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Maria Sapignoli

1. Introduction

- 1 Historically, indigenous communities have often experienced bureaucratic structures as tools of colonization, assimilation, and control. Bureaucracy, with its hierarchical organization and administration and its technical procedures and regulations, is one of the mechanisms that states apply to govern populations. Anthropologists have studied state institutions (Gardini 2016; Dei, Di Pasquale, 2017; Bernstein, Mertz 2011; Thelen *et al.*, 2014) and international bureaucracies (Niezen, Sapignoli 2017; Muller 2013), not as monolithic entities, but «as tangles of desires, habits, hunches, and conditions of possibility» (Hoag 2011: 86). Through anthropological study, bureaucratic practices, papers, and imaginaries no longer appear as the product of logics (a contextualized rational choice), orders of discourse, or superordinate powers (Ivi: 86). Rather, anthropologies of bureaucracy have tended to be interested in the gap between organizational norms and “real” practices. They have underlined both their hegemonic power and their range of possibilities, the dialectic between domination and protection, oppression and liberation (Bierschenk, de Sardan 2014, 2021).
- 2 Bureaucratic structures and procedures often intersect with the lives of indigenous communities, affecting their access to resources, sovereignty, and self-determination. In the last two decades, studies that specifically address aspects of indigenous peoples' encounters with administrative systems that govern institutions, whether publicly or privately owned, have multiplied¹. Indigenous employment in the state civil service has

been a prominent topic of research in several countries, including Canada, US, New Zealand, India, Australia, and Chile²; Nancy Postero (2017) has analyzed what happens when a state bureaucracy gets indigenized, as in the case of Bolivia. Understanding the implications of indigenous employment in the state civil service as well as the way indigenous peoples try to indigenize or simply use dominant bureaucratic systems are crucial for examining the ways in which bureaucratic practices may impact indigenous peoples' demands and interests.

- 3 As Lahn (2018: 3) points out, «Indigenous people who are in bureaucracies have concerns with (a) 'making a difference' and (b) doing things that directly help their community». This was the case with Aboriginal and Torres Strait Island civil servants with whom she worked. Many indigenous civil servants found themselves representing agencies that provided poorly designed and implemented policy, over which they had little control (*Ivi*: 5). In regions as far apart geographically as Australia and India, indigenous bureaucrats find themselves similarly dissatisfied with their roles; and the more formalized and institutionalized the bureaucracies are, the harder it is to retain indigenous staff for extended periods of time (Briggs 2006; Gupta 2012; Lahn 2018). Most of those studies stress how indigenous people's lives are over-bureaucratized, and how they have little or no control over the administrative systems in which they are enmeshed. Dahlström and Lapuente (2022: 45) find that bureaucratic organizations must perform a balancing act between two pairs of contrasting principles: accountability versus autonomy.
- 4 The various communities of San (Bushmen) people of southern Africa are some of the best-known sets of indigenous peoples in the world. They have become consummate models of hunter-gatherers in social science literatures (Jenkins 1979). Today, the San number around 130,000 people in eight southern African countries (Angola, Botswana, Eswatini, Lesotho, Namibia, South Africa, Zambia, and Zimbabwe) (Smith *et al.* 2000; Puckett, Ikeya 2018). Botswana has the largest number of San, with a current estimated population of 68,000. San peoples were tied into larger units which consisted of people who spoke similar languages and who were linked through kinship, marriage, friendship, and exchange ties. Research on the San is extensive, with large-scale teams of researchers working among Ju/'hoansi in Namibia (Marshall 1976; Biesele, Hitchcock 2013) and in Botswana (Lee, DeVore 1976) and among the G/ui and G//ana in the Central Kalahari of Botswana (Tanaka 1980; Silberbauer 1981; Sapignoli 2018). The literature includes analyses of such topics as mobility (Widlok 1999, 2016) sharing (Widlok 2017), social change (Puckett, Ikeya 2018), property (Widlok, Tadese 2005a,b) and human rights (Sapignoli 2018). They have been described as hunter gatherers and largely egalitarian socially, economically, and politically, though some differences in social equality do exist (e.g., see Smith *et al.* 2000). Marshall Sahlins (1968), following the work of Richard Lee and Irven Devore (1968) on the San, coined the term "the original affluent society," in reference to the supposed abundance and leisure of hunting and gathering ways of life.
- 5 It is important to note, however, that leadership roles existed traditionally in all San groups. In some cases, the roles have become formalized and institutionalized over time, particularly when the central government appointed headmen and headwomen to oversee local customary courts and villages affairs who then had the power to resolve local disputes. The San people have been the center of a more than three-decades-long debate in anthropology, known as the Kalahari Debate (Barnard 2006,

2007; Hitchcock 2019), between those who described them as generally mobile, moving about the landscape in small groups of 25-50 people depending on the availability of wild plants and animals, stone (for tools), and other resources (Lee, DeVore 1976; Lee, Gunther 1993; Solway, Lee 1990), and those who saw them as being part of a poor underclass of people that lost their cattle (Wilmsen 1989; Wilmsen, Denbow 1990; Gordon, Douglas 2000).

- 6 It is instructive to consider how the hopeful beginnings of Botswana independence 1966, particularly the elaboration of policies intended to empower communities that had been marginalized and discriminated against, ultimately had the effect of displacing, disenfranchising, and disaffecting many of the country's indigenous people. In fact, the discussion of the San's configuration as marginalized people in independent Botswana (Wilmsen 1989; Saugestad 2001) and their mobilization as justice claimants would be incomplete without considering those policies and structures of the independent government that, in promoting the commercial economy, worsened the San's conditions of landlessness and left many without a secure means of subsistence. At the same time, some of the same policies had the paradoxical effect of facilitating the San's capacity to organize in relation to state's institutions, develop their familiarity with formal structures of power, and prepare avenues of legal resistance.
- 7 Paperwork applications, institutional requirements, bureaucratic logics, and development policies targeted to the poor often obscure the more complex underlying political or economic causes of social problems. As James Ferguson (1994) persuasively argued, development intervention tends to transform complex socio-economic situations into technological problems with technocratic solution. The same can happen when right claims are channeled through formal applications and bureaucratic practices. While Weber saw the risk of bureaucracies as resulting in an "iron cage" (Weber 2009 *ed. or.* 1948) governed by ordinary, stagnant administrative structures, recent studies emphasize the ways these structures reproduce axes of discrimination, inequality, and violence (Herzfeld 1992; Bernstein, Mertz 2011; Gupta 2012). David Graeber, looking for global trends, proposed that ours is the «age of "total bureaucratization"» (2015: 18), where infinite aspects of existence are policed through a melding of private- and public-sector rules that together form «the iron law of liberalism» (2015: 9).
- 8 This article will take into consideration both San participation and disengagement in State institutions and policies in the forms of what seem to be technical bureaucratic practices, which in fact are deeply political. The cases I will discuss show that when participating in new opportunities created by the state structures and interventions, indigenous actors are subjected to a centralized and bureaucratized system that offers little possibility of autonomous decision-making or action, often ending up disempowering and marginalizing them. Yet they continue working in, with, and through bureaucracy in order to seek justice, albeit through what all too often is an unjust system. Active participation in the bureaucracy of the Botswana state or in San non-government organizations is almost inevitably problematic for San as individuals and as parts of a collectivity. In some cases, talented individuals have been co-opted by the state. In many cases, leaders of non-government organizations have been targeted by the government for their activities. In still other instances, San who have claimed leadership positions have lost the support of their constituencies and communities, resulting in a serious decline in their power and authority.

- 9 The first part of this article considers how the Botswana post-colonial State, through the introduction of policies and laws targeting the San, has tried to encapsulate them into state institutions and practices; the second part illustrates, through the example of San activism, how indigenous people try to appropriate state institutions and formalize their resistance through the creation of non-governmental organizations. San leaders have experienced bureaucratic processes as part of a wider loss of sovereignty and autonomous livelihood, even while they deploy formal NGO structures as part of the solution for seeking basic rights and recognition³.

2. (Dis)empowerment through the bureaucratic state

- 10 Today there are no state institutions in Botswana dealing directly with the San or other minority groups (Sapignoli, Hitchcock 2013a, 2013b). Importantly, international institutions, such as the United Nations, have recognized the San under the category of “Indigenous peoples,” which means having certain rights under international law (see UNDRIP 2007); at the same time, the government of Botswana refuses to recognize the concept of indigenous peoples applied to the San, maintaining that all citizens of the country are indigenous (Ludick 2018; Saugestad 2001)⁴.
- 11 The government instead has programs that use other terminology and narratives of justification, aimed at broader categories of Remote Area Dwellers (RADs) or people who live in remote places outside of gazetted (legally recognized) villages. The Remote Area Development Programme (RADP) was set up originally as a Bushmen Development Program, but in 1978 the government opted to make it «ethnically neutral» (Saugestad 2001: 121). The change of title followed simply from the program’s use of the term “Bushman,” which raised concerns about using ethnic identification as a basis for “separate development” through the allocation of special programs and facilities (Ivi: 122). Beginning in 1979, the RADP shifted its priorities away from an approach emphasizing participation and poverty reduction towards a more decidedly settlement and assimilationist approach (Wily 1979, 1982; Hitchcock 1998). The ostensible aims of this effort were self-sufficiency (self-reliance-*Boipelego*) and poverty alleviation to be facilitated by villagisation, modernisation, and assimilation of the remote communities (mainly San) into the “mainstream of the Tswana society”. Development, in this sense, was seen as a modernization effort that was geared towards the “Tswanisation” of the San (making them like the dominant Tswana people), getting them to “settle down,” doing away with hunting and gathering, which was seen as “backward and primitive” and encouraging San to live in settlements, keep livestock, and raise crops, “like any other Batswana” (citizen of Botswana).
- 12 The period from 1978 through the early 1990s saw the establishment of over seventy Remote Area Dweller Settlements, with social and physical infrastructure including boreholes, schools, health posts, meeting places, and housing for government workers such as teachers, nurses, and tribal police (BIDPA 2003). Donors provided support for these settlements, especially the Norwegian Agency for International Development (Saugestad 2001; Chr. Michelsen Institute 2006). From the outset, there were serious problems with these settlements, including lack of sufficient land to allow for hunting and gathering, relatively few employment and income-generating opportunities, and the presence of outsiders, many of them non-San people, who took over the water, grazing, and arable land and dominated the political system in the settlements. In some

cases, people living in the settlements were supplied with food and other goods, especially if they were considered “destitute” or people without visible means of support (Hitchcock 2002; Republic of Botswana 2002; Seleka *et al.*, 2007). This government program had the impact of encouraging dependency on the state and incorporating the San into the state’s social welfare system.

- 13 As Hitchcock and Holm (1993) have pointed out, one of the means by which the Botswana state secured its control over minority groups was to establish an administrative bureaucracy and extend its reach to communities in the remote areas. Part of this administrative bureaucracy included a central office in the Botswana government, located in what was then the Ministry of Local Government and Lands (now the Ministry of Local Government and Rural Development), and also district-level offices in seven of the country’s ten districts. In these offices there were Remote Area Development Officers (RADOs) and Social and Community Development Officers (S&CD) whose main jobs were to visit remote communities and provide advice and oversee the implementation of government services and projects⁵.
- 14 The state’s control and care of the San peoples’ way of life was ensured through different bureaucratic practices, such as administering policies that affected their subsistence, mobility, leadership, and decision-making systems. At almost every turn, San individuals were faced with a regulation, a rule, a demand for information that they did not have, or a thumbprint indicating their consent on documents that they generally could not read. In the remote area communities, one of the first engagement with a state bureaucracy lies in the ability to obtain cards that allowed people to have access to commodities under the Destitute program of Botswana (Republic of Botswana 2002). If people lost their cards, they invariably experienced difficulties getting replacements. As one San middle-aged woman in Qabo said in 2011, «I lost my card, and the government would not replace it, so I had to go without food, and my children were hungry» (Qabo - 14 August 2011). In a survey of 78 people at Qabo that I conducted in 2011, only 10% of the residents had the cards that allowed them to receive food and other commodities under the national destitute policy. What this meant was that a significant percentage of the settlement residents were unable to get food, oil, soap, and other commodities even though they qualified as being “destitutes.”
- 15 One of the ways that administrative centralization was approached in the RAD settlements was through the imposition of the Tswana *kgotla* (council/court) system with a headman or headwoman to administer village life. According to a Tswana government officer I interviewed in 2011, San communities had been involved in electing headmen for a number of years. Some of these headmen or headwomen were recognized officially by the Tribal Administrations in their respective districts, and their statuses were confirmed by the Minister of Local Government under the *Customary Courts Act* (Republic of Botswana 1975) and the *Chieftainship Act* (Republic of Botswana 1987). There are several cases, however, where they had been elected in communities but had yet to be recognized officially. State institutions often overlooked existing San leaders and instead appointed individuals with literacy skills, often non-San, to assume leadership roles and chair *kgotla* (council) meetings and oversee community affairs. Some headmen also sought to simply take power without governmental or community agreement. However, challenging illegitimate headmen elections by San community members has rarely been successful.

- 16 Subsistence, another feature of the classic ethnographies of the San way of life, is another realm in which bureaucracy has run rampant. The key subsistence and identity formation practices, hunting wild animals and gathering ostrich eggshell, have been controlled by the government through the passing of legislations that have, in essence, bureaucratized a way of life.
- 17 Hunting and gathering is the key livelihood strategy and identity positioning of most San. This livelihood strategy was affected substantially by the passage of conservation laws and by the division of the land into farms, parks, and monuments. Game licenses issued after 1961 restricted the numbers and types of wild animals the San could hunt. In 1979, the passage of unified hunting regulations allowed for the establishment of Special Game Licenses (SGLs) which were to be granted to individuals whose livelihoods were dependent largely on the procurement of wild animal products (Hitchcock 1996; Hitchcock, Masilo 1995). In other words, only those San who depended on hunting and foraging for subsistence and income could apply for a license; formal employment would disqualify an applicant from obtaining a license (Hitchcock 1996: 55). In order to get these licenses, individual San had to seek them through RADOs in the district councils. A G//ana man living inside the Central Kalahari Game Reserve, who did not have formal employment but depended on hunting as one of the main forms of subsistence, had this to say when I spoke with him in 2015:
- I went to the District Council and to the Wildlife, and asked for a SGLs. I was told that they were no longer giving out these licenses, and that I had to apply for a citizen's license. Then I was told that the hunting season when these licenses could be used was from 1 April to 30 September, and I was applying in February. As it turned out, I never got a hunting license.
- 18 According to my interviews with San and Kgalagadi people living in New Xade, a resettlement village outside the CKGR, all of the people who applied for SGLs were turned down when they applied (N=26). Some of them had to pay for transport at high rates and travel hundreds of kilometers as part of the application process. Others had to fill out forms that they could not read, and thumbprints were regularly rejected. Although SGLs were supposed to be free, Wildlife Department officers charged people as much as P200 (US\$20 in 2023). In the past five years there were half a dozen cases in which individuals found with biltong (dried meat) or who were in possession of a bow and arrow, were arrested by game scouts if did not carry a license with them. The requirement of all-but-impossible-to-obtain papers (documents, licenses, quotas) has been the weapon of choice used by the state to deny the possibility of the hunting way of life seen by politically dominant administrators as backward.
- 19 A second example of state control of San practices, though bureaucratic technicalities can be found in a set of rules about the use of ostrich eggshell products in 1994. Ostrich eggshell products, especially necklaces and bracelets, were long considered "cultural identifiers" and as objects of prestige by G/ui and G//ana San, who traded them widely. The exchange relationships that were created were crucial to individuals who wished to visit relatives at times of stress such as droughts; they could call on their /ai (exchange) mates for help. The collection and use of ostrich eggshells became a subject of controversy after the passage of the *Ostrich Management Plan Policy* in 1994 (Republic of Botswana 1994). After the passage of this law, individuals who had ostrich eggs and eggshell bead items could be arrested if they did not have government-issued license (Hitchcock, Masilo 1995; Hitchcock 2012). This meant that an important source of income for sizable numbers of people, primarily women, was made unavailable. The

sale of these items continued, however, with some risk for the sellers. Unfortunately, there was nothing to replace the important eggshell products in the traditional exchange system. Virtually all the households in which I conducted interviews - in villages that are the result of the relocation of people outside the CKGR- had people who made and tried to sell ostrich eggshell products, illegally. In 2022 alone, at least two dozen women were arrested for being in possession of ostrich eggshell beads or eggs (Ghanzi District Wildlife Dep. archives). The requirement of “papers” for ostrich egg products was a tool that directly targeted household income and gendered activities while it indirectly shaped people’s social relationships and practices.

- 20 The encounter of the San with state bureaucracies are multi-faceted and goes beyond making them merely the recipients of restrictive laws and policies. While the imposition of laws and regulations has been used to control and assimilate indigenous communities, another dimension of such encounter involves the integration of the San as civil servants within the state system. A few San were able to become RADOs and at least five San were able to become game scouts in the Department of Wildlife. Few operated at the District Council level and in state offices in the capital. Becoming a civil servant means refraining from any kind of politics, or as a San young man, with a university degree, told me «is a way the government used to keep your mouth shut» (2016). Several San activists ended up working as civil servants in order to have an income with the hope of changing politics from the inside. This of course created fractions within their constituencies, whose members often felt betrayed.
- 21 As Hale points out with reference to other such situations, «it would be a mistake to equate the increasing indigenous presence in the corridors of power with indigenous empowerment» (Hale 2004: 17). This can be seen in the regimes of discipline imposed on government employees. For instance, the Ghanzi Council sometimes sanctions employees who “misbehave” through engaging in politics. In January 2017, for example, an employee originally from Metseamonong, a village inside the CKGR, was summoned to a disciplinary hearing in response to his pointed inquiries into the provision of government services in the reserve (Sapignoli 2018: 223).
- 22 The government's rejection of San’s distinct political identity and its assimilation policies could well have been, paradoxically, a central source of motivation for the revitalization of the San identity as a hunter and gatherer people and an element of motivation for political activism. As we will see in the next section, one of the reasons a formal San movement started to organize, was because of both the failures and the successes of the governmental bureaucracy.

3. D'kar activism

- 23 The San groups living in Ghanzi District were in many ways uniquely disadvantaged because they were generally poorly paid farm laborers on freehold land from which they could be evicted at any time, according to the whim of the owner. The Ghanzi situation was, from the perspective of some Batswana, a serious problem that they tried to address through various development plans. The Ghanzi farms had been set aside in the 1890s for use by Afrikaner and other European farmers, when Cecil John Rhodes and the Bechuanaland Protectorate Administration offered Boer settlers blocks of land, in part as a buffer against potential expansion by the Germans from the west (Russell, Russell 1979: 12-13). In the process of establishing the farming blocks, sizable numbers

of San were displaced, eventually leaving them impoverished and working as farm laborers on the commercial farms of other people (Guenther 1976, 1986).

- 24 The Ghanzi District was, in essence, the cradle of San activism, providing both an acute sense of injustice over conditions of displacement and imposed conditions of poverty and an organized network consisting largely of those who had been educated in missions and RAD schools and were engaged with the work of development workers and anthropologists (Barnard 2006: 113-127). One of the reasons for the politicization of the San in the district was related to the fact that it was the scene of the Bushmen Development Programme led by Liz Wily in 1974. After Wily terminated her appointment as Bushmen Development Officer, she wrote a highly informative reflection of her activities, stressing that the role of the Liaison Officer was that of «animator, basically politicizing the San» (Wily 1982: 297). Wily noted with some satisfaction that «Self-reliance is not quite the controllable quality it may appear. In being given the means for self-reliance, San are being given the key tool for self-determination» (Wily 1982: 306). In Ghanzi District, there is only one community—D’Kar—where residents had the ability to get *de jure* (legal) rights over their residential plots (Lawy 2016). This village constituted the center of most of the San's organized activism in the 1970s and 1980s, especially with the development of several NGOs. Chances were that local leaders had been educated at what started out to be a mission station and farm which had been established by missionaries in 1964. The missionaries, the Jerlings, were from the Dutch Reformed Church. In this settlement, local structures were sometimes co-opted for purposes of faith-based development (Ivi: 96-98).
- 25 As it turned out, church councils became the primary focus of the community rather than the band system that had existed in the area previously (M. Guenther, personal communication 2018). The church provided assistance in the form of education, health, training, and employment. Within two years of its establishment, school enrollment had expanded to 39 San pupils (W. LeRoux, personal communication, 2017). The most notable feature of this mission project was that at the time of Independence in 1966 it was the only non-governmental project in the country that acted counter to the goals of Tswanification by being oriented specifically toward the benefit of the San (Wily 1979: 22). For this reason alone, it was central to the development of an activist consciousness that went against the grain of national discourse and assimilationist policies. The mission became predominantly secular through the formation in 1986 of Kuru Development Trust (KDT), a community-based organization (LeRoux 1996). D’kar continued to be a site of San political mobilization from its establishment in 1970s into the 2000s. A series of trusts specializing in various project areas were later formed, all of them becoming part of what was called the Kuru Family Organizations (KFO), with several projects directed at empowering the San throughout the Ghanzi and North West (Ngamiland) districts (see Bollig *et al.* 2000).
- 26 My discussions with Naro San in Ghanzi District during the course of fieldwork in 2011, 2012, 2015, and 2017 revealed that virtually all Naro communities have people they respected and whose suggestions they frequently chose to abide by, who they referred to as “spokespersons” or leaders. These individuals made decisions once community consensus was reached. They helped negotiate among people involved in conflicts, and served as those to whom outsiders would go if they were seeking the right to visit their areas. In some cases, there were groups of individuals, some of them elderly people, who formed what might be described as community councils. These people had a

significant say in civil matters, such as how to handle civil cases such as assault or domestic disputes.

- 27 Some of the Naro San leaders were essentially land managers, individuals who had a long history of occupancy in an area, who were knowledgeable about local resources and historical events, and who frequently were approached by other people when they wished to seek rights of access to local resources. Among the Naro these individuals are known as *x'aigá*. The Naro word for headman or headwoman is *ʔx'aigá* or *//'aixà* (Visser 2003: 96). As Alan Barnard (1992: 139) noted, among the Naro, «the eldest band male head is called the *//eixaba* and his wife is the *//eixaxa*». He went on to say that these titles do not necessarily imply any particular authority over other band members (Ivi: 129). Mathias Guenther (1986: 192) notes that leadership in Naro communities rarely rested in the hands of a single individual.
- 28 Public policy among Naro was a product of extensive consultation and discussion among all adults, with children sometimes having the opportunity to participate too. Decision-making was done on the basis of consensus. The politics of Naro communities were such that individualism was tolerated and in fact was admired (Barnard 1992, 2007; Guenther 1986). Paradoxically, honoring individuals was based mainly on attachment to communitarian values. Those people who were disruptive or who engaged in socially inappropriate behavior (stealing, fighting, adultery, or overuse of resources) were usually dealt with by peers who intervened to stop fights and who remonstrated with them, urging them to stop acting in negative ways. In matters of public policy, individuals who sought to assert their influence were often viewed with suspicion. When someone attempted to give orders or impose their will on the community, they were perceived as self-serving, and their attempts were generally disregarded by the rest of the community.
- 29 The formally educated youth cohort, beginning with those who went to school in D'kar, was to play a significant role in the rise of San activism and in its ability to meet the sometimes-complex demands of donor agency priorities and state regulations. The San have typically recognized leadership in terms of specific talents, and in D'kar it was therefore fairly easy for educated youth to take on active roles in organizational activities, without having to accommodate an established, traditional leadership structure, even with the presence of the elders who usually sit on the boards of these organizations. This does not mean, however, that it was always easy for them to accept the legitimacy of a new youth leadership. Taylor (1997: 61) emphasizes that this is a widespread phenomenon, and that there are often conflicts in the villages when the power of representativeness has been given to the youth: «There seems to be some resentment that this is given to “boys” only because they have education. Perhaps this is a frustration with the wider system, that demands education in order to participate in formal political process».
- 30 Overall, the Naro communities' approach to public policy and governance exemplified a participatory, consensus-driven, and community-oriented system that valued individualism while prioritizing the collective well-being of the community as a whole. This form of governance and social control allowed for flexibility and adaptability with the aim of preserving cohesiveness in the communities. So what happen when decision-making and representativity are channeled through the formation of formal institutions such as communities-based-organizations and non-governmental-organization? This is what I take into consideration in the next section.

4. NGOs in resistance and co-optation

- 31 Spurred on by their treatment by Botswana government officials during their visit to Gaborone in 1992, and later by government officials at a regional San conference held in Gaborone in October, 1993, the idea of an indigenous led organization began to take hold. D'kar, opted to form a San non-government organization known as First People of the Kalahari (FPK) (*kgeikani kweni*), the name clearly stating their indigenous status to the region. Some of its founding members had previous (and ongoing) experience with KDT. These leaders included Komtsha Komtsha, who had worked for KDT, and John Hardbattle, son of a Naro woman or, as he put it, “of a stolen child”, and a Scotsman who, after working as a policeman in South Africa, moved to Ghanzi and built a farm.
- 32 But responding to injustice through the creation of an indigenous NGO was not easy. One of the initial hurdles the organization had to overcome was the requirement to register with the state, which involved navigating the bureaucratic procedures and obtaining official approval. The state closely monitors NGOs, which can operate only on the condition that they have been given a permit and registered in accordance with the *Societies Act* of 1972 (Guldbrandsen 2012: 221). Initially the application for NGO status as a San organization was turned down because the Botswana government would not allow the formation of an “ethnically based NGO.” For this reason, FPK in its Constitution (1993) states that it is an «advocacy organization working with the Ncoakwe (San), but its members could be any citizen of Botswana». In practice, however, it positioned itself as a «San indigenous-run-organization» and representative organization of the San people. Unlike KDT, whose board was composed primarily of Naro San, First People drew board members from several San groups, including G/ui, G//ana, Tsila, and Ju/'hoansi. This diversity was important because it gave the organization links to a broad set of San communities in Botswana. At the same time, because of this wide variety of representation, the organization was faced with problems of legitimacy because of a membership that was not known to its various communities of constituents.
- 33 The first goal of the San attending meetings in Gaborone was the “right to the land” on the basis of priority, which implies freedom of access to resources such as wildlife and wild plants and land restitution (Saugestad 2001: 89-91). Another central objective was the right to speak to the government and to represent themselves as a distinct people. A third goal was to call into question government policies, such as the one involving imposed development models and “shoot to kill” of people suspected of poaching. Even though there were impediments to its formal organization, the San leadership was still able to use FPK as a gathering point for mobilization. Once an organization has been named and registered, indigenous activists are, through the requirements set out by the state, formally initiated to the bureaucratic and administrative field of institutional building. Activism thus becomes bureaucratized, moved in the direction of formal structures, methods of work, and expertise.
- 34 In their quest to establish a locally based organization, they encountered various obstacles, including the need to adhere to government standards, bureaucratic hurdles, and international development models. Before it could come into existence, an organization has to create a board of trustees, have a constitution, develop a formal organizational structure, establish a bureaucratic apparatus, network with other

organizations and donors, raise funds, register with the state, and follow unfamiliar timeframes. Those able to live in the accelerated and ordered temporal structures of bureaucratic management often ended up speaking for others. For communities with limited budgets and training constraints, these initial steps often proved overwhelming, consuming significant time, effort, and budgetary resources of the organization. Furthermore, the presence of non-literate staff members posed an additional challenge, adding to the complexities of setting up the organization.

- 35 First People was organized in such a way that it had a director, staff members, a secretary, a treasurer, and a board. At one point, in early 2000, FPK had a staff of twelve, all of them San (see Hitchcock *et al.* 2000; Hitchcock 2022). Some of the activities of FPK included visiting the various San communities in Ghanzi and North West (Ngamiland) Districts, providing information on human rights issues such as those being brought to the UN and other international forums⁶, assisting local people in applying for land rights, and representing the San of Botswana at national and international meetings. For a people with little experience using the tools of bureaucracy, however, the skills and practices associated with administering a formal organization were difficult to put into practice.
- 36 Granting agencies required of their grantees, as a form of accountability, to keep careful accounts of the expenditures, provide minutes of meetings, respect deadlines, and do regular reporting to its supporters and to its members. The auditing process caused resentment among some of the organization's staff due to their perception of excessive reliance on bureaucrats and outside advisors. What is more, in order to function and be seen as accountable and representative, the organization had to have its board meet periodically. This was made difficult by the fact that the board members were scattered across Botswana, and when funds eventually became short, they were unable to travel and assemble.
- 37 Audit culture (see Strathern 2000) is the process by which the rules and methods of accountancy and financial management are used for the governance of people and organizations. Members of NGOs with whom I spoke stressed that the auditing process, as well as any other role for international donors was often understood as unwanted interference in the organization's internal affairs. The agenda should be indigenously controlled, and they considered donors' legitimate role to be solely as a provider of funds and infrastructural support. This sense of autonomy was not only expressed in words, but occasionally in actions (and omissions) that brought the organization into direct tension with their supporters.
- 38 There were numerous instances in which FPK staff members made decisions about hiring of staff (e.g., the hiring of a coordinator), financial expenditures (for example, on daily allowances), trips and activities undertaken with project vehicles, and the purchase of materials for the office without the permission or approval of donor organizations. There were problems with lack of keeping receipts and of failure to provide reports to the supporters, including an absence of logbooks on their vehicle, which was allegedly being used as a source of transport for friends and family of staff members according to donors' internal reports. In somewhat essentialist terms, the ethics of sharing and redistribution that prevail in a hunting society came into conflict with the ethics of bureaucratic accountability (Sapignoli 2018: 138).
- 39 An important question is "Why was FPK not more responsive to the donors' insistence on the mechanisms of accountability?" There were several possible reasons. At the

most basic level, there was the issue of “capacity” - some of the members of the board and staff of FPK were nonliterate. Because of this, there was a lack of institutional responsiveness to the functional requirements of bureaucracy. This had consequences for the day-to-day administration of the organization, and occasionally for more serious matters: checks from donors would sometimes sit in the office for months before finally being taken to the bank to be cashed (if ever). But the problems went much deeper than this. With a limited staff, members of FPK were so busy lobbying and creating awareness of human rights issues relating to the San that they had little time for writing or compiling financial or administrative reports. They also did not see the urgency to do so.

4.1. Leadership within FPK

- 40 John Hardbattle⁷, Roy Sesana⁸, and Jumanda Gakelebone⁹, all members of the staff of FPK and belonging to three different generations, are good examples of “globalized” indigenous spokespeople and activists. They all engaged in the political struggle for self-determination at the international, national, and local levels. They were seen by many of their people as well as international agencies as playing key roles in the efforts to promote the rights and wellbeing of San peoples. They had each personally experienced the discrimination, assaults to dignity, and denial of rights and distinct cultural identity that the San as whole had suffered. They exemplified the complexities, ambiguities, and dissimilarities of San identities (Sapignoli 2018: 124). All three were effective brokers, expanding the networks and strategies of advocacy and conceptual translation. They attended international UN meetings and conferences, wrote position papers, gave a variety of presentations, took interested parties into the relocated villages in and outside the Central Kalahari Game Reserve, which became a key focus of FPK political and legal activism in the late 90s, and sought funds to help the San. Each of them witnessed and learned about the larger patterns of structural similarities between their situations and those of other indigenous groups. They also gained a better understanding of the range of relationships between indigenous peoples and national governments, and an appreciation of the kinds of rights that indigenous peoples should have. Through their work, the San have been one of the first African indigenous peoples to attend international meetings and to speak out about their issues and ask for support outside of Botswana made them politically visible on a global stage.
- 41 The qualities of an effective indigenous leader that individuals like Hardbattle and Sesana represented were all but impossible to realize in the context of the San’s justice cause. The San are made up of a number of diverse groups, and they do not all have the same agendas. Most San groups, like those in the Ghanzi Farms, are in areas where the vast majority of their lands have been taken away through a long history of land reforms and promotion of the commercial cattle industry. Others like these living in the CKGR, had to deal with issues of relocation, violence, and lack of government basic support, such as water, schools, and clinics. People in the townships face discrimination and lack of employment, women gender violence and youth unequal educational opportunities.
- 42 To be effective, activist campaigns need those who speak for others and receive recognition and prestige for doing so. This is not always consistent with local expectations. On occasion, some members of the San community questioned the

representativeness and effectiveness of the NGO spokespersons, mainly because they felt uncomfortable with others assuming broader authority and gaining personal recognition while speaking on their behalf. Informal standards of accountability called on NGO representatives to make regular personal visits and communicate with people at the local level. When these expectations were not met, complaints and concerns arose, leading to doubts about the true effectiveness of the spokespersons' actions. Not only do the structural requirements of activist organizations mandate particular kinds of expertise, but their leadership itself is practiced in a way that rewards "personal empowerment", using one's voice to be recognized by others, to emphatically advance an agenda. This leadership style, favored among those who Richard Lee (personal communication 2016) refers to as "modernizers," tends to be rejected by those San who are uncomfortable in institutional environments, and for whom "speaking up" and "speaking out" represent a form of self-assertion that is inconsistent with their way of resolving conflicts (Lawy 2016: 285).

- 43 As Lea (2021: 66) notes, indigenous groups are often caught up in fragmented arrangements. This is certainly true in Botswana, as seen in the case of the Kuru Family of Organizations (Bollig *et al.* 2000). Members of the Kuru family have mixed allegiances – to the local church, to other NGOs working in the area (First People of the Kalahari, Botswana Khwedom Council), and to government-sponsored institutions including Village Development Committees and District Councils. Jumanda Gakelebone, for example, is a member of both the Ghanzi District Council and First People of the Kalahari. He has said that at times he has felt "over-bureaucratized" but he also values having affiliations with several different organizations. The Botswana government, on the other hand, prefers to have fewer local organizations in order to simplify its consultation and development related work.
- 44 The challenges faced by indigenous organizations, like FPK, were further complicated by the government's attempts to undermine their credibility and legitimacy. Indigenous organizations are often accused by their opponents as representing the interests of "agitators" and "outsiders." In the case of FPK, government officials and certain journalists sought to portray the organization as a mere puppet or tool of Survival International (SI), an NGO based in London, which had actively supported FPK in various legal cases against the government of Botswana (Sapignoli 2018: 148-154). This tactic was part of the state's broader strategy to challenge the credibility of both organizations and to relegate the San leadership to a passive position concerning their collaborations with international NGOs like SI. The accusations also had the intention of discrediting FPK in the eyes of its own people. By suggesting that the organization was being manipulated by external forces, the government sought to create doubts among the San community about FPK's intentions and its ability to genuinely represent their interests and aspirations.
- 45 Furthermore, FPK staff members, who receive salaries, housing, cars, and travel opportunities, are sometimes viewed with jealousy and suspicion by other members of the San community, both young and old. The relative affluence and access to resources that staff members may have can be seen as a departure from the struggles and hardships experienced by many in the community (*Ibidem*: 145). For instance, when FPK spokespersons travelled to the US and Europe looking for donors and international human rights institutions to support to their cases, the Botswana media depicted them in recreational activities, as enjoying the beach in Malibu or at a polo event in Santa

Barbara. This encouraged average Botswana citizens to express dissatisfaction with “celebrity jaunts.” They were also criticized by members of their own communities once they returned home. As one FPK representative stated,

I find that our visits at the UN are useful to my people for several reasons, but at the same time I feel stressed. Once home people get suspicious about my role because they do not see how my trip benefit them. I have this pc that [name of organization] game me to be in touch with them, but some people think I got it using the moneys directed to them. Sometimes I feel so stressed that I find relieve only in drinking or going into the land and not communicating with other people (2011).

- 46 The mere existence of these coveted positions in the wider context of economic insecurity has been a recipe for infighting. Added to the tendency toward envy of those who are seen to personally benefit from their positions as spokespeople and the difficulty of “speaking for others” was the increasingly common problem of chronic shortages of funding, which produced difficulties both within and between organizations. One consequence of the situation of limited resources has been the imposition of various kinds of co-optation. Another common response to lack of funding was for organizations to narrow their mandates and to focus on particular issues. With different sets of goals and agendas being pursued by various NGOs, an inevitable result was contests over priorities, over the allocation of effort and resources. The fragmentation of indigenous organizations in Botswana has had negative consequences for the indigenous political movement, as they have found it more difficult to secure broad-based, local support for the movement’s broader goals related to indigenous rights, defense of natural resources, and economic development.
- 47 In their efforts to influence international and national law, indigenous peoples face a basic dilemma in which people on the margins of states are required to develop high levels of expertise and administrative capacity, which they are often prevented from achieving by their conditions of marginalization. There is a dimension of the struggle for representation that involves various kinds of co-optation. In 2016 the government appointed one of the leaders of FPK, Roy Sesana, to be a government representative for the San people (Sapignoli 2018: 322-323). This co-option of San leadership caused enormous tensions in the San community, particularly in Ghanzi. In few years, bureaucratic tools could take over the lives of indigenous peoples, to the point that they had been compelled to become «more state than the state» (Lea *et al.* 2018: 317).

5. Conclusions

- 48 The expansion (and later contraction) of donor resources channeled to NGOs that were identified with indigenous causes facilitated the growth of the movement and the bureaucratization of the indigenous protest. At the same time, it increased the dependency of on donors and their agendas. As they fight for their rights and struggle for resources, indigenous peoples are often culturally transformed as they take part in the discourses and procedures of the state: «They are required to adopt a particular view of themselves and of the world that fits with the rights-conferring political machinery of the state» (Samson 2003: 228). «Cultural sameness, » Samson argues, is not only assumed, but is required in the extension of rights to indigenous peoples. Perhaps most significantly, they are called upon to seek their political autonomy in state-centered structures that limit their scope for effective action. With reference to the people she studied in Asia, Tania Li is among those who find that indigenous rights

claimants «must fill the places of recognition that others provide [...] even as they seek to stretch, reshape, or even invert the meanings implied» (Li 2001: 653). This is much the same dilemma that Elizabeth Povinelli refers to as «the political cunning and calculus of cultural recognition in a settler modernity» (Povinelli 2002: 39).

- 49 As shown in this article, indigenous people in Botswana have found themselves enmeshed in the bureaucracy created by with the development of a post-colonial nation-state. They have sought to resist this bureaucratic entrapment, bureaucratizing their political dissent by setting up their own non-government organizations. In doing so, however, they have found that they have to conform to international standards and rules in order to obtain funding and support. Engagement in outreach activities at the international level has brought significant attention to the San social movement, and undoubtedly, has led to international willingness to provide assistance. This international assistance, however, often comes with strings – reports have to be written and account sheets have to be produced. Because of this, there tends to be a reliance on educated San who are familiar with running an effective organization. The balancing of responsibility and accountability, it turns out, is a crucial requirement of successful indigenous organizations. Indigenous peoples, for their part, have learned a great deal about how to work in state bureaucracies and how to resist them. The question that remains is whether the San’s understanding of the complexities of bureaucracy will stand them in good stead over the long term, and if the state would be open to indigenize its procedures to make it a question of care rather than control of its citizens.

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NOTES

1. See Briggs 2006; Lea 2008, 2021; Ryan *et al.* 2014; Fache 2014; Radcliffe, Webb 2015; Gupta 2012; Lahn 2018; Althaus, O'Faircheallaigh 2022; Sullivan 2008.

2. See Almond 2006; Durie 2003; Dwyer 2003; Park, Richards 2007; Radcliffe, Webb 2015; Larkin 2013; Ryan *et al.* 2014; Lahn 2018.

3. This paper is based on the research I conducted in several districts in Botswana (Ghanzi, Kweneng, Central and Tlokweng), interviewing people working in non-governmental organizations, in government offices, and attending national and international meetings. The findings are also the result of my fieldwork in the United Nations Permanent Forum on Indigenous Issues in New York over several years, and in several communities inside the Central Kalahari Game Reserve and its government established resettlement sites (particularly between 2009-2018). The methods I employed in my work included participant observation, ethnographic interviews at the community and individual levels, and extended life history interviews with key players in non-government organizations. I also interviewed people who were part of the "expat" development community and who were involved in the creation of indigenous lead organizations. I also did archival work in the Botswana National Archives and in the files of NGOs including First People of the Kalahari and the Kuru Family of Organizations. I analyze

government policies and white papers as well as donors' reports and assessments. I was fortunate to have had access to the minutes of meetings and the founding affidavits and other materials in the legal cases that came before the Botswana High Court and the Court of Appeals. In addition, I communicated with individuals via email, WhatsApp, and Zoom.

4. The same strategy of non-recognition through the claim "we are all indigenous" is common in most African and Asian states seeking to undo or preempt the obligations that would follow from recognition of claims of indigenous difference (see Sapignoli *et al.* 2017; Hodgson 2011; Niezen 2003).

5. It is important to note that local processes of bureaucratization have their roots in colonial contexts. This is certainly true in the case of Botswana. As Gulbrandsen notes (2012: c1, 25, 75, 118, 123, 130-132, 285, 302, 312), the post-colonial bureaucracy of the Botswana state had direct, though complicated, relationships with the colonial administration of the country. In his perceptive analysis of the Botswana state, he stresses that there was both continuity and discontinuity in the evolution of the Botswana state from the colonial to the post-colonial period. The innovative ways in which the British administration used indirect rule to build on traditional leadership systems laid some of the foundations for what was to come in Botswana after independence.

6. UN meetings, such as that of the UN Permanent Forum on Indigenous Issues, formalize participation of indigenous spokespersons through accreditation processes and (un)intentionally force participants into structures that are at odds with indigenous styles of leadership and the ways of life they are seeking to protect (Sapignoli 2017, 2018: 174-180).

7. John Hardbottle was the founder of FPK in 1993. He was Naro, having been born in Buitsavango, Ghanzi District, Botswana in 1945. He served in the British Army and, when he was done with that service, he returned to Botswana where he became a cattle farmer. He was angered by the Botswana government's threat to relocate the people of the Central Kalahari out of the reserve, so in 1993 he formed a San non-government organization, FPK. He campaigned tirelessly, both in Botswana and internationally, for the rights of the San to their ancestral land. He died suddenly in 1996. It was only after his death that the government relocated people out of the reserve in 1997. His legacy lives on in the Kalahari (Sapignoli 2018: 125-129).

8. Roy Sesana is a G//ana San from Molapo in the Central Kalahari Game Reserve, Botswana. Born in 1939, he is currently in his 80s. He has played a key role in the activities of First People of the Kalahari since its founding in 1993. He currently has a position with the Botswana government, which has affected his stature as a San leader. He was the first applicant in the legal case against the government of Botswana filed in 2002. He continues to play an important role in the politics of the Central Kalahari Game Reserve (Sapignoli 2018: 129-132).

9. Jumanda Gakelebone is a G//ana San from the Central Kalahari Game Reserve, Botswana. Born in 1974, he is currently a district councilor for New Xade in Ghanzi, a position to which he was first elected in October 2014. He has played a key role in local politics and has been a member of First People of the Kalahari since 1998. He has travelled around the world speaking on San rights (Sapignoli 2018: 132-137).

ABSTRACTS

This article examines the relationship between the San people and the post-colonial Botswana state as manifest in bureaucratic practices. These practices illustrate the dynamic between the

state's control and care toward its most discriminated groups and indigenous resistance, incorporation, and cooptation. It considers how Botswana, through the introduction of development policies and laws to regulate hunting, has encapsulated the San into state institutions and practices; it also illustrates, through the example of San activism, how indigenous peoples try to appropriate state institutions and international development models to formalize their resistance through non-governmental organizations. Bureaucratic processes have, on one hand, been experienced by the San as part of the problem of state-sponsored assimilation and control, while, on the other hand, they have been also utilized as part of the solution for seeking basic rights and recognition.

Questo articolo esamina la relazione tra il popolo San e lo stato del Botswana, e come questa si manifesta nelle pratiche burocratiche. Queste pratiche illustrano la dinamica tra il controllo e l'attenzione dello stato nei confronti dei suoi gruppi più discriminati e tra la resistenza e la cooptazione indigena. Esso considera come il Botswana, con l'introduzione di politiche di sviluppo e leggi per regolare la caccia, abbia incorporato i San nelle istituzioni e pratiche statali; inoltre, illustra attraverso l'esempio dell'attivismo San, come i popoli indigeni cerchino di appropriarsi delle istituzioni statali e dei modelli di sviluppo internazionale per formalizzare la loro resistenza e le loro richieste. I rappresentanti San hanno vissuto i processi burocratici, da un lato, come parte del problema dell'assimilazione e del controllo sponsorizzati dallo Stato, mentre, d'altro, sono stati anche utilizzati come parte della soluzione nel ricercare diritti fondamentali e riconoscimento.

INDEX

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