

## **The Land Issue in Botswana and how it is affecting the Wayeyi**

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The Wayeyi, one of the so-called minority groups in Botswana have experienced and continue to experience the land use problems. At the general meeting of September 30, 2002 at Ditshiping, the Wayeyi discussed this issue and the following were highlighted:

1. Since the early 1970, the people of Zhao (Tswanalised as Jao) an island in the Okavango Delta, have asked Government to recognise their island as a village so that it could be provided with social amenities such as a school and a clinic and others. Government has refused, in order to force them to move out of the Delta in search for such services and give way to wildlife tourism.
2. After the breakage of the cattle lung disease in 1995, there was a restocking exercise in which people were given 30% compensation in the form of cattle and 70% in the form of money. This was a decision the people had not been consulted and agree on, but was meant to reduce the number of cattle in the district and provide more space for wildlife. This would also make the residents poorer and more dependent on government poverty alleviation schemes, hence become loyal to the ruling party, as a sign of gratitude for such 'help'.
3. During the restocking exercise the Wayeyi residing at Zhao were not allowed to bring their cattle back into the Delta in order to force them out of the Delta and give way to wildlife tourism. As a result, this has affected their quality of life. They are now forced to stay at Etsha 6 and search for jobs, as unskilled labourers or simply live in poverty. This has resulted in a big change in their culture and lifestyles.
4. The Wayeyi of Ditshiping (east of Maun), have their cattle fenced out of the Buffalo fence, hence forcing them out of the delta again to live in Maun. They have however, insisted to live at Ditshiping without their cattle. Obviously this affects their economic base.
5. The TOCaDI (former KURU Development Trust), an NGO in Shakawe has identified NG 11 and 13 as community land for the Basarwa (see their January to June report of 2002). This was done without consultation with the Wayeyi and other groups living in these areas, whose ancestors have lived in here from time immemorial. This has a potential to cause ethnic conflict between the Basarwa and these other groups. Our view is that, before such decisions can be made, communities and their organisations should be fully consulted, otherwise, the exercise becomes a time bomb. The Wayeyi support the land reform for the Basarwa, but it should be done through consultation with the organisations

interested in preserving the cultures of both the Basarwa and the Wayeyi, and not simply exploit the ignorance of illiterate people and call that consultation. We must be sure that people are making informed decisions. Any divisive procedure will not be profitable for either group. This is an issue that needs to be looked at seriously as government had made several attempts to bring conflict between Wayeyi and other tribes, after its court case, which challenged the Tribal Territories Act, the Chieftainship Act and Sections 77 to 79 of the Botswana constitution. These laws deal with cultural rights they reserve such rights for the Tswana speaking tribes at the exclusion of other ethnic groups. We view the approach of TOCaDI in this area as government inspired to engineer conflict.

6. What is of interest to note is that, while government is evicting the Basarwa of Gwi and Gani tribes from the Central Kalahari Game Reserve, where they form the majority tribe, the same government, in partnership with, and through the wings of TOCaDI, is evicting the Wayeyi from the Okavango Delta under the pretext to make it a Basarwa area. The true motive is that, neither the Wayeyi nor Basarwa would benefit from the Okavango Delta, but government officials and their tourist friends.
7. The Land Act, allows people to inherit their ancestral land. However, for the Wayeyi who lived in the Delta, they are not allowed to inherit their ancestral land in the Delta, nor are they compensated. The land-board has made it clear that they cannot be allocated such land either, it is reserved for wildlife.
8. There is need to study the conservation strategies for various ethnic groups and how these affect co-existence and the environment. For instance, while the Wayeyi gather fruit from trees after they are ripe without disturbing the life of the tree, the Hambukushu on the other hand, cut the tree branches to gather fruit. This means the unripe fruit and the tree itself, lose their value and life. This has caused attitudinal differences between the two ethnic groups. It has also had environmental impact in the area. For instance, the mokhutsomu fruit can no longer be gathered in the Etsha and Ikoga areas due to the gathering habits of the Hambukushu. Equally, the monkeys are becoming extinct since the Hambukushu eat them without control, while the Wayeyi do not eat monkeys at all.
9. Government, like in the case of the Basarwa has tried to exploit this difference to cause ethnic conflict between the two groups. During the President's consultative meetings on sections 77 to 79 of the Constitution, a group of Hambukushu was ferried from Etsha 6 to attack the Wayeyi at the Gumare meeting. The point here is that, while these are land use issues, they are also cultural issues and they can be exploited by politicians to enhance difference (divide and rule) rather than promote co-existence. There is need to study them in all the appropriate contexts including the formulation of land use policies.

### Conclusions and Recommendations

- The eight Tswana speaking tribes have been designated land as per the Tribal Territories Act. In order to achieve equality and in the spirit of the report of the UN Committee on the Elimination on all forms of Racial Discrimination (August, 2002) all other tribes must be recognised and given land. The on-going political land demarcation exercise must also aim to recognise the territorial boundaries of ethnic groups and this is quite possible.
- Currently, the non Tswana suffer the discrimination for forced removals because the laws of the country does not recognise them as a tribe with the group rights to land like the Tswana groups. On the basis of these laws, the non-Tswana are not to benefit from natural resources surrounding. Such resources go to benefit and develop the villages where the Tswana live while non-Tswana areas are neglected. An example is the Orapa Diamond mine in Boteti region, which predominantly non-Tswana speaking. The area is one of the least developed in the country, while the royalties go to develop Serowe, where the Bangwato whose chief is the imposed chief on the non-Tswana of Boteti.
- Equally, revenue from tourism from the Okavango, Kgalagadi and Chobe, do not benefit the livelihoods of the communities, but used to develop the villages where the eight Tswana speaking groups reside.
- This call for constitutional recognition of all tribes, so that they can have the right to land, and have their own chiefs like the Tswana.