Kgalagadi Transfrontier Park and its land claimants: a pre- and post-land claim conservation and development history

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Abstract
Kgalagadi Transfrontier Park is located in the Northern Cape Province of South Africa and neighbouring Botswana. The local communities on the South African side, the Khomani San (Bushmen) and Mier living adjacent to the park have land rights inside and outside the park. The path from a history of land dispossession to being land owners has created conservation challenges manifested through heightened inter- and intra-community conflicts. The contestations for land and tourism development opportunities in and outside the park have drawn in powerful institutions such as the governments, South African National Parks, private safari companies, local interest groups and NGOs against relatively powerless local communities. This has consequently attracted national and international interest since it may result in further marginalization of the communities who lack the power to negotiate resource access. Moreover, the social and political system of the San is romanticized while little is reported about the Mier, who are an integral part of the park management system. To make these issues more accessible to a growing audience of interested parties and to better understand present conservation and development challenges and opportunities, this paper synthesizes information on the pre- and post-land restitution history of the park and the adjacent communities.

Keywords: Kgalagadi Transfrontier Park, land claims, land restitution, co-management, community conservation, natural resource management

1. Introduction
The Kgalagadi Transfrontier Park (KTP) lies in the heart of the Kalahari semi-desert of Southern Africa, with the park land shared between South Africa and Botswana and bordering on Namibia. The park’s surroundings are home to two local communities, the Khomani San and the Mier, with a long history of callous land dispossession by white settlers (Robins 2001, Chennells 2001). In a land settlement claim, both communities were awarded land inside and outside the park as a way of redressing past imbalances and improving livelihoods. The park attracts a large number of both domestic and international tourists owing to its biodiversity and Bushmen cultural richness. International interest in and concern about indigenous people and their livelihoods, especially within the context of local natural resource use in general and access to protected areas in particular, has increased in recent years. In particular, interest in the livelihoods of the San and Mier has increased due to several factors: a long history of land dispossession, the dryland context of the Kalahari that offers limited livelihood opportunities, changes in conservation approaches and an obligation for South African National Parks (SANParks) to take cognisance of local communities, a growing appreciation of the unique
San culture, the ongoing internal community conflicts, and renewed interest in indigenous communities and sustainable resource use. According to SANParks’ policy on resource use, ‘... they are fully committed to supporting the preservation of the Khomani San culture, through cultural activities including sustainable resource use, in the San Symbolic and Cultural Zone. Therefore, under mutually agreed conditions and in line with the management plan, the Khomani San, as an indigenous community, will be allowed to use natural resources for cultural, historical and ceremonial purposes in accordance with indigenous traditions. It is recognized that such sustainable resource use could include traditional bow hunting for cultural and ceremonial purposes’ (Khomani San 2007).

However, information about the park and especially the two communities is scattered and often writings are highly discipline specific and seldom viewed together. There is a need to understand this complex system from an interdisciplinary perspective. Moreover, a combination of nested institutional dynamics and assumptions-based information has been confusing and misleading, making it difficult to develop a working knowledge of the area. To make the issues more accessible to a growing audience of interested parties and to better understand present conservation challenges, this paper synthesizes and analyses historical and more recent information on the social and political aspects of the park and adjacent communities.

We drew on both political ecology (Peet and Watts 2004, Robbins 2004) and social–ecological systems (SESs) (Berkes and Folke 1998) theory and perspectives to provide a framework within which to analyse the complex, socially rooted, human–environment interactions we investigate in this review. Political ecology focuses on the study of power relations in land and environmental management, especially on asymmetries of power among actors providing valuable perspectives for understanding social dynamics (Robbins 2004), while the concept of SESs emerged to counter the ineffectiveness of conventional approaches in dealing with the complexity of natural resource management challenges. The SES approach focuses (a) on integration—recognizing that social and natural domains are linked through a complex web of interdependencies—and (b) on the inevitability of change and uncertainty and therefore the need for adaptive responses (Berkes et al 2003). The idea of flexible and adaptable institutions for natural resource management is central to SES thinking (Berkes et al 2003, Ostrom 2009).

At the heart of political ecology is the analysis of knowledge production, allowing deconstruction of myths, narratives and discourses linked to the quest for control over land and resources (Peet and Watts 1996). In the context of this study, a focus on power relations is critical since the intricacies of power often breed unequal costs and benefits for different actors. Political ecology also uses an historical approach to understand how the past affects the present (central to this paper), and hence allows an analysis of conflicts and struggles over meanings as well as over land and resources. Political ecology takes the side of the marginalized and therefore enables detailed analyses of local practices, knowledge and perceptions, which can be used to point to alternatives to current policies and create new understandings of conservation and development challenges.

Both approaches suggest that a look at institutions is critical to understand complex social interactions. SES approaches (e.g. adaptive co-management, Armitage et al 2009) place an emphasis on the importance of adaptive institutions for natural resource management, thus building resilience to change. Such adaptive institutions depend on the existence of a variety of local conditions including vision, trust, leadership, strong social networks and monitoring mechanisms amongst others (Armitage et al 2009). These in turn may be influenced by a multitude of internal and external factors that are important to understand, including historical processes (Folke et al 2005). Political ecology maintains that institutions should not be reduced to a set of ‘rules’ but be understood in terms of ‘meaning’ and ‘power’. It also recognizes the importance of distinguishing between ‘rules’ and ‘practices’ (what people say they do and what they actually do) since institutions can be seen as practices or regularized patterns of behaviour.

This combination of an emphasis on power inherent in political ecology and the importance of multiple linkages and influences, complexity, and adaptive institutions in SESs provides a way to navigate through the various historical and contemporary writings and current observations and data on the San and Meir communities and the park. It allows us to explore the status quo and future concerns by considering past and more recent conservation and development relationships (tensions, conflicts, synergies and power plays) in the KTP and surrounding communal lands, through analysis of the activities, experiences and perspectives of the two local communities.

2. Approach

This paper is part of an ongoing project in the KTP area that considers natural resource use, values and access and management institutions amongst the San and Mier communities. We used both primary data (household interviews, key informant interviews, focus group discussions and observations) and historical and contemporary secondary data sources (books, articles, journals, minutes, rules and regulations documents and local newspaper reports) to obtain information on the social, political and conservation history of the park and the two local communities. This information was analysed and synthesized, using the above framework as a guide, to develop a narrative that reflects on the past and its links to the complex natural resource management challenges found today. Personal experiences and informal discussions with ordinary community members and other key individuals, such as lodge shop floor workers and SANParks staff, were also a key source of information especially on more recent events concerning the park and the surrounding communities. These multiple sources of information provided a way to examine the social dynamics and imbalances in power amongst local actors, institutional functioning and complexity, and how community perspectives may differ from those commonly articulated by external actors.
3. Analysis and discussion

3.1. The Kalahari region and KTP

The Kalahari region is a vast, gently undulating, waterless and sandy semi-desert ecosystem 900 m above sea level, spanning Botswana, Namibia and South Africa (Madzwamuse et al. 2007). Temperature extremes are common reaching 45°C in summer to well below freezing point in winter (van Rooyen 1998). Most of the rain falls between January and April with an average annual precipitation rate of 200 mm (Low and Rebelo 1998). Therefore, low average rainfalls, intermittent surface water and poor (wind blown) soils make agricultural production of any type a testing land use option (Bradstock 2006). In terms of vegetation characteristics, shrubby Kalahari dune bushveld predominates (van Rooyen and Bredenkamp 1996) and is distinguished by scattered shrubs of camel thorn (Acacia erioloba), grey camel thorn (Acacia haematoxyylon) shepherd trees (Boscia albitrunca) and false umbrella thorn (Acacia luderitzii) and grasses such as dune bushman grass (Stipagrostis amabilis), gha grass (Centropodia glauca) and giant three-awn (Aristida meridionalis).

As well as this array of biodiversity, the Kalahari is home to Southern Africa’s earliest and only indigenous hunter-gatherer people, the San or Bushmen as they prefer to be called. Before the influx of Bantu from the North, the San roamed widely in Southern Africa, as evidenced by their rock art in caves across the region, but were slowly forced to retreat into the Kalahari, through persecution by the Bantu settlers in the North and European settlers in the South. Few other groups had the tenacity and knowledge to survive in this desert. Today the San, through repeated marginalization, are among one of the poorest communities in Southern Africa (Chennells 2001).

The KTP is situated in the heart of the Kalahari falling within Northern Cape Province of South Africa and southern Botswana from 22° 10’ East, 20° 0’ West, 24° 6’ North and 26° 28’ South (figure 1). It consists of an area of 37 256 km² (SANParks 2006) and is one of the very few conservation areas of this magnitude left in the world (Bright 2005, Scovronick and Turpie 2009). The KTP, Africa’s first transfrontier park (Hanks et al. 2003), was formed by the amalgamation of the former Kalahari Gemsbok National Park in South Africa and the Gemsbok National Park in Botswana in April 2000. Its major biodiversity characteristics are a large herbivore migratory and arid ecosystem which supports a fully functional large carnivore predator/prey system and an important refuge for a large raptor community (Kepe et al. 2005, SANParks 2006).

3.2. The pre-land restitution history of KTP and the local communities (1865–1994)

Before European settlement in the late 19th century, the South African part of the KTP was the Bushmen people’s hunting and gathering territory. The San are commonly considered to be the earliest inhabitants of the Southern African subcontinent and one of Africa’s oldest indigenous peoples (Barnard 1992, Chennells 1999, 2001, 2009, Holden 2007, Hitchcock 1987, 1996, 2002). In their long history, there is no evidence that they have ever needlessly exploited nature and some commentators describe the San as the world’s greatest conservationists (e.g. Heinz 1972, Lee 2006, Hupston 2009). The hallmark of their social attitudes was their utter belief in cooperation within the family or bands, between clans and with nature itself through their sense of place; a sense of belonging, sharing and rootedness in place (Lee 2001, 2006). Elements of this philosophy persist up to this day. Natural resources were viewed as common property; land tenure was held in the name of the band and all band members had rights to resources on this land. Elaborate rules were developed as necessary for reciprocal access to resources between bands (Lee 1979, Heinz 1979).

However, it was this very identity that saw the Bushmen as a powerless group to be persecuted and pushed aside by others, firstly by the Bantu settlers and then by European colonists (Tanaka 1980, Holden 2007). According to Chennells (2001), in every country where the San once roamed, their evictions from traditional lands had been effected in such a way as to appear ‘legal’. The removal of resident San to make way for nature reserves (the proclamation of the Kalahari Gemsbok National Park in South Africa in 1931) in order to provide pristine areas of ‘wilderness’ for tourism and recreation of the upper classes is one example (Chennells 2001, Hitchcock 2002, Maruyama 2003). The conservation paradigm of the South African government of the time, in keeping with the rest of the Western World, was simply ‘separatist’ (Gall 2001). The creation of the Kalahari Gemsbok National Park in 1931 (see table 1) therefore forced the original inhabitants to live on their ancestral land as servants (Ross 1983, Worden 1985) or labourers on farms, with remuneration often being paid in kind or alcohol (Chennells 2009, Useb 2000, Bosch and Hirschfeld 2002). Their hunter-gatherer lifestyle was effectively destroyed. The emergence of the
race classification legislation (the Group Areas Development Act) in 1955 designed by the apartheid government that came to power in 1948 further marginalized the San. In terms of this legislation, the San were classified as coloured\(^3\) (mixed race). Robins\(^1\) (2001) maintain that many people with San ancestry opted to identify with the new coloured identity due to the negative connotations associated with the term ‘Bushmen’ under apartheid. Consequently, unlike the coloureds and black Africans, the San people were not given their own ‘reserves’ as it was assumed that they were thoroughly assimilated into the coloured population. This contributed to the particularly marginalized identity of the San, as demonstrated today by the small number of San native language speakers (Robins\(^1\), 2001), and led to the erosion of their culture and way of life resulting in their transition from a highly independent, resilient group of people to one with high dependency on the state and problems with substance abuse, poverty and low self-esteem. During apartheid it could be said that the most prominent characteristics of San identity were their shared experiences of dispossession, mistreatment, exploitation and neglect by those more economically and politically powerful than themselves (Hitchcock\(^2\) 2002).

In terms of contemporary livelihood strategies, the San combine government poverty relief projects, social welfare grants, craft-making, filming appearances, livestock rearing and collection of wild products among others to make their living. The living conditions of the San, however, vary widely. Some continue to hunt and gather on traditional land, while others eke out humble lives in rural poverty, working for low wages on neighbouring farms (Chennells\(^3\) 2009).

The coloured Mier community of the Kalahari mainly originated from the people of Captain Vilander who fled British rule in the Cape Colony in 1865 (van Rooyen\(^2\) 1998). They are believed to have settled themselves more than 150 years ago across an extended area that reached from Rietfontein as the central point to the Orange River and into present day Namibia and Botswana, displacing many of the San in the process. Most Mier people were predominantly farmers, with cattle, sheep and goat husbandry forming their main source of livelihood. The Mier community is still generally perceived as an agricultural community, though other sources of livelihood are becoming increasingly important (e.g. wage labour and social grants) (Koster\(^3\) 2000). Since the 1860s, the Mier also suffered at the hands of settlers and the apartheid government. It is reported that many of the original occupiers lost their land rights at the beginning of the 20th century, allegedly by stealth and treachery (van Rooyen\(^2\) 1998), when the then Kalahari Gemsbok National Park was established. It is argued that the Mier were unfairly pushed into the unproductive hardveld\(^4\) south of the park and Kalahari dunes where they faced water shortage problems for their livestock. Their fate was also further worsened by the race classification legislation of 1955, which marginalized the Mier on the basis of their colour. The once independent community was reduced to living on small pieces of land designated as coloured reserves where they struggled to make a living.

They therefore took to hunting and together with the biltong (South African term for dried meat) hunters from further afield gradually went on game hunting sprees. To protect the ecosystem from ‘wanton degradation’ by the farmers and biltong hunters, the then Minister of Lands, Piet Grobler, decided to proclaim the area a National Park in 1931, displacing the powerless Mier further south of the park (see chronology of events in table 1). In 1938, the British government proclaimed a new game reserve across the Nossob in what is today Botswana. After World War I, game fences were erected along the park’s western and southern boundaries, effectively cutting local people off, but the Eastern boundary remained unfenced and open for animal migration from east to west. In June 1992, representatives from the South African National Parks Board (present day SANParks) and the Department of Wildlife and National Parks of Botswana set up a joint management committee to manage the area as a single ecological unit, cementing efforts to make conservation and wildlife the priority for the area and affecting communities in both countries. An integral feature of the agreement was that each country would provide and maintain its own tourism facilities and infrastructure, giving particular attention to developing and involving communities living adjacent to the park.

In South African, as part of the shifting conservation paradigm, the idea was later to allow local San and Mier communities access and sustainable resource use rights in the park, against a background of land dispossession where both the San and Mier were not only confined to smaller territories, but also prevented from practising their traditional foraging and livestock rearing practices respectively. Getting access to the park was seen as a way of addressing some of the social–economic challenges (such as high levels of unemployment, low education levels, dependence on state grants, alcoholism, domestic violence and associated social problems, see Ellis\(^2\) 2010) that had become characteristic of, particularly, the San as a result of land dispossession. However, the challenges of basically pitching relatively powerless communities against powerful and organized park management (which resulted in further disempowerment) were overlooked.

3.3. The post-land claim history of the park and the two communities

After the election of a democratic government in 1994, the San and Mier communities prepared and submitted a claim for the restitution of their traditional land asserting that its members had been illegally alienated from their ancestral lands following the proclamation of the park in 1931 (Bosch and Hirschfeld\(^2\) 2002, Kepe\(^2\) et al\(^4\) 2005, Bradstock\(^3\) 2006, Ellis\(^3\) 2010; table 1).

Though the communities did not get all the land claimed in the park, the package to the San included: 25 000 hectares

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\(^3\) The term coloured in South Africa refers to an ethnic group of mixed race who possess some Sub-Saharan Africa origin but not enough to be considered black according to South African laws since they often possess substantial ancestry from other continents such as Europe and Asia.

\(^4\) A hardveld is a hard-surfaced grazing area formed by igneous and metamorphic rocks, overlaid by loamy soils and characterized by active erosion. It is subject to frequent climate extremes such as drought and is therefore very marginal for livestock farming.
### Table 1. Chronology and summary of key historic events.

| Date       | Key event                                                                                                                                                                                                 |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1865       | The Mier community flees British rule in the Cape Colony, comes to live in the Northern Cape and displaces many of the San in the process                                                                         |
| 1884       | A German national, Stoffel Le Riche ventures into the Kalahari from Namibia                                                                                                                               |
| 1891       | Park area, part of which the Mier had occupied, annexed to Botswana formerly Bechuanaland                                                                                                                  |
| 1913       | Natives Land Act of 1913 forcibly displaced the local indigenous communities across the country                                                                                                               |
| 1914       | Union of SA Government drills boreholes along the Auob river to provide their troops with water as a strategic move to invade South West Africa, now Namibia (outbreak of World War I)    |
| 1920s      | Farmers and biltong farmers start to kill game as food supplement due to the harsh environment but to unsustainable levels                                                                                 |
| 1930       | The Coloured Persons Settlement Areas (Cape) Act was implemented                                                                                                                                       |
| 1931       | Kalahari Gemsbok National Park proclaimed by the then Minister of Lands, Piet Grobler, to prevent the further depletion of game by farmers and biltong hunters through the National Parks Act |
| 1938       | The British government proclaimed a new game reserve across the Nossob in what is today Botswana, i.e. present day Botswana Gemsbok National Park                                                                 |
| 1938       | Game fences erected along the park’s western and southern boundaries; eastern boundary remains unfenced for animals to migrate from east to west                                                             |
| 1948       | An informal verbal agreement of a Transfrontier Park between the conservation authorities of the then Bechuanaland Protectorate (now Botswana) and the Union of South Africa (now South Africa) |
| 1955       | Race classification in South Africa through the Group Areas Development Act, Act No 69 of 1955, introduced resulting in further marginalization of the San and exacerbated their loss of identity as a distinct ethnic group due to their classification as ‘coloured’ |
| 1970       | Most San had totally been dispossessed of their traditional land in the Kalahari, and were spread all over South Africa, living in small groups or clans                                                          |
| June 1992  | Representatives from the South African National Parks Board and the Department of Wildlife and National Parks of Botswana set up a joint management committee to manage the area as a single ecological unit |
| 1994       | New democratic government elected in South Africa                                                                                                                                                         |
| 1995       | The Khomani San and Mier launch a land claim for return of their ancestral land rights in the park                                                                                                          |
| 1996       | Major uproar, as hoodia, a desert succulent traditionally used by the San is secretly patented by the Council for Scientific and Industrial Research (CSIR), a South African government research organization |
| Early 1997 | A management plan drafted, reviewed and approved by the two conservation agencies of Botswana and South Africa                                                                                              |
| March 1999 | Former Deputy President Thabo Mbeki signs an historic land restitution settlement with the Khomani San tribe of Kalahari Bushmen                                                                            |
| March 1999 | First phase of the land claim completed as the government returned 40 000 ha and 42 000 ha of farmland outside the park to the Khomani San and Mier respectively                                                   |
| 7 April 1999 | Botswana and South Africa sign an historic bilateral agreement to manage their adjacent national parks as a single ecological unit                                                                               |
| 12 May 2000 | Former presidents Festus Mogae of Botswana and Thabo Mbeki of South Africa formally launch Southern Africa’s first peace park, the Kgalagadi Transfrontier Park                                                    |
| May 2002   | 25 000 ha of land given to the San (San Heritage park) and 30 000 ha to the Mier (Mier Heritage Land) together forming the community Ae! Hai! Kalahari Heritage Park                                          |
| August 2002 | The Joint Management Board (JMB) is established                                                                                                                                                            |
| July 2007  | !Xaus Community Lodge in the Contract Park opens                                                                                                                                                          |

in the park (with symbolic rights, such as access to grave sites, former residential sites and any other sites of cultural significance); 36 000 hectares of farmland outside the park for grazing and game farming; and 7000 hectares of land donated by the Mier as a gesture of reconciliation—since they also displaced the San in the past. The Mier land claim overlapped with that of the San community (Chennells 1999). The settlement resulted in the transfer of about 42 000 hectares of land outside the park and about 25 000 hectares of park land (Bosch 2005). The park land given to the two communities now functions as a joint ‘Contract Park’ (Bosch and Hirschfeld 2002, Fabricius 2004, Ramutsindela 2002). The Contract Park is supposed to generate socio-economic benefits through commercial ventures such as ecotourism (Chennells 2001, Bosch and Hirschfeld 2002). The San also intended to use this land restitution to recapture their language and culture and reconstruct their identity. The Contract Park is jointly managed by SANParks (the principal conservation authority) and the two land owners through the Joint Management Board (JMB) (Reid et al 2004, Kepe et al 2005, SANParks 2006). Members of the San community are allowed relatively free access (in the rest of the park) for purposes such as visiting culturally and symbolically important sites, food or medicine gathering and educational trips under the control of park management.

The restitution of communal land rights procedure in South Africa involves an observance of the Communal Property Associations Act 28 of 1996. The Act enables communities to form juristic bodies, to be known as Communal Property Associations (CPAs), in order to acquire, hold and manage property on a basis agreed to by members of a community in terms of a written constitution (SAHRC 2004). Such a CPA was formed by the claiming communities to take ownership of the farms outside of the park.
4. Challenges to making the land restitution and community conservation agreement work

While the KTP case can be lauded as a model for acceptable future conservation approaches, the issues and problems facing the different stakeholders and, in particular, the local communities in the successful implementation of the agreement in and outside the park have not been systematically recorded. Elucidation of such information is critical in understanding co-management in the park, associated socially embedded interactions (such as power plays, tenure issues and institutions) and whether the settlement with the San and Meir will be sustainable into the future. This reflection could also be beneficial to other players involved in identifying future transfrontier parks and improving those already in existence. Since the launch of the KTP, a number of other TFCAs (such as the Great Limpopo Transfrontier Park and the Ai-!Ais-Richtersveld Transfrontier Park) have been formed and more are in the planning process, not just in Southern Africa but in the rest of Africa as well.

4.1. Heterogeneous communities

As noted earlier, the Khomani San people today, due in a large part to their history of forced removals and separation, are not a homogeneous society but a collection of different people brought together to make up the required number for the land claim. They are united only by their ancestors’ experience of being hunters and gatherers in the Kalahari and by their dispossession and marginalization (Chennells 2001, 2009). While prior to the land claim strategic narratives of community solidarity, social cohesion and cultural continuity were put forward, leading to a successful land claim, the post-settlement period was and continues to be characterized by social fragmentation and intra-community conflicts between so-called ‘traditionalists’ and ‘modern Bushmen’ (Robins 2001, p834). From a political ecology perspective there is a deepening conflict and power struggle between these two groups regarding how land is used and controlled (Ellis 2010). On the one hand, traditionalists want land to be reserved for traditional purposes such as hunting, gathering of medicinal and food plants and cultural connection to land such as walks and rituals, while on the other hand, the modernists want more land for livestock and housing. The traditionalist group wishes the original agreement (where land was designated for specific purposes such as livestock, traditional use and wildlife farming) to stand. Their argument is that specific pieces of land should be protected to preserve their heritage. Livestock destroy culturally important plant species such as medicinal plants. They further argue that, though they may not use the medicinal plants as before due to the availability of modern health facilities such as mobile clinics, protecting their heritage is of paramount importance for the benefit of future generations. Furthermore, there is uncontested evidence that wild game is disappearing due to uncontrolled and unsustainable hunting practices (Massyn and Humphrey 2010, SANParks 2009). Hence there is need for some form of protection; for instance game farms that could protect culturally important species such as springbok, gemsbok and eland for recreational purposes that will bring income to the community and for optional use values (for future generations).

The livestock and housing proponents argue that their land has so far been unproductive and therefore, a ‘white elephant’. They need more land, including that earmarked for cultural purposes, to be made available for livestock production, income generation and housing development. This group believes that things have changed and that the bush can no longer sustain the old Bushmen lifestyle. They further argue that traditional conservation only benefits the traditionalists. For example, many local members complain that the traditionalists hunt illegally since they do not apply for hunting licences as per the rules and hunt outside the hunting season (between May and August). It is claimed that a large number of springbok have been unlawfully and unsustainably harvested in the name of ‘traditional hunting’ that excludes some CPA members. This initiated a debate about who has the right to manage and make decisions about the game and other resources on the farms (see Ellis 2010). The internal conflicts and divergent meanings at the heart of this struggle are well reflected in the following statement by one San member interested in livestock production, ‘…but things have changed; there is no more food in the veld to eat. The truth is the Bushmen cannot go back to the bush to live like their forefathers. Today the Bushmen buy coffee from the shop but used to make coffee in the bush (from the witgatboom roots). They also buy meat from the shop rather than relying on bush meat. The important thing is to know where you come from. I am a real Bushman in my thinking and in my blood. In the past, the Bushmen did not drink alcohol like what is happening today. Money is also important now and you can never go anywhere in the world without money. Today being San is determined by traditional regalia not by their values. There is nothing like traditional and modern San’. These tensions highlight contestations over meanings, inherent power play and general disagreement regarding land and resource use strategies. Such struggles and subsequent erosion of vision and trust impact on the higher level management institutions required for natural resource management.

These internal differences within the San have led to, for example, about ZAR15 million (US$2.14 million) housing project funds (for the San) lying idle in government coffers because they cannot agree on where to build the houses (Makomele 2009). However, some argue that this is also partly due to the Department of Land Affairs (DLA) and Mier Municipality’s neglect and tardiness and a general lack of any post-settlement support (SAHRC 2004). For example, under the agreement, the Mier Municipality should provide services such as houses, water, sanitation and electricity, as well as develop hunting and tourism infrastructure and ‘Arts and Culture Centres’ (SAHRC 2004). However, it is unclear whether and when these projects will begin. The conflicts have manifested themselves in different forms, from absconding meetings, general lack of interest and selective cooperation to violent actions. A case in point is a former commercial farmer who was allegedly hit by a shovel by a local community member. In their study of resource value among the Kalahari San of Botswana, Barrow and Mogaka (2007) also
highlighted heightened inter-community conflict over water and rich patches of vegetation, showing that landscapes are complex, conflict-ridden and far from being homogeneous cultural constructions no matter where they exist.

Intercultural differentiation between the San and Mier is also evident when it comes to resource use. For example, the Mier, in keeping with their history, are generally more interested in livestock farming than gathering of plants and hunting of wild animals. In their paper, Kepe et al (2005) highlight that the two groups have sharply contrasting, but also converging, views on what the land inside the park can offer them. While the San feel that the main importance of the land is in terms of heritage conservation and preservation of their culture, the Mier community is more concerned with the economic benefits (e.g. job creation) their land can bring. This is partly the reason why they have often been excluded from donor and other poverty alleviation and conservation initiatives and have thus come to feel neglected in favour of the San. Kepe et al (2005) mention that the Mier have been overlooked largely due to the much-publicized discourses on indigenous peoples and campaigns internationally for recognizing aboriginal rights, such that the San claim was highly publicized and held a high political profile. Indeed, from being one of the most powerless and marginalized groups in the region, the San now have significant national and international support. This creates problems for the Meir as they feel they are not obtaining the same support and recognition, and leaves them relatively powerless on the JMB and in other structures. At the same time, there is also a growing mistrust of the Mier by the Khomani San who are reportedly poaching firewood and wild animals in nearby San farms.

With regards to the Mier, though intra-group differences are not as conspicuous as among their San counterparts, they have their own unique problems. For example, the preconditions under which one is awarded land by the Municipality have lately come under scrutiny as many landless members believe it only benefits rich and senior municipal workers and their relatives. The Mier Municipality, the de facto owner of the Mier Contract Park, game farms and farmland, leases some of the farms to individual farmers. The farmers have a chance to buy the farm in a given number of years after convincing the Municipality that they can manage the land and run livestock businesses viably and sustainably. There is growing antagonism between farmers with livestock on communal farms and those without farmland at all, due to questionable ways and procedures in which land is given. As can be discerned, who gets what land is a clear demonstration of the embedded power relations in land and resource allocation (Scoones 1999), with particular social networks seemingly favoured to the disadvantage of others.

These intra- and inter-community conflicts draw attention to the different values and meanings attached to land and the difficulties of creating community solidarity and viable conservation strategies in a place characterized by massive unemployment, rural poverty and different cultural orientations. Field evidence supports Robins (2001) argument that these divisions have been deepened by contradictory NGOs and donors’ objectives to provide support for traditional leadership, San language and cultural survival and to inculcate modern ideas such as livestock farming and democratic practices such as elections. Robins (2001) argues that the traditionalist versus modern Bushman dichotomy is itself at the heart of donor and NGO development agendas, and ultimately widens the differences already in the community. Finer et al (2009) also support the idea that even seemingly benign entities such as NGOs contribute to a vicious cycle that undermines the development of effective local community bodies. The tensions further highlight the different reasons for participating in the land claim and different views of the meanings and appropriate direction regarding resource use, often masked by the simplistic interpretation of the conflicts (see Ellis 2010). In keeping with our framework, such contestations represent arenas for power relations and politics among various actors as they try to gain access to natural resources.

4.2. Weak and unaccountable leadership and complex institutional arrangements

As suggested in our framework, leadership is a critical requirement for the formation of strong and adaptable local institutions (Berkes et al. 2003). Reports focused on allegations of financial mismanagement by the Khomani San Communal Property Association Committee (CPAC) and divisive leadership struggles have been published (Grossman and Holden 2009, Robins 2001, SAHRC 2004). Poor levels of organization in the two communities make equitable community-based conservation schemes difficult, with the ‘empowered’ few enriching themselves at the expense of the already impoverished majority (Grossman and Holden 2009). Furthermore, drawing from Collomb et al’s (2010) analysis of horizontal accountability as a proxy for good governance and the perception of benefit reception, this study found out that the mechanisms that reinforce accountability within the community institutions are generally weak. Information on financial, operational and administrative matters and natural resources (e.g. hunting quotas) is crucial but lacking among both the San and Mier community members. This information is not given on a frequent and transparent basis. Collomb and colleagues also argue that the lack of accountability by community leaders to their constituencies has surfaced as a major hindrance to good governance and leadership of conservation projects in Southern Africa. There is also a general lack of interest by the two communities to participate in conservation related meetings as incentives are low or non-existent at household level and so cannot compensate for curtailed resource use.

This is complicated by the complex institutional configurations evident in the Kalahari. Figure 2 shows a myriad of institutions that are either directly or indirectly involved in land management agreements. Due to previous problems such as alleged corruption and financial mismanagement by the previous committee, the DLA, through a court order, disbanded the CPA Committee in 2002 and took over the running of the San property. Today there is no formal, active, well defined community organization for both the
San and Mier communities. Subsequently, the institutional landscape is characterized by the emergence of many players, often with overlapping and conflicting jurisdictions. Indeed, there are many uncoordinated and independent formal and informal groups that have formed on the basis of divided views regarding livestock, traditional use or cultural and personal interests. However, at a crucial decision making level the community is having less and less ‘say’ as the local government (Meir Municipality) and provincial structures (DLA) assume control.

The absence of effective institutional arrangements, influenced by the lack of trust between and within the claimant communities, presents a particularly challenging environment for any community project. In the absence of such formal community representative bodies in both communities, external groups tend to work with specific groupings or individuals. This process exacerbates San and Mier internal divisions through the unequal distribution of project benefits. In addition, some San are actually included in so many different projects that they find it difficult to see the difference between them, let alone have the time to help develop their own collective initiatives free from outside influence. Finer et al (2009) argue that local communities are often antagonistic with each other, and in their dealings with outsiders they can be disorganized, unruly, easily co-opted and unpredictable. Matose (2008) similarly concluded that parks are often sites of complex institutional arrangements and these often have implications for the development of co-management activities. Therefore, the institutional conditions under which such projects can succeed need to be clearly understood. We need to explore further how the situations described above and below work together to impact on the formation of flexible and adaptive institutions essential for natural resource management in the park and surrounding communal farms and for building the resilience and sustainability in these systems.

4.3. Tenure and resource use

At present, there is no uniform land tenure arrangement across both communities. This scenario offers fertile ground for divided communities especially if it is not well executed with the support of the communities involved. According to the CPA constitution, the San land is divided for specific land uses as follows: Miershoop Pan for game farming; Witdraai and Erin for traditional purposes such as rituals, cultural ceremonies and ecotourism and Scotty’s Ford, Uitkoms and Andriesvale for livestock farming. Subsistence use such as firewood collection, hunting, medicinal plant and wild plant food collection happens largely unregulated on all farms. However, though the farms are divided according to specific land use types, reality on the ground shows that some farms designated for traditional use such as Erin, are being used for livestock grazing. Field observations show that all the farms, despite clearly different conservation and developmental plans, are used as grazing land. Some families still live in Miershoop Pan with their livestock, though it is exclusively designated for game farming. One emerging question is: is this yet another example of a potential ‘tragedy of the commons’ manifesting from uncontrolled resource use? For example, evidence shows that both the San and Mier sell fuelwood harvested on farms (especially the nationally protected camel thorn species) at very low prices (ZAR0.60/kg), which in turn is sold to tourists at high prices in the park (ZAR5/kg). Yet, the park management does not allow anyone to harvest fuelwood from the park. However, caution should be exercised when dealing with this kind of problem in poverty-stricken communities, since some illegal activities are key livelihood sources. For example, while commercial harvesting of fuelwood is illegal, it is touted as a major source of livelihood for many households. Field surveys further reveal that non-San community members bring in (corruptly) their livestock for grazing. These challenges
coupled with the lack of adequate post-land restitution support from government and NGOs make the situation even more testing. For example, the DLA was obliged to appoint an overall ‘manager’ of the farms, but to date this has still not been done. The absence of a ‘Management and Development Plan’, for all properties, in line with the constitutionally (CPA) determined land uses, is an omission which DLA have still to rectify as it is their responsibility as per the Khomani San Settlement Agreement of 2002 (SAHRC 2004).

For the Mier, variability in land tenure is evident. van Rooyen (1998) points out that a process of individualization of grazing areas has occurred over the years. More than 34,000 ha of land are occupied by villages and communal grazing areas. Land managed as game ranches is either leased from the Mier Municipality or individually owned (van Rooyen 1998). The game ranches are de facto communally owned but in effect municipality property, and the Mier municipality uses the financial return from these areas as other local authorities use taxes. This variability in the land ownership system is the primary problem behind conflicts within the communities and the relative failure of having a unified community partaking in conservation and development initiatives. This demonstrates that there is need for a clear vision, trust, leadership, adequate funds and monitoring mechanisms amongst others for adaptive local institutions to succeed (Armitage et al. 2009).

4.4. Other challenges

Other challenges identified relate to loss of livestock to wild animals and unfair markets. Even with a well-maintained fence, the two communities note the loss of goats and sheep to caracal (Caracal caracal), black-backed jackal (Canis mesomelas), and other smaller predators (San and Mier community representatives 2009). Both species are widespread on land outside the park. Historically this has caused human–wildlife conflicts and in the process has triggered sharpened tensions between communities and conservation authorities across Africa. Therefore, this is an area that needs attention or at least explanation if community commitment is to be embraced in future. Systems for compensation may be one way of gaining support from the local people.

With regards to markets, there is generally no reliable and fair market for local natural resource products such as medicinal plants, wild food and firewood. Thus, most resources are used for subsistence purposes and limited opportunities exist to generate income from the sale of natural resources. Where such opportunities exist, they will be the product of well calculated discussions between a customer and an individual. Reports indicate that some customers travel for more than 200 km from Upington, the nearest urban centre, to buy traditional medicines. This distance may restrict many potential buyers from getting to where the San live. Furthermore, the craft sector, a potentially key livelihood source for some, seriously lacks planning and has corrupt tendencies. Many have reported unfair business practices practised by SISEN (a craft project which means the Khomani San have work) as reasons for going solo, for instance reports of 40–60% of income from craft sales being deducted to cover operating costs of the craft shop. Therefore, while some crafters put their crafts in SISEN Craft (the Khomani San centre for crafts), others prefer to sell their crafts along the road where the income flows directly to their households. For the Mier and a few San farmers, their market problems relate to low livestock prices in the area. Most farmers report that good prices can only be fetched in Upington. However, the high transport costs to carry sheep, goats and cattle to the market beset them. Hence they have to settle for local low prices or for food hampers—but the buyers resell the livestock at higher prices in Upington.

5. Opportunities emerging from the agreement

Recent events inside the Contract Park provide good opportunities for strengthening conservation and development and co-management. The government’s decision to build a community lodge (‘Xaus Lodge) in the park shows the positive and encouraging efforts towards the welfare of the community through ecotourism and therefore the creation of jobs and income generating opportunities such as craft sales. The lodge is seen as a means of earning rent from the concessionaire, providing jobs to community members and teaching traditional skills to both San youths and tourists. At present, a private operator is running the lodge on behalf of the two communities. The concession fee is divided between the three groups and must be used for park purposes. Furthermore, the National Lottery Trust Distribution Fund made available ZAR4.8 million (US$686,000) for the Contract Park in support of the communities to pursue their livelihood opportunities and cultural regeneration through sustainable use of their land. Sustainable resource use protocols for the Contract Park have been developed (see Khomani San 2007) and the development of a monitoring and evaluation system (using cyber trackers) for sustainable resource use is being undertaken by the San technical advisors. This will help show what resources are where and when. However, while the Contract Park provides a window of opportunity for the local communities, ecotourism initiatives have been criticized for not improving livelihood security, in particular the tendency to create temporary employment and largely benefitting external players instead of local communities (Laudati 2010).

Also encouraging is the completion of a Development and Management Plan for Erin, a 5000 ha farm outside the park, to manage it as a fenced game farm. This is intended to benefit the Khomani San community through employment and reconnection to the ‘wild’ as experienced Bushmen trackers and hunting guides will provide a unique hunting experience (EMDP 2009). Cultural protection and enhancement programmes such as the Imibiwe, Bobbenjanskop and Tierwofie field schools in the park and the Bushmen camps outside the park are further positive enterprises, but need immediate monitoring and further expansion if they are to meaningfully benefit the Khomani San.
6. Conclusion

When outlining the theoretical framework for this analysis (section 1) we highlighted the importance of considering local social dynamics, power relations and institutions through the lens provided by political ecology and SES approaches. In this conclusion we reflect back on some of the ideas presented there, paying particular attention to embracing and understanding the complexity involved and the multiple factors, including historical ones, giving rise to some of the present day conservation and development challenges.

The situation on the resettlement farms (communal areas) and to some extent the Contract Park is replete with conflicts and uncertainties, with the findings revealing that complex socially rooted issues, especially internal power struggles and institutional ambiguities, are thwarting progress towards sustainable management of these areas. Some systemic and structural issues that reflect tensions in attempts to reconcile a history of land dispossession and undermining of identity with modern day biodiversity conservation, land tenure rights and livelihoods of local people, especially among the San, are prevalent. Heightened institutional complexities (including government neglect) and associated outcomes such as unsustainable resource use, conflicts and power struggles and curtailed or non-existent benefits are more the rule than the exception and threaten the ability to achieve long-term sustainable management through strong but adaptable local institutions. Reports of low benefits (e.g. resource use in the Contract Park is still limited about eight years later since the 2002 land restitution) threaten to undermine its essence by fuelling suspicions that biodiversity conservation leaves poor and landless people worse-off. This scenario creates a major image problem for contemporary conservation approaches and their underlying philosophy that conservation in parks be achieved in a manner that is embraced by local communities. Other problems such as poor leadership, weak institutions and poverty are likely to be the main causes of rampant illegal fuelwood harvesting for sale, overgrazing and overhunting of wild animals; issues that are likely to become more serious with the negative impacts of climate change. The findings clearly display that social and natural domains are linked through complex webs of interdependencies that need adaptive responses (Berkes et al. 2003).

Other conflicts are masked in ambiguity, but some are unfolding on the national and international stage through print media (Robins 2001), for instance, the Kalahari San demanding royalties for rock art (Sunday Times 2009). These well-organized public reports are evidence of public discontent over failing conservation policies and approaches and a clear demonstration of contestations over institutional practices and norms. It is important to recognize that in particular, the San contrary to popular historical lifestyle projections are no longer a cohesive entity—they continue to find their place in the modern world and internal divisions run deep. Notably, differentiation in resource access and use (along power lines) is evident, demonstrating the fact that communities are power laden rather than politically inert (Robbins 2004), and often breeds winners and losers. Such differentiation is important when considering policy and management intervention for the sustainable use of resources by local communities, especially support for building effective local institutions (Folke et al. 2005).

As illustrated and mentioned in the previous sections, conservation areas such as the KTP and surrounding communal lands, are continuously affected by internal and external factors in complex ways through the multiple practices of different actors with diverse agendas and by the policy and market environment. As such, an appreciation of these complexities is fundamental in understanding the way multiple actors interact with the environment in these social–ecological systems. Efforts aimed at improving local people’s livelihoods should therefore take on board the mixed interests and significantly complex social interactions. For example, no matter the variances, the local San and Mier communities, SANParks, the DLA and NGOs are important actors for cultural survival along with efforts to promote sustainable livelihood opportunities such as livestock farming, ecotourism and craft-making in the park and communal areas. This modern history could show that while most national authorities subscribe to the doctrine of ‘conservation and society’ in and beyond parks, a lot still needs to be done for local communities to fully gain from these positive initiatives.

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