

LAW & HUMAN RIGHTS

Robert K. Hitchcock and Diana Vinding, eds. *Indigenous Peoples' Rights of Southern Africa*. Copenhagen: IWGIA, 2004. IWGIA Doc. No 110. 278 pp. Photographs. Maps. Appendix. Bibliography. \$25.00. Paper.

This collection, published by the International Work Group for Indigenous Affairs (IWGIA) with the financial support of the Danish Ministry of Foreign Affairs, consists of twelve essays focusing on the status of the original inhabitants of southern Africa (South Africa, Namibia, Botswana, Angola, Zambia, and Zimbabwe). Known in the past as Bushmen, Basarwa, or Nama, they are now generically identified as San and Khoe. The authors are mainly anthropologists and geographers, but also political scientists, sociologists, and a few lawyers. Because indigenous rights are generally not recognized by the states concerned—with the notable exception of South Africa and to a lesser extent Namibia—legal analysis is restricted to a few instances: Chan's contribution on the Richtersveld case, and Chennell and Du Toit's account of the current legal framework in South Africa. Namibia's legal situation in respect to land rights receives a comprehensive review from Daniel and Haring, followed by Pakleppa's case study from Tsumkwe District West.

On the whole, however, this work is less about "rights" than about a wide range of economic and social policies that affect the San directly or indirectly. Each essay highlights the problems that arise in the areas where the San live, assessing the effect of specific policies not only on San identity but also on a whole spectrum of their rights: land, hunting, and women's rights; rights to education; rights to food and housing; minority rights and nondiscrimination. The global picture is that of a difficult, sadly uncoordinated struggle by a people swept up in history, politics, and war, eager to regain lost time and to exploit opportunities for development but with little reason for optimism. Hitchcock's contribution on the northeastern Namibia and northwestern Botswana conservation reserves reflects this balancing act rather well: It conveys the image of a people who wish to hold on to their past but are able to do so only by accepting modern economic constraints.

What seems to make the plight of the San particularly poignant is the loss of all control over their destiny. They are refugees, marginalized immigrants, involuntary freedom fighters, dispossessed, hungry, discriminated against—and all this against a background of general poverty and development problems. Indeed, their primary concern is now first of all simply to survive. What are the chances, then, of retaining what is left of their identity while, at the same time, claiming some urgent fundamental human rights? Broadly introduced in Saugestad's opening overview, these questions emerge over and over again in each essay. Hope of land demarcation, an essential starting point for indigenous peoples' rights, is becoming an

increasingly distant if not impossible goal for a people who are permanently chased, located, relocated, and resettled as if they were a disposable commodity and whose claims are in competition with those of more powerful groups, as Taylor points out in the chapter entitled “The Past and Future of San Land Rights in Botswana.”

This is not an easy book for anyone unfamiliar with the problems of the specific area or with anthropological approaches. Rather like a puzzle, it requires patience, concentration, and single-mindedness, but it is well worth the effort. Most of the essays are informative in themselves and can stand alone, although they are best understood within the larger, very complex context that only comes together at the end. In any such exercise, repetition and overlap are difficult to avoid, yet they matter little as each text sheds a different light on realities that are analogous. The prize for the reader who persists is a rare, multidisciplinary perspective not only on the San but also on a complex chain of social and economic dilemmas. Better than any general study on development, the volume allows one to view, however indirectly, the infinite range of problems facing these countries.

My main regret is that we are told little about the San and the kind of people they are—not only from the anthropological point of view but also from the human one. It certainly would have helped to have more than passing glimpses on what makes the San as an indigenous people so precious for our planet so that the reader could distinguish them more clearly from other groups and other indigenous people and grasp the full dimension of their plight. Because of this absence of human detail, the collection of essays remains, for the layman at least, a very academic endeavor with little allowance for those who happen to have a poor initial knowledge of who exactly the San are. Obviously further reading is in order, but the book could have included something more on the subject.

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