

Continuity, Representation, Redress

Khoi-San Testimony Before the Constitutional Review Committee on Land Expropriation

In February 2018, the Parliament of South Africa established a committee to explore whether and how to “make it possible for the state to expropriate land in the public interest without compensation.”¹ In order to hear testimony from across South African society, the committee organized public hearings in all provinces from 26 June 2018 to 4 August 2018.² Many spoke of how white farmers — less than 9% of South Africa’s population — still own 67% of the land a quarter-century after the end of apartheid.³ Redistributing this land, for many, is a clear step toward redress of historical injustices perpetuated by white settler colonialism. Others invoked the specter of Zimbabwe, where land seizures led to economic freefall and long-term political instability. While few testifying before the committee opposed land reform in principle, many argued against the arbitrary abrogation of property rights and the concomitant sprawl of government power.

On 6 September 2018, the committee heard seven hours of oral submissions in Cape Town. One of the first to testify was the head of Indigenous First Nation Advocacy South Africa (IFNASA), Anthony Williams, who claimed to represent the Khoi-San community. Williams argued in favor of land expropriation without compensation. For him, this meant not just

¹ From a parliamentary press release on 27 February 2018, available at <https://www.parliament.gov.za/press-releases/national-assembly-gives-constitution-review-committee-mandate-review-section-25-constitution>.

² See the program of hearings available at https://www.parliament.gov.za/storage/app/media/uploaded-files/2018/june/20-06-2018/Updated_CRC_Public_Hearings_Sec_25_2018_15062018.pdf.

³ These figures come from the University of the Western Cape’s Institute for Poverty, Land, and Agrarian Studies, available at <https://www.plaas.org.za/sites/default/files/publications-pdf/No1%20Fact%20check%20web.pdf>.

amending the constitution to correct for the injustices of apartheid (which only really began after World War II) but also to allow for land claims prior to 1913. Williams decried the focus on Bantu-speaking communities and further asked why his submission was the only one heard from the Khoi-San community. Committee members in turn expressed skepticism over Khoi-San claims to indigeneity, concern over racial stratification, and suggestions of alternative recourse for the redress sought.

This vignette serves to frame my paper. I will attempt to corral a teeming mass of evidence to provide some kind of response to two questions prompted by Williams' testimony. First, when and why are Khoi-San land claims expressed? Second, how and why are they received? The framework of my investigation follows the three concepts mentioned in my title: continuity, representation, and redress. The first section will thus explore the history of South Africa from 1652 to 1994 to help understand the kinds of continuity and rupture experienced by the Khoi-San. In the next part I will focus on representation of the Khoi-San in the quarter-century since the end of apartheid in 1994. In each section, I do not attempt to reproduce the wealth of scholarship that has preceded me. Instead, I illustrate several examples that will help guide us back to the testimony of Anthony Williams before the Constitutional Review Committee. By the end, I hope to shed some light on the question of redress both as it pertains to the Khoi-San and within the broader framework of South African (and hence global) politics, history, and society.

Continuity (1652–1994)

The first question that comes to mind is simple. Who *are* the Khoi-San?⁴ Let me begin by

⁴ Variants of this word include Khoe-San and Khoisan; I insist on the hyphen to highlight the difference between the two groups, but remain ambivalent about using “i” or “e.” On the latter issue see the older (and more conservative) but still informative Wilson, “Notes on the Nomenclature of the Khoisan”; Nienaber, “Khoekhoen: Spelling, Vorme, Betkenis.”

answering a slightly simpler question. What exactly does “Khoi-San” refer to? Historically, this designates the two communities of the Khoikhoi and the San — which are glosses of the earlier terms “Hottentots” and “Bushmen.”⁵ These words were first used by European settlers to refer to the Cape’s indigenous peoples. Economic or occupational lines traditionally distinguish the two groups: the Khoikhoi (Hottentots) are pastoralists (cattle-grazers) while the San (Bushmen) are hunter-gatherers. Calling these groups by a single name partly arose because of a perceived genealogical relationship between the languages spoken by the Khoikhoi and the San, though this link is no longer supported by most linguists.⁶ But the emergence of the fused “Khoi-San” is also a response to colonial violence that fundamentally changed (and eradicated) pre-colonial social formations and modes of subsistence.⁷

This colonial violence reached its apex in the late eighteenth century, as has been meticulously documented by Nigel Penn and Susan Newton-King.⁸ Mohamed Adhikari in turn has convincingly argued that this violence constituted a genocide of the San.⁹ Its consequences were terrible and far-reaching. To articulate the kind of ruptures experienced by the Khoikhoi and the San, I would like to turn for a moment to the example of the Cape’s northern frontier. Since even before the settlement of Cape Town in 1652 Europeans had engaged with the San and Khoikhoi, primarily to trade cattle.¹⁰ While relations were never entirely peaceful, for at least a hundred years there was nothing like a genocide. Eventually, though, Dutch settlers expanded

⁵ The naming of this group of people is a complicated and well-discussed issue; scholars differ widely on their choice of terminology. For particularly useful discussions of nomenclature see Gordon, *The Bushman Myth*, 4–8; de Prada-Samper, *On the Trail of Qing and Orpen*, 3; Newton-King, *Masters and Servants*, 6–7.

⁶ For a recent discussion of the linguistic issues, see Güldemann, *The Languages and Linguistics of Africa*, 106–7. In summary, he notes that “since no new versions of or evidence for a Khoisan hypothesis have grown out of any more recent scholarship, there is little empirical ground left for currently propagating such a family.”

⁷ An excellent microhistory that illustrates this process is Ross, *The Borders of Race*.

⁸ Penn, *The Forgotten Frontier*; Newton-King, *Masters and Servants*.

⁹ Adhikari, *The Anatomy of a South African Genocide*.

¹⁰ For detail on these early interactions see part 2 of the classic Elphick, *Kraal and Castle*.

away from Cape Town. Relations took a sharp turn for the worse after a Khoi-San rebellion in 1772. By the end of the century, even contemporary travelers remarked on the exceptional brutality of the Dutch-speaking farmers of the Cape. John Barrow (inaugurating a long history of British contempt not only for the natives but also for the Boers) described as much in his 1797 travel narrative:

The name of Bosjesman [Bushman] is held in horror and detestation; and a farmer thinks he cannot proclaim a more meritorious action than the murder of one of these people. A boor from Graff Reynet [Graaf-Reinet] being asked in the secretary's office, a few days before we left the town, if the savages were numerous or troublesome on the road, replied, he had only shot four, with as much composure and indifference as if he had been speaking of four partridges. I myself have heard one of the humane colonists boast of having destroyed with his own hands near three hundred of these unfortunate wretches.¹¹

In the face of such brutal violence, how could the Khoikhoi and San survive? What is clear is that their societies underwent immense, traumatic changes as the colonizers killed indigenous people or impressed them into forced labor (or raped them). Even those who survived lost much of their way of life. Hence, over the course of the nineteenth century Khoi-San stopped speaking their native languages and shifted towards agriculture and participation in a capitalist economy. To give just one example, by the twentieth century four out of five languages in the !Ui family were extinct. N!uu, the last extant language, has only three fluent speakers (although revitalization efforts are now underway in collaboration with the University of Cape Town).¹² In short, the late-eighteenth-century San genocide was imbricated in a kind of colonial assimilationism.

Popular (and some scholarly) accounts would have us believe that the only remnants of this lost people are the ethnographic notebooks kept by Wilhelm Bleek and Lucy Lloyd and the poignant rock art scattered throughout the Cape (more on these later). This narrative is a tempting

¹¹ Barrow, *Travels*, 85.

¹² See educational materials like the trilingual reader by Shah and Brenzinger, *Ouma Geelmeid Ke Kx'u lxa!xa N!uu*.

response to the horrific violence inflicted on the Khoi-San. But what has too often been elided in discussions of this issue are the very real continuities that *do* exist between Khoikhoi and San communities and present-day people of the Cape. Many forms of evidence attest to this continuity. For instance, José Manuel de Prada-Samper recently collected stories from the Karoo:

Such tales were first documented among |xam hunter-gatherers in the 1870s by Wilhelm Bleek and Lucy Lloyd. Unexpectedly they have survived, affirming a strong and continuing tradition of oral storytelling in South Africa.¹³

But the Khoi-San today are not *identical* to the |xam of the 1870s: culture both persists *and* changes. Indeed, the stories de Prada-Samper collected are in Afrikaans, not a San language — a clear result of assimilation following the eighteenth-century genocide.

As we will see in more detail later, it is far too easy to imagine the Khoi-San as *ahistorical*. Archaeology, historical records, and ethnography — from tens of thousands of years to decades ago right through to the present — are melted down, amalgamated, and reforged as the myth of a timeless people. This process produces precisely what Johannes Fabian influentially termed *allochrony*: the “different Time” that non-Western peoples inhabit in the Western imagination.¹⁴ The colonial discipline of anthropology is premised on this understanding — and history, as Dipesh Chakrabarty has shown, is no less complicit. Chakrabarty is particularly useful in juxtaposition with Fabian to understand the ways in which time both “stands for a particular formation of the modern subject” and coheres with the project of constructing an Other that exists in a different world from this pseudo-universal modern subject.¹⁵ As Adhikari puts it, it is too easy to see the Khoi-San as “quaint relics of humanity’s ‘primitive’ past — ‘living fossils’ being a common designation.”¹⁶ Even well-meaning advocates of the Khoi-San are often

¹³ de Prada-Samper, *The Man Who Cursed the Wind*.

¹⁴ Fabian, *Time and the Other*.

¹⁵ Chakrabarty, *Provincializing Europe*, 74.

¹⁶ Adhikari, *The Anatomy of a South African Genocide*, 21.

ensnared in the logic of time limned by Chakrabarty and Fabian. We observe here that this temporality is *hegemonic* in the Gramscian sense: that is, it is a dominant ideology that is taken as fixed even by those whom it oppresses. This operation of allochrony is particularly clear in the endless debates over museum representations of the Khoi-San.¹⁷ In response to concerns such as these, de Prada-Samper acknowledges that the stories he has collected are “not a ‘relic’ of the past, but the living heritage of communities whose ancestry goes back to the First Peoples of South Africa, and is an important part of the diverse cultural mosaic that makes South Africa so unique.”¹⁸ In exploring the history of the Khoi-San — and hence their place in today’s debates over redress and land claims — we must negotiate both continuity and allochrony.

Such is the tension in narrating the history of the Khoi-San after 1850. This story is broadly one of assimilation: the Khoikhoi and San slowly mixed with other colonial populations, including Europeans, Bantu-speakers, Asians, and “Bastaards” from earlier unions. By the twentieth century, this group of people was termed “coloured” by the colonial government. As Adhikari usefully summarizes,

it was in the decades after the emancipation of the Khoisan in 1828 and slaves in 1834 that various components of the heterogeneous black labouring class at the Cape started integrating more rapidly and developing an incipient collective identity based on a common socio-economic status and a shared culture derived from their incorporation into the lower ranks of Cape colonial society. This emergent community of assimilated colonial blacks consisted overwhelmingly of a downtrodden labouring class of African and Asian origin variously referred to as half-castes, bastards, Cape Boys, off-whites or coloureds, until the last-mentioned became the standard appellation from the latter half of the 1880s onwards.¹⁹

The word “coloured” persisted as an imprecise label for an array of heterogeneous identities through until the end of apartheid.

One way of tracking shifts in perceptions is by looking at census categories such as

¹⁷ On this subject see the excellent (and diverse) essays collected in Skotnes, *Miscast*.

¹⁸ de Prada-Samper, *The Man Who Cursed the Wind*, 24.

¹⁹ From the introduction to Adhikari, *Burdened by Race*, xi.

“Native,” “Aboriginal Native,” “Coloured,” and “Black” and how these intersect with the identification of people with Khoi-San ancestry. For instance, these are the instructions in a 1961 circular from the Department of Bantu Administration and Development:

Some district officers may encounter difficulty due to the fact that certain groups such as Nama-Korana [Khoikhoi] and Bushmen [San] may claim classification as coloureds. It must be emphasised that although the abovementioned groups are lighter of skin than the typical Bantu, they belong to an aboriginal race of Africa and are regarded as Bantu for the Population registration purposes.²⁰

Coloured identity emerged partly following and partly in contestation of apartheid-era policies like this one.²¹ Apartheid diktat did not make the Khoi-San now Bantu — but neither did Khoi-San group identity remain static, unbuffeted by the capricious winds of government policy.

Henry Trotter has convincingly argued that coloured identity coalesced not by investing in a remote past, but instead through shared trauma within living memory. For instance, 150 000 coloured people were evicted from their natal homes and communities between 1957 and 1985. Trotter’s interviews with 100 contemporary coloured people identified this as a key event in the formation of coloured identity:

The combination of the commonality imposed by Group Areas, the connectivity that was achieved through sharing stories in the wake of mass social trauma, and the reinforcement of a sense of groupness through positive narrative circulation has promoted a sense of coloured self-understanding that goes beyond mere instrumentality.²²

Thus, at least some Khoi-San who suffered the forced assimilation of the apartheid government became invested in these new identities. After all, amidst colonialism and apartheid there was little space for asserting Khoi-San indigeneity. This complex interweaving of inherited, forced, and self-proclaimed identities undergirds today’s discussions of redress and land claims.

²⁰ Quoted in Besten, “Khoi-San Identity in Post-Apartheid South Africa,” 138.

²¹ See i.a. Adhikari, *Not White Enough, Not Black Enough*; Goldin, *Making Race*; Adhikari, *Burdened by Race*.

²² Trotter, “Trauma and Memory,” 72.

Representation (1994–2018)

In his book *The Anatomy of a South African Genocide*, Mohamed Adhikari makes an intriguing observation. Unlike genocides in the United States and Australia, Adhikari says, “in South Africa the issue has effectively been ignored.”²³ Why? This question is particularly salient because, as Adhikari notes later on, calling it genocide means that “issues of recompense, memorialisation, apology and recognition of past suffering arise.” As he quotes:

We who live in the present did not create the violence and hatred of the past. But the violence and hatred of the past, to some degree, created us. It formed the material world and the ideas with which we live, and will continue to do so unless we take active steps to unmake their consequences.²⁴

It seems that few places in the world would feel this pressure to address issues of continuity, representation, and redress as acutely as post-apartheid South Africa. So, why is there such little discussion of these issues as they pertain to the Khoi-San? A partial answer is found in the narrative I just outlined about the evolution of the Khoi-San as a community — that is, as a group that self-identifies and is able to assert claims — between 1652 and 1994. But to fully understand how we arrived at the present moment, we must also explore the resurgence of Khoi-San identity over the past twenty-five years. I have chosen just a few examples of Khoi-San representation from this period that will help lead us back to Anthony Williams’ testimony before the Constitutional Review Committee.

The moment immediately following the end of apartheid was full of hope: a multi-racial democracy was born with Nelson Mandela as its beloved leader. Much of the literature I cite in this paper was written in the warmth of this moment. This atmosphere is well represented in Norman Etherington’s 2003 call for a “truth and reconciliation history.”²⁵ For him (and for many

²³ Adhikari, *The Anatomy of a South African Genocide*, 21.

²⁴ *Ibid.*, 93.

²⁵ Etherington, *The Great Treks*.

post-1994 South African scholars) fidelity to history should be tempered with empathy for suffering among today's communities. This kind of history is explicitly modeled after the Truth and Reconciliation Commission (TRC), established in 1996. The TRC brought together victims and perpetrators of apartheid-era violence in search of restorative justice.²⁶ The TRC (and thus Etherington's history) aspires to a world where we tell the truth about the past as a means not to punish evil but rather to advance the common good. Did it work? One of the best answers was provided in June 1999 by the poet Antjie Krog:

Peculiarly, the word "reconciliation" still resounds in the land. It carries within it the full variety of survival strategies — among them choice, flight, amnesia, rituals, clemency debate, negotiation, brinkmanship, and national consensus. The goal is not to avoid pain or reality, but to deal with the never-ending quest of self-definition and negotiation required to transform differences into assets. Reconciliation is not only a process. It is a cycle that will be repeated many times.²⁷

I can think of no better way to describe the Khoi-San experience in the twenty-five years since apartheid than as a "quest of self-definition and negotiation." This quest (replete with amnesia and brinkmanship) transforms the history I outlined above into assets for the future.

One such asset is representation in institutions of power. We might ask whether there are Khoi-San representatives in Parliament. (Not really.) Are there Khoi-San writing Khoi-San history? Again, mostly not. As scholars ourselves, the dearth of academics who identify as Khoi-San is particularly important to highlight.²⁸ The only visible Khoi-San scholars are June Bam-Hutchison and Yvette Abrahams. Bam-Hutchison is a professor at the University of Cape Town who "grew up on the Cape Flats with a strong maternal indigenous Khoi identity."²⁹ Abrahams, who has also worked extensively as an activist, says she "was born in Cape Town in the early

²⁶ See the poignant and intelligent film by Hoffmann and Reid, *Long Night's Journey Into Day*.

²⁷ Krog, *Country of My Skull*, 386.

²⁸ Mohamed Adhikari kindly answered my inquiries on this topic in a personal email, 27 November 2018. I had reached out to Adhikari thinking that he himself might be Khoi-San, but he replied that "both my parents were born within spitting distance of Indian rice paddies."

²⁹ From the faculty profile at <https://undergrad.stanford.edu/programs/bosp/explore/cape-town/meet-cape-town-faculty>. See also Bernardo, "Finding Khoisan Connections on the Cape Flats."

1960s to struggle [sic] parents of slave and Khoekhoe descent.”³⁰ Her advocacy was instrumental in the debate over the remains of Sara Baartman, an early-nineteenth-century Khoikhoi woman. Baartman’s remains were preserved by Georges Cuvier, the French naturalist, and displayed in the Museum of Natural History in Paris until they were buried in South Africa in 2002. Abrahams’ role in the repatriation debate was so important that she was singled out for criticism as “profoundly antiscience” in a 2006 monograph on Baartman.³¹ Other Khoi-San voices are visible in the scholarly record, but in almost all cases the gatekeepers remain white academics. Such is the case of Gabototwe, a San man from Botswana, who read a paper at a conference on the Bleek-Lloyd collection upon invitation of its organizers Pippa Skotnes and Janette Deacon.³²



Figure 1

There is one way in which the Khoi-San are *very* visible in post-apartheid South Africa: the

³⁰ See the brief profile of Abrahams provided by UCT News at https://www.news.uct.ac.za/images/userfiles/downloads/media/Bio_YvetteAbrahams.pdf.

³¹ Crais and Scully, *Sara Baartman and the Hottentot Venus*, 160.

³² Gabototwe, “The |Xam and the San Youth of Today.” See also the introduction to Deacon and Skotnes, *Courage of !|kabbo*.

new Coat of Arms (Figure 1).³³ The figures are drawn (albeit with their rather prominent genitalia removed) from the Linton Stone, an example of San rock art now at the South African Museum in Cape Town. The motto beneath their feet — in the |Xam language Bleek and Lloyd documented — reads “!Ke e: /xarra //ke” (officially translated “diverse people unite”). The words of President Thabo Mbeki at the unveiling of the Coat of Arms on 27 April 2000 are illuminating:

Through this new coat of arms, we pay homage to our past. We seek to embrace the indigenous belief systems of our people, by demonstrating our respect for the relationship between people and nature, which for millions of years has been fundamental to our self-understanding of our African condition. ... Those depicted, who were the very first inhabitants of our land, the Khoisan people, speak to our commitment to celebrate humanity and to advance the cause of the fulfilment of all human beings in our country and throughout the world. ... [For the motto] we have chosen an ancient language of our people. This language is now extinct as no one lives who speaks it as his or her mother-tongue. This emphasises the tragedy of the millions of human beings who, through the ages, have perished and even ceased to exist as peoples, because of peoples [sic] inhumanity to others.³⁴

There is an unquestionable respect for the Khoi-San in Mbeki’s words that exemplifies the spirit of post-apartheid politics. But Mbeki’s speech also invokes a pervasive trope I alluded to earlier: allochryny. For Mbeki, the Khoi-San *belong to* the past. Putting them on the national Coat of Arms is quite literally an act of reverence for a people that is now tragically vanished. This dismissal of continuity reproduces the same hegemonic logic of allochryny we have seen before.

We can see this logic at play in many other representations of the Khoi-San. For instance, there is a cottage industry built on the “relics” of the Khoi-San: that is, the records of the Bleek-Lloyd collection and the evidence used to interpret San rock art.³⁵ In both cases, scholars working under the auspices of the British colonial government in the 1870s wrote down stories told by San people they met. In the case of Bleek and Lloyd, their research was (by the end)

³³ My presentation of this example will be rather cursory in light of its comprehensive treatment in Barnard, “Coat of Arms and the Body Politic.”

³⁴ This address is available at <https://www.sahistory.org.za/speeches-and-public-statements/address-president-thabo-mbeki-unveiling-coat-arms-27-april-2000>.

³⁵ See as examples Bank, *Bushmen in a Victorian World* and de Prada-Samper, *On the Trail of Qing and Orpen*, respectively.

marked by a distinctively empathetic, generous, and collaborative spirit. For instance, their |xam informants were invited into the Bleek-Lloyd family home in Mowbray, which seems to have been a warm and welcoming environment. In the absence of direct testimony from Khoi-San, what often suffices for scholars today is an echo mediated through Bleek and Lloyd. An excellent illustration of this is the afterlife of “The Broken String.” This is a story (or “lament”) told by Diakwain to Wilhelm Bleek, who recorded it in his notebooks in the 1870s. Among other things, “The Broken String” has served (in its translated form) as the conclusion to Adhikari’s 2011 monograph and the title of both a 2004 collection of stories — subtitled *The Last Words of an Extinct People* — and a 2010 film by Saskia van Schaik.³⁶ “The Broken String” proved so evocative that it was re-translated in 2009 by Harold Farmer (who praised its “innate poetry”) and published in *Poetry* magazine.³⁷

Saskia van Schaik produced *The Broken String* in order to tell the story of the Bleek-Lloyd collection in an accessible documentary format. The film accomplished this goal with aplomb. In reading the film, though, we should interrogate Schaik’s chosen framing elides. Most significantly, in her film Schaik does not take the opportunity to interview any members of the coloured community. She makes this decision despite implicitly endorsing the idea of Khoi-San continuity by choosing to bookend her film with contemporary footage of a celebration among the coloured community of the Cape. Although her camera comes agonizingly close to the celebrants, Schaik neglects to include their voices in *The Broken String*. In this and other choices, Schaik uncritically succumbs to the trope we have observed throughout this paper: the Khoi-San as “living fossils.” *The Broken String* bills itself as telling “the story of a lost language” and

³⁶ Adhikari, *The Anatomy of a South African Genocide*; Bennun, *The Broken String*; Schaik, *The Broken String: The Story of a Lost Language*.

³⁷ Diakwain and Farmer, “The Broken String.”

presents San practices as existing since “time immemorial.” Our only link to the Khoi-San, if we take Schaik at her word, is the unmediated access provided by the Bleek-Lloyd collection. In her film, Schaik lacks the empathy for her subjects that Bleek and Lloyd themselves exemplified. Schaik’s timidity is painful not only because it elides the rich continuities that stretch through to the present day but also because it thus forecloses the case for Khoi-San redress. I focus on Schaik’s film not to single her out for criticism but instead because *The Broken String* illustrates the frustrating position of the Khoi-San in post-apartheid South Africa. In Schaik as in Mbeki, the hegemonic logic of allochryny denies — even as it corrects for earlier dismissals of San genocide — the kind of continuity that is a necessary condition for redress.

Testimony (today)

At last, we return to the testimony at the heart of this paper. In the past few months, a remarkable archive has been created: the submissions of South Africans to the Constitutional Review Committee considering land expropriation.³⁸ The sessions of this committee have been meticulously documented through written transcriptions and summaries, videos on the Parliament of South Africa’s YouTube channel, and audio recordings on SoundCloud.³⁹ The immediacy and poignancy of video testimony is unparalleled; a historian watching these recordings longs for the same access to Sara Baartman, Jan Tzatzoe, Diakwain, and other indigenous voices of South Africa (and beyond). Yet I stress that the video testimony is *also* a representation. We should resist the allure of “unmediated access” to Khoi-San voices by listening actively to the silences produced by our archive. The best way to thus attune one’s ear is

³⁸ The formal name is the “Joint Committee on Constitutional Review.” Naming of this committee is not consistent even in official publications; in this paper, I use either “Constitutional Review Committee” or simply “committee.”

³⁹ All of this information is usefully organized by the [Parliamentary Monitoring Group](#), a non-governmental information service; for an illuminating report see Parliamentary Monitoring Group, “Getting Information to the People.” What is not available publicly (to my knowledge) are the thousands more written submissions.

by putting today's testimony in conversation with the long arc of Khoi-San representation traced above. I will again highlight the tension between allochry and continuity that undergirds today's discussion of the Khoi-San, while remembering the stories of genocide and assimilation that leave their indelible mark on our interpretations today. In so doing, I will more explicitly address the questions I posed at the beginning of this paper: when, how, and why are Khoi-San land claims both expressed and received?

The sole representative of the Khoi-San to testify before the committee was Anthony Williams, the CEO of Indigenous First Nation Advocacy South Africa (IFNASA).⁴⁰ IFNASA claims to advocate

the restoration of the Khoe and San Identity, Culture, Language, Land, Socio-economic empowerment, through Research and Policy Formulation in promoting Social Integration and Cohesiveness amongst All South Africans, which must based [sic] on Equality, Fairness and Justice for All.⁴¹

This is roughly the same claim made by a constellation of groups identified with post-apartheid "Khoi-San revivalism."⁴² Probably the first group to demand restitution explicitly for the Khoi-San (as opposed to, say, the Griqua) was the Cape Cultural Heritage Development Organization, set up in 1996. The organization of a conference in 1997 led to the creation of the National Khoisan Forum (later National Khoisan Council) in 1998. This body remains the primary representative of the Khoi-San in the government's eyes, though many organizations and people claim some kind of authority or heritage. As Rafael Verbuyst has extensively documented, Khoi-

⁴⁰ I have searched to the best of my ability the available documents for other Khoi-San testimony but have found none. Unfortunately, an email to the committee secretary has not been answered. My suspicion is that there are written submissions from Khoi-San, but I doubt there is more oral testimony that is publicly available. As we will see later, though, there is no shortage of Khoi-San voices in other fora, including in the press and in activism.

⁴¹ From IFNASA's "About Us" page, available at <https://www.ifnasa.co.za/about-us/> (capitalization unaltered).

⁴² This term has emerged through recent (2018, 2016, 2014) scholarship such as Sato, "Khoisan Revivalism and Land Question"; Verbuyst, "Claiming Cape Town: Towards a Symbolic Interpretation"; Bam, "Contemporary Khoisan Heritage Issues." Perhaps the earliest (2006) influential writing on this topic is Besten, "Transformation and Reconstitution of Khoe-San Identities." (But note the incipient (2001) Bredekamp, "Khoisan Revivalism.")

San debates have become increasingly complex over the past twenty years.⁴³ Particularly notable is the invocation of the International Labour Organization’s Indigenous and Tribal Peoples Convention of 1989, or ILO 169. The politics of indigeneity that provide grounds for restitution across the world are complicated by the peculiar racial history of South Africa (and other African states). For instance, the existing mechanisms for redress (especially the Land Claims Commission) have a cut-off date of 1913 — preventing meaningful restitution for Khoi-San claims that may date back to the eighteenth century. While many recognize this as an issue, what exactly should be *done* is another matter. Many bills have foundered in Parliament while government officials have made vague statements and promises that are difficult to follow through.⁴⁴ Even the heady momentum of Khoi-San revivalism fails to penetrate the thicket of bureaucracy and politics that characterizes post-apartheid restitution debates.

The testimony of Anthony Williams should thus be seen as typical of post-apartheid Khoi-San revivalism — a confusing and fractious movement that has made little headway in the past twenty years. Williams’ main argument before the committee is that Section 25 of the constitution should be amended not only to provide for land expropriation, but also to explicitly recognize the rights of the “Khoi-San people.”⁴⁵ This aligns well with the broader movement. Similarly, Williams asserted that the bar against pre-1913 claims in Section 25(7) is “prejudiced against the indigenous first nation’s dignity.” After some prodding by Members of Parliament (MPs), Williams went on to make the more radical claim that Section 25 should be removed wholesale (not just amended) because the “indigenous first nation people” had not been “part of

⁴³ Verbuyst, “Claiming Cape Town: Ethnographic Interpretations.”

⁴⁴ For a wealth of detail on this tangled history see *ibid.*, 48–62.

⁴⁵ This and the following quotations are from the minutes of the Constitutional Review Committee, available at <https://pmg.org.za/committee-meeting/27029/>. See also the video recording at <https://www.youtube.com/watch?v=Kj2Htj1pMfI> — though unfortunately the first few minutes seem not to have been recorded.

the conversation regarding land expropriation.” Williams invoked the Coat of Arms of South Africa as “direct proof that the so-called ‘Coloured’ people were the first nation people of Southern Africa,” going on to say that “the so-called ‘Coloured’ people should not be referred to as ‘black’ people, because black people did not exist.” The reactions of MPs in the Constitutional Review Committee were mixed, to say the least. Mncedisi Filtane of the Universal Democratic Movement (UDM, a small center-left party) “asked from which part of Southern Africa the Khoi-San people originated, and where was the evidence to prove that they were the first indigenous people be [sic] found.” Floyd Shivambu of the Economic Freedom Fighters (EFF, a controversial and fast-growing far-left party) then asked “how one determined who the first indigenous people were, and from which part of South Africa they had originated.”

One way to proceed from Williams’ testimony would be to take an explicitly political approach, following the trajectory of the land claims debate. On 4 December 2018 Parliament considered the Constitutional Review Committee’s report, which recommended

That Section 25 of the Constitution must be amended to make explicit that which is implicit in the Constitution, with regards to Expropriation of Land without Compensation, as a legitimate option for Land Reform, so as to address the historic wrongs caused by the arbitrary dispossession of land, and in so doing ensure equitable access to land and further empower the majority of South Africans to be productive participants in ownership, food security and agricultural reform programs.⁴⁶

With 209 votes in favor and 91 against, the report was adopted by the National Assembly (initiating the amendment process). Debate was heated, however. On the one hand, Moloko Maila of the African National Congress (ANC, the ruling party) commended the committee’s work to “correct the original sin of land dispossession” (10).⁴⁷ On the other hand, Thandeka Mbabama of the Democratic Alliance (DA, the main opposition) decried the “collusion between

⁴⁶ From p. 28 of the final committee report, available at <https://pmg.org.za/files/181115FinalReport.docx>.

⁴⁷ See the unrevised Hansard for 4 December 2018, available at <https://www.parliament.gov.za/storage/app/media/Docs/hansard/7f4fea57-df1b-4c32-boe0-79aff5653f18.pdf>. Subsequent page numbers also refer to this document. See also the video recording of the session, available at <https://www.youtube.com/watch?v=1EIN4QH3sZc>.

the wily EFF and the beleaguered ANC,” even calling out EFF MPs as “rude, rabble-rousing red berets [with trills to highlight the alliteration] who surely have had no parental guidance whatsoever in their formative years” (17). Julius Malema of the EFF replied with equal force, claiming that any opposition to the amendment “is in defence of white privilege, which seeks to perpetuate landlessness amongst our people” (25). The opposition to the report was articulated more thoughtfully by Glynnis Breytenbach of the DA, who said that land expropriation without compensation

is a blueprint for chaos and economic disaster. It deliberately seeks to stoke racial tension, and by definition relies on force — an approach that has no place in a modern, constitutional democracy. ... No well-informed South African would voluntarily hand over their property to any government to become a tenant in their own country. No government should be trusted with this much power. The Constitution is designed to protect the rights of all South Africans against all governments, including now unthinkable future governments. ... The DA stands opposed to any abrogation of existing property rights. These are the bedrock of development and economic growth. Wholesale expropriation without compensation is nothing other than state-sanctioned theft. (62–3)

The political firestorm continues to rage over the issue of land expropriation without compensation (including Khoi-San land claims) and will likely play a significant role in the 2019 elections. The only observation I would like to make about this political narrative is the salutary expression of diverse viewpoints — one essential element of democracy that is absent from debates in similar countries like Zimbabwe. In my opinion, the most likely outcome will be a compromise. I doubt anyone wants to either abrogate foundational rights or deny the injustices that persist in South Africa. Democracy at its best should be about working through disagreements like these.

But aside from this more conventional political analysis, we can also proceed from Williams’ testimony with greater sensitivity to alterity and the *longue durée*. Instead of tracing the political debates, we could try to understand what underlies discussion of Khoi-San land claims. For instance, one important concept is that of “strategic essentialism”: stressing ideas of

purity, continuity, and unalienable essences (often based on popular stereotypes) in order to achieve political or economic goals. Many would see this as the guiding practice of groups in Khoi-San revivalism, including Williams' testimony. Verbuyst observed many intriguing examples of strategic essentialism in his work with activist communities in Cape Town:

The constructed nature of Khoisan identity (as all ethnicities and identities) is not a secret which if revealed would discredit the whole endeavour; it can in fact become a source of humour and relativism ... I remember how (naively) surprised I was when talking to the master of ceremony after a traditional Khoisan *!Nau* ceremony had been completed in Botrivier and he told me that he also had to invent parts of the ceremony because much of the traditional culture had been "lost." Another activist concurred and told me that I, as a researcher, had to be aware of the fact that the Khoisan were in the process of "re-inventing" themselves.⁴⁸

This last comment in particular echoes Antjie Krog's gloss of reconciliation as a "never-ending quest of self-definition and negotiation required to transform differences into assets."⁴⁹ The candor of both Verbuyst and his interlocutors is a refreshingly direct demonstration of this quest.

At the same time, we should not reduce the debates over Khoi-San land claims to negotiations of identity and culture. Material conditions also matter. Just 1% of South Africa's 128 million hectares of land belong to the coloured community, which makes up about 9% of the population.⁵⁰ Activists make their frustration with this injustice (and its concomitant poverty and lack of social mobility) quite clear — not least by voting for the EFF. A poignant example of such frustration is a protester's sign outside one of the committee's sessions: "KEEP THE LAND!!," she wrote, "Just give me a FOKEN JOB."⁵¹ Williams' testimony, too, stresses both reparations and "dignity." Such sentiments are encapsulated in an article in the online newspaper *The Daily Maverick* that concluded:

⁴⁸ Verbuyst, "Claiming Cape Town: Ethnographic Interpretations," 66.

⁴⁹ Krog, *Country of My Skull*, 386.

⁵⁰ This figure comes from the University of the Western Cape's Institute for Poverty, Land, and Agrarian Studies, available at <https://www.plaas.org.za/sites/default/files/publications-pdf/No1%20Fact%20check%20web.pdf>. On this point see also Zandberg, *Rehoboth Griqua Atlas*.

⁵¹ See the image tweeted by the Democratic Alliance on 4 August 2018, available at <https://inm-baobab-prod-eu-west-1.s3.amazonaws.com/public/inm/media/image/2018/08/04/52238420DjvSBvNXoAANyTu.jpg>.

Our government's decision to give our country's most vulnerable communities a stake in the land that they have lost, but continued to service, will afford them greater protection from exploitation and a legacy to lift future generations out of poverty. But, most importantly, it will begin to restore the dignity they were stripped of. In due time, they won't have to look out car windows, marvelling at land that was once theirs.⁵²

As Verbuyst argues, we should think about both strategic essentialism and “identification strategies” on the one hand and real differences in people's lives and their grievances on the other. The policies that are created to address Khoi-San land claims should therefore be guided by an overriding empathy for the suffering of others. In demonstrating this empathy, we should not just negotiate identities in the spirit of the Truth and Reconciliation Commission. Rather, we must take into account the imbrications of material *and* cultural politics.

Concluding thoughts

So, how indeed are Khoi-San land claims both expressed and received? First, I have suggested that many discussions today are undergirded by the tension between allochryony (Khoi-San as a vanished people, accessible only through records) and continuity (the Khoi-San as “living fossils”). In the first section, we observed how this tension came about by looking at the late-eighteenth century San genocide and its aftermath. We also saw how this tension plays out in representations such as Saskia van Schaik's 2010 film *The Broken String* and the Coat of Arms of South Africa. Second, we have understood that activists today deploy the political tactic of strategic essentialism. At the same time, I have pushed away from the reduction of strategic essentialism to the charges of crass opportunism that are often used to dismiss Khoi-San land claims. We have seen how concerns over both identity and material redress emerged from the apartheid-era cohesion of coloured identity and the subsequent politics of truth and reconciliation. These observations formed the ground on which my interrogation of Anthony

⁵² Louw, “Will the Land Ever Be Returned, and Dignity Restored?”

Williams' testimony before the Constitutional Review Committee stood.

What are some things we can take away from all of this? First, the example of the Khoi-San shows how easy it is to steer from racist denial of genocide to the allochryony implicit in calling a people "extinct." Second, I have demonstrated how important it is to be historically aware, not just of immediate causality but also of the *longue durée*. After all, at least some of the pushback to Khoi-San land claims comes from presentism that the diffusion of historical scholarship only slowly addresses. This presentism is also complicit in a kind of teleology that histories of South Africa sometimes play into: one where apartheid is the end to which history is driving, and thus one where segregation is the "highest stage of white supremacy."⁵³ Listening more attentively to the keen of eighteenth-century Khoi-San helps us interrogate the familiar, introducing much-needed perspective in today's political debates. Testimony, whether it is John Barrow's from 1801 or Anthony Williams' from 2018, plays a uniquely important role in a democracy invested in what Bonnie Honig calls "agonistic humanism" — that is, a "post-Enlightenment humanism of lament and finitude" that "find[s] in grievability a new social ontology of equality," an ontology that "threatens the polis' narrow citizenship ideology."⁵⁴

In some ways, this project has been driven by my simple, rather selfish impulse to *learn*. But I'd like to think that in this paper I've fallen on the right side of Richard Rorty's dividing line between "people busy conforming to well-understood criteria for making contributions to knowledge [and] people trying to expand their own moral imaginations."⁵⁵ By engaging in this work, I hope to have contributed to the generous, hospitable, and empathetic exchange of ideas that is fundamental to democracy.

⁵³ To borrow from Cell, *Highest Stage of White Supremacy*, who is himself rather facetiously riffing off of Lenin.

⁵⁴ Honig, *Antigone, Interrupted*, 17–35.

⁵⁵ Rorty, *Philosophy and Social Hope*, 127.

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