, including the Duty Manager in Mata Mata. The entire “*Senior Staff*”, also known as co-management, is not from the neighbourhood. The decision who is employed is in the hands of the KTP park management for Junior Staff and SANParks management in Pretoria decides on Senior Staff appointments. When asked about the criteria

²⁴ Regarding infrastructure and touristic offers and facilities in the park in respect to employment opportunities see: chapter 5.3. Review of the KTP.

for the selection of employees from the local population, Van Tonder describes the situation in the following way:

“You know, we have learned in the past that to appoint somebody from somewhere else, they don’t last in the Kalahari. So it’s much better to employ the local people, it’s their place, they are used to the climate, they are used to the extremes of the Kalahari. So they last and their family is here. If you go through the 89 staff members that’s currently employed, you will find that most of them are related to somebody else in the park. In many cases it’s a husband-wife combination, especially at Nossob and Mata Mata, the small camps, due to housing problems. You employ the husband with conservation or technical department and you employ the wife on the tourism side or for cleaners and stuff like that.” (Interview Van Tonder 2005 b)

For park manager Van der Walt it is very difficult to make a distinction between Mier and #Khomani and he therefore does not have official numbers who of his employees are Mier or #Khomani.

“It’s actually very difficult to establish who is really true San, it’s really difficult. You get your traditional San people and you get your western sort of San people. And it’s also a bit difficult thing to ask somebody. Are you a true San or are you a Coloured? So I can not answer that one. It’s difficult to answer that one.” (Interview Van der Walt 2005)

In the population and among the employees of the park it is rumoured that even the future of the employees from the Mier Community is not entirely certain. Several of them are not sure if their contracts will be renewed or not. This is because of the *Black Economic Empowerment* (BEE)-Programme of the government, which also requests from the KTP to hire more people from the black majority under the “*Affirmative Action*” system, although hardly any black people live in the north-west of South Africa.

“I think it’s somewhere a rumour, but there are some black people around here that works here and they are coming from Mpumalanga place. And from the Krüger National Park the people come from. I should say, there is the problem that people are coming from other places and they come and get a work here. And they are not from this area, no.” (Interview Kleinman 2005)

Diedie Kleinman, who works as *Gate-Keeper* at the entrance of the park since 2004 and who is one of the three #Khomani employees in the park believes, that in the foreseeable future the situation of the small number of #Khomani employees in the park will remain the same and

no other #Khomani will be hired. He does not think that the park administration intends to employ more #Khomani in the park in the future.

“You see, the problem, the thing is, some of our people, they are Bushmen and they are more clever. I think that’s the reason why the people (from SANParks, Anm.) don’t maybe get too much of the Bushmen, who knows much about the park. I think that’s the main reason that people don’t want to give people in the park like from the Bushmen people so much work in the park. They got a lot of knowledge and knowing so much of the park. The SANParks people, they think that when they give too much people who have got too much knowledge they will rule the whole place. And I think they want to keep like being the leaders and just being the boss of the whole park here.” (Interview Kleinman 2005)

He himself has applied for the position of Field Ranger but did not get the job. He views his future career perspectives in the park pessimistically.

“I put my application in for a work here, like as a field ranger, but there was no work for me. And they told me, they have sent a thing out for a field ranger at Twee Rivieren. I was having the right qualifications and I even can’t get that work here. That’s why I’m still unhappy. Now I’m having a work standing at the gate letting people in and out. But they could put me in as a field ranger and being a field guide, with the knowledge from my father to be a field ranger. There is many posts around at Nossob, at Mata Mata but I don’t know, I don’t want to be at Nossob or at Mata Mata. Because here is my father’s grave at Twee Rivieren. There is so many people who know about him and I want them, one day if I’m getting that job, to be in that job and taking them out in the wild and if they know about my father and I can tell them about my father and I could bring them back here and show them the grave and everything.” (Interview Kleinman 2005)

Inquired after the changes in the park since the establishment of the Peace Park, especially with respect to the #Khomani, Diedie Kleinman can report no improvements.

“I don’t think it’s, it has changed. There is still so many things happened in the park that they don’t want the Bushmen really to doing their own thing in the park and to letting them on their own. Because I think the Bushmen are knowing the park better than these people do and there are some history that they can tell you and that they have been through. So, for me it isn’t right that the park would do this to our people.” (Interview Kleinman 2005)

However, one major change since the opening of the KTP, also effecting the local population, is the increased funding for the region concerned and the park itself by the South African government. One large-scale project which is being worked on is the construction of roads. For years, the road from Andriesval to the park has been in a very desolate state. Since the

establishment of the KTP in 2000 the road is being repaired and asphalted. These repair works are performed within the framework of the “*Poverty Relief Fund*”, a governmental programme to reduce poverty by generating jobs in so called “*Poverty Relief Projects*” (PRP). The funding for the road works is provided by the *Department of Environmental Affairs and Tourism* (DEAT).

“They are busy working on it, but it is a ‘Poverty Relief Project’, that means everything is very labour intensive. Well, they said it is three years to finish this 60 ks. I doubt whether they will be finish in three years. The pace they are going now, they will definitely not finish in three years. It might even take longer than three years.” (Interview van Tonder 2005 a)

These projects primarily aim to create a maximum number of new jobs. Therefore, the various projects are focused on manual labour. Hence, the use of modern technology is often abandoned. In turn the consequence of this is that projects within the PRP framework are very time-consuming. In the period from 2001 until 2005 a total of 27 million Rand were made available for infrastructure works such as the construction of roads, the maintenance of camps, the construction of fences and similar tasks in the park. 30% of each Rand have to be spent on jobs. This means, that nine out of the 27 million Rand were paid out as salaries. Together with the regular annual turnover of the KTP, which amounts to 23 million Rand made up from eleven million Rand of expenses and twelve million Rand of proceeds, the financial means provided by the DEAT are a very welcomed scheme to establish the KTP as a tourist destination and to create jobs, believes park manager Nico van der Walt.

“In the end it’s a one one process, because the park is upgraded, because we didn’t have enough funds to do all these things in our existing running budget, operational budget and now we receive it through government and now we achieve job creating and the funds go back to the people.” (Interview Van der Walt 2005)

Van der Walt describes the main effects of the KTP’s establishment on the population as follows:

“Since 2001, because of the TFCA a lot of funds were pumped into this facility or the area. Mainly to generate jobs, to train people and to start SMEEs. (Development of small, medium and micro enterprises, Anm.) To get something going. Once you have created a job here, this person can go on on his own. Because with the TFCA being here there was more positiveness from the government to make funds available, you know. So it’s job creation, training of people, empowering them to carry on with something. You know there are a lot of people without work in this area, really. And I think that’s one of the big benefits that was going through the existence of the TFCA.” (Interview Van der Walt 2005)

He claims that since the opening of the KTP and through PRP projects approximately 750 jobs were created. It is disputable how this number has to be interpreted. Doubtlessly more employment opportunities were created; however, these are usually no permanent employments but only short-term jobs.

7.3.2. !Ae!Hai Kalahari Heritage Park Agreement

“The people of the Kalahari, the #Khomani San Community and the Mier Community, wish to ensure that their communities develop and that their cultural and natural heritage will be preserved, by obtaining legal status which will ensure this interest. To preserve and develop the heritage of our country, the SANParks as conservation authority would like to make its sources available for this purpose. This agreement is one way in which we build towards this goal.” (!Ae!Hai Kalahari Heritage Park Agreement 2002: 162)

During the second phase of the land claim the *!Ae!Hai Kalahari Heritage Park Agreement* was signed on 28.May 2002.²⁵ Thereby the #Khomani as well as the Mier became rightful owners of land within the KTP. These two neighbouring areas of 25 000 ha each, form the *Mier Heritage Ground* and the *San Heritage Ground*. This restitution of land turned both Communities into co-owners of the KTP. However, it is explicitly mentioned in the agreement that the unfenced area, located at the south-western border of the KTP in the direct neighbourhood of the *Mier Games Farms*, may not be used as a living area or for agricultural purposes, neither for the use of natural resources. (cf. !Ae!Hai Kalahari Heritage Park Agreement 2002: 166) The San Heritage Ground and the Mier Heritage Ground may only be used for conservation activities and in accordance with it for sustainable economic, symbolic and cultural activities. The day-to-day “Conservation Management” of both areas remains in the hands of SANParks. (ibid: 168 et seq.) This agreement, together with the planned implementation of the “Co-operative Lodge”, provides essential opportunities for a comprehensive Community Involvement of the Mier as well as the #Khomani Communities.

²⁵ Signatories were: The #Khomani San Communal Property Association, The Mier Local Municipality, The South African National Parks, Minister of Agriculture and Land Affairs, The Minister of Environmental Affairs and Tourism, The Minister of Public Works and The Commission on Restitution of Land Rights.

7.3.2.1. Commercial, Symbolic and Cultural Rights for the #Khomani Community

In addition to the ownership of 25 000 ha of land within the park the #Khomani did also receive certain *Commercial, Symbolic and Cultural Rights* in the rest of the park. These rights apply in two precisely defined zones, the *San Commercial Preferential Zone*, also known as “V Zone”, and the *San Symbolic and Cultural Zone*”, also called “S Zone”. (see map p. 129)

“V Zone“

Within the *San Commercial Preferential Zone*, which comprises the entire area south of the Auob River from Mata Mata till Twee Rivieren, it is the task of SANParks to offer opportunities for participation in the implementation or creation of economic projects to the #Khomani Community. Equally, the #Khomani Community may submit ideas for commercial use to SANParks, whereby the decisive power whether to implement or refuse the idea remains with the latter. This “*Opportunity of Participation*” applies to joint projects of SANParks and the #Khomani Community inside the V Zone, where revenue, profits, decisions and responsibilities are shared as outlined in the respective detailed agreements. If SANParks agrees, the #Khomani Community may also invite the Mier Community to participate in a possible economic utilisation. The objective is to achieve an increase in value of the Heritage Grounds as well as the V Zone. (cf. !Ae!Hai Kalahari Heritage Park Agreement 2002: 196 et seq.)

“S Zone“

The *San Symbolic and cultural Zone* is the area between the Nossob and Auob Rivers, confined in the north by the Mata Mata Camp and in the south by the Nossob Camp. The rights of the #Khomani Community in the S Zone are also applicable in the V Zone. The members of the #Khomani Community have an individual right to access these zones to participate in community activities, but they first need to request this in writing and are always accompanied by visitors or advisors. Furthermore, the #Khomani are entitled to erect semi-permanent constructions – such as toilets, cooking facilities, roofing for meetings and sleeping accommodations – at appointed locations, to perform symbolic and cultural actions there for a predefined time. To be allowed to make use of this right a request has to be filed with SANParks, answering the detailed questions of -Who? Where? and Why? Regarding to

the agreement, members of the #Khomani always need to be accompanied by visitors or advisors. The contractual reasons for a refusal of this right by the park administration are: inappropriate disturbance of tourists in the KTP, unreasonable effects on biodiversity and a lack of efficient control mechanisms to prevent the just mentioned. (ibid: 197 et seq.) Despite the rights adjudicated to them the #Khomani are far from pleased with the transfer of ownership of this area. “*Klein Skrij*“ is the name²⁶ of this part of the park, considered by the #Khomani as one of the worst and least important areas of the entire park. There are neither wild animals nor is the area among the park’s scenic sections. Above all, the #Khomani have never dwelt in this area and therefore do not consider it as a *Traditional Ground*. Most of their ancestors are buried near Twee Rivieren. Primarily the #Khomani have lived along the Nossob River, occasionally also along the Auob River, but never in “*Klein Skrij*”. (Interview Kleinman 2005)

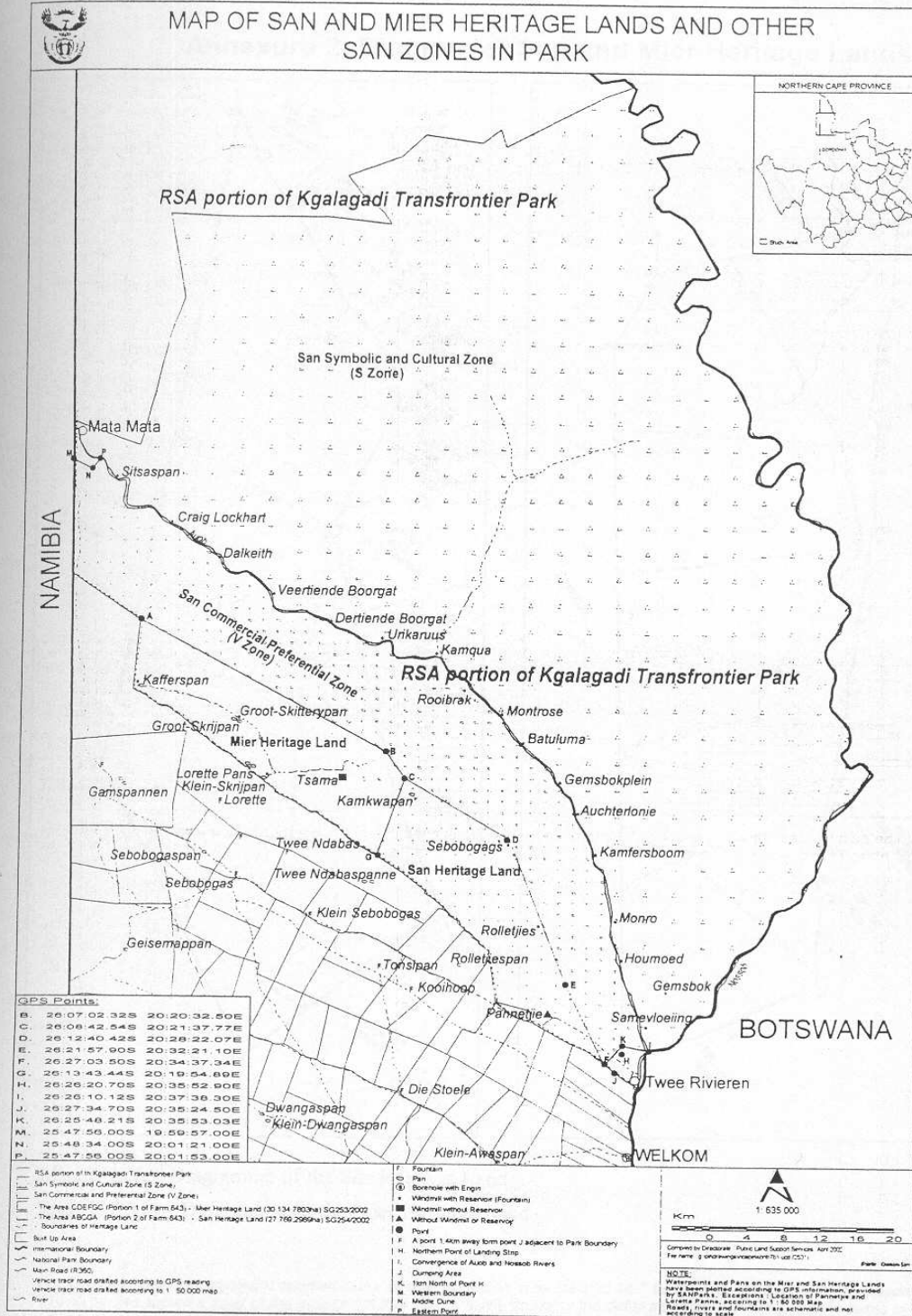
In an interview SASI-employee Nanette Flemming tells us, that the members of the #Khomani Community were not informed by the officials about the rights given to them.

“They have symbolic rights. It’s in the agreement, but nobody discussed the agreement. We didn’t know it. When I asked about the agreement they said: ‘Oh it’s a thick book like this, it would take you forever to go through.’ But they have got the symbolic rights, they can take out medicinal plants, they can use the park and they can go to their heritage site, they can go to their grandmothers’ graves. This must be allowed over the whole of the park. But this was never told to the people. So they never did it. In fact they were still being charged to go into the park until Dawid Grossman went through the agreement and said: ‘Look at this, they can do it!’ So it was only good for the will somewhere to say: ‘Look we’ve given the park to the people.’ But you would think they would invite a lot of people, have a open day for the people to go, no, nothing.” (Interview Flemming 2005)

The tough negotiations on the !Ae!Hai Kalahari Heritage Park Agreement took more than three years. Dawid Grossman believes that they would have taken even longer to conclude had not the *World Summit on Sustainable Development* taken place in Johannesburg in 2002. The signing of the agreement at this moment was for political motives, to demonstrate to the world public that the South African government was serious about the restitution of land. Nevertheless, the situation for the #Khomani is dismal:

“The Original claimants are totally marginalized. The Bushmen can’t go to their land in the park, no one takes the initiative, no one takes justice. Their rights have not materialized.” (Conversation Grossman 2005)

²⁶ For an explanation of the name see: chapter 5.1.2. *Names that tell a story.*



English translation of agreement certified in the Afrikaans version in terms of cl 64.7 as follows: 'On the dates indicated on pages 215-216 all parties signed a copy of the agreement that substantively contains the detail as set out on this page.' In

(ill. 13: San Commercial Preferential Zone and San Symbolic and Cultural Zone. from: !Ae!Hai Kalahari Heritage Park Agreement 2002: 217)

Since the #Khomani Community knows about their rights, it is possible to make use of them even if some obstacles need to be overcome.

“They don’t have cars, that’s the thing. You need a car to go in there. But now we can, I can take the guides and the grandmothers in to a workshop and we can identify more heritage sites. I phoned Nico and he confirmed and said you can come in, we won’t charge you. Why don’t you come when it’s out of season and we are fixing this camp and you can stay there. So in that sense they can do it now but they don’t encourage it, they don’t advertise it, they keep it all quiet.” (Interview Flemming 2005)

The concealment of their rights and the selection of the Heritage Ground’s location have caused great discontent among the #Khomani. Diedie Kleinman expresses his anger on the selection of the location and regards it as part of the strategy to discriminate against the #Khomani Community.

“I think that the people don’t want the bushmen to be a part of the whole park, so that the tourist don’t know about them. Maybe they can know about them but they can’t reach them very quickly. There is many places that my father told me that they were hunting. That’s why I’m still a little bit upset that the people of SANParks chose that part of the park.” (Interview Kleinman 2005)

Diedie Kleinman’s statement: *“they can know about them but they can’t reach them very quickly”* in some way mirrors the inconsistent attitude of the park administration towards indigenous groups. On the one hand, the shops in Twee Rivieren happily sell many #Khomani artworks and books and videos, which glorify the history of the “Bushmen”²⁷. On the other hand, as Dawid Kariseb, a member of the #Khomani Community tells, they are not allowed to sell their own artwork within the park and may not inform tourists in any way about the current situation of their community. (Conversation Kariseb 2005) Diedie Kleinman thinks that the Heritage Park should not be a living space for the #Khomani but their workplace. It should also be allowed to leave the Heritage Park to collect plants in the rest of the park or to track game and also to stay overnight, just as it is possible for tourists in the so called Wilderness Camps. These wishes and demands are indeed matched by the !Ae!Hai Kalahari Heritage Park Agreement. If the #Khomani were able to use the rights given to them in the agreement, the expectations of Diedie Kleinman could be fulfilled.

²⁷ Examples are: “The Bushmen“ by Alf Wannenburg, 1999, “Little Tracker“ by Laura van der Merve, 2000 und ”Spirit of the Eland People“ by Dirk Hurter, 2000.

“For me, from my father I’ve taken it, he was a man like he wants to be in the wild, he wants to rule the park, the Heritage Park, which we got from the SANParks. He wants that the park was managed in a very sustainable manner, like you can always take some young Bushmen out for tracking, you can learn them tracking and everything. You can learn them about the animals of the park, everything here. For me it’s important that this tracker thing, you have to track if you want to be a Bushman and you have to know the animals of the park if you are a Bushman.” (Interview Kleinman 2005)

7.3.2.2. The Co-operation Lodge

It was stated in the !Ae!Hai Kalahari Heritage Park Agreement that SANParks, the Mier Community and the #Khomani Community would jointly construct a lodge, the so called “*Co-operation Lodge*” in the Heritage Park. The objective of the lodge is to symbolise the co-operation between the three parties and to establish a joint facility for planned ecotourism projects to generate income to reduce poverty in the region. Furthermore, the Co-operation Lodge could be used to promote ecotourism projects by the Mier and #Khomani Communities. (cf. !Ae!Hai Kalahari Heritage Park Agreement 2002: 194) The lodge was built by SANParks; however, it is still not opened as no suitable franchise holder could be found. This is the decisive factor because the !Ae!Hai Kalahari Heritage Park Agreement states that the Co-operation Lodge must be managed as an “*outsourced business*”. The KTP’s hospitality service manager Fanie van Tonder describes the procedures and the involvement of SANParks as follows:

“Well, the standards will be monitored by myself because it’s going to be an outsourced business to a concessionaire. The only involvement we will have is to visit them once in a while and see if the standard is kept up. It’s our building, but we get somebody from outside to run the business. We are not involved in the day to day running of the business. We just monitor that everything is going according to certain standards and according to the contract. We are still looking for somebody. If there is a capable person in the community, yes, we will take it. But if we can’t get somebody from the local community we will get somebody else. But within the contract we will put in that he must employ local people like the San and the Mier people. We won’t allow him to get people from other places, he’ll have to take the local people.” (Interview Van Tonder 2005 b)

This Co-operation Lodge is made up by several chalets and offers accommodation for up-to 24 people. There is no camp ground attached to it. The tourist concept behind the Co-operation Lodge is described by park manager Nico van der Walt:

“The idea of running it is collecting people at the airport which we have here, drive them around for game viewing, tracking, you know, identifying plants and things like that. Having cultural issues going on. It’s actually a luxury lodge. So it’s a very specific market that was targeted, the higher income market more or less. And we will see whether it materialises or not.” (Interview Van der Walt 2005)

Although the Ae!Hai Kalahari Heritage Park Agreement sets clear structures and ownership rights regarding the Co-operation Lodge, these do not seem to be entirely comprehensible for some within the park’s administration. While hospitality service manager Fanie van Tonder tells, *“that it’s our building and we just monitor that everything is going according to certain standards...”* the park manager elaborates on the important details and explains them as follows:

“A concessionaire runs the lodge on behalf of the three parties, the Mier, the San and SANParks. And profit will be shared on an equal basis, a third to every party. And it will also create jobs, 20 jobs was earmarked for that specific lodge. And then there might be more jobs for tracking, field guiding and things like that which will incorporate people from the surrounding community. I mean the San are excellent trackers and that’s also written into the Management Plan that it must be people from the local area. And percentages is written, so many San and so many Mier.” (Interview Van der Walt 2005)

An important instrument relating to the lodge is the *Joint Management Board (JMB)*. It was established as a panel for the representatives of the three contractual parties to share information and to take decisions on the *“Contract Parks”* with sufficient consensus. Sufficient consensus means that a majority of the representatives of each party agrees. Also the *Management Plan* for the Heritage Park can be altered and extended by the JMB. (cf. !Ae!Hai Kalahari Heritage Park Agreement 2002: 185) Each party may nominate between three and five representatives and between three and five deputies for the JMB, who hold office for four years. (ibid: 188) The chairperson of the JMB is elected by the entire JMB, whereas the first chairperson is appointed by SANParks. Furthermore, the Heritage Park Agreement explicitly states that each party has the right to invite non-voting advisors to meetings of the JMB. It is also recorded that the #Khomani Community agrees to accept two advisors from the *Department of Land Affairs* during the first three years. (ibid: 191) Some annotations of the agreement show that SANParks has a more important and more powerful position than the Mier and #Khomani Community. For example, when it comes to procedures in the JMB:

“Until the Joint Management Board has made it’s own arrangements, SANParks shall be responsible for taking, distributing and secure storage of minutes, and the distribution of agendas.” (cf. !Ae!Hai Kalahari Heritage Park Agreement 2002: 191)

Excursus²⁸

Opening of the “!Xaus Lodge“: “A place to experience, not merely observe“

In July 2007 the Co-operation Lodge was finally opened and named “!Xaus Lodge“. The word “!Xaus“ means “heart” and was chosen as name because it is located at the border of the Klein Skrij Pan, which has the shape of a heart and is a metaphor for “the spirit of reconciliation”. The luxury lodge consists of twelve chalets, offering accommodation for up to 24 people. An overnight stay costs between €175 and €215 and includes meals, game walks and game drives. National park admission fees are not included in this price. The lodge is advertised with the culinary delights of the Mier Community and the traditional skills and lifestyle of the #Khomani Community, such as tracking, dances, storytelling and crafts. (cf. Xauslodge 2008)

7.4. Perspectives for Community Involvement

The restitution of land to the #Khomani and Mier Communities is, without any doubt, a historic event and a great success for them. Nevertheless, several difficulties and dissatisfaction were also the outcome of this for the #Khomani Community. On the one hand, internal conflicts and tensions have emerged (see Welkom Declaration) On the other hand, the relationship with the park administration of the KTP, which had already been problematic for a long time, did not improve. The park administration shows only little initiative to improve this relationship or to improve the level of co-operation with the #Khomani Community. Regarding community involvement, the park administration pursues two strategies: on the one hand, the focus is on the Heritage Park and on the other hand, on the co-operation with schools in the Northern Cape Province. They try to convey the

²⁸ This excursus informs about the changes concerning the „Co-operation Lodge“ in 2007, after the actual research period but which are of utmost importance.

importance of conservation to pupils and strive to have the topic included in the regional education system.

“We would like to link the message of conservation on to the educational system, which we call the curriculum 2005. To have outcome based education, so training is most important. To bring those kids in and that’s, we’ll see. It will start in November, we are building a camp now specifically to address that.” (Interview Van der Walt 2005)

This projected camp shall offer groups of pupils to spend some days in the park with their teachers. Furthermore, several schools are regularly visited by employees of the park, who give lectures on the protection of nature.

“I think our biggest challenge is to get the message of conservation across through our community. That they understand why they can not shoot a lion that goes out of the park. Why they should contact us and to understand the ecology and everything. That is quite a challenge to do.” (Interview Van der Walt 2005)

It remains to be seen in which way the planned Co-operation Lodge will contribute to a strengthening of the co-operation between park administration, Mier and #Khomani Communities. For SASI-employee Nanette Flemming it is hard to believe that it should be getting any easier for the #Khomani to make use of their rights in the park in the future. Much will depend on how well the #Khomani Community manages to run its farms outside the park and the so called Heritage Ground within the park. As the park administration generally does not show a benevolent attitude towards the #Khomani Community, they also develop a possible doomsday scenario for the future to avoid the return of the #Khomani to live in the park by all means. This doomsday scenario, as it is depicted by the park administration, fears that the #Khomani will remove medical plants from the park, start to hunt again or to put tourists off by binge drinking.

“The park has always been very sort of resistant to getting the people in. It’s never been a smooth open good relationship, it’s always been a tricky relationship. So there is always that hostility between. Because their social ecologist is not there to bridge that gap. And now there is nobody there.” (Interview Flemming 2005)

Dawid Grossman also complains that the position of social ecologist is vacant for quite some time already and is not filled by the park administration:

"They don't know what to do. The Park should admit that they can't deal with the community. So they should appoint somebody else to deal with the community." (Conversation Grossman 2005)

Quite some members of the community fear a dark future for the #Khomani. Since the death of Karel Vet Piet Kleinman, who had been a role model and bearer of hope, many are disillusioned about the possibilities for co-operation between the park and the #Khomani. The statement of Anne Rasa reflects a wide-spread opinion among the population.

„A hotel should have been built by the San and run by the san. Forget it! If Vet Piet would be still alive I would say: okay, it will work. However, since he is dead I don't believe in it anymore. Honestly, I have no idea how they should manage that.“ (Interview Rasa 2005)

Diedie Kleinman, Vet Piet's son, sees no perspective for him or other members of the #Khomani to be increasingly involved in the park's affairs in the future.

"My thought is that because we are part of the owners of the park and, they even can't come to us, we are Bushmen people, and say: He, Diedie, or Albert or Andrew, we want to send you people on a course that you can go, that you can be on our co-management later on and in the years or so, that you can learn co-management. That's why I'm saying that there is nothing that they show to us that they are happy to be with us here. That will still be in my blood that these people don't want the Bushmen in the park. I think that the SANPark people don't want us to learn more or to be also on that co-management or to be like the owner of the park to feel free and happy in the park. We that owns that place, who really owns that place, we have to get that permission, we have to get that people who come to us and to ask us, I want to send you on a course. I want you to learn this way, to be more in our park. They still just want that the part of the park that co-management would be white. That's the big problem and that's the problem of this whole park." (Interview Kleinman 2005)

Especially when it comes to more involvement of the local population in the management of a national park, despite all the calls for an increased Community Involvement, reality seems to be quite different. The PPF's point of view regarding Community Involvement is quite dubious, too. In this context, its former Chief Executive Officer (CEO) Willem van Riet, is quoted with the following words:

"For community representatives to participate on the actual management of a national park is something unfair to the community themselves. In most cases the people that are appointed to manage a national park have gone and done years of studying to gain a tertiary education. They're well qualified (...). I know a lot of critics are advocating for community involvement, but in my mind it is the same as having someone living next to an airport

come and sit next to the air traffic controller.” (Van Riet quote from Draper/ Spierenburg/ Wels 2004: 351)

Nanette Flemming, too, does not detect any serious efforts by the park administration of the KTP to improve the understanding of and co-operation with the local population and especially with the #Khomani. She clearly expresses this appraisal in an interview:

“Community Involvement, it’s non-existent! If there was efforts, it was poor. The park wouldn’t even drive to Welkom which is just 7 ks away. They would do something like the poverty alleviation, like employing people out of the community to work on this lodge, on the joint lodge. But to really know what’s happening in the community or to have exchange people, or to invite people that’s none existent.” (Interview Flemming 2005)

These statements and appraisals let one assume that *“the jackal is not riding on the lion’s back”*. It is still not clear how much use the #Khomani Community will be able to make of the possibilities for participation provided by the Co-operation Lodge and how well they will be able to make use of their rights within the park.

8. The #Khomani Community after the Land Claim

*“When the strangers come
then will come the big rains.
And the little people will dance.
And when the little people in the Kalahari dance,
then the little people around the world shall dance too.”*
(Regopstaan quote from Isaacson 2001: 58)

Regopstaan Kruiper’s famous prophecy is the continuation of Ou Makai’s prophecy (see p. 95). It has always been linked to the restitution of land by the #Khomani. Despite the positive side-effects of the land claim and the expectations for a better life connected to it, many #Khomani, even a few years after the restitution, still live on the fringes of society and struggle for a more dignified existence daily. (cf. SAHRC 2004: 4)



(ill. 14: The injured jackal²⁹ – The #Khomani Community. © R. Konrad)

Anyhow, the “*little people around the world*“ have a reason to celebrate and dance. On 14 September 2007 the UN General Assembly passed the “*Declaration on the Rights of Indigenous Peoples*”. The United Nations had been working on this document for 22 years. UN Secretary General Ban Ki-moon called it a “historical moment of reconciliation” after the resolution had been passed with an overwhelming majority. However, this declaration, which strives to protect 370 million indigenous people worldwide from being discriminated against and from exploitation, is legally not binding. (cf. Südwind 2007: 11) A group like the #Khomani, which has been shattered across wide areas of South Africa for the last decades and which has lost everything, needs a special framework to re-emerge as a community. Under the prevailing circumstances the #Khomani, who call themselves “*a people who belong to a landscape*“, are forced to administrate their land (“*Managers of Land*”). Regarding to Zips/ Zips-Mairitsch this process amounts to a crisis in their development. (cf. Zips/ Zips-Mairitsch 2007: 61) The “conglomerate” #Khomani Community, consisting on the one hand, of the Original Claimants and on the other hand, of those, who “*climbed on the restitution bus and pushed the Kruipers to the back of the bus*“, (Kruiper/Bregin 2004: 56) may be referred to as an “*Imagined Community*” according to Benedict Anderson. In contrast to the “*Kinship Community*” the imagined community, which regarding to Anderson stands for nationalism, postulates the existence of an abstract society. Such a society can only function, if the members of the Community agree on its existence. Anderson argues that such imagined

²⁹ I have told Dawid Kruiper about my sighting of this injured jackal. A moment of silence followed and then he reckoned: „The jackal was caught in a trap.“

communities primarily emerge when family relationships have been weakened. (cf. Anderson 1991) Family relationships only exist between certain people in the #Khomani Community and are no uniting element for the group. Also, no common idea of “Leadership” prevails among the members of the community. The conflicts emerging from this are the main topic of this chapter. In this attempted survey of the #Khomani Community after the completion of the land claim processes, I want to focus on the *Communal Property Association* and the conflicts between the so called “*Traditional*” and “*Westernized*” #Khomani. The last part of this chapter deals with the investigations of the *South African Human Rights Commission* within the #Khomani Community, based on which several complaints about human rights abuses have been made.

8.1. The Communal Property Association (CPA)

In South Africa CPAs are part of the ANC-government’s policy and are established to administer land claims and the tasks related to them. A central element of the institutionalisation of CPAs is to make a democratic decision making process possible. CPAs are responsible for *Resource Management*, the *Governance Issues* related to it and the balance of power in decision making processes. (cf. Ellis n.d.: 6) However, South Africa’s CPAs, also the #Khomani CPA, are fiercely criticised for their susceptibility to corruption.

“There is lot’s of prove that the CPAs don’t work in South Africa. Not just this one. It’s about system, it’s open for corruption, if there is not an administrator, if it doesn’t get run properly then normally what happens is that the people in the community, not necessarily the people that represent the community, just the people that are a bit more educated, that are a bit more wise they normally take the posts and that’s where it doesn’t work. And then the corruption is going.” (Interview Flemming 2005)

The main function of the #Khomani CPA is the management of the ownership titles of the land restituted to the community. Several problems have arisen in connection with this CPA. The *Executive Committee*, responsible for the day-to-day administration, did not always attend to the local conditions and needs of the persons concerned. The impression emerged among the #Khomani Community that the CPA executive committee takes decisions in isolation and in their own favour and not in the favour of the community. As it was also difficult to get all members of the CPA together to take decisions, the solution model found was the establishment of various *Sub-Committees*. These also facilitated the situation for the

executive committee as responsibilities were shared by more people. The members of the sub-committees, one of them being the “*Park Negotiation Sub-Committee*”, were not elected but appointed. (cf. Ellis n.d.:7) As a result of numerous problems and the increasing critique, three newly elected CPAs were established until 2005. The biggest problem of the second CPA was that almost all its members were living in Rietfontein and only two representatives resided in the neighbourhood of Andriesvale. This resulted in a very slow – or no – working of the problem solving mechanisms of the CPA in the case of urgent problems. As several members of the third CPA were living nearby, the community expected some improvements. However, this hope remained unfulfilled.

“But they still don’t seem to have the capacity to fix things or make these decisions. The first thing when the land claim started, the CPA was supposed by Land Affairs by given an administrator. And Land Affairs never gave the administrator, they never went there. There was nobody keeping an eye on anything! Again we asked for an administrator and for a fund manager because you need these two things. And it still hasn’t happen. And they can’t really take somebody, they need to bring somebody from the outside and then take somebody from here to be trained by this person. But they can’t take somebody out of the community because they are too biased. And you need somebody from outside that can see the dynamic and fix it. I don’t know with Land Affairs, they were very poor with this land claim.” (Interview Flemming 2005)

The problems within the CPA were so grave, that even the negotiations between #Khomani, Mier and park administration on the Heritage Grounds had to be adjourned for some time. (cf. Ellis n.d.: 8)

8.2. The “Great Divide” between “Traditionalists” and “Western Bushmen”

The cleavages within the #Khomani Community run along the distinction between “Traditionalists”, who are basically identical with the Original Claimants with Dawid Kruiper as Leader, and the so called “Western Bushmen”, who are represented by Petrus Vaalbooi. Simultaneously the #Khomani Community is involved in projects by donor organisations and NGOs supporting their “cultural revival” and in the “*Civilising Mission*” of a liberal democracy. This dual mandate contributed to the reproduction of the “*Great Divide*” between “*Traditionalists*” and “*Western Bushmen*”. However, Steven Robis from the University of Cape Town points out that this division is “*not simply imposed ‘from above’ by NGOs and donors, but is also very much a product of local constructions of bushman identity and community.*” (Robins n.d.: 97) This conflict on the local level is nurtured by the perception

that the “Western Bushmen” ignore and derail the interests and concerns of the “Traditionalists”. Connected to this issue is the question of who is entitled to take decisions. The fact is that the majority of the members of the CPA’s executive committee are “Western Bushmen”. Decisions taken by the executive committee are considered illegitimate by “Traditionalists” and are challenged by them. (cf. Ellis n.d.: 8) Whereas Dawid Kruiper calls himself “*Traditional Leader*”, Petrus Vaalbooi considers himself to be the “*Political Leader*” and political representative of the #Khomani. He is a good speaker, knows English, is well educated and possesses quite some political capital. The different leadership-styles are characterised by Steven Robins as follows:

“Vaalbooi’s political style contrasts dramatically with the more low profile and parochial traditional leader, Dawid Kruiper. Moreover, whereas Vaalbooi is a comfortable and competent participant in party political manoeuvres and development and bureaucratic discourse, Kruiper is not able to engage as productively in these power plays. In addition, while Vaalbooi has commercial livestock interests, Kruiper is perceived to be only concerned with ‘the bush’, cultural tourism and hunting and gathering.” (Robins n.d.: 77)

This struggle for power is also stirred up by the different perceptions of who is entitled to decide on the land within the park. The “Traditionalists” believe that based on their history they are entitled to take decisions on resources and activities in the park, alone. (cf. Ellis n.d.: 9) Nanette Flemming describes the situation of the #Khomani Community from its point of view.

“The problem is why Dawid feels that they are a group of their own, is because the CPA and all of that everything didn’t work and they were corrupt. So they feel, Dawid still feels that they have tradition and this group doesn’t but, as Ouma |Una says: ‘I don’t wear, I don’t need to wear my skins.’ And Oum Vet Piet never wore skins to be traditional but he had all of this knowledge. So it’s actually wrong to make it two groups but these people still do. Dawid and them still live their tradition and they still do their thing, where the other group has moved away and the youth here are not really interested and some of them want jobs, they want cars, they want IT-training, they want all of this. That’s why, you see, he makes the split between the two people.” (Interview Flemming 2005)

Although the land claim has brought significant advantages for the marginalised #Khomani Community, the focus on the primordial aspects of the #Khomani tradition and their status as “*First People*” did have an unplanned consequence – stirring up the conflict between “Traditionalists” and “Western Bushmen”. At the other end of the spectrum nourishing this

conflict we find the “Civilising Mission” of NGOs and donor organisations with their urban culture of liberal individualism. (cf. Robins n.d.: 98) Dawid Kruiper thinks that the position of Traditional Leader is in a crisis and describes the situation as follows:

”I came in my own position. I have my own knowledge as a leader. I have the knowledge. I’m a doctor of the field. Now they have already stolen my knowledge, why did they do that? As a traditional leader this is a very big crisis for me. Here my knowledge lies. They have oppressed me, on this farm. To tell the truth, me myself. It is not finish. There are claims that are going to go on, besides the land claim. They are boycotting me at every turn. And all I’m looking for is to develop the ecotourism. Why are they boycotting me, Dawid? Do you understand? What is the problem? Whatever they have taken, they must bring back. I know and all the traditional people know that they have stolen.” (Interview Kruiper 2005 a)

8.3. The South African Human Rights Commission (SAHRC)

“They dropped me and they robbed me, all these years.

We have reached this stage now

that the Human Rights Commissioner has come in.

And it’s dangerous cases.”

(Interview Kruiper 2005 a)

The reason why the *South African Human Rights Commission* came to Andriesvale and Askham to record the human rights situation and human rights violations in the #Khomani Community was the homicide of Optel Roy, a member of the #Khomani Community. The police claimed to have shot and killed him by mistake. This case was never brought up before court and had no consequences for the policemen involved. While the Human Rights Commission investigate the case and questioned the locals, it soon turned out that several problems of the population needed to be clarified and resolved. Nanette Flemming describes these procedures as follows:

“The community get telling them the CPA is rotten, this is not working, the land claim is a bugger up and then Human Right’s decided, okay, we can not just take this one aspect. We will start from the beginning, from the land claim and what went wrong up to now. So they took all the departments, the welfare department, the education department, all the departments that were supposed to support this land claim. They didn’t do their jobs, and Land Affairs as well. People are fetching water at the shop because they don’t have water on their farms. And that’s just mismanagement, that is taking pumps off where they were supposed to be, putting them on other farms where there is now livestock. It’s just pure mismanagement, that’s all it is.” (Interview Flemming 2005)

The SAHRC is one of several independent organisations, whose task under Chapter 9 of the *Constitution of South Africa* is to promote and further democracy in South Africa. The mandate of the SAHRC on the one hand, is rooted in the constitution; on the other hand, it is based on the *Human Rights Commission Act 54* from 1994.

The tasks conferred upon the SAHRC under section 184 of the constitution are as follows.

- *Promote respect for human rights and a culture of human rights.*
- *Promote the protection, development and attainment of human rights.*
- *Monitor and assess the observance of human rights in South Africa.* (SAHRC 2004: 8)

Dawid Grossman's initiative was one of the decisive factors that the complaint of the members of the #Khomani Community was heard by SAHRC and an investigation initiated in due course. (Conversation Grossman 2005) Jody Kollapen, chairperson of SAHRC remarks in the "*Report on the Inquiry into Human Rights Violations in the Khomani San Community*" the following about the investigation:

"The inquiry was unique in that it sought to take a comprehensive and holistic view of all the matters that impact on the community. It was held within the community (...) and it was the first real opportunity the community had to articulate the matters that affect them, which threaten their survival, their culture, their language, their economic prosperity and their future as a people." (Kollapen 2004: 4)

The complaints raised by the #Khomani Community in front of the SAHRC, beside the murder of Optel Rooi, ranged from harassments and botheration by the police to the discrimination and sexual abuse of the children of the #Khomani at school. Even the "*Community Division*" and the involvement of too many external advisors, NGOs and other parties were identified as problems by the community. Furthermore, the government was accused to fall short to fulfil its obligations set out in the land claim. Thus, the investigation had to deal with complex and interconnected challenges involving the areas of *relationships, cooperative governance, just administrative action, capacity building* und *sustainable development*. (cf. SAHRC 2004: 5) The investigation was subdivided in the following seven sections:

I. Land Claim and Resettlement

The fact that the *Original Claimants* invited other "San" to join them in their land claim had the consequence that a community which comprises all of them had to be "invented". This

newly established “community” could not introduce a single, uniform system of leadership. As a result, different *Community Divisions* formed and contributed to the malfunction of the Communal Property Association’s (CPA) management. Additional problems in this area are the “*Lack of Capacity*” of the *CPA Management Committee*, the conflict between the community and SANParks about the implementation of the land claim within the park and the lack of support from the *Department of Land Affairs* and the *Commission on Restitution of Land Rights*.

II. *Government and Delivery of Services*

The local government did fail to implement infrastructure such as water supply, sanitary installations and refuse collections for the farms handed over to the #Khomani, although it did receive sufficient funding for it.

III. *Policing*

As a consequence of the investigation, the two policemen involved in the murder of Optel Rooi were brought before court and finally sentenced. The bad relationship between the *South African Police Services* and the #Khomani Community is a result of the SAPS still controlling their former farmland, which had actually been handed over to the #Khomani during the land claim.

IV. *Education*

The accusations of sexual abuse of and discrimination against #Khomani children at school were not pursued further. It was reported, that no means of transportation existed to get the children to the far-away school. In no way the needs and the cultural background of the #Khomani are cared for in the curriculum.

V. *Social Welfare*

The substantial alcohol- and drug abuse within the community results in serious social problems. The prevailing poverty leads to malnourishment and illness. Health care is insufficient and faraway.

VI. *Community Division*

Regarding to the *Human Rights Report*, the severe tensions within the community could lead to a “*formal split between the community factions*”.

VII. *Relationships*

All the above mentioned problems result in heavily strained relationships between the different parties and the inappropriate communication has led to a “*breakdown of relationships*”. (cf. SAHRC 2004: 5 et seq.)

The South African Human Rights Commission presented its report in parliament and forwarded it to President Thabo Mbeki. The #Khomani Community Area did also receive a copy of the report. The idea was to provide people who felt discriminated with a list of the responsible authorities and a manual of how to redress. The report contains numerous recommendations for the different “*Role-Players*”, responsible for the implementation of the different agreements. (Interview Flemming 2005)

9. Conclusion

The underlying research question has been commented on from various different points of view throughout the whole thesis. The content of this conclusion is a summary of the findings and a description of possible development scenarios of Peace Parks and in particular of the #Khomani Community. The question of the effect of Peace Parks on the local population is at the centre of this analysis. Using the example of the *Kgalagadi Transfrontier Park* (KTP) the changes for the #Khomani Community and to a lesser extent, the changes for the Mier Community are discussed. The focus is set on the aspect of “*Socioeconomic Development*“, which is one of the main objectives of the Peace Park concept, besides “*Conservation of Biodiversity*“ and “*Promotion of a Culture of Peace*“. To describe the changes I tried to answer the question in which ways the local population is integrated in the administration and the protection of the environment in the KTP. *Community Based Natural Resource Management*-programmes, which shall guarantee that local natural resources are administered by the local population and – at least in theory – should accompany natural reserves, could not be discussed as was planned, because these programmes hardly play any role in the KTP. The claim, which is made again and again, that the establishment of Peace Parks would primarily improve the financial situation of the local populations, has turned out to be “*Empty Talk*“. The relationship between park administration and community is characterised by an unequal distribution of power. This is evident in the fact that the Mier as well as the #Khomani Community were excluded from all negotiations on *Transfrontier Issues*, although both became co-owners of the KTP through the restitution of land. “*Voluntary*” community involvement, in the sense of taking an interest in what is going on in the community is hardly pursued by the park administration. This is mirrored in a statement by park manager Nico van der Walt, who answered the question of when the #Khomani Community had to leave the former *Kalahari Gemsbok National Park* with the following words: “*That I don’t know. I*

haven't gone into that one so far. I'm not sure, I think there was a date, but when it was I'm not sure." (Interview Van der Walt 2005) Before I turn to other important findings in connection with community involvement, it is of utmost importance to me to come back once more to the topic of land claims. The return of vast areas of land, within as well as outside of the park, to the Mier and #Khomani Communities has always been celebrated as a great success in connection with the establishment of Africa's first Peace Park. Neither the Mier Land Claim nor the #Khomani Land Claim are related to the establishment of the KTP or can be seen as a consequence of it. Without doubt, the land claims have to be viewed as a logical consequence of the political changes in South Africa in the 1990s, the transition from Apartheid to democracy. To link this development to the Peace Park concept is not correct. Materially the land claims were a great success. However, they did cause several social problems. (Conversation Chennels 2005) The farms handed over to the #Khomani during the first phase of their land claim are more of a symbolic value. From an economical point of view, what lacks are innovative management ideas to profit more from the tourists on their way to the KTP. Simultaneously, the farms are not home to enough wild animals to make it possible to live/ survive as gatherers and hunters. Even the symbolic value of the farmland may be questioned when one considered the culturally different perception and relevance of land ownership. Many indigenous groups describe themselves as "*belonging to the land*", a land which is full of tradition, relevance and culture for them. They do not describe the land "*as belonging to them absolutely*". (cf. Zips/ Zips-Mairitsch 2007: 52) During the land claim, the #Khomani did demand farms. However, they did that not because these were once taken from them or because it was their big ambition to live on these farms. Their true ambition was to receive land to live on within the park, a demand which seemed inconvertible, whereas the demand for land and farms outside the park was reasonable. External observers as well as people involved in the land claim are of the opinion that the negotiations were conducted under time pressure. The last minute claim by the Mier *Transitional Local Council* further complicated the entire process. Dawid Grossman believes that even Dawid Kruiper was only an observer and not an actor in the land claim process in the end. (Conversation Grossmann 2005) In addition to the time pressure one has to mention the wrong anticipation of the #Khomani Community in connection with the claimed land within the park. As William Ellis points out, the #Khomani did not only expect a transfer of property rights but a full transfer of the right of use of the natural resources. For the #Khomani this anticipation included the expectation to be able to live and hunt within the park. To assume that these wrong assumptions were the result of problems of communication is fatal. By contrast, the Mier

Community Land Claim can be described as a thorough success. As already mentioned, the initial situation for community involvement in the park is characterised by an unequal distribution of power among the different parties involved. A community weakened by conflicts within the #Khomani Community as well as by conflicts between the Mier and #Khomani is confronted with a strong park administration, the *South African National Parks*. Even if SANParks official postulate community involvement and community empowerment, the reality in connection with the KTP is a different one. The park administration is not seriously interested in involving members of the #Khomani Community in the activities of the park. On the contrary, the intention of excluding the #Khomani Community continued to prevail even after the establishment of the Peace Park. The fact that the department for “*People and Conservation*” is still vacant shows that not even a symbolic gesture of “*Good Will*” is being made.

The assumption that the *Peace Parks Foundation* is one of the central parties in the context of the first peace park turned out to be wrong, just as it is not true that it actively supports community involvement. The foundation shoves off the responsibility for that to the respective governments and focuses its own “peace initiatives” on areas where the peace between humans and nature is concerned and to secure peace on a regional level by supporting co-operation on a bilateral, political level. The establishing of social peace on the community level is not one of its tasks. (Interview De Kock 2005) According to the *South African Human Rights Commission* also the South African government, primarily the *Department of Land Affairs* and the *Commission on Restitution of Land Rights*, is criticised for its reluctant role in implementing the land claim and the *Communal Property Association*. The *South African San Institute*, an NGO on the community level, is primarily occupied with developing “*Livelihood Projects*” to cater the basic needs of the #Khomani population. “*Our aim is that everybody can eat because just to have food, to live daily is a problem here.*” (Interview Flemming 2005) Other players to support the #Khomani Community involvement in the park are not at hand. Therefore, the postulate of Community Based Natural Resource Management remains an empty shell and nobody feels responsible for filling it with life. Neither the establishment of Peace Parks nor the negotiations on a return of land are a guarantee for success. The rather disappointing and conflict laden state of community development a few years after the return of land clearly shows the difficulties and ambiguities connected with it. A legal agreement alone, without the necessary political and also financial means is not enough to ensure *Economic Empowerment, Capacity Building* und *Community-Based Development*. (cf. Zips/ Zips-Mairitsch 2007: 45) The institution necessary for capacity

building is lacking in the #Khomani Community. Apart from the tensions between them and the Mier Community, primarily internal conflicts prohibit the #Khomani Community from acting as one strong and united group. This weakens its bargaining hand and keeps the community from successfully taking on the park administration. The decision to increase the number of claimants for the land claim and the incidents during the necessary registration processes have, besides several other conflicts, resulted in a severe *Leadership*-conflict. The attempt to form an “*Imagined Community*“ from different groups and persons did not work. The conflict between “*Traditionalists*” and “*Western Bushmen*” only overshadows other leadership conflicts which are not only carried out between Dawid Kruiper and Petrus Vaalbooi. These conflicts also affect the Communal Property Association (CPA) and have paralysed this institution. Other negative factors are a lack of transparency, openness and flexibility. “*Community Assistance Programmes*” have to be introduced in the long run to guarantee democratic processes within the CPAs. The #Khomani Community feels left alone by the Department of Land Affairs with the administration of the CPA and is not yet ready, in the existing institutional framework, to make use of its land to profit the population. Procedural shortcomings combined with a lack of democracy result in a failure of the “*Top-Down*” mechanisms of the CPA. A demand made in connection with *Community-Based Organisations* (CBOs) and CBNRM-projects linked to it, is for involved NGOs and other institutions to increasingly support the institutional capacities of CBOs, especially in the areas of project administration, finances and documentation. Room for participation in decision making processes concerning CBNRM-projects must be advocated. CBNRM-projects should be supported to avoid them turning into a liability for the environment but also to avoid an overstretching of the institutional capacities of the CBOs. The devolution of mostly already established authorities should be achieved through negotiations and interactions and not through a strict set of rules. (cf. Hitchcock 2004: 22 et seq.) The current state of the situation within the community lets one conclude that the #Khomani Community will not be able to overcome the internal conflicts of their own accord. It is within this context and also in the context of decades of repeating patronages that the following statement by the Traditional Leader of the #Khomani, Dawid Kruiper has to be seen, in which he explains what peace means to him in the following words:

*“If I see Thabo Mbeki and I look him into the eyes
and I speak about our case.
That will give me peace.”*

(Interview Kruiper 2005 a)

The last part of my conclusion is dedicated to an overview of possible future developments on the level of the Peace Park concept as well as on the level of the community. In the context of Southern Africa the Peace Park concept is facing substantial challenges not to neglect the needs of the local populations. Based on the idea of implementing “The big Dream” (see map p. 52), a continuous protected area from Lake Victoria to South Africa, incorporating the most important strategic areas such as access to oceans, rivers and lakes, one has to ask the question in earnest, how sincere the claim made by the “*Big Players*”, such as the Peace Parks Foundation (PPF), for community involvement really is. If “only” the 14 potential TFCAs identified by the PPF were implemented, the total area of TFCAs in the Southern African Development Community (SADC-Region) would amount to a zone the size of Germany, Portugal and Italy combined. If the Kgalagadi Transfrontier Park is described as an international model for Transfrontier Conservation, then the conclusion has to be that on the level of community based conservation the reality is lagging behind the theory for years. From the perspective of anthropology of nature it is not only important to point those issues out but also to develop recommendations to improve the situation and to align reality with theory. Even if several problems have been pointed out by this paper regarding the implementation of the Peace Park concept, one may not forget that the concept itself is certainly positive. It has to be highlighted, that the achieved objectives of the protection of biodiversity and closer bilateral co-operation of the countries involved are an important contribution to the process of integration on the African continent. However, if the price for peace on the international level has to be paid for by the local users of resources, who are not or hardly involved in the bi- or multilateral agreements of these spacious TFCAs, the harmonious picture of Peace Parks are substantially embittered. (Zips/ Zips-Mairitsch 2007: 38) As already mentioned in chapter 7, positions within the #Khomani Community exist, which have the potential to form the basis for a consensus - a consensus between the hardened positions of park administration and #Khomani Community. Diedie Kleinman, one of only three employees with #Khomani roots in the park and son of legendary master tracker Karel Vet Piet Kleinman, personifies this position. He stands up for comprehensive rights for the #Khomani in the park and simultaneously the protection of the KTP’s biodiversity is very important to him. During my field research I have often been told that “the Kalahari is full with rumours”. My experience is that the structures of communication between the different parties are not working properly and again and again lead to misunderstandings. I consider the outcome of the “*!Ae!Hai Kalahari Heritage Park Agreement*“, which was for the better part kept back from the #Khomani Community, as one “victim” of these misunderstandings. This

agreement guarantees most of the rights for the #Khomani as demanded by Diedie Kleinman and which could be the basis for a compromise between park and community. Essential “*Commercial, Symbolic and Cultural Rights*“, valid in approximately half of the former Kalahari Gemsbok National Park, are adjudged to the #Khomani, entitling them to use the natural resources and to spend longer periods in the park as needed to conduct traditional practices which may last several days. Only a permanent accommodation and the right to hunt remains denied to them inside the KTP. However, to be able to make use of these commercial, symbolic and cultural rights, the #Khomani Community needs to know about them. Roger Chennels refers to it as a “*Strong Document*“, which brings “*Good Opportunities*“ with it. (Conversation Chennels 2005) Whether these rights can be implemented depends on the “good will” of the park administration as well as on the situation within the #Khomani Community. If both parties are willing to approach each other, then the idea of “*the jackal rides on the lion’s back*” or the other way round, should not take centre stage, but the invitation to lion and jackal to share the prey.

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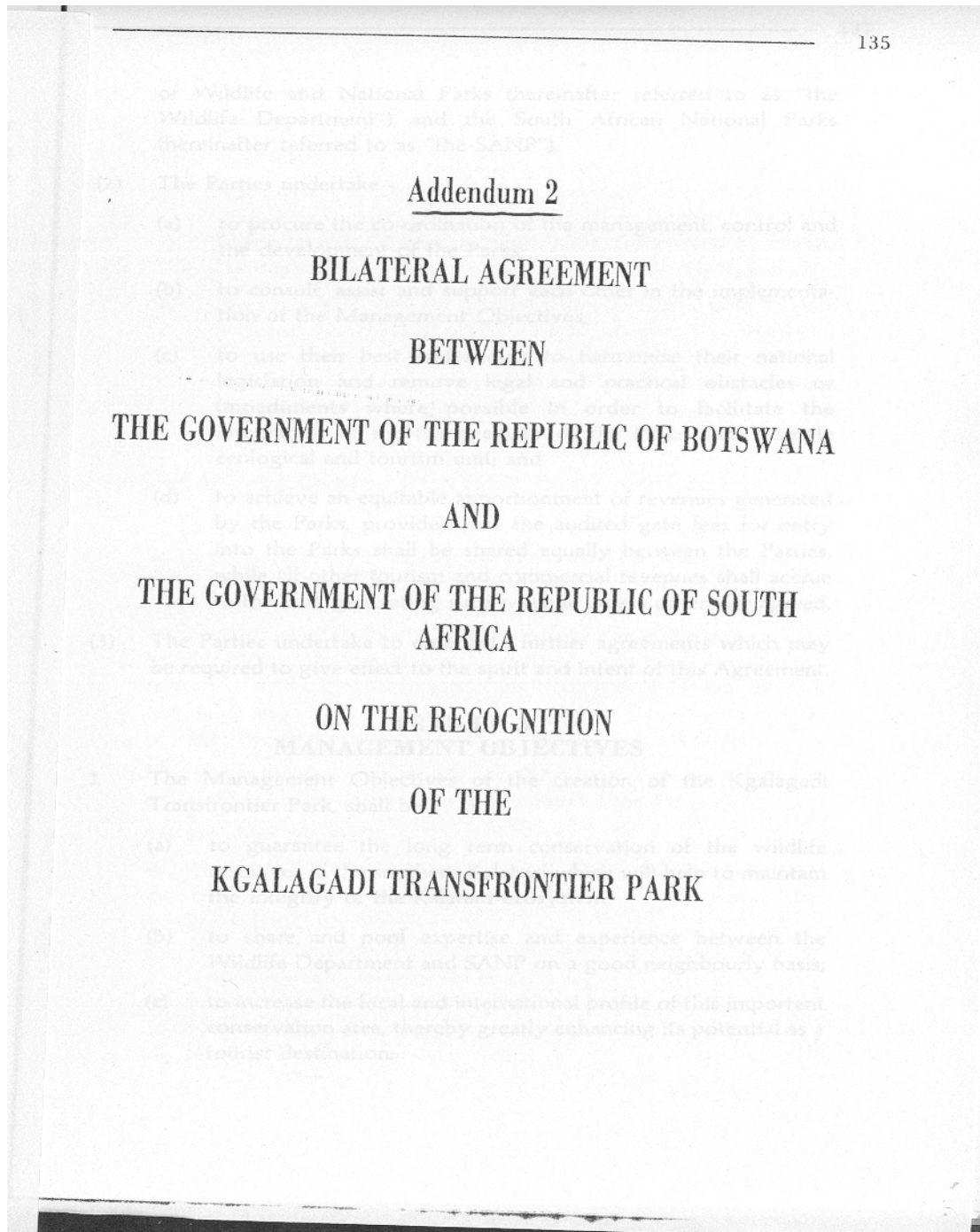
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PREAMBLE

The Government of the Republic of Botswana (hereinafter referred to as "Botswana") and the Government of the Republic of South Africa (hereinafter referred to as "South Africa") (hereinafter also jointly referred to as "the Parties").

RECOGNISING the principle of sovereign equality and territorial integrity of their states;

CONSCIOUS of the benefits to be derived from close co-operation and the maintenance of friendly relations with each other;

ACKNOWLEDGING the necessity to preserve the environment and in particular the unique ecosystem of the Kalahari for the benefit of all the people of Southern Africa; and

DESIRING to extend, maintain and protect the flourishing ecosystem of the Kalahari through the recognition of the Kgalagadi Transfrontier Park; **HEREBY AGREE** as follows:

ARTICLE 1 RECOGNITION OF THE K GALAGADI TRANSFRONTIER PARK

Botswana and South Africa hereby jointly recognise the Kgalagadi Transfrontier Park in a manner that the area which is composed of the Gemsbok National Park in the Republic of Botswana and the Kalahari Gemsbok National Park in the Republic of South Africa shall be retained as far as may be in its natural state as an undivided ecosystem for the benefit of biodiversity conservation, research, visitors and the larger community with particular reference to those communities adjacent to the Park.

ARTICLE 2 CO-OPERATION

- (1) The Parties undertake, respectively, to procure that the Gemsbok National Park and the Kalahari Gemsbok National Park (hereinafter jointly referred to as "the Parks" and separately as "the Park") be managed and controlled in accordance with the Management Objectives contained in this Agreement in general and in particular the Management Plan agreed to between the Botswana Department

of Wildlife and National Parks (hereinafter referred to as "the Wildlife Department") and the South African National Parks (hereinafter referred to as "the SANP").

(2) The Parties undertake -

- (a) to procure the co-ordination of the management, control and the development of the Parks;
 - (b) to consult, assist and support each other in the implementation of the Management Objectives;
 - (c) to use their best endeavours to harmonise their national legislation and remove legal and practical obstacles or impediments where possible in order to facilitate the integration of the management of the Parks into a single ecological and tourism unit; and
 - (d) to achieve an equitable apportionment of revenues generated by the Parks, provided that the audited gate fees for entry into the Parks shall be shared equally between the Parties, while all other tourism and commercial revenues shall accrue to the Park generating such revenue unless otherwise agreed.
- (3) The Parties undertake to enter into further agreements which may be required to give effect to the spirit and intent of this Agreement.

ARTICLE 3 MANAGEMENT OBJECTIVES

1 The Management Objectives of the creation of the Kgalagadi Transfrontier Park, shall be -

- (a) to guarantee the long term conservation of the wildlife resources in the southern Kalahari which will help to maintain the integrity of the Kalahari ecosystem;
- (b) to share and pool expertise and experience between the Wildlife Department and SANP on a good neighbourly basis;
- (c) to increase the local and international profile of this important conservation area, thereby greatly enhancing its potential as a tourist destination;

- (d) to encourage the full realisation of the economic potential of the Parks and surrounding areas which will bring economic benefits to the Republic of Botswana and the Republic of South Africa especially to the local communities adjacent to the Parks;
- (e) to develop joint promotional campaigns that will stimulate the two-way flow of tourists, thereby increasing the tourism potential for the Republic of Botswana and the Republic of South Africa and taking steps to facilitate the freedom of movement within the Kgalagadi Transfrontier Park;
- (f) to comply with the requirements of international law regarding the protection of the environment; and
- (g) to integrate, as far as possible, the managerial, reservation, research, marketing and other systems of the Wildlife Department and SANP in respect of the Parks.
- 2 The Management Objectives shall, in the first instance, be implemented through the Wildlife Department and SANP concluding a Record of Understanding in which provision is made for a detailed Management Plan specifying practical steps for the achievement of the Management Objectives. The Record of Understanding shall also provide for the Kgalagadi Management Agency (hereinafter referred to as "the Agency"), which shall oversee the implementation of the Management Plan.
- 3 Subject to this Agreement, the Agency shall determine its own meeting times, rules and procedures.
- 4 Meetings of the Agency shall take place at such venue decided upon by the Agency.

ARTICLE 4 IMPLEMENTATION

- 1 Botswana hereby delegates such powers and functions to the Wildlife Department as are required for the co-ordination of the management of the Gembok National Park with that of the Kalahari Gembok National Park and for the implementation of the Management Objectives, including, but not limited to, the power to

enter into further agreements with the SANP, for matters related to this Agreement.

- 2 South Africa hereby -
- (a) appoints the SANP to act as its agent for the purpose of co-ordinating the management of the Kalahari Gembok National Park with that of the Gembok National Park and to ensure the implementation of the Management Objectives; and
- (b) delegates such powers and functions to the SANP as are required for the implementation of the Management Objectives, including, but not limited to, the power to enter into further agreements with the Wildlife Department for matters related to this Agreement.

ARTICLE 5 KGALAGADI TRANSFRONTIER PARK FOUNDATION

- 1 The Kgalagadi Transfrontier Park Foundation (hereinafter referred to as "the Foundation") is hereby established, which shall in a manner provided for by this Agreement direct the activities of the Kgalagadi Transfrontier Park. The Foundation shall provide the representatives of Botswana and South Africa with the opportunity to share ideas, develop proposals, provide general guidance with respect to activities undertaken in the Kgalagadi Transfrontier Park and take steps that are in accordance with this Agreement to facilitate the integration and joint management of the Parks.
- 2 The Parties hereby respectively nominate the following persons in an *ex officio* capacity as founding members of the Foundation:
- On behalf of Botswana:
- ◆ Hon. Mr K.G. Kgoroba, Minister of Commerce and Industry;
 - ◆ Hon. Mr L.T.J. Mothibamele, Member of Parliament for Kgalagadi;
 - ◆ Ms T.C. Moremi, Permanent Secretary in the Ministry of Commerce and Industry; and
 - ◆ Mr S.C. Modise, Director of the Department of Wildlife and National Parks.
- On behalf of South Africa:

- ◆ Dr Z.P. Jordan, Minister of Environmental Affairs and Tourism;
- ◆ Mr M. Dipico, Premier of the Northern Cape Province;
- ◆ Dr V. Khanyeli, Chairperson of the South African National Parks; and
- ◆ Mr M. Msimang, Chief Executive of the South African National Parks.

- 3 The founding members may, by consensus, co-opt further persons as founding members.
- 4 The founding members shall proceed, without delay, to cause the Foundation to be incorporated under section 21 of the South African Companies Act, 1973 (Act No. 61 of 1973). In view of the joint sponsorship of the Foundation, the founding members shall secure the authority of the South African Reserve Bank for the disbursement of funds of the Foundation to promote the financing of the Parks in an equitable manner. The SANP shall, for as long as the Parties deem fit, provide secretarial services to the Foundation whose administrative address shall be the same as that of the SANP.
- 5 The objective of the Foundation shall be to promote the conservation of the natural environment of the Parks and to develop the potential of the Parks as a tourist destination.
- 6 To implement its objective, the Foundation shall -
 - (a) monitor the implementation of the Management Plan;
 - (b) render advice on matters arising from this Agreement;
 - (c) initiate steps that will facilitate further co-operation and integration of activities as may be delegated to it from time to time by the Parties; and
 - (d) receive donations dedicated to the implementation of this Agreement from third parties and distribute such donations equitably to the Wildlife Department and SANP.
- 7 The chairperson of the Foundation shall rotate annually between the Parties with a representative of Botswana acting as chairperson for the first year.

- 8 A quorum for a meeting of the Foundation shall be four members, provided that at least two members designated by each of the Parties shall be present.

Decisions of the Foundation shall be taken by consensus. The Foundation shall, subject to this Agreement, determine its own meeting times, rules and procedure, and venue for meetings provided that it shall meet at least once per annum.

ARTICLE 6 FINANCIAL MATTERS

- 1 In order to discharge their obligations under this Agreement, the Parties shall annually make sufficient funds available to cover any expenses that may arise from the implementation of this Agreement, provided that the Wildlife Department, SANP and the Foundation shall use their best endeavours to obtain financial and other means of support from their own sources as well as from other sources for the implementation of the Management Objectives and the Management Plan.
- 2 Donations received by the Foundation shall be paid into a bank account and equitably allocated between the Parks in accordance with the priorities as identified by the Kgalagadi Management Agency.
- 3 The Foundation shall annually submit audited financial statements of its affairs to the Parties.

ARTICLE 7 RESPECT FOR DOMESTIC LAW

This Agreement shall in no way be construed as derogating from any provision of the domestic law in force in the countries of the Parties or any other agreement entered into between the Parties.

ARTICLE 8 SETTLEMENT OF DISPUTES

- 1 Any dispute between the Parties arising out of the interpretation or implementation of this Agreement shall be settled amicably through consultation or negotiation between the Parties, provided that a dispute may be referred for mediation when necessary.

2 If an amicable settlement of the dispute is not reached through mediation, the dispute shall be settled through arbitration by an Arbitration Tribunal appointed on the basis that each Party shall appoint an arbitrator and the two arbitrators appointed by the Parties shall appoint a third arbitrator who shall act as chairperson of the Arbitration Tribunal.

3 The Arbitration Tribunal shall decide upon its own procedures. The decision of the Tribunal shall be in writing and shall be supported by a majority of its members. Such a decision shall be final and binding upon the Parties.

**ARTICLE 9
COMPETENT AUTHORITY**

The competent authorities responsible for the implementation of this Agreement shall be

- (a) on behalf of the Republic of Botswana, the Department of Wildlife and National Parks; and
- (b) on behalf of the Republic of South Africa, the South African National Parks.

**ARTICLE 10
ENTRY INTO FORCE**

This Agreement shall enter into force on the date on which each Party has notified the other in writing through the diplomatic channel of its compliance with the constitutional requirements necessary for the implementation of this Agreement. The date of entry into force shall be the last notification.

**ARTICLE 11
TERMINATION**

This Agreement may be terminated by either Party giving one year's written notice in advance through the diplomatic channel of its intention to terminate this Agreement.

**ARTICLE 12
AMENDMENT**

This Agreement may be amended through an exchange of notes between the Parties through the diplomatic channel.

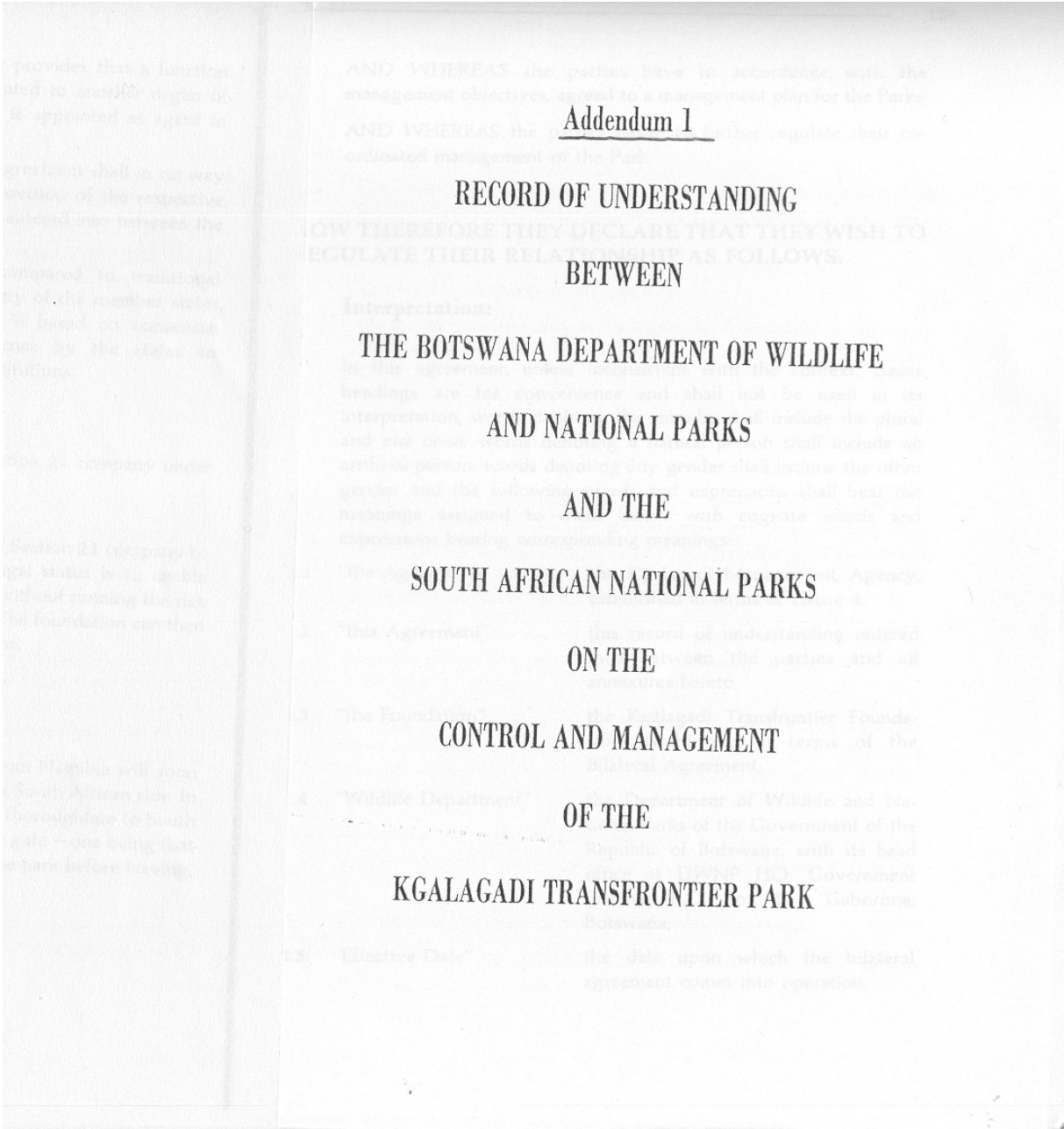
IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments, have signed and sealed this Agreement in duplicate in the English language, both being equally authentic.
DONE at on this day of Nineteen Hundred and Ninety-nine.

.....
FOR THE GOVERNMENT OF THE
REPUBLIC OF BOTSWANA

DONE at on this day of Nineteen Hundred and Ninety-nine.

.....
FOR THE GOVERNMENT OF THE
REPUBLIC OF SOUTH AFRICA

Appendix 2: Record of Understanding (vgl. De Villiers 1999: 127 et seq.)



Record of understanding

subscribed to by

THE DEPARTMENT OF WILDLIFE AND NATIONAL PARKS OF BOTSWANA

(hereinafter referred to as "the Wildlife Department")

and

THE SOUTH AFRICAN NATIONAL PARKS

(hereinafter referred to as "SANP")

and jointly referred to as "the Parties".

Preamble:

- A WHEREAS the Governments of the Republic of Botswana and the Republic of South Africa have entered into a bilateral agreement to co-ordinate the management of the Kalahari Gemsbok National Park on the side of South Africa and the Gemsbok National Park on the side of Botswana, to be jointly referred to as the Kgalagadi Transfrontier Park, so that the natural environment of these parks will be retained in its natural state for the benefit of biodiversity conservation, research, visitors and the larger community;
- B AND WHEREAS the two Governments have agreed to management objectives for the two Parks;
- C AND WHEREAS the two Governments have appointed the parties as their agents to implement the co-ordinated management of the Parks and the management objectives;

- D AND WHEREAS the parties have in accordance with the management objectives, agreed to a management plan for the Parks;
- E AND WHEREAS the parties desire to further regulate their co-ordinated management of the Park.

NOW THEREFORE THEY DECLARE THAT THEY WISH TO REGULATE THEIR RELATIONSHIP AS FOLLOWS:

1 Interpretation:

In this agreement, unless inconsistent with the context, clause headings are for convenience and shall not be used in its interpretation, words denoting the singular shall include the plural and *vice versa*, words denoting a natural person shall include an artificial person, words denoting any gender shall include the other gender and the following words and expressions shall bear the meanings assigned to them below with cognate words and expressions bearing corresponding meanings:

- 1.1 "the Agency" the Kgalagadi Management Agency, established in terms of clause 4;
- 1.2 "this Agreement" this record of understanding entered into between the parties and all annexures hereto;
- 1.3 "the Foundation" the Kgalagadi Transfrontier Foundation established in terms of the Bilateral Agreement;
- 1.4 "Wildlife Department" the Department of Wildlife and National Parks of the Government of the Republic of Botswana, with its head office at DWNP HQ, Government Enclave, P.O. Box 131, Gaborone, Botswana;
- 1.5 "Effective Date" the date upon which the bilateral agreement comes into operation;

- 1.6 "the Bilateral Agreement"
the bilateral agreement entered into between the Republics of Botswana and South Africa on 1999 for the recognition of the Kgalagadi Transfrontier Park;
- 1.7 "Management Objectives"
the management objectives of the Park contained in the Bilateral Agreement;
- 1.8 "Management Plan"
the management plan for the Park jointly agreed to by the Wildlife Department and SANP in 1999, and attached to this agreement as Annexure "A";
- 1.9 "SANP"
the South African National Parks established in terms of the National Parks Act, Number 57 of 1976 with its head office at 643 Leyds Street, Muckleneuk, Pretoria, South Africa, 0001;
- 1.10 "Park"
the Kgalagadi Transfrontier Park, being the area contained in the Gemsbok National Park on the side of Botswana and the Kalahari Gemsbok National Park on the side of South Africa, which area shall not constitute a new park and which shall not imply any legal personality;
- 1.11 "the Parks"
the Botswana Gemsbok National Park and the South African Kalahari Gemsbok National Park.

2 Management responsibility:

- 2.1 The Wildlife Department and SANP shall, despite entering into this agreement, respectively remain responsible for the management of the Gemsbok National Park and the Kalahari Gemsbok National Park and shall continue to do so under the legal dispensations in terms of which they respectively operate.

- 2.2 The Wildlife Department and SANP hereby undertake to co-ordinate their management of the Parks as set out in this agreement.

3 Management objectives:

The parties shall manage and control the Parks in accordance with the Management Objectives, and more particularly in accordance with the Management Plan.

4 Kgalagadi management agency:

- 4.1 The parties hereby establish the Kgalagadi Management Agency as a liaison body to co-ordinate their management and control of the Parks.
- 4.2 The Agency shall consist of four members, and each party shall nominate two members to the Agency, provided that the respective park wardens shall be one of the persons nominated by each party.
- 4.3 Every member may, by notice to the chairperson, nominate any other person to be his or her alternate and may at any time terminate such appointment. An alternate member shall exercise all the rights of the member to whom he or she is an alternate in the absence or incapacity of that member.
- 4.4 The Agency may co-opt further members, provided that the principle of equality of representation between the parties shall be adhered to at all times.
- 4.5 The Agency shall annually elect a chairperson from amongst its own ranks, provided that the chairperson shall annually rotate between a member appointed by the Wildlife Department and a member appointed by SANP.
- 4.6 A quorum for a meeting of the Agency shall be two members, provided that a member nominated by each of the parties shall be present.
- 4.7 Decisions of the Agency shall be taken by consensus.
- 4.8 Subject to this agreement, the Agency shall determine its own meeting times, rules and procedures.

- 4.9 Meetings of the Agency shall take place at such venue decided upon by the Agency.
- 4.10 The SANP shall until such time as another arrangement is made, provide secretarial services to the Agency.

5 Functions of agency:

The Agency shall:

- 5.1 act as a liaison forum between the parties for all matters pertaining to and arising from the implementation of the Management Objectives and the Management Plan;
- 5.2 recommend to the parties policies and actions necessary to implement the Management Objectives, the Management Plan, and any other aspect of the Bilateral Agreement which may be assigned to the parties, and also policies and actions which, in the opinion of the Agency, are necessary to maintain the cohesiveness and unity of the Park;
- 5.3 recommend amendments to the Management Plan to the parties, provided that such amendments comply with the Management Objectives;
- 5.4 make recommendations to the Foundation regarding matters which will further the implementation of the Management Objectives and which require co-operation between the parties and their respective Governments;
- 5.5 make recommendations to the Foundation regarding the allocation of funds to the respective parties;
- 5.6 make recommendations to the Foundation regarding further agreements to be entered into between them;
- 5.7 make recommendations to the Foundation regarding the harmonisation of statutes, regulations or any other law, rule or procedure which may apply to the Parks and which require a co-ordinated approach throughout the Park; and
- 5.8 annually report to the Foundation on its activities and the implementation of the Bilateral Agreement.

6 Financial matters:

Each party shall be responsible for the costs of its participation in the activities of the Agency. Should the parties jointly incur any costs flowing from the activities of the Agency or the implementation of this agreement, these shall be shared by the parties according to a formula agreed to by the parties. The gate fees for entry into the Parks shall be shared equally between the parties, while all other tourism and commercial revenues shall accrue to the Park generating such revenue unless otherwise agreed.

7 Co-operation:

The Parties hereby undertake to perform all such acts as may be required to give effect to the import or intent of this agreement or any agreement concluded pursuant to the provisions of this agreement.

8 Settlement of disputes:

- 8.1 Any dispute, question or difference arising at any time from this agreement, shall as far as possible be settled in an amicable manner. Should this prove impossible, the matter shall be referred for mediation in accordance with procedures to be determined by the Foundation.
- 8.2 If an amicable settlement is not reached after mediation has been attempted, the matter shall be finally determined by the Foundation.

9 Amendments:

Any amendment to this agreement shall be agreed to by the parties, reduced to writing and signed by the duly authorised representatives of the parties.

10 Entry into force and termination:

This agreement shall enter into force upon the same date as the Bilateral Agreement and shall remain in force until the termination of the Bilateral Agreement.

11 Language and notice:

11.1 All notices, correspondence or other documents required for or flowing from the implementation of this agreement, shall be in English and all meetings of the Agency shall be conducted in English.

11.2 The parties hereby choose as their respective addresses for all notices arising out of this agreement as the addresses of their head offices recorded in clause 1.

SIGNED at _____ this _____ day of _____ 1999.

AS WITNESSES:

1
name

THE PERMANENT
SECRETARY, MINISTRY OF
COMMERCE AND
INDUSTRY, BOTSWANA

2

SIGNED at _____ this _____ day of _____ 1999.

AS WITNESSES:

1
name

MAVUSO MSIMANG
THE CHIEF EXECUTIVE OF
THE SOUTH AFRICAN
NATIONAL PARKS

2

(1) The Parties undertake, respectively, to procure that the Gensbok National Park and the Kalahari Gensbok National Park (hereinafter jointly referred to as "the Parks" and separately as "the Park") be managed and controlled in accordance with the Management Objectives contained in this Agreement in general and in particular the Management Plan agreed to between the Botswana Department

Appendix 3: Statistics of the Kgalagadi Transfrontier Park (see. KTP 2005)

TOTAL VISITORS K GALAGADI

| MONTHS | | 2000/2001 | 2001/2002 | 2002/2003 | 2003/2004 | DIFFERENCE PREVIOUS YEAR |
|-----------------------------------|----------|---------------|---------------|---------------|---------------|-----------------------------|
| APRIL | | 3,316 | 2,678 | 2,641 | 2,408 | -8.8% |
| MAY | | 2,387 | 2,258 | 2,073 | 2,372 | 14.4% |
| JUNE | | 2,578 | 2,314 | 2,260 | 2,086 | -7.7% |
| JULY | | 3,119 | 3,347 | 3,126 | 3,628 | 16.1% |
| AUGUST | | 2,715 | 2,608 | 2,848 | 2,554 | -10.3% |
| SEPTEMBER | | 1,839 | 2,854 | 3,501 | 3,505 | 0.1% |
| OCTOBER | | 2,732 | 2,298 | 2,146 | 1,850 | -13.8% |
| NOVEMBER | | 1,193 | 1,278 | 1,175 | 1,184 | 0.8% |
| DECEMBER | | 1,328 | 1,444 | 1,531 | 1,502 | -1.9% |
| JANUARY | | 1,273 | 1,424 | 1,235 | 1,220 | -1.2% |
| FEBRUARY | | 864 | 834 | 850 | 850 | 0.0% |
| MARCH | | 1,283 | 1,772 | 1,780 | 1,450 | -18.5% |
| TOTAL | 0 | 24,627 | 25,109 | 25,166 | 24,609 | |
| TOTAL DIFFERENCE PREVIOUS YEAR | | | | | | -2.2% |

**K GALAGADI TRANSFRONTIER PARK
DAY VISITORS K GALAGADI**

| MONTHS | | 2000/2001 | 2001/2002 | 2002/2003 | 2003/2004 | DIFFERENCE PREVIOUS YEAR |
|-----------------------------------|----------|--------------|--------------|--------------|--------------|-----------------------------|
| APRIL | | 477 | 243 | 146 | 94 | -35.6% |
| MAY | | 230 | 195 | 97 | 71 | -26.8% |
| JUNE | | 307 | 103 | 101 | 98 | -3.0% |
| JULY | | 537 | 562 | 422 | 457 | 8.3% |
| AUGUST | | 260 | 361 | 191 | 172 | -9.9% |
| SEPTEMBER | | 115 | 317 | 350 | 327 | -6.6% |
| OCTOBER | | 278 | 189 | 82 | 65 | -20.7% |
| NOVEMBER | | 136 | 62 | 28 | 21 | -25.0% |
| DECEMBER | | 26 | 99 | 40 | 106 | 165.0% |
| JANUARY | | 48 | 94 | 104 | 32 | -69.2% |
| FEBRUARY | | 29 | 15 | 110 | 147 | 33.6% |
| MARCH | | 41 | 123 | 50 | 114 | 128.0% |
| TOTAL | 0 | 2,484 | 2,363 | 1,721 | 1,704 | |
| TOTAL DIFFERENCE PREVIOUS YEAR | | | -4.9% | -27.2% | -1.0% | |

**K GALAGADI TRANSFRONTIER PARK
FOREIGN VISITORS - K GALAGADI**

| MONTHS | 1999/2000 | 2000/2001 | 2001/2002 | 2002/2003 | 2003/2004 | DIFFERENCE PREVIOUS YEAR |
|-----------------------------------|--------------|--------------|--------------|--------------|--------------|-----------------------------|
| APRIL | 565 | 640 | 378 | 469 | 442 | -5.8% |
| MAY | 329 | 321 | 227 | 305 | 421 | 38.0% |
| JUNE | 343 | 197 | 206 | 185 | 257 | 38.9% |
| JULY | 391 | 514 | 353 | 310 | 565 | 82.3% |
| AUGUST | 940 | 903 | 705 | 927 | 1,024 | 10.5% |
| SEPTEMBER | 557 | 509 | 871 | 963 | 142 | -85.3% |
| OCTOBER | 692 | 835 | 735 | 523 | 976 | 86.6% |
| NOVEMBER | 864 | 798 | 882 | 596 | 923 | 54.9% |
| DECEMBER | 533 | 370 | 396 | 529 | 468 | -11.5% |
| JANUARY | 568 | 569 | 426 | 487 | 490 | 0.6% |
| FEBRUARY | 506 | 660 | 470 | 508 | 663 | 30.5% |
| MARCH | 647 | 518 | 593 | 661 | 543 | -17.9% |
| TOTAL | 6,935 | 6,834 | 6,242 | 6,463 | 6,914 | |
| TOTAL DIFFERENCE PREVIOUS YEAR | | -1.5% | -8.7% | 3.5% | 7.0% | |

**KGALAGADI TRANSFRONTIER PARK
TOTAL HUT OCCUPANCY KGALAGADI**

| MONTHS | | | | | | DIFFERENCE |
|-----------------------------------|-------------|-------------|-------------|-------------|-------------|---------------|
| | 1999/2000 | 2000/2001 | 2001/2002 | 2002/2003 | 2003/2004 | PREVIOUS YEAR |
| APRIL | 89.0 | 92.3 | 91.3 | 85.0 | 71.5 | -15.9% |
| MAY | 90.0 | 92.7 | 92.0 | 87.8 | 76.5 | -12.9% |
| JUNE | 80.7 | 92.9 | 89.1 | 85.5 | 73.2 | -14.4% |
| JULY | 93.3 | 94.0 | 95.7 | 92.8 | 83.3 | -10.2% |
| AUGUST | 93.7 | 97.0 | 90.7 | 93.3 | 82.5 | -11.6% |
| SEPTEMBER | 92.3 | 95.7 | 93.0 | 92.7 | 82.8 | -10.7% |
| OCTOBER | 86.8 | 91.1 | 88.3 | 80.9 | 67.8 | -16.2% |
| NOVEMBER | 80.0 | 81.2 | 76.2 | 54.4 | 39.5 | -27.3% |
| DECEMBER | 71.0 | 68.1 | 65.7 | 50.8 | 42.2 | -17.0% |
| JANUARY | 68.6 | 69.8 | 64.4 | 49.7 | 34.2 | -31.2% |
| FEBRUARY | 81.5 | 66.8 | 62.9 | 32.3 | 31.3 | -3.1% |
| MARCH | 79.4 | 85.8 | 82.5 | 55.5 | 46.8 | -15.7% |
| TOTAL | 83.9 | 85.6 | 82.7 | 71.7 | 61.0 | |
| TOTAL DIFFERENCE PREVIOUS YEAR | | 2.1% | -3.5% | -13.2% | -15.0% | |

**KGALAGADI TRANSFRONTIER PARK
TOTAL BED OCCUPANCY KGALAGADI**

| MONTHS | | | | | | DIFFERENCE |
|-----------------------------------|-------------|-------------|-------------|-------------|-------------|---------------|
| | 1999/2000 | 2000/2001 | 2001/2002 | 2002/2003 | 2003/2004 | PREVIOUS YEAR |
| APRIL | 66.4 | 68.7 | 71.4 | 69.8 | 62.4 | -10.6% |
| MAY | 59.2 | 59.5 | 64.7 | 64.6 | 63.0 | -2.5% |
| JUNE | 51.1 | 65.9 | 62.2 | 66.4 | 62.5 | -5.9% |
| JULY | 81.3 | 78.7 | 82.9 | 80.0 | 76.3 | -4.6% |
| AUGUST | 62.2 | 66.6 | 64.7 | 66.7 | 69.7 | 4.5% |
| SEPTEMBER | 59.7 | 64.3 | 61.1 | 63.7 | 69.5 | 9.1% |
| OCTOBER | 59.0 | 64.3 | 60.3 | 57.4 | 53.7 | -6.5% |
| NOVEMBER | 44.7 | 46.5 | 45.3 | 33.7 | 30.1 | -10.7% |
| DECEMBER | 50.3 | 47.4 | 46.1 | 37.0 | 35.8 | -3.2% |
| JANUARY | 49.5 | 53.0 | 46.6 | 38.0 | 29.5 | -22.4% |
| FEBRUARY | 49.8 | 37.9 | 42.1 | 20.0 | 25.5 | 27.5% |
| MARCH | 52.2 | 52.9 | 60.3 | 39.3 | 34.5 | -12.2% |
| TOTAL | 57.1 | 58.8 | 59.0 | 53.1 | 51.0 | |
| TOTAL DIFFERENCE PREVIOUS YEAR | | 3.0% | 0.3% | -10.0% | -3.8% | |

**KGALAGADI TRANSFRONTIER PARK
TOTAL CAMPING KGALAGADI**

| MONTHS | | | | | | DIFFERENCE |
|-----------------------------------|-------------|-------------|-------------|-------------|-------------|---------------|
| | 1999/2000 | 2000/2001 | 2001/2002 | 2002/2003 | 2003/2004 | PREVIOUS YEAR |
| APRIL | 70.4 | 102.0 | 93.8 | 72.3 | 71.8 | -0.7% |
| MAY | 65.4 | 92.6 | 86.3 | 73.0 | 61.0 | -16.4% |
| JUNE | 43.6 | 76.5 | 57.7 | 51.9 | 49.3 | -4.9% |
| JULY | 83.3 | 92.1 | 94.7 | 87.5 | 73.7 | -15.8% |
| AUGUST | 66.8 | 92.0 | 81.7 | 71.3 | 55.7 | -22.0% |
| SEPTEMBER | 60.7 | 90.0 | 86.7 | 73.1 | 78.3 | 7.2% |
| OCTOBER | 63.6 | 69.3 | 63.5 | 53.2 | 44.6 | -16.2% |
| NOVEMBER | 31.3 | 36.7 | 29.3 | 22.5 | 17.3 | -23.1% |
| DECEMBER | 42.0 | 43.7 | 44.0 | 32.8 | 32.7 | -0.3% |
| JANUARY | 46.7 | 47.5 | 36.2 | 32.3 | 23.3 | -27.8% |
| FEBRUARY | 34.3 | 23.1 | 20.5 | 13.3 | 18.7 | 40.4% |
| MARCH | 63.8 | 37.9 | 53.2 | 33.8 | 39.7 | 17.2% |
| TOTAL | 56.0 | 66.9 | 62.3 | 51.4 | 47.2 | |
| TOTAL DIFFERENCE PREVIOUS YEAR | | 19.6% | -6.9% | -17.5% | -8.3% | |

**KGALAGADI TRANSFRONTIER PARK
TOTAL TRADE KGALAGADI
(Total Trade = Filling Stations)**

| MONTHS | 1998/1999 | 1999/2000 | 2000/2001 | 2001/2002 | 2002/2003 | TARGET | ACHIEVE |
|------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|-------------|
| APRIL | R 199,545 | R 297,956 | R 335,414 | R 404,697 | R 502,984 | R 381,522 | 131.8 |
| MAY | R 180,061 | R 372,302 | R 325,942 | R 349,719 | R 348,939 | R 296,740 | 117.6 |
| JUNE | R 171,104 | R 324,614 | R 320,154 | R 363,006 | R 210,147 | R 339,131 | 62.0 |
| JULY | R 266,840 | R 367,174 | R 403,381 | R 469,194 | R 450,948 | R 423,914 | 106.4 |
| AUGUST | R 258,082 | R 321,413 | R 332,950 | R 342,612 | R 421,145 | R 423,914 | 99.3 |
| SEPTEMBER | R 198,245 | R 300,046 | R 414,216 | R 465,820 | R 356,140 | R 296,740 | 120.0 |
| OCTOBER | R 250,454 | R 382,438 | R 290,958 | R 335,833 | R 397,129 | R 381,522 | 104.1 |
| NOVEMBER | R 205,042 | R 191,662 | R 218,492 | R 212,227 | R 198,710 | R 339,131 | 58.6 |
| DECEMBER | R 196,471 | R 254,067 | R 274,302 | R 292,668 | R 211,140 | R 339,131 | 62.3 |
| JANUARY | R 193,138 | R 212,872 | R 232,604 | R 239,830 | R 278,025 | R 339,131 | 82.0 |
| FEBRUARY | R 157,698 | R 140,928 | R 180,272 | R 157,758 | R 185,568 | R 211,957 | 87.5 |
| MARCH | R 320,557 | R 237,387 | R 328,888 | R 296,959 | R 217,891 | R 466,305 | 46.7 |
| TOTAL | R 2,597,237 | R 3,402,859 | R 3,657,573 | R 3,930,323 | R 3,778,766 | R 4,239,138 | 89.1 |
| TARGET | R 2,128,000 | R 2,132,000 | R 2,381,000 | R 3,572,276 | R 4,239,138 | | |
| % ACHIEVE | 122.1 | 159.6 | 153.6 | 110.0 | 89.1 | | |

**KGALAGADI TRANSFRONTIER PARK
TOTAL TOURISM KGALAGADI**

(Accommodation, Entrance Fees, 4 X 4 Eco Trail, Night Drives & Day Walks, Bitterpan, Grootkolk, Tent kamp)

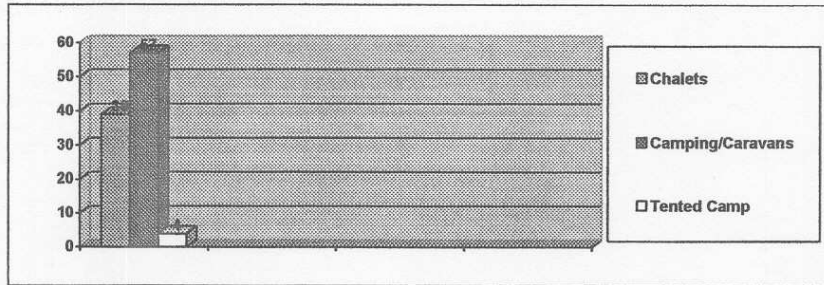
| MONTHS | 1998/1999 | 1999/2000 | 2000/2001 | 2001/2002 | 2002/2003 | TARGET | ACHIEVE |
|------------------|--------------------|--------------------|--------------------|--------------------|---------------------|---------------------|-------------|
| APRIL | R 406,921 | R 454,832 | R 533,886 | R 753,842 | R 1,195,288 | R 982,932 | 121.6 |
| MAY | R 358,492 | R 478,176 | R 542,716 | R 686,255 | R 930,035 | R 764,502 | 121.7 |
| JUNE | R 383,569 | R 529,876 | R 598,095 | R 776,046 | R 674,688 | R 873,717 | 77.2 |
| JULY | R 465,703 | R 515,074 | R 645,743 | R 872,616 | R 1,034,910 | R 1,092,146 | 94.8 |
| AUGUST | R 544,545 | R 495,649 | R 603,725 | R 775,405 | R 1,055,530 | R 1,092,146 | 96.6 |
| SEPTEMBER | R 373,007 | R 430,844 | R 742,738 | R 948,132 | R 873,995 | R 764,502 | 114.3 |
| OCTOBER | R 442,494 | R 577,584 | R 524,541 | R 653,286 | R 817,060 | R 982,932 | 83.1 |
| NOVEMBER | R 394,747 | R 315,232 | R 367,403 | R 403,335 | R 451,390 | R 873,717 | 51.7 |
| DECEMBER | R 349,049 | R 370,284 | R 537,497 | R 559,854 | R 403,641 | R 873,717 | 46.2 |
| JANUARY | R 367,426 | R 283,675 | R 423,296 | R 431,201 | R 538,016 | R 873,717 | 61.6 |
| FEBRUARY | R 313,778 | R 245,576 | R 312,447 | R 264,032 | R 345,671 | R 546,073 | 63.3 |
| MARCH | R 576,487 | R 437,615 | R 642,342 | R 611,096 | R 437,430 | R 1,201,361 | 36.4 |
| TOTAL | R 4,976,218 | R 5,134,417 | R 6,414,724 | R 7,735,100 | R 8,757,654 | R 10,921,464 | 80.2 |
| TARGET | R 4,518,350 | R 4,550,000 | R 5,113,552 | R 6,539,016 | R 10,921,464 | | |
| % ACHIEVE | | 112.8 | 125.4 | 118.3 | 80.2 | | |

**KGALAGADI TRANSFRONTIER PARK
TOTAL INCOME KGALAGADI**

| MONTHS | 1998/1999 | 1999/2000 | 2000/2001 | 2001/2002 | 2002/2003 | TARGET | ACHIEVE |
|------------------|--------------------|--------------------|---------------------|---------------------|---------------------|---------------------|-------------|
| APRIL | R 606,466 | R 752,788 | R 869,300 | R 1,158,539 | R 1,698,272 | R 1,364,454 | 124.5 |
| MAY | R 538,553 | R 850,478 | R 868,658 | R 1,035,974 | R 1,278,974 | R 1,061,242 | 120.5 |
| JUNE | R 554,673 | R 854,490 | R 918,249 | R 1,139,052 | R 884,835 | R 1,212,848 | 73.0 |
| JULY | R 732,543 | R 882,248 | R 1,049,124 | R 1,341,810 | R 1,485,858 | R 1,516,060 | 98.0 |
| AUGUST | R 802,627 | R 817,062 | R 936,675 | R 1,118,017 | R 1,476,675 | R 1,516,060 | 97.4 |
| SEPTEMBER | R 571,252 | R 730,890 | R 1,156,954 | R 1,413,952 | R 1,230,135 | R 1,061,242 | 115.9 |
| OCTOBER | R 692,948 | R 960,022 | R 815,499 | R 989,119 | R 1,214,189 | R 1,364,454 | 89.0 |
| NOVEMBER | R 599,789 | R 506,894 | R 585,895 | R 615,562 | R 650,100 | R 1,212,848 | 53.6 |
| DECEMBER | R 545,520 | R 624,351 | R 811,799 | R 852,522 | R 614,781 | R 1,212,848 | 50.7 |
| JANUARY | R 560,564 | R 496,547 | R 655,900 | R 671,031 | R 816,041 | R 1,212,848 | 67.3 |
| FEBRUARY | R 471,476 | R 386,504 | R 492,719 | R 421,790 | R 531,239 | R 758,030 | 70.1 |
| MARCH | R 897,044 | R 675,002 | R 971,230 | R 908,055 | R 655,321 | R 1,667,666 | 39.3 |
| TOTAL | R 7,573,455 | R 8,537,276 | R 10,072,297 | R 11,665,423 | R 12,536,420 | R 15,160,602 | 82.7 |
| TARGET | R 6,646,350 | R 6,682,000 | R 7,494,552 | R 10,111,292 | R 15,160,602 | | |
| % ACHIEVE | 113.9 | 127.8 | 134.4 | 115.4 | 82.7 | | |

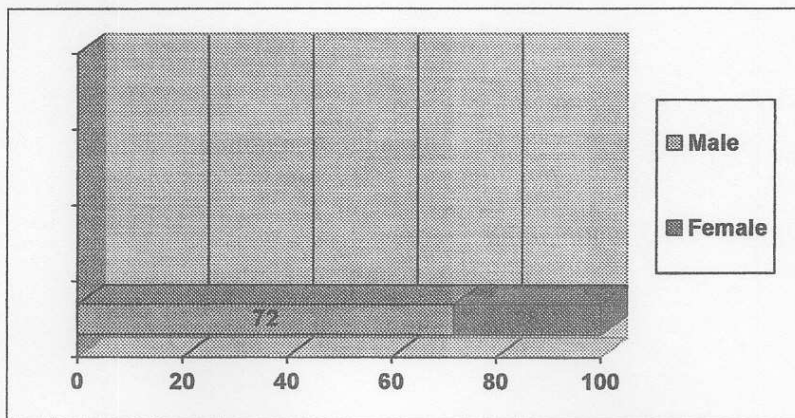
Appendix 4: Statistics – Visitors of the KTP (see. Saayman 2002: 49 et seq.)

TYPE OF ACCOMMODATION

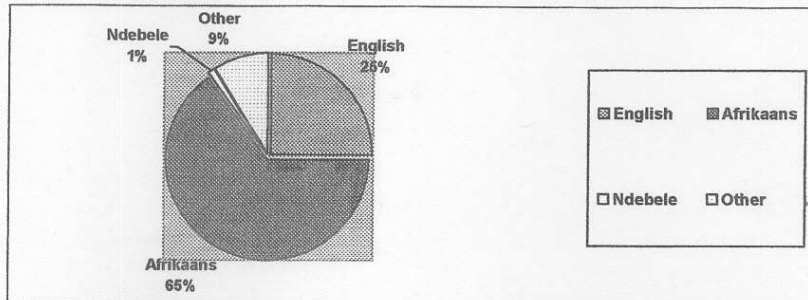


| Age Groups | % |
|------------|-----|
| 16-19 yrs. | 3% |
| 20-24 yrs. | 13% |
| 25-34 yrs. | 27% |
| 35-49 yrs. | 32% |
| 50-64 yrs. | 20% |
| 65+ yrs. | 5% |

GENDER



HOME LANGUAGE



THE KALAHARI BUSHMEN

by
DONALD BAIN.

The Bushmen of the Kalahari Desert who have been brought to Johannesburg for the British Empire Exhibition, represent the last living remnants of a fast dying race. They live as our forefathers lived thousands of years ago, depending upon their skilful use of bows and poisoned arrows, with which they hunt the wild life of the desert, for the wherewithal to exist; their only other supplies consisting of the scarce fruits and roots of the "Great Thirst."

I believe that if once the public of South Africa become conversant with the dire plight in which the few remaining Bushmen find themselves to-day, an effort will be made to bring about the establishment of a Reserve, where they, their children, and their children's children may live in peace and contentment for generations to come.

Adequate reservations have been set aside to protect the gemsbok. The Kruger National Park provides a national sanctuary for the preservation of the wild life of the country, and yet we find a mere handful of people, whose forefathers owned the entire Sub-Continent, crowded into the heart of a dry, arid desert region, and left to die—a simple, lovable people, unfortunately unable to assimilate the methods of modern civilisation, and on the other hand asking for none of the conveniences of that civilisation.

The Bushmen desire a home—a sanctuary and a retreat, where they may live as their forefathers have lived for centuries past, in the pursuit of their daily happiness in their own manner and in their own way.

It is to be hoped that a society will be formed for the avowed purpose of establishing such a sanctuary. In this undertaking the aid and co-operation of the Government must be secured. Such a Society must of necessity have funds with which to carry on its activities.

As we view these children of the desert playing their primitive games and dancing their primitive dances before curious spectators in the Bushman Camp at the Empire Exhibition, let us not feel that they are being unduly revealed to the public gaze for the purpose of private gain. Let us rather feel as they feel, that they are working for a home, a land, and for the perpetuation of their race.

Surely, greater prices have been paid by more fortunate humans since the dawn of time.

Appendix 6: The Welkom Declaration

Welkom, 6th February 2004

Die Welkom Verklaring ***The Welkom Declaration***

Hiermee verklaar ons, die oorspronklike inwoners van die Kalahari Gemsbok Park, nou die Kgalagadi Transfronteir Park, die volgende:

We, the original residents of the Kalahari Gemsbok Park, now the Kgalagadi Transfrontier Park, hereby declare the following:

1. Ons Kruiper familie en nageslag wil graag nou die volgende onder die aandag van die wereld en ons Regering bring. *Our Kruiper family and descendants wish to bring the following to the attention of the world and to our Government.*
2. Ons laaste en oorspronklike volk, ook oorspronklike eisers van die ‡Khomani San Grondeis bedank die Regering vir die land wat hulle aan ons gegee het, maar ons is diep hartseer, en dra die afgelope vyf jaar die pyn saam met ons, en ons is bitter ontevrede oor hoe daar met ons Kruiper familie behandel word, ons word verneder, afgekraak and gediskrimineer. *The last of our original people, also the original claimants in the ‡Khomani San Land Claim, thank the Government for that land given to us, but we are deeply heartsore, and have carried this pain with us for the past five years, and we are bitterly dissatisfied over the manner in which our Kruiper clan has been treated, we are insulted, belittled and discriminated (against).*
3. Ons, die Oudstes en gebore Park Boesman met ons kinders and kleinkinders will die volgende baie duidelik stel: *We, the Elders, Bushmen born in the Park, together with our children and grandchildren would like to clearly state the following:*
 - (i) Ons eis al ons regte en grond oor die hele Park, want dit wat ons gekry het is 'n lee dummy en ons is nie tevrede nie. *We claim all our rights and land in the whole Park, because that which we have been given is an empty dummy and we are not satisfied.*
 - (ii) Ons is gebore in die Park, al ons voorouers le daar begrawe, en ons voel soos vreemdelinge op ons eie geboorte grond. *We were born in the Park, all our ancestors lie buried there, and we feel like strangers on our land of birth.*
 - (iii) Ons wil loop op die voetspore van ons grootouers en die kennis, kultuur wat hulle aan ons nagelaat het, aan ons kinders oordra. *We wish to follow in the footsteps of our elders, and transmit the knowledge and culture which they bequeathed us, to our children.*
 - (iv) Die Park is ons erfenisgrond, ons is trots daarop en wil gaan woon binne die Park waar ons gebore is. *The Park is our heritage, we are proud of it and wish to live in the Park where we were born.*

- (v) Ons is slegs nog 'n handjievol en wil nou ons regmatige erkenning en eienaarskap verkry, genoeg is genoeg, ons word baie afgeskeep. *We are only a handful of remnants and must now gain our rightful recognition and ownership, enough is enough, we are being completely brushed aside.*
- (vi) Ons is nie skaam om te bewys ons is die oorspronklike stam nie, want ons regte word weer vanaf ons mense ontnaem, net soos die Park gedoen het, met ons voorouers (proklamering). *We are not hesitant to prove that we are the original clan, because we are again being deprived of our rights, just as the Park did to our ancestors (proclamation).*
- (vii) Ons Kruiper familie het mense verloor in die proses van die grondeis, ons voorouers het diep spore getrap in die geskiedenis van die Gemsbokpark, ook in die opbou en ontwikkeling van die Park. *Our Kruiper clan has lost members in the process of claiming the land, our ancestors trod deeply in the history of the Gemsbok Park, as well as in the development of the Park.*
- (viii) Daarom vra ons weer die Regering om ons grond in die Park terug te gee, want ons ouers and voorvaders het regoor die Park gewoon. *We therefore again request the Government to give us back our land in the Park, because our parents and ancestors lived throughout the Park.*
- (ix) Ons kennis en kultuur het amper heeltemal uitgesterf. Wat laat ons na vir ons kinders and toekomstige geslagte? *Our knowledge and culture has almost completely died out. What are we leaving for our children and future generations?*
- (x) Ons laaste oorblywende grootvroue van die Kruiper familie wil ook bevestig dat ons is daar gebore in die Park, ons het jongvroue geword binne die Park, ons het ons kinders gebaar daar in die Park, maar waar is ons vandag? Ons is vandag vreemdelinge op ons eie grond. *The last remaining matriarchs of the Kruiper clan also confirm that we were born in the Park, became young women in the Park and bore our children in the Park, but where are we today? Today we are strangers on the land of our birth.*
- (xi) Ons kan nie lees en skryf nie, maar van ons het geleerdheid, maar ons het die kennis binne ons, in ons harte. Ons grootouers het die Xabe' taal gepraat, ons hul geskigte praat nou Namataal omdat ons tussen Nama's gebly het. *We cannot read or write, but some of us have education, but we have knowledge inside us, in our hearts. Our ancestors spoke the Xabe' language, some of us speak Nama language because we lived among Nama people.*
- (xii) Ons wil hierdie grondeis appelleer indien nodig, ons Kruiper geslag wat insluit die Ubusebs, Thalagabs, Malgasse, Nsamane en Bladbeen families. *We wish to appeal this Land Claim if necessary, we the Kruiper generation which includes the Ubusebs, Thalagabs, Malgasse, Nsamane and Bladbeen families.*
- (xiii) Ons wil eienaarskap neem, soos bepaal op 'n vorige CPA vergadering, op die tradisionele plase, Erin, Witdraai en Miershooppan en ons eie ontwikkelingsplanne op stel en te bestuur. *We wish to assume ownership, as*

already agreed at a previous CPA meeting, of the traditional farms Erin, Witdraai and Miershooppa and draw up our own development plans and manage them.

- (xiv) Ons is die laaste en oorspronklike stam en dring daarop aan om terug te gaan en te gaan woon op die grond van ons en ons voorvaders, ons dring daarop aan. *We are the last and original clan and insist on going back to our land and on living on the land of our forefathers, we insist on this.*

Die verklaring is saamgestel deur die oorspronklike Parkgebore San en ook die oorspronklike eisers and ook deur hulle onderteken.

This Declaration has been compiled by the original San born in the Park and the original Land Claimants, and also signed by them.

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Lena Malgas

Sanna Festus

Jakob Malgas

Elsie Rooi

Andries Toppies Kruiper

Hendrik Pien Kruiper

Fytjie Kruiper

Elia Festus

John Kruiper

Anna Thys

Floors Thys

Anna Festus

Magriet Malgas

Abraham Malgas (Snr)

Filemon Penkop Kariseb

Abraham Tokkie Malgas (Jnr)

Betty Malgas

Paulus Festus

Tina Swarts

Willem van Wyk

Sanna Gais Kruiper

Piet Koper

Johannes Kortman

CURRICULUM VITAE

Name: Robert Konrad
Date of Birth: 23. November 1979
Nationality: Austria

Education

1986 – 1990 Elementary School in Jagerberg (Styria)
1990 – 1998 Grammar School in Leibnitz
1999 Enrolment at the University of Vienna / Study of Culture- and Social Anthropology
2003 – 2004 Erasmus Exchange Semester at the University of Utrecht/Netherlands

Additional Training

1998 Training as Peace Servant (Friedensdiener) at the Austrian Peace Service (ÖFD)
1999 – 2002 Study of Political Sciences (first Phase)
2000 Trained Game- and Experience Pedagogue
2004 Training in non-violent Communication and Conflict Resolution
2006 Training as Youth Worker at the Institute for Leisure Time Pedagogy (IFP)

Research Experience

2002 Study Trip to Botswana and South Africa
2003 Practical Course in Ghana
2005 Field Research in South Africa

Work Experience

1998 – 1999 Peace Service (Alternative Civil Service) at the NGO Youth Peace Group Danube (YPGD) in Vukovar/ Croatia
2000 – 2005 Game- and Experience Pedagogue with the company Freiraum
2003 – 2005 Park Supervisor with Kiddy & Co, Association for Youth Work
Since 2006 Youth Social Worker with Kiddy & Co Association

Voluntary Work

- Since 2000 Voluntary work with the Austrian Peace Service (2004 – 2007 Member of the Board)
- 2001 – 2002 European Voluntary Service in Ireland/Dublin. Task: Support of mentally and physically handicapped people
- Since 2008 Voluntary work with the Southern Africa Documentation and Co-operation Centre (SADOCC)

Language Skills

English, Bosnian/ Croatian/ Serbian

Basic Knowledge: French, Spanish, Dutch