

The Hai//om of eastern Owamboland and the lands issue.

A report on the occasion of the national conference on the future land policy of Namibia, Windhoek 25 June - 1 July 1991

compiled by

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Summary

This paper is written on behalf of the Hai//om "Bushpeople" who have their traditional places in eastern Owamboland but most of whom lost access to land and other resources as a consequence of the establishment of large farms and through their displacement during the war. The paper summarizes the specific reasons that led to the present situation of most Hai//om which is characterized by the economically and socially destructive effects of landlessness. It argues that the Hai//om are not "underdeveloped farmers" but that their attempts to realize forms of a mixed economy have a potential that should be used for their good and that of the wider Namibian society. The paper closes with a number of items which are suggested to be included in the recommendations of the land reform conference because only legally guaranteed land rights can provide the Hai//om of eastern Owamboland with a sufficient basis for future development.

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Introduction

Why the Hai//om of eastern Owamboland want to be represented as a separate group at the land reform conference

The history of dispossession of "San" or "Bushmen" land in southern Africa is well known. Not just in pre-colonial and early colonial time so-called Bushpeople were dispossessed of their land. It is an alarming fact that they were among the prime victims of more recent changes in land policy, as well.

In Botswana the post-colonial Tribal Grazing Land Policy in effect led to a situation in which "Bushpeople" and members of other ethnic groups who had little or no cattle were pushed out of their traditional lands and lost employment opportunities and access to vital resources.

In Namibia, the South African Odendaal plan created a situation by which 98 per cent of all people classified as "Bushmen" found themselves living in areas that were designated for other ethnic groups, for "nature conservation" and for commercial farming. People of the Hai//om language group were among the prime victims of this land policy. As one Hai//om is reported to have said "we were not even on the map of this country", the political map of apartheid that is. The apartheid doctrine not only discriminated by prescribing and cementing differences but also by not recognizing those differences between social groups that did not conform to the overall political strategy.

Independent Namibia as one of the countries in southern Africa with a substantial "San" population is now undertaking an effort to reform its land policy. "Bushpeople" are invited just like all other Namibians to participate in the coming land conference and to discuss issues related to the future land policy of Namibia. For the first time all people classified as Bushpeople in the past have a chance to participate on equal terms in the policy making process of land legislation. However, most of those "Bushpeople" who live in the farming district and as minorities in the areas of Owamboland and Kavango will not be part of this essential discussion about the land issue. Reasons are

- the lack of any centralized overarching authority in form of an official leader or council;
- their lack of access to information about land issues such as the coming conference;
- lack of positive experiences of outside support, resignation about the seemingly insurmountable obstacles to participate on equal terms (distance, language, illiteracy).

This paper is intended to prevent the inability to participate fully in the discussion of the lands issue from resulting in further dispossession and exclusion of these people from such a crucial asset for future development as land.

Although it focuses on the situation of the Hai//om (or =Akhoen, also known as "Xwagga") of eastern Owamboland, who are represented on the conference, the paper is also intended to remind the participants of the land conference and all fellow Namibians that there is a total of at least 5000 "Bushpeople" of various language groups in the areas of Kavango and Owambo alone who are faced with similar threats to the very basis of their life. The number of already landless Bushpeople living on privately owned farms is much higher.

1. Not just another case of displacement

There is a widely held attitude, particularly among those who themselves had to leave Namibia and lost their land, which maintains that "Bushpeople" are "just another case of displacement" in the course of colonialism and the war. What is implied is the notion that these groups do not have any particular right to reclaim land. They should be treated equally but only on the basis of the same standardized criteria developed for other rural communities and without any affirmative action on their behalf.

It is true that the situations of various local communities of so-called Bushpeople, even of those local communities belonging to one language group such as the Hai//om, differ considerably from one to another. The situation is much too complex to allow a simple solution based on grounds of ethnic identity. This paper therefore cannot suggest procedures applicable for all communities who call themselves Hai//om or who are classified as "Bushpeople" and are living in eastern Owamboland.

Nevertheless the Hai//om of eastern Owamboland and the adjoining farms (including Mangetti-West) do form an underprivileged group, in terms of their own understanding of their situation as much as when seen from the outside in the context of Namibia as a nation. In order to guarantee equal opportunities for this group in the question of land rights the specific history of this group and how it got deprived of land and other resources has to be accounted for:

- The displacement of the Hai//om from their original lands in eastern Owamboland and neighbouring areas does not only effect individuals: It was a displacement of a whole community as an ethnic group. As such it is a socio-political process which needs

to be solved on a social basis and not just on an individual level. The war and the procedures of colonial administration did not hit all the occupants of that area with the same vigor. While white and black farmers were kept from operating cattle posts or expanding the way they wanted, the Bushpeople had no hinterland they could rely on, no alternative living space.

- The dispossession of land was justified by claiming that it was for the good of the wider society. The Hai//om were dispossessed of land by a number of different policies Namibia has seen in its history: The colonial occupation of the land, the commercialization of farming, the homeland policy of apartheid, nature conservation legislation. Therefore there has to be a historically informed responsibility of the Namibian society towards this group. It has to be realized that special measures will be needed to prevent the history of dispossession from continuing.

- The displacement is not yet complete but it is an ongoing process which has to be stopped. The recent displacement can still be rectified since some of the original places are not yet occupied by other groups. Indeed, the coming land reform will be the last chance to prevent the ongoing displacement from being completed and keep the recent displacement from turning into a finalized and irreversible situation.

2. The destructive effects of landlessness

Many Namibians suffer from the effects of being landless. A large proportion of them are people who were classified as Bushpeople in the past. A large part of this group call themselves Hai//om. The Hai//om of eastern Owamboland, including Mangetti-West, have lost many of their original places when huge commercial farms were fenced off, first by white farmers in the Tsumeb and Grootfontein districts, then by FNDC/ENOK in the Mangetti and most recently by black farmers just north of Mangetti. From the remaining places further to the north most of them had to flee during the war because the soldiers told them that they "will be shot together with SWAPO". Being threatened with complete landlessness they now try to keep or regain some of their places. They are trying to regain their original lands which belonged to them for unknown generations in the past not simply motivated by sentimentality. What they are struggling for is the economic basis for their future existence. At the moment most of them suffer from conditions that do not allow them to resume an active role as Namibians contributing to the national economy of the country:

- Loss of food security. The once functioning subsistence economy based to a large degree on hunting and gathering has been destroyed. The area has been depleted of game during the war years by arms much more effective than those of the Hai//om, and

other wild food sources are declining as a consequence of overgrazing. Hai//om who were living on communal lands are often denied access to crucial resources such as water by the owners of newly established farms.

- Loss of a sufficient basis to continue on their way towards a mixed economy consisting of gardening, keeping livestock on a small scale, wage labour, exploiting wild food resources, and developing handicrafts such as blacksmith work. In the past the Hai//om have successfully incorporated many changes into their social and economic life. A mixed economy is well adapted to local circumstances and remains resilient to crises in the larger economic system. But without an essential security of access to land and other resources such a mixed economy is no longer possible.

- Loss of the basis for economic initiative and autonomous economic activity. The landlords are the ones who set the limits for the size of individual gardens, the number of animals someone is allowed to keep, the amount of water used, the number of relatives allowed to stay at a household. Individual and communal strategies within a given framework of a mixed economy are not supported but inhibited and in some cases even made impossible.

- Loss of employment opportunities. In the last decades and in some cases even longer, the Hai//om economy has included wage labour. But the labour intensive work of the past (fencing, clearing fields and roads) is rapidly decreasing once farms have become firmly established. The majority of so-called Bushpeople looking for work in the commercial farming area are unskilled. They are the first ones to be unemployed now that farming is becoming "rationalized".

- Loss of any chances to make a living outside urban and rural slums. "Bushpeople" who are not employed are in most cases forced to leave privately owned farms. With no communal land to go back to they are forced to gather in large settlements on government ground. Here a large number of people lives in poor conditions and without perspective for improvement. They are largely dependent on hand-outs from the government or charity organizations and brings about crime, alcoholism and all the social disruption that goes with it.

3. The potential of current patterns of land use

The Hai//om rely on access to land at least as much as any other group in Namibia. Contrary to the popular image they have for considerable time engaged in subsistence activities based on agriculture and livestock herding although these are only complementing their overall economic strategy.

Also contrary to a common image Hai//om and other "Bushpeople" are not "lagging behind" in their economic usage of land and will just have to catch up with those who are already full-time crop farmers or cattle ranchers. On the contrary some of the patterns of land use of some groups of "Bushpeople" show a potential much too valuable to be discarded:

- The Hai//om know how to cultivate crops and how to look after domesticated animals. Indeed many of them spend most of their time on such activities, except usually the crops and animals do not belong to them.

Nevertheless, they also know that there are other natural resources which are worthwhile to be exploited and that there are other productive skills which complement a farming economy. In the past they have successfully explored various ways to combine a number of economic activities in a mixed economy and wish to continue to do so.

In a future Namibia where land use will have to be diversified more people will have to develop such a flexibility in their economic activities.

- The Hai//om do identify with specific pieces of land which they regard as their home country and where they like to spend most of their time just as most other people.

Nevertheless they are mobile people in the sense that they are flexible enough to change their residence seasonally or for specific periods if the overall economic situation requires this. Leaving a specific settlement and returning to it at a later stage is one way for individuals to switch between economic activities in a mixed economy.

The future Namibia will need people with this kind of mobility in order to respond to challenges of a market economy which are constantly changing in the course of development.

- The Hai//om do appreciate the value of land and other resources that are owned by a local group; they recognize the rights of ownership.

However, they also know about the necessity to cooperate with neighbouring groups. They have long realized that exclusive individual ownership and competition have to be restricted in a situation where this would have irresponsible effects on others, the society as a whole, or the natural resources.

In a future Namibia where an increasing number of people have to share a limited range of resources such forms of cooperation will be essential.

- The Hai//om are beginning to realize the importance of concerted activities and effective decision making institutions. They currently discuss how the autonomous local groups should nominate delegates so that economic activity and social life more generally can cope with complex problems.

However, they also value their decentralized, grass-root structure which does not rely on firmly institutionalized personal chiefs but which has proved to be very successful in granting individual freedom and personal involvement in all social processes.

The present and future democracy of Namibia needs the individual involvement of its people in such complex matters as the use of its natural resources, including land.

4. Recommendations suggested to the land reform conference

In order to improve their economic situation characterized by an ongoing deprivation of access to vital resources, to evade the destructive effects of landlessness, and to develop their economic potentials the local Hai//om communities of eastern Owamboland need support. Prior to the war the Evangelical Lutheran Church in Namibia (ELCIN) had initiated projects for these communities. Now, ELCIN in cooperation with the Lutheran World Federation - World Service is willing to work with these communities as a non-governmental development agency. Funds have already been gathered from various overseas agencies to provide technical assistance to the local communities to develop their natural and human resources. But in order to open up this assistance for the local communities the basis for future development has to be secured: access to land. The national authorities will have to provide legislation which secures access to land for the Hai//om communities in eastern Owamboland.

As a consequence to the points elaborated above we call upon the land reform conference to incorporate the following aspects in their recommendations to the national legislative authorities:

a)

To recognize that the local population in eastern Owamboland and in some parts of the communal areas of the north is heterogeneous.

To recognize that there are several groups within one communal area which have historically legitimate claims to land in that area.

To provide legislation that grants land rights not according

to membership to an ethnic group but according to long lasting residence in an area.

To provide legal means by which those groups and "traditional" authorities who were granted the exclusive rights over these areas by Apartheid legislation are reminded (and if necessary forced) to share these rights with other social groups living in these areas.

b)

To recognize the rights to land of those groups within society, such as the Hai//om of eastern Owamboland, who at present do not own cattle or only very few head of livestock.

To provide legal means by which land can be reserved for their future development.

To provide legislation that can stop as soon as possible the fencing going on in eastern Owamboland and other parts of the communal areas which effectively privatise communal land and deprives local communities of any prospects to improve their own situation.

c)

To recognize as a general principle that there are other legitimate ways to use rural lands than just for grazing and crop production.

To recognize that it is also in the national interest to preserve ecologically fragile areas for future use by exploring the potential for other forms of land use.

To provide legislation that grants land rights not just for large scale grazing and agriculture but also to communities such as the Hai//om who are engaging in forms of mixed economy, including horticulture, small livestock keeping, exploiting wild food resources, handicrafts, and wage labour.

d)

To recognize that it is socially and economically necessary to provide land rights not just to individuals but also to associations of individuals which can restrict the individual right to sell land.

To institutionalize a legal status which allows associations to be granted land and to keep that land.

e)

To recognize the following claims of those local Hai//om communities that are already in the process of forming associations to keep this land:

Hai//om most of whom had to flee to Mangetti-West and other farms during the war want to return to their original places surrounding Oshanashatempa (Sanab) and Kotjolo in the center of eastern Owamboland, in order to live and farm at these places.

Hai//om who have always lived at Mangetti-West, ask for sufficient land to farm and live on what is at present farm number 5 of the Mangetti farms.

Hai//om who have lost most of their land at Kongule, just north of Mangetti-West, through the establishment of large scale private farms, they ask for sufficient land to farm and live at what is now farm number 13 of the Mangetti farms, as close as possible to their old dwelling place.

To recognize that the question of how much land is sufficient for these communities that want to develop their mixed economy has to be looked into very carefully and under intensive consultation with the local groups.

To recognize that other local communities still have to form associations and that they are likely to make similar claims to land in the area of eastern Owamboland in the future.

To grant legal rights to land for these communities.