February 2020

MSc Thesis – Sociology of Development & Change

The *Kaalgat Millionaires* of the Richtersveld:

Indigenous outcasts of modernity.

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Figure 1. A view of the town of Kuboes from the surrounding hills.

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Abstract

This thesis investigates land dispossession and restitution during apartheid and post-apartheid South Africa, exploring how modernity has come to manifest itself as a system of exclusion for the indigenous Nama ethnic group and the greater Richtersveld community. Diamonds were first found in the Richtersveld in 1925. As the area was privatized and partitioned for mining purposes, the community was steadily denied access to their land and dispossessed of their pastoral ways of life. With the end of apartheid in 1994, South Africa entered a new era of land reform, and in 2003 the Richtersveld community won a land claim against Alexkor Diamond Mine, the first case to successfully apply common law aboriginal title in a South African court of law. The deed of settlement promised financial reparations for years of exploitation, transfer of land back to the community, and partial ownership of local mining rights. Despite this 'success', in the years following the claim, the community has seen little change and continues to experience widespread conditions of poverty and exclusion. They are the *Kaalgat Millionaires* (translated to Naked Millionaires); they should have access to vast mineral and financial resources, but they feel they are only getting poorer. Using Zygmunt Bauman's concept of 'wasted lives' as a lens through which to analyze the case study, I explore how modernity is inconceivable without waste, both literal waste and the people who are the 'outcasts of modernity.' The Richtersveld community survives on the margins of society, dispossessed of their indigenous lifestyles yet unable to fully enter and participate in modernity. Although the community meets the requirements to be categorized as 'wasted,' by using different types of agency, they resist succumbing entirely to the restraints of the system. In this regard, I challenge Bauman's theory as empirically restrictive, arguing that it connotates a permanence and irrevocability that minimizes community-wide efforts to build a brighter future.

Keywords: *Richtersveld, Nama, modernity, wasted lives, Zygmunt Bauman, social exclusion, structure, agency*

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List of Abbreviations

ANC African National Congress
CBNRM Community-Based Natural Resource Management
CCT Constitutional Court
CPA Communal Property Association
CRLR Commission on the Restitution of Land Rights
CWP Community Work Programme
DMR Department of Mineral Resources
DoS Deed of Settlement
DPR Department of Public Enterprises
DRDLR Department of Rural Development and Land Reform
DSAC Department of Sports, Arts and Culture
EIAs Environmental Impact Assessments
EMPs Environmental Management Programmes
IC Interim Committee
ILO International Labour Organization
LCC Land Claims Court
LRC Legal Resources Centre
LSE London School of Economics
NYP National Youth Policy
RAHCO Richtersveld Agricultural Holding Company
RCT Richtersveld Community Trust
REHC Richtersveld Environment Rehabilitation Company
RIHC Richtersveld Investment Holding Company
RIT Richtersveld Investment Trust
RMC Richtersveld Mining Company
RNP Richtersveld National Park
RPHC Richtersveld Property Holding Company
RSA Republic of South Africa
RSDC Richtersveld Self-Development Company
RWHS Richtersveld World Heritage Site
SAFLII Southern African Legal Information Institute
SAHRC South African Human Rights Commission
SANParks South African National Parks
SASC South African San Council
SCA Supreme Court of Appeal
SOE State Owned Enterprise
TRANCRAA Transformation of Certain Rural Areas Act
UBPL Upper-Bound Poverty Line
UN United Nations
UNESCO United Nations Educational, Scientific and Cultural Organization

Acknowledgements

I have numerous people to thank for this thesis. It may have begun as a solo endeavor, but it could not have been finished alone.

I am especially grateful for the hospitality and openness of the Richtersveld community. Special shout outs go to Nadine, my translator and friend, Andra, Abe, and Oum Gert, for helping to facilitate my research, and Ouma Flora, for welcoming me into her home and making my stay so comfortable. It was a life-changing experience and I hope to return soon.

This thesis would not have been possible without my loving parents, who provided me with unyielding support, in countless forms. It has been quite the journey, and they've been there every step of the way.

I feel fortunate to have had Stasja Koot as a supervisor—not only is he the fastest email responder I have ever encountered, but he has helped turn this thesis into something I am proud of. I am very thankful for his encouragement and constructive feedback.

I would also like to thank Aram, for helping me make sense of the survey and cheering me on, Justin, for finding me at a particularly dire moment and pointing me in the direction of the Richtersveld, and Ben, for his endless patience and affection.

1. Introduction

Land reform and decolonization are prominent topics in post-apartheid South Africa. Albeit efforts to reinvent the political, economic, and social systems, the legacy of segregation and land dispossession persists, decades after South Africa transitioned to a democracy. The Richtersveld case study exemplifies the global indigenous struggle to reclaim land stolen for resource extraction, as well as the immense levels of poverty and marginalization that have resulted from years of oppression, first by European settlers and now by corporations (Fairweather, 2006; Koot, Hitchcock, & Gressier, 2019).

The Richtersveld land claim against Alexkor Diamond Mine, a State-Owned Enterprise (SOE), is a fundamental component of South African land-reform history and is a symbol of the transition from an apartheid regime to a democracy. It is the first in a South African court of law to successfully apply aboriginal land title to determine the validity of a claim to land and to justify payment of reparations to a community for decades of mineral extraction. While the land claim was 'successful,' and aboriginal title provided the framework for the land claim, in actuality, nothing changed for the Richtersveld communities and the mining companies continue to operate and profit at the expense of the local people. As the main authority over land rights, the state also has its own capital interests, further complicating the situation.

The South African apartheid regime was a legal system of control, contingent on spatialized land dispossession and racial classifications. Lasting from 1948 until the first democratic elections in 1994, the regime prevented more than 85 percent of South Africans from legally owning land and restricted non-white people to marginal areas. With the annulment of apartheid laws and the establishment of the Constitution of 1996, new legislation entitled all individuals and communities to landownership, making way for an era of land reform and reparations. The 1994 Restitution of Land Rights Act 22 declared that if a person or a community was "dispossessed of a right in land after 19 June 1913 as a result of past racially discriminatory laws or practices," then they or their direct descendants had the right to lodge a claim for restitution before 31 December, 1998 (Republic of South Africa, 1994). The Restitution Act also established the Land Claims Court (LCC) and the Commission on the Restitution of Land Rights (CRLR), which would play central roles in the processes of land reclamation processes for years to come.

Despite a landmark judgment that affirmed the Richtersveld community's[1] right to the land, they have seen little change. As one interviewee explained, "we won that land claim. But from then on, the people are getting poorer and poorer" (Interviewee 9, 28-8-2019). Others echoed these sentiments, telling me, "we are still living in poverty, while we should be millionaires; we have all the resources in the world, but we still have nothing" (Focus Group, Quality of Life, 28-8-2019, Kuboes). For this reason, the people of the Richtersveld are known as the *Kaalgat Millionaires*, directly

[1] For the purpose of this thesis, I frequently refer to the *Richtersveld community*. This is not to suggest that they are a homogenous group or uniformly 'indigenous'; rather, it refers to the current inhabitants of the Richtersveld, including those who were officially recognized as claimants in the land claim and their descendants (Agrawal & Gibson, 1999). A significant feature of the community in regard to the land claim is its claim to indigeneity, and although this is relevant primarily to those ethnically of Nama descent, the purpose of this research was not to determine 'authenticity' or map identity politics. The Richtersveld consists primarily of people of Nama background, especially in the town of Kuboes where I conducted most of my research, but the ways in which individuals identify is much more complex. Today, many inhabitants simply identify as 'coloured', although there is an underlying, unifying Richtersveld identity. Furthermore, many of the problems experienced in the Richtersveld are felt by the entire community, rather than by specific ethnic or identity sub-groups, so I most commonly refer the community as a whole.

translated to the *Naked Millionaires.* On paper, they should have access to vast mineral and financial resources, but in reality, they are only getting poorer.

With this research, I aim to contribute to academic discussions regarding indigenous land dispossession and exclusion in sub-Saharan Africa (Fairweather, 2006; Hall, 2009; Kahn, 2007). Using Zygmunt Bauman's concept of 'wasted lives' to analyze the case study, I explore how expansion and so-called 'progress' are inconceivable without waste, including both literal waste and the humans that have become 'outcasts of modernity' (Bauman, 2004). The introduction of mining to the Richtersveld occurred as capitalism sought new markets to exploit, disposing of whatever and whoever got in the way of production. By examining modernity as a system of exclusion for those who do not reap its benefits, I also contribute to existing discussions about social exclusion and what constitutes a just and livable life, using theories of exclusion to help define and elaborate upon the 'wasted life' (Burchardt, Le Grand, & Piachaud, 2002; Devicienti & Poggi, 2011; Hunter, 2009; Saloojee & Saloojee, 2011; Saunders, 2003; Sen, 2000; D. Walker, Le Masson, & Samuels, 2015; Walter, 2016). Academically, I also further the realm of Bauman's concept of 'wasted lives,' which has typically been used to describe migrant groups living in the margins of society. By applying the concept to indigenous groups, I show how global modernity has highly localized impacts, constantly creating winners and losers. Like many refugees, the people of the Richtersveld have been dispossessed of their ways of existing. They are now 'stuck' between two worlds—the pre-modern world they have left and can no longer return to, and the modern world they now inhabit but do not truly benefit from.

The central argument of this thesis is twofold. First, I argue that the Richtersveld community meets the requirements to be classified as 'wasted,' explicitly linked to the systemic, oppressive forces of modernity. With increasing poverty levels and a dependency on the declining mining industry as the primary source of employment, the Richtersveld community is arguably one of the "collateral casualties of economic progress," struggling to maintain dignity and autonomy (Bauman, 2004, p. 40). This does not mean the community is estranged from modernity. Rather, the community has access to features of modernity, and total awareness of what they are lacking, but isolation and exclusion prevent full integration into the modern system. There is also little possibility (or desire) to return to pre-modern ways of existing. The community now survives in precarious, liminal spaces, "faced with the daunting task of gaining the means of biological survival while stripped of the self-confidence and self-esteem needed to sustain their social survival" (Bauman, 2004, p. 40).

In contrast, however, to Bauman's explicitly structural approach, I use theories of agency to explore how actors in the Richtersveld are not merely passive victims of the system. Building on Van der Wulp and Koot's (2019) concept of *immaterial indigenous modernities*, I consider how aspects of modernity can be used to achieve certain agendas within existing socio-political structures. I also explore how the Richtersveld community has pushed back against oppressive forces, using their agency as a form of resistance (Butler, 2015; Giddens, 1984; Hardt & Negri, 2017), which leads to the second argument. By considering agency, I challenge Bauman's theory, arguing that while it has theoretical value, empirically it is disempowering and suggests a state of permanence that is practically unrealistic and restrictive.

1.1 Research questions

The primary research question is: *How can the people of the Richtersveld, South Africa, be considered 'wasted lives' in the post-colonial and post-land claim context of modernity?*

The sub-research questions include:

1. *How has modernity manifested itself historically in the Richtersveld, specifically in relation to mining and the land claim?*
2. *How does the Richtersveld community experience modernity and what are the consequences of modernity with regards to social exclusion and quality of life for the community?*
3. *In what ways has the community responded to the social consequences of modernity and how have they shown agency?*

1.2 Structure of the thesis

This thesis is structured as follows: Chapter 2 introduces the case study and methodologies for data collection and analysis, as well as positionality and limitations of the research. Chapter 3 then presents the theoretical framework, discussing topics of capitalism and modernity, wasted lives and social exclusion, and theories of agency. The results are divided into two chapters: Chapter 4 answers the first sub-research question, discussing the history and context of modernity in the Richtersveld. Topics covered included the Richtersveld during colonization and apartheid, the history of diamond mining in the area, and the land claim and its aftermath. Chapter 5 then looks at the ways in which exclusion has manifested itself in the Richtersveld, providing evidence for the ways in which the community has become 'wasted' and how community members respond to the precarity of their situation (*sub-questions two and three*). Chapter 6 is the discussion, in which I examine the key findings of this research and provide insights into the categorization of 'wasted lives' and its implications. I also look at the potential of the concept of agency to go beyond Bauman's theory. Finally, Chapter 7 is the conclusion, in which I reiterate my main findings and point the discussion toward the future.

2. Methodological Framework

Field research took place in August and September of 2019, for a total of 5 weeks[2]. The case focuses primarily on the indigenous Nama people of the Richtersveld, specifically those residing in the town of Kuboes. The chapter begins with an introduction to the case study, followed by a detailed methodology, a reflection on positionality of the researcher, and limitations of the research.

2.1 Background of the case study

Located in the northwest corner of South Africa's Northern Cape Province and spanning an area of approximately 160.000 ha, the Richtersveld area is home to a primarily 'coloured,' Afrikaans-speaking population, the majority of whom identify as Nama or of Nama-descent[3] (Figure 2: *map adapted from graphic by John McCann* (2014)). The Nama people are the descendants of several Khoikhoi and San tribes that merged to become a pastoralist community that has occupied the Northwest area of South Africa for hundreds, if not thousands, of years. Situated within the larger Namakwa District, the Richtersveld Local Municipality consists of multiple towns, including two larger towns on the coast, Port Nolloth to the South and Alexander Bay to the North, that are connected by a paved road. Further inland along unpaved gravel roads, there are four main towns (all with populations under 2000): Sanddrift, Kuboes, Eksteenfontein, and Lekkersing. Given the remoteness, these towns are poorly resourced, and their inhabitants endure increasingly impoverished conditions. Within the Richtersveld, in addition to multiple mining sites, there are two separately managed areas of land: the Richtersveld National Park (RNP), which is part of the larger Ai-Ais/Richtersveld Transfrontier Park shared with Namibia, and the Richtersveld World Heritage Site (RWHS), a UNESCO site previously known as the Richtersveld Community Conservancy. Diamond mining was first introduced in the mid-1920s and today the primary source of employment for the communities is at the local mines, however the declining industry has led to rising levels of joblessness. In 2003, the community successfully won a land claim against Alexkor Diamond Mine, based on claims to aboriginal title, yet the aftermath of the win has resulted in little change for the community, as explored throughout this thesis.

[2] My original topic was about the social consequences of historical conservation evictions and land restitution of the ǂKhomani San in the Kgalagadi Transfrontier Park. Due to communication difficulties, I was unable to contact the community representatives before arriving in South Africa, and once there, I was denied access to the community. These setbacks resulted in limited time in the field, totaling five weeks; I was in South Africa for a total of three months, and had intended to conduct research for this amount of time. It also meant that I had to improvise more than I would have liked, given the lack of preparation time and familiarity with the Richtersveld case.

[3] While Nama speaking pastoralists have occupied the region for hundreds of years, in 1949, approximately 600 'Bosluis Basters' were forced to resettle in the area to the two southern villages of Eksteenfontein and Lekkersing (Berzborn, 2007a). Many of the Basters originated from the town of Pofadder, specifically from a farm called Bo-Sluis. Their history is poorly documented, however, most of them are the descendants of white farmers and coloured Khoikhoi women, giving them lighter complexions, so much so that some were even categorized as 'white' during the apartheid regime (Fairweather, 2006). According to one of the community members in Eksteenfontein who identified as Baster, the government forbade them from mixing with the Nama people, but now they peacefully coinhabit the area with the Nama, for the most part (Focus Group, 28-8-2019, Eksteenfontein). There is another small group of Xhosa in Sanddrift, having moved there in the 1990s for diamond prospects (Berzborn, 2007b).

Figure 2. Map of the Richtersveld. The red star represents Kuboes, the primary location of research. The shaded area represents the land fought for in the land claim, which today is managed by the Alexkor RMC pooling and sharing joint venture (PSJV)

2.2 Data collection & analysis

For my research, I conducted ethnographic fieldwork in order to gain an understanding of quality of life in the Richtersveld. Despite the obvious setbacks of only being in the field for five weeks, I was still able to use ethnographic methods to describe the lives of people living in the Richtersveld through observations and experiences (Ingold, 2007). I employed a variety of complementary methodologies, including a literature review, participant observations, semi-structured interviews, informal conversations, focus groups and a survey. By triangulating these different tools and techniques, I was able to build trustworthiness of my results and provide more nuanced and evidence-backed analysis (Williamson, 2018). The following methodologies are mostly guided by the textbook, *Research Methods in Anthropology: Qualitative and Quantitative Approaches (5th ed.)*, by H. Russell Bernard (2011).

Literature Review

I conducted a literature review of academic texts related to modernity, which served as the basis for the theoretical framework. The primary theoretical text was Zygmunt Bauman's *Wasted Lives: Modernity and Its Outcasts*, about the populations made superfluous by processes of modernization. I also read and synthesized multiple texts related to theories of capitalism, modernity, social and economic exclusion, and different forms of agency, mostly retrieved through the Wageningen University Library and Google Scholar. I also conducted extensive research about the case study, using search terms such as 'Richtersveld,' 'Nama,' 'South African land claims,' and 'land dispossession' to

understand how other researchers framed the specific events and how related topics were addressed. While in South Africa, I visited the University of Cape Town library, where I received a copy of the official court summaries and timelines of legal events. I was also able to access the original land claim case documents online through the Southern African Legal Information Institute (SAFLII).

Surveys

I decided to conduct a survey of Kuboes because it would allow me to access a broader sample of the population in a shorter period (Appendix II. Survey). Surveying every second house in the town, a form of systematic random sampling (Bernard, 2011), I was able to collect an accurate representation of the socio-economic status of the area, but I was also able to build rapport with the locals and select interviewees who I would not otherwise have had access to. I was able to talk to the majority of households visited—there are high levels of unemployment in the area, so there was more of a guarantee that people would be home. If people were not home, I would take note of their property number and come back at a different time. This was mostly successful, although there were still some houses that I was not able to interview—in total, I surveyed 87 homes. The surveys were mostly conducted in the mornings, facilitated by a woman who helped me translate. I gave the survey a general structure, focusing primarily on census questions. I kept the questions simple and did not push if I sensed discomfort. In some cases, these questions prompted further conversations, which would lead me to ask for an interview.

Informal conversations & semi-structured interviews

To gain a better understanding of the field, I began with informal conversations, although the bulk of my fieldwork consisted of semi-structured interviews (Appendix I. List of interviews). The informal conversations were casual and usually short, often because of language barriers. Many of these conversations took place while I was surveying households, and I then took notes afterward. These conversations helped guide my interview questions and focus group discussions, introducing topics that I would not otherwise have known about. To reach potential interview informants, I relied heavily on my translators, but also chose interviewees based on the surveys and snowball sampling techniques. In total, I interviewed 22 people and sat in on one meeting between community leaders, where I was also invited to ask questions. I would have liked to talk to more people, but I believe the range of participants was at least somewhat representative of the area.

I had two translators; the first was an elderly man who played a prominent leadership role in the community, and the second was a young woman, the same age as me. I decided that the male translator was too influential in the community to be my translator, as he was in a position of relative power. I switched to the young woman, who spoke excellent English and agreed to assist me. She was more neutral in interviews, and I felt like she directly translated what participants were saying, rather than paraphrasing or offering her own opinions.

The main goal of these interviews was to gain an understanding of how local people viewed themselves and their quality of life. To assess this, I asked questions about life before and after the land claim and asked them to describe their goals and future prospects. It was important to talk to a wide variety of community members, so that the findings were inclusive and representative. For the interview transcriptions, I did not always change the grammar, unless it did not make sense. I think that although the participants spoke broken English, their self-expression is mostly clear and affective, without me accounting for the small technicalities of speech.

Focus Groups

I conducted a total of three focus group discussions: two in Kuboes (the first about the history of the Richtersveld and the second about quality of life), and one longer discussion in Eksteenfontein about both history and quality of life. The focus groups all had approximately five participants. Due to time constraints and difficulties contacting people because of poor cellular connection and transportation difficulties, I was not able to select all of them myself but had to rely on my translators for assistance. In Eksteenfontein, the participants were chosen by the UNESCO site manager of that village. I recognize that this means my results may be skewed, however, I still believe the discussions were telling and representative, based on other interviews that I conducted with participants who I selected myself. As explained by Bernard (2011), research is often "about mapping opinions and attitudes," so results are less about accuracy and more about context (p. 182). Given the group setting and intimacy of the community, it is also likely that responses were influenced by each other's presence. I noticed that in all of the discussions, there were some participants who did not speak, and that they were more likely to be women. Again, if I had more time in the field, I would have liked to experiment with different group compositions, in an attempt to put more participants at ease.

The focus groups were held in community centers. During the discussions, I asked open-ended questions about the history of the Richtersveld and their experiences during with the land claim. We also discussed topics about daily life, including access to resources (e.g., food, health education), social networks, and political participation and representation. The focus groups ended with visions for the future, in which we discussed developments they would like to see for themselves and their community (Dieckmann, Thiem, Dirkx, & Hays, 2014).

Participant Observation

Throughout my field work I partook in participant-observation, a critical feature of ethnography. This involved taking copious field notes and simply getting to know the community. I had the opportunity and privilege of living with a Nama grandmother (*Ouma*, in Afrikaans), and took part in as many of her daily activities as I could. We ate meals together, watched soap operas, cooked, and so on. I also became close with my translator, and one of the women who worked at the small tourism office. I felt that we were able to be candid with each other and I was able to ask them questions I did not feel comfortable asking other informants, for example about sexual health. My translator also helped verify what I learned during interviews, clarifying vague topics, or helping to elaborate on why certain people held certain opinions. The community was very small, and I believe my closeness with these women led to other people trusting me as someone who had good intentions. A large part of the process of participant observation was also based on self-reflection and contextualization from the perspective of my personal world view. The interviews either validated or counteracted my observations. Through participant-observation I was able to get a first-hand feel for quality of life.

Data analysis

I transcribed the interviews that I had recorded (with permission) using a mobile recording app. To then analyze the interviews, I used a qualitative data analysis software (NVivo) to organize results into thematic findings based on categories relevant to the concept of 'wasted lives.' Overarching categories included culture, economy, governance, health, society, and land, with multiple subcategories within each (e.g., economy: poverty indicators; health: drug and alcohol use; social: social cohesion; governance: CPA). Since the surveys were quantitative, they were organized and coded using python and excel. I did not use statistical methods to test for reliability, but the results

are still indicative of the situation in the Richtersveld and can be corroborated with the other methodologies.

2.3 Positionality

As a white, European/American, and obviously privileged student, I felt guilty and questioned my right to be doing research, struggling with the likely reality what I will not be able to give back to the community, and that their hospitality and openness will result in little to no change. I tried to be very open about the realities of my research, explaining that I would do my best, but that I was not in a position (financially or in regard to influence) to be able to make promises about potential outcomes.

Some people were skeptical about my presence, while others had high hopes for my research. One more jaded interviewee told me that "people [are] coming and they want to know all the problems, and they are given the problems and then they go, and nothing happens" (Interviewees 8, 21-8-2019). At one point, my first translator explained in an interview that "her thesis will reach the international community—show the truth that after the land claim there is nothing. Everything is broken apart" (Interviewee 5, 21-8-2019). Another interviewee said my thesis was important because "this is good for the people to know […] It's very isolated. It's a necessity to be placed on record. Because it's out of control, the way people live, the way they struggle" (Interviewee 1, 13-8-2019). At the very least, I hope that by sending this report back to the community, I can provide them with documented evidence about their situation and the immense levels of poverty and suffering.

By doing 'development' research, I also questioned whether I was buying into the neocolonial, neoliberal trope of what development *should* be. This influenced my approach; I tried my best not to insert my opinions, especially when considering quality of life. I had no interest in measuring poverty based on my own conceptions of what constitutes poverty or exclusion. I wanted to understand what people were experiencing, even if their perceived exclusion was the result of Western discourses of what constituted a just and inclusive life.

2.4 Limitations

Due to time constraints, there were many limitations for the practicalities of this research. I was not able to adequately prepare for my fieldwork, in terms of background research, and had to improvise when I got there and trust my intuition. A positive result of the lack of preparation time meant that I was able to let participants tell me their stories without preconceived notions of the situation. Language was another barrier. Although interviews were conducted in English, this is not a first language for any of the interviewees. It was evident with some that self-expression was difficult. In general, I believe that participants were very open with me, although I do not think everyone was completely comfortable because I am an outsider (influencing factors could also include my gender, age, ethnicity, and socio-economic-status). The fact that my translators were from the same small town could also have had an impact.

I was also not able to interview as many different types of stakeholders as I would have liked, including government officials and current CPA members. Given the violence related to illegal mining and the power of the mining companies in the area, I decided not to interview people outside of the community. I was only able to survey and interview people in Kuboes (as well as the focus group in Eksteenfontein and the meeting I attend in Sanddrift), and I was also not able to talk with some key people because they did not show up for scheduled interviews.

With regard to the theoretical framework, I acknowledge the limitations of social exclusion theory and its applicability to developing contexts, specifically with regard to whether it will be used

to help or potentially hinder our understandings of chronic poverty. There are multiple challenges when it comes to applying the theory to developing contexts, including inadequate discussions on the role of power in social relations, a lack of attention to issues such as racism or sexism, and the failure to consider the role of the state in market-based economies (Saloojee & Saloojee, 2011). De Haan writes that social exclusion theory should not necessarily be viewed as a method of poverty reduction, but rather as a means to measure and compare deprivation, which will then enable effective poverty analysis and help identify appropriate policy action. My findings do not aim to be all-inclusive, but rather can be used to paint a picture of the situation in the Richtersveld.

There are many angles that I did not take but could be directions for future research. First, Bauman's theory could be applied to other similar indigenous contexts for comparison. It would also be interesting to apply the theory to cases of indigenous evictions for conservation initiatives. The Richtersveld itself could also be a site for future research, with more of a focus on identity or the basters, for example. It would also be worth looking further into agency and how they explicitly view and articulate agency and the capacity to act. Future research could also focus more on the role of the Richtersveld National Park and the UNESCO World Heritage Site as a source of exclusion.

3. Theoretical Framework: Modernity, 'wasted lives,' & agency

The theoretical framework begins by briefly explaining capitalist tendencies for overaccumulation and waste-producing processes, establishing the setting for *wasted lives* (*section 3.1*). Next, it discusses what it means to be a 'wasted life', according to Zygmunt Bauman, exploring the concept of social exclusion as a means to determine the ways in which lives can be 'wasted' (*section 3.2*). The section defines social exclusion, highlighting the multi-dimensionality and complexity of the concept as a theory, and explaining how exclusion can guide evaluation of deprivation. The final section introduces the concept of agency as a way to challenge Bauman's theory and examine whether and how the people of the Richtersveld contest structural disadvantages (*section 3.3*).

3.1 Modernity & capitalism

For the purpose of this thesis, modernity is defined in relation to the current age of neoliberal[4] capitalism. According to Bauman (2004), we have transitioned from 'solid modernity'[5] into an age of 'liquid modernity', which is characterized by self-identification, continuous growth accompanied by uncertainty, and compulsive designing and ordering of the system. As governmental institutions lose meaning and welfare system disintegrates, the main task of the state is no longer social or economic security, but rather to maintain the private sphere and personal security, with minimal interventions. Liquid modernity functions on the belief that everything must have a designated place and function, or else becomes 'waste'. As Bauman explains, the capitalist, linear production and consumption system that defines modernity thrives on the constant separation and destruction of waste. Through acts of order-building, we separate the useful from the redundant, producing waste with every new development or innovation.

In a neoliberal context, inquiries into development (or the lack thereof) must engage with the various dimensions of capitalist accumulation. Accumulation refers to processes of continual growth,

[4] Neoliberalism can be understood as a contemporary phase of capitalism, and is defined as an ideology of economic liberalization through deregulation, privatization, and free market competition (Harvey, 2005). South Africa has experienced several phases of capitalism. During colonialism, the common perception of the African continent was that it could "provide the associated human, natural and mineral resources" to fulfill European production (Büscher, 2012, p. 140). In the 1950s, when decolonization and development became the more dominant discourses, it became the general understanding that 'developing' countries had to partake in the global market and profit from their natural resources in order to thrive. In the global south, economic growth became seen as the pathway to development. With the end of Apartheid in 1994 and the transition to democracy, the South African economic system rapidly shifted from state-led capitalism to neoliberal capitalism, emphasizing growth, deregulation and trade liberalization (Koot, 2016; Peet, 2002). The transition to neoliberalism has been called a crisis response to apartheid (Narsiah, 2013). Apartheid left the country fragmented, underdeveloped in many areas, and with large budget deficits, and enabling the free-market system and structural adjustment programs were attractive solutions. Importantly, the transition from the state-driven economy to a neoliberal market-driven economy was not clear-cut, and today the state and market remain strongly interconnected, so that often market-based initiatives are dependent on the state for implementation (James, 2013). This has been described as "'state capture,' in which unscrupulous business interests dominate government decisions and activities" (Koot et al., 2019, p. 343).

[5] Bauman (2004) writes about the transition from solid to liquid modernity, the former of which is characterized by an emphasis on production (as opposed to consumption), long-term life commitments (linked to predictability and security), stable identities, the availability of 'external dumping grounds' (places that have yet to modernize and can thus absorb excess waste), and the promise of full employment (providing a source of identity and a place in society). For the purpose of this thesis, I argue that as late-comers to modernity, the people of the Richtersveld were never truly a part of solid modernity, but rather went from pre-modernity, to a period of subjugation during apartheid, to liquid modernity. The 'modernity' they contend with today is liquid modernity.

investment, and capital gain, usually beginning with the privatization of land and resources (Harvey, 2005; Peet, 2002). When neoliberal policies concentrate wealth amongst the economic elite—in conjunction with public and private dispossession of economic rights and of various forms of ownership and power—the process is referred to as *accumulation by dispossession* (Das, 2017; Harvey, 2003, 2005, 2006). Accumulation by dispossession is founded on the assumption that capitalist production must have access to external markets in order to remain stable. Since capitalism is 'geographically expansionary', it perpetually seeks new markets and means of production, a 'spatial fix' for its tendencies for surplus and overaccumulation (Harvey, 2001, 2006). Geographic expansion (the spatial fix) of capitalism is thus one of the primary underlying drivers of imperialism—an effort to broaden market opportunities and access cheaper inputs, such as labor power, materials, and land (Das, 2017; Harvey, 2001)

With globalization and the spread of neoliberal, capitalistic ideals, Bauman (2004) explains that 'our planet is full'—not full, in the sense that we have run out of physical space, but rather that, economically (and sociologically) speaking, we have reached the limits of expansion. Previously, so-called 'undeveloped' countries were seen as 'dumping grounds,' able to absorb the superfluous populations of the 'developed' countries that were at capacity. Since modern processes of order-building and progress are no longer solely features of developed countries, "'human waste' is produced and turned out in ever rising quantities" (p. 69). The inability to adequately 'dispose' of excess populations creates a new set of problems, as "markets are relentlessly made and remade in the endless search for progress" (Duffield, 2007).

Capitalism has long been criticized for its contradictory relationship with the natural world (Büscher & Fletcher, 2015). Although economic growth is considered the ideal, expanding the global market depends on fossil fuel energy supplies, unsustainable consumption of resources, and appropriation of 'natural' land for human production activities, such as agriculture or mineral extraction. The nature-domination feature of capitalism is related to Bauman's concept of re-ordering and re-designing. The capitalist system's commitments to growth and expansion have created a consumerist mentality that values material prosperity and global development, coinciding with the bifurcation of society and an alienation, or disconnect, between producers (selling their labor) and consumers. This creates structural inequalities between the 'haves' and the 'have-nots'—those who cannot gain from capitalism (and thus capitalism cannot gain from them) essentially become a 'surplus' population "that require(s) remedial attention, not only for themselves but for the stability of society as well" (Duffield, 2007). This population is produced after each successive crisis of capitalism, and subsequent 're-ordering' of society—they are the people who are the outcasts of modernity, the wasted lives.

3.2 The wasted life

The wasted life is a characterization of the excluded 'other' who is an 'outcast of modernity' and has little hope of achieving full membership in society (Bauman, 2004). The concept is founded on Hannah Arendt's (1951) notion of 'human debris,' used to describe the 'excess life', the outsider to the prevailing social and political systems, as well as Giorgio Agamben's (1998) notions of the 'bare life' and the 'state of exception,' concepts used to measure citizenship, legal status and inclusion. The main premise of 'wasted lives' is that modernization and capitalism have created redundant humans who are not considered 'useful' to the system and are thus categorized as 'waste'. In this context, 'human waste' is the term designated to a population that is excluded from economic progress as an outcome of modernization; they are the superfluous population, the "collateral casualties" of development

(Bauman, 2004, p. 40). It is important to recognize that the concept is not based on intrinsic value of individuals or communities, but rather it is socially produced and emerges through the acts of separation and disposal.

Neoliberal discourses of liquid modernity have produced and exacerbated extreme levels of precarity by promoting privatization, limiting and/or abolishing public services, and deregulating the market system in such a way that success is primarily dependent on self-sufficiency and the ability to consume. In this way, neoliberalism has created "the idea that some populations are considered disposable" (Butler, 2015, p. 7), using a market rationality to decide whose life has value and is worthy of protection. According to Butler, precarity "designates that politically induced condition in which certain populations suffer from failing social and economic networks of support more than others," and are therefore more vulnerable and more likely to be subjects of exclusion. Neoliberal discourses often emphasize the importance of responsibility, not in regard to ethics, but rather referring to a highly contradictory "responsibility" that promotes economic "self-sufficiency under conditions that undermine all prospects of self-sufficiency" (p. 9). These discourses generate and maintain inequalities through practices of exclusion and othering; one's legitimacy is measured by one's abilities to secure "a livable life" (p. 22); if unsuccessful, one is then subjected to neglect, oppression, and even violence.

When a person is 'wasted', they are redundant; this implies joblessness (rather than 'unemployment,' which suggest temporality), diminished citizenship (measured by an ability to exercise social, political, and economic basic rights), no alternative titles of belonging, and an inability to consume. They often have an undefined social status, lack of access to secure land tenure, a d limited political representation. As a result of modernity's shift from a 'society of producers' to a 'society of consumers,' identity is now often defined in terms of consumption and choice, and the lack of either carries a burden of shame (Levitas et al., 2007). In modern economies, where nearly everything is commoditized and access to goods and services is determined by what one can afford, entitlement is not based merely on citizenship, but on the ability to be adequately autonomous.

If one's life is 'wasted,' their place in society is questionable and insecure, defined by precarity and instability; once 'wasted', people often find themselves living in squalor, suffering from joblessness, substance abuse and other social problems (Bauman, 2004, p. 32). In many ways, the Richtersveld miners are similar to Marx's concept of the 'industrial reserve army,' a term used to describe a "population of cheap, unskilled labor, lacking protection and entitlements, that can be hired and fired as business expands and contracts" (Duffield, 2007). Rather than being portrayed as socially disadvantaged citizens in need of aid and support, such people are "depicted instead as culpable, undeserving and somewhat dangerous individuals" (Garland, 2001, p. 175). As Best (2016) points out, while welfare was previously portrayed as something given to people who were "victims of fate," in an age of liquid modernity, "welfare provision has been recast as a financial burden on the community brought about by the excluded Other's individual failings, which make the excluded lazy, feckless, flawed consumers" (p. 125).

Identity and ethnicity can also contribute to a group's 'wasting', if communities are "shunned and abhorred because of the ambiguity of their status" (Bauman, 2004, p. 23). Although it can be argued that individuals can make active choices regarding their identities, options are limited by circumstance, and the process of negotiating one's identity may be impeded by limited access to resources or constricting power networks (Dubois-Shaik, 2014). Another characteristic is the decline of the stability of 'community.' Whereas in solid modernity, identity was gained largely from one's community, upon entering liquid modernity, heightened levels of anxiety and short-term thinking can

diminish the previously shared sense of destiny and solidarity. This results in a trend toward individualism and instability.

Social exclusion

To be able to understand why lives are 'wasted' or not, this thesis considers social exclusion as a core element of a wasted life. The purpose of the fieldwork was not to measure poverty according to preconceived notions of what constitutes a just or meaningful life, but rather to recognize whether and how subjects felt excluded. Exclusion is relative and highly contextual, and a critical focal point in research should be whether a specific community perceives itself to be excluded, based on what the population deems essential (i.e., the socially perceived necessities approach) (Wright, 2011).

Social exclusion is an insightful and comprehensive means of understanding injustice and equality; it extends beyond mainstream methods of poverty assessment that are focused specifically on income or financial resources, and instead considers dynamic social processes that perpetuate the inability to participate in a given society (Hunter, 2009). Generally defined, social exclusion refers to a lack of resources relative to needs, and it often stems from exclusionary power relationships. It can manifest as job precariousness, a decline in social and political participation, or a restriction of human development and equal citizenship (Devicienti & Poggi, 2011; D. Walker et al., 2015). Social exclusion is often systemic, the result of the structural configurations in a society that may bar or restrict vulnerable groups from participation in dominant social and economic life (Saunders, 2003; Sen, 2000; Walter, 2016). Although wealth plays a role, it is only significant if "integrated into a broader and fuller picture of success and deprivation" (Sen, 1999, p. 20). As Silver (1994) explains, the meaning of 'exclusion' is "embedded in conflicting social science paradigms and political ideologies," implying a complexity to its meaning and the necessity to contextualize different forms of exclusion.

In defining social exclusion, it is critical to recognize the social aspects of poverty and the associated unequal power relations (Saloojee & Saloojee, 2011). The denial of rights is often rooted in power inequalities, that stem from the adoption of the neoliberal model. According to Harvey (2005), neoliberalism is a "project to achieve the restoration of class power," which inherently implies excluding those with less power (p.16). Walker and Walker (1997) discuss how social exclusion determines the social integration of a person, and may be seen "as the denial (non-realization) of the civil, political and social rights of citizenship" through structural barriers that prevent societal participation (1997, p. 8). Burchardt, Le Grand and Piachaud (2002) write that a person is socially excluded if they would like to participate in customary activities in their society but are prevented from doing so by factors beyond their control. Furthermore, the exclusion of specific groups from resources may actually privilege other members of that society, and this unequal distribution of power and social resources is reinforced by the ways the socially excluded and the broader society interact (Burchardt et al., 2002; Walter, 2016).

The multi-dimensionality and complexity of social exclusion and wasted lives makes defining a clear set of (universal) indicators nearly impossible, but as de Haan (1998) points out, this is reflective of the complexity of the problem of deprivation in itself. Economic indicators are often easier to quantify, but they overlook equally important factors, such as participation in local decision-making and social well-being (Hunter, 2009). As Saloojee and Saloojee (2011) demonstrate, there is a "mutually reinforcing relationship between exclusion and disadvantage and it is necessary to both unpack that relationship and to address each of its multiple manifestations in order to break what could be called the 'vicious cycle of exclusion and disadvantage'" (2011, p. 4). Sen (1999, 2000) argues that it is possible to analyze inequality and justice, by assessing whether a person is capable of

achieving basic 'functionings,' the elements that constitute a 'good life' in accordance with that person's values and ideals. Overall, exclusion signifies a lack of rights, an inability to participate and marginalization from the social contract.

To assess social exclusion and the wasting of lives in the Richtersveld, I used a modified version of the conceptual framework designed by the London School of Economics (LSE) and Overseas Development Institute (ODI), as seen in Figure 3 (Beall & Piron, 2005; D. Walker et al., 2015). The four spheres represent the domains individuals can be excluded from: exclusion from economy, from social participation, from politics, or from culture. Within these groupings, exclusion can occur at many different levels: individual, household, community, country, region, and so on, creating a "continuum of inclusion/exclusion characterized by an unjust distribution of resources and unequal access to the capabilities and rights" necessary to meeting basic needs, participating in social systems and living a dignified life (Popay, Escorel, Johnston, Mathieson, & Rispel, 2008, p. 7). All of the domains occur within the context of different social relations and power inequalities. A major source of exclusion is also the isolated location of the Richtersveld, related to the Level of Relative Isolation, in which mobile processes and infrastructures can reinforce exclusion by limiting participation in society (Cass, Shove, & Urry, 2005; Walter, 2016).

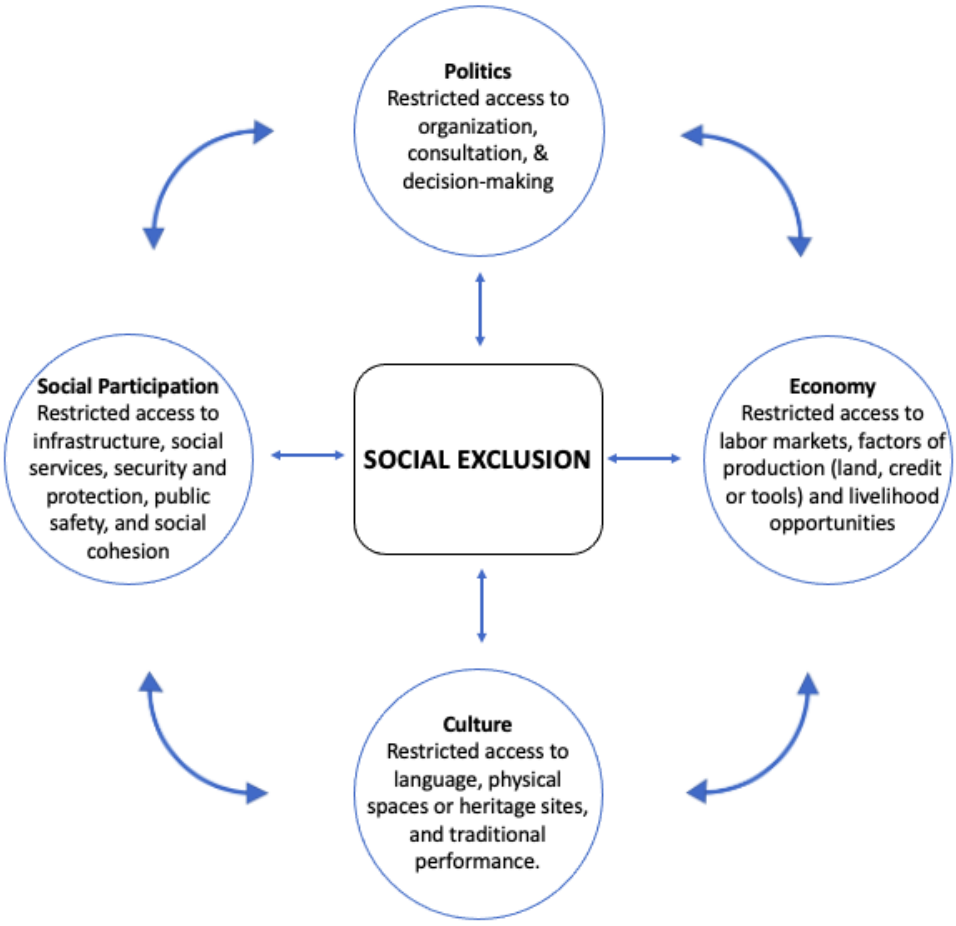

Figure 3. The spheres of social exclusion.

In this thesis, social exclusion is used as an 'explanatory tool' that describes the social conditions of groups who are excluded because of some socially constructed criteria (e.g., race or indigenous status). In South Africa, as in many parts of the world, an important aspect of exclusion is *indigenous exclusion*. The 2008 United Nations Declaration on the Rights of Indigenous Peoples states that indigenous peoples have "the collective right […] as distinct peoples" and "shall not be forcibly

removed from their lands or territories", yet indigenous displacement is a worldwide phenomenon (United Nations, 2008) (Article 7; Article 10). Not only did colonized people lose their autonomy, but in many cases they were also "excluded from the benefits to be derived from the exploitation of their natural resources" (ILO & Estivill, 2003, p. 6). As Hunter (2009) argues, translating conversations regarding social exclusion to indigenous contexts can be challenging because it is "complex and multigenerational and cannot be reduced into one simple static notion of Indigenous poverty" (2009, p. 52). This furthers justifies a methodology that aims to understand indigenous social exclusion from the first person perspective, in order to ultimately confront the enduring marginalization and diminished citizenship of such populations (Walter, 2016). Rather than simply recognizing conditions of exclusion, I also attempt to contextualize exclusion in the broader South African setting.

3.3 Agency: Resistance and indigenous modernities

Although Bauman's approach to exclusion is *structural*, the role of agency has potential to further Bauman's theory (Best, 2016; Wylie, 2014). Agency is an important concept because it refers to the capacity of actors to mobilize and devise strategies to process situations and experiences (Page & Petray, 2016). It also is a response to the portrayal of indigenous peoples as marginalized and dispossessed—although this is very much the case in the Richtersveld, the community members are arguably more than the systems they are bound to (Saloojee & Saloojee, 2011). As Petray (2012) notes, "[indigenous] people have the ability to make changes and resist norms, and this should not be ignored in favour of structural causes of dysfunction."

Rather than examining the agency of individuals, this thesis considers the community as an actor, although I recognize that the community is not a homogenous actor (*see footnote 1*). I look at the extent to which the Richtersveld community is able to harness agency in order to challenge the dominant structures in place. To do this, I consider two forms of agency: *agency as resistance* and agency related to the concept of *immaterial indigenous modernities.*

The theory of *immaterial indigenous modernities* refers to the ways in which suppressed people use agency to navigate systems and employ aspects of modernity. Building on the concept of material indigenous modernities, in which indigenous people make use of physical aspects of modernity (e.g., different forms of technology), Van der Wulp and Koot (2019) explain that the concept of immaterial indigenous modernities also considers the "modern *values* or *ideas* in society that can be used strategically by local, marginalized groups to reach political goals" (p. 378). As is shown throughout this thesis, the people of the Richtersveld live modernized lives—they have cell phones, drive cars, shop at grocery stores, work as laborers in the mines. In other words, they are not simply victims of the capitalist system, but have also been able to use modern products and ideas to their benefit, at least to some extent[6] (Koot, 2017). In this regard, I use the concept of *immaterial indigenous modernities* to 'test' Bauman's theory of 'wasted lives', exploring whether and how agency can be utilized as a means to fulfilling an agenda within existing systems.

Primarily, I look at how the concept of 'indigeneity' has been translated into terms of modernity. There are mixed opinions on the uses of indigeneity to navigate legal objectives. Comaroff & Comaroff (2009) explain that indigeneity has had to be translated into market terms, shaped to fit colonial structures of understanding. Lehmann (2004) finds the concept of indigeneity to be problematic, instead advocating an approach that is not dependent on communities needing to

[6] This is not to say that exploitation does not occur—as argued, the community is not able to fully integrate into the modern system, due to a vast array of oppressive forces that extend beyond the capabilities of agency. Just because they are able to use aspects of modernity, does not mean the outcomes are all beneficial.

identify as 'indigenous' in order to lay claim to rights and land, explaining that the doctrine of aboriginal title is too rigorous and demanding. As Berzborn (2007a) has pointed out, diverse problems can emerge when ascertaining the legitimacy of a claim to land rights, "mainly because a legal entity has to be grafted upon a social identity" (p. 296). In other words, social identities have to be coded and explicitly written in accordance with legal procedures, which can become complicated if multiple groups lodge claims for the same land and can introduce intra-group power conflicts. Huizenga (2018), however, argues that in the Richtersveld "indigenous rights are being articulated to make community land claims legible within and between stabilized structurations" and that neoliberal conditions "have facilitated the reach of the Richtersveld decision into dispersed fields of legal activism, fundamentally extending its influence into the struggles of indigenous and rural peoples affirming their own understanding of living customary law" (p. 5). Robins (2003) explains that the Nama were successfully able to synthesize modern discourses of democracy and legality with aboriginal claims to land, making use of the system to their advantage (p. 274).

To understand *agency as resistance*, the relationship between structure and agency must be examined. Butler (2015) addresses the structure vs. agency debate, explaining that although structures exist, that they are temporalities, rather than totalities. She explains that "acting in concert can be an embodied form of calling into question (…) the reigning notions of the political," introducing the concept of 'assembly' as "a bodily demand for a more livable set of economic, social, and political conditions no longer inflicted by induced forms of precarity" (pp. 6-7). The act of coming together builds power in numbers, and can be an opportunity to "recognize new democratic political possibilities" (Hardt & Negri, 2017). Giddens (1984) also recognizes the 'duality of structure,' explaining that structures exist through the reproduction of actions by actors. In this sense, agency is the capacity of social action to make a difference—since all actions are enacted in structural contexts, actions have the potential to contest or reconfigure these structures (Giddens, 1984, as cited in Petray, 2012). Resistance is highly relational; when individuals or groups interact with oppressive structures through acts of dissent, protest, and even violence, agency is used in an attempt to alter these structures (the structures that are otherwise upheld by the actors themselves) (Giddens, 1984).

4. History & modernity in the Richtersveld

This chapter looks at the historical, geographical, and legal conditions that have created the situation in the Richtersveld today, providing an overview of the area prior to and during colonization and apartheid, the history of mining, and the first land claim against Alexkor. By examining the history of the area, it is possible to understand the circumstances that have led up to the conditions of the Richtersveld today and how the area has been integrated into the modern capitalist waste-making system. With this analysis, I answer the first sub-question: *How has modernity manifested itself historically in the Richtersveld, specifically in relation to mining and the land claim?* I also provide examples of agency, approaching the final sub-question: *In what ways has the community responded to the social consequences of modernity and how have they shown agency?*

Figure 4. The village of Kuboes.

4.1 The Richtersveld prior to the land claim: Colonization and apartheid

The Nama community initially lost sovereignty over the land in 1847 with the annexation to Britain, but they continued to have exclusive 'beneficial occupation' of the land. It was not until diamonds were discovered in 1925 that the process of land dispossession effectively began (Chan, 2004; Mostert, 2010). The government essentially laid claim to the land as "unalienated Crown land," opening it up for digging enterprises (Chan, 2004, p. 116). The prospecting and mining rights were given to a state-controlled diamond-mining corporation, which eventually became Alexkor, a private stock company with the state as its only shareholder. The company was based in the town of Alexander Bay and was initially conceptualized as part of a work program for poor white Afrikaners. As one interviewee explained, "Alexander Bay was established for the poorest of the poor whites, white men, not for us" (Interviewee 5, 21-8-2019). Another explained that it was one of the projects around South Africa to "uplift" the poor white people because "they can't be on the same level as the local [coloured] people, they must be higher" (Focus Group, History, 28-8-2019, Kuboes).

As the area was partitioned for mining purposes, the Nama were steadily denied access to their land. During interviews, participants referred to this process as a 'soft war'; "we were seen as

low-class people," explained one focus group participant (Focus Group, History, 28-8-2019, Kuboes). Their transhuman lifestyles were irreversibly disrupted as "the grazeland [was] taken away" and they were "pushed backwards and backwards" (Focus Group, History, 28-8-2019, Kuboes). In the mid-1900s, missionaries started building schools, encouraging more sedentary routines, though one participant explained that in the morning the children would still look after the goats before making their way to school. The missionaries also aided the Nama in gaining back small reserves around missionary stations, which then evolved into the villages of Kuboes, Sanddrift, Eksteenfontein, and Lekkersing.

Although many Richtersvelders were employed as wage laborers at the mines, conditions were constrictive; one participant explained that they had to stay in the mining 'binnencamp' for up to three months at a time and were not allowed in or out without explicit permission. They were also not able to get mining permits for their own initiatives. Another participant explained that if a Nama was caught "working on his own land, the European people had the right to kill him, 'cause if you don't work for a boss then you are a criminal, so you can be killed" (Focus Group, History, 28-8-2019, Kuboes). They Richtersvelders were essentially reduced to "collective labor power" (Koot et al., 2019, p. 343), managed for the purpose of production.

In 1950, under the Population Registration Act and Group Areas Act, the Nama were classified as Coloured, resulting in the further denial of "their internal distinctiveness" and the suppression of the language (*see below: The coloured ethnicity*) (Berzborn, 2007a, p. 298). During this period, the Richtersveld became a 'Coloured Reserve' and were actively separated from white people, and the mining areas were completely fenced off. Despite hardships, participants during the Kuboes Focus Group about the Richtersveld History expressed a certain nostalgia for that time. One participant explained that "everything was cheap […] they survived on bread and meat, but it was adequate. Although it was not in abundance, they could manage, they could live. It was in a sense enough for them because their fathers that worked in the mine could provide for them. And the mothers were domestic workers for the whites." Another interviewee compared the Nama to marmite: "Do you know what marmite is? Marmite is an inbetweener—when you eat bread, it's very nice, in-between. And we were inbetweeners in those days. The cheapness and the availability of things was for the Europeans, not us, but we had access to it" (Interviewee 3, 15-8-2019).

Although there was no socializing with whites, as long as they "behaved [themselves]", life was decent. Soon, however, miners were forced to wear uniforms based on race (blue for whites, brown for coloured people), to further distinguish the groups. The situation for coloured miners steadily worsened as the apartheid regime progressed—a participant described it as "soft forced labor" because it was a crime for them to leave work for more than three days and could result in jail time. Another participant explained that "really, people don't understand how apartheid actually hurt people, physically. My personal experience or view on this matter is that the only 'good' white [person] is a dead one. It was very hard for people" (Focus Group, History, 28-8-2019, Kuboes). Still, nearly all of the participants felt a longing for this time, because life was predictable, work was secure, and there was reliable access to cheap food (Interviewee 5, 21-8-2019).

Towards the end of apartheid, previously communal land was privatized and divided into 'economic units,' in an attempt to develop areas through the modernization and commercialization of livestock production, and prevent land degradation (Lebert & Rohde, 2007). In practice, privatization only benefited those who were able to afford to purchase land, and the disadvantaged lost access to what had previously been communal grazing land. In 1998, land reform was facilitated through the Transformation of Certain Rural Areas Act (TRANCRAA), which allowed for the transfer of

land back to communities. In the Richtersveld, the World Heritage Site is communally managed under the statutes of this act, but a functioning legal entity (such as a CPA – *see sections 4.2 & 5.1*) is necessary to adequately administrate and manage the land (Focus Group, 28-8-2019, Eksteenfontein).

The end of apartheid saw a new era of South African land reform, based on three pillars: 1) restitution, often in the form of financial compensation; 2) land redistribution, back to the communities from which it was first taken; and 3) tenure reform to secure land ownership. The objectives are twofold: first, to make amends and pay reparations for past racial discrimination regarding access to land, and second, to address the underdevelopment and persisting injustices for communities that were impacted by the previous segregation policies (Mostert, 2010). In addition to the practicalities of physically returning land to dispossessed people, the new government also had to prove its "legitimacy by creating substantive laws that would directly address apartheid dispossessions and that would promote principles of justice and equality" (Chan, 2004). While an assessment of the efficacy of land reform is beyond the scope of this thesis, it provides the larger context for the Richtersveld land claim.

The coloured ethnicity

It is also necessary to have a basic understanding of what it means to be 'coloured' in South Africa, because the 'coloured' and 'indigenous' ethnicities provide context for exclusion and why it occurs. Being 'coloured' has many implications—while the purpose of this thesis is not to delve into what it means to identify as coloured or indigenous, the racial categorization is still relevant as a driver of exclusion. 'Coloured' is the general term ascribed to a person of mixed racial ancestry. Though the connotations surrounding 'colouredness' are vague, it is associated with "negative racial stereotyping derived mainly from the idea that racial mixture is pejorative, and results in degeneration and weakness" (Adhikari, 2013, p. viii). Although the Nama are of Khoisan ancestry, during the apartheid regime they were most commonly classified as 'coloured,' given that they are neither 'black' nor 'white.' As Berzborn (2007a) argues, merging indigenous groups with the larger coloured category repressed the nuances of their identities, making them "de facto invisible as distinctive cultural entities in the public discourse" (p.298).

The people of the Richtersveld have mixed opinions about being coloured. A young woman explained, "coloured, it's a common thing. I grew up coloured […] it's normal" (Interviewee 10, 29-8-2019). Others said they were coloured, but then explained that this was because it is what their identification cards say, but they "didn't choose it themselves" (Focus Group, 28-8-2019, Eksteenfontein). While some did not have a problem with identifying as coloured, others explained that they felt discrimination when it came to job opportunities, and that they were denied employment because they had surnames typical of coloured populations (Interviewee 10, 29-8-2019; Focus Group, Quality of Life, 28-8-2019, Kuboes). An older couple told me that the new mining companies discriminate against Richtersvelders "because all the high posts are filled by Europeans," and there are only one or two coloured people on the management team (Interviewees 8, 21-8-2019). Another interviewee explained that he felt coloured people are stuck in the middle, never truly recognized, surviving on the fringes of South African society:

> *"You know what, me personally, I'm feeling sometimes like that the Richtersveld community is under a black Verwoerd government […]. In the Apartheid years, you've got this Hendrik Verwoerd, he was the architect, engineering this apartheid system you see, this segregation.*

And now I'm feeling that even in this democracy, that this black government is only looking at certain types of traits in a sense, the !Xhosa and Zulus" (Interviewee 2, 10-9-2019)

4.2 The Richtersveld land claim & Aboriginal Title

In 1998, the Richtersveld community, with representation by the Legal Resources Centre (LRC), filed a claim of action with the LCC under the Restitution of Land Rights Act, on behalf of approximately 3200 dispossessed people spread between four villages: Kuboes, Sanddrift, Eksteenfontein and Lekkersing. The claim to restitution was filed against Alexkor Diamond Mine, leading to a prolonged court battle for approximately 90 km of land stretching from Alexander Bay down to Port Nolloth (Figure 2). The application at the LCC declared aboriginal title rights, implying entitlement to the "exclusive beneficial occupation and use of the subject land" (*BC 1380 The Richtersveld Land Claim Records*, 2007, p. 2). The plaintiffs ultimately sought a "role in the management of the wealth-producing resources of their region […] and an equitable share in the profits," as well as "the right to some measure of self-government" (Fairweather, 2006, p. 105). The community faced multiple legal hurdles in order to qualify under the Restitution Act, and the difficulties endured made evident the complexity of communal land tenure, exemplifying the struggle to reclaim land that has been experienced throughout Southern Africa.

The Richtersveld plaintiffs were the first group in South Africa to use their claim to aboriginal title as part of their case for land restitution in the LCC. 'Aboriginal title' in land claims is a common law doctrine that recognizes principles of justice for indigenous communities, recognizing that land was occupied before colonization, and that despite dispossession and the establishment of new governments, precolonial rights have legal value (Chan, 2004; Huizenga, 2018; Mostert, 2010). The application of aboriginal title has been applied globally to reclaim ancestral land, as well as to "assert cultural rights or rights to self-determination," but this was the first time it was used in South Africa (Mostert, 2010). In court, the community claimed their right to land in accordance with the Restitution Act, based on 1) ownership, 2) aboriginal title to the 'exclusive beneficial occupation' and use of the land, or the right to use the land for specific purposes, and 3) a "right in land" obtained through their beneficial occupation for at least ten years prior to their dispossession (*Richtersveld* 2001 at [6]).The Community argued that Alexkor's economic interests, as a company formed and bolstered by the apartheid state, should not supersede their aboriginal land title claim (Legal Resources Centre, 2007).

The LCC rejected the claim to ownership because the government allegedly owned the land when it was annexed, and according to laws at that time, the Richtersveld Community was "considered insufficiently civilized to be 'private owners'" (*Richtersveld,* 2001). Regarding their claim to aboriginal title, the LCC refrained from passing judgment, due largely to concerns regarding the implications it would have for other land claims in the country and the historical complexity of colonialism, arguing it was beyond the scope of the court. The LCC also dismissed the plaintiffs' claims due to "customary law interest," based on assumptions that such interests had to have been recognized by the courts or government at the time of dispossession. Finally, following the third claim, the LCC did find that the community had a statutory "right in land" although they concluded that the dispossession was not the result of discrimination, so the claim to restitution under the Act was deemed invalid, and the case was dismissed (*Richtersveld* 2001)

In 2003, the Community filed an appeal with the Supreme Court of Appeal (SCA). In addition to their right to beneficial occupation, they argued that they had rights under indigenous law, and that when the land had been annexed to the British Crown, the Richtersveld community held rights to the land that "were akin to those held under common law ownership" (*Supreme Court of Appeal* 2003 at

[26]). These rights constituted a 'customary law interest' and consequently a 'right in land' as defined in the Restitution Act (*Richtersveld* 2003 at [8]). While the LCC had required the claimants to prove that their customary laws had been officially sanctioned by the courts at the time of annexation, the SCA rejected such requirements and instead considered whether a right had existed under indigenous law, regardless of state or Crown recognition at the time. Ultimately, the SCA overturned the findings of the LCC and granted the Richtersveld Community restitution under the *Restitution Act*, concluding that the Community had a "right in land" based on a "customary law interest," which included communal ownership and use of the land and its resources. It also found that in the 1920s, upon the discovery of diamonds, the rights of the Community were ignored by the State, which led to their dispossession and eventually culminated "in the grant of full ownership of the land to Alexkor" (*Richtersveld* 2003 at [4]).

Later that same year, Alexkor and the Government appealed the decision to the Constitutional Court of South Africa (CCT). The CCT upheld the findings of the LCC and SCA but overturned the SCA's judgment that the Community's "customary law interest" formed the foundation of their "rights in land". Instead, the CCT decided that their rights to land should be based on whether they held rights under their *own* indigenous laws at the time of annexation, regardless of whether it had been acknowledged by the state. The CCT went even further, making the effort to validate indigenous law, "without importing English conceptions of property law" (*Constitutional Court* 2003 at [51]). By examining indigenous law and the Community's history with the land, the CCT determined that the Community had rightful ownership of the land and a right to minerals, a ruling that specified a "right in land". Deemed "indigenous law ownership", this was the first time a court in Sub-Saharan Africa applied common law aboriginal title, even though they technically did not phrase it as such (*Constitutional Court* 2003 at [74, 81]). Furthermore, the CCT determined that the Community had been dispossessed of their land as a result of racially discriminatory practices in the 1920s, concluding that they were entitled to restitution under the conditions of the Act.

The Deed of Settlement (DoS)

After the CCT ruling, the government and community began negotiations for a settlement. It was suggested that the diamonds extracted over the nearly 80 years since discovered could be valued as high as R10 billion (Cargill, 2010), however the community claimed only R1.5 billion for the extracted minerals, approximately R1 billion for land rehabilitation and R10 million for endured hardships. In April of 2007, the Department of Public Enterprises (DPE) and the Minister of Agriculture and Land Affairs co-signed a Deed of Settlement and a memorandum of understanding with Alexkor, and the settlement was made an order of the court the following October, requiring the State and Alexkor to comply with a list of mandates. The Deed of Settlement established two trusts to manage different operations of the Communal Property Association (CPA)[7]. It also included the transfer and restoration

[7] The Richtersveld Investment Trust (RIT) is the only shareholder of the Richtersveld Investment Holding Company (RIHC), and the income generated by the RIHC should be distributed to the CPA for various social development programs. The second trust is the Richtersveld Community Trust (RCT), which is the only shareholder of the Richtersveld Self-Development Company (RSDC). In theory, the RSDC oversees four companies: the Richtersveld Agricultural Holding Company (RAHCO), the Richtersveld Property Holding Company (RPHC), the Richtersveld Mining Company (RMC), and the Richtersveld Environment Rehabilitation Company (REHC). The RMC manages 49% of the onshore and offshore mining rights in the PSV, while Alexkor owns the other 51%. The financial compensation was transferred by the LCC into the RIHC (R190m to be invested and kept in the RIT, R50m for agricultural and maricultural activities, and R45m to the CPA for property development by the RPHC, though managed by the RIHC). The RCT was responsible for distributing the income from the RSDC to CPA members (Department Rural Development and Land Reforms, 2019).

of 194,000ha of land to the community, plus a coastal strip of 84,000ha. Alexkor's mining rights were also partially transferred to the community in a Pooling and Sharing Joint Venture (PSV), to which Alexkor was required to contribute R200 million to set up a sustainable mining venture. Although a joint venture, Alexkor is the majority shareholder, owning 51% of the onshore and offshore mining rights, while the RMC owns the other 49%. Furthermore, Alexkor's mariculture and agriculture assets were to be transferred to the community, and they had to pay multiple sums of money to the community for various purposes[8]. The settlement also required the establishment of the Alexander Bay Township and environmental rehabilitation obligations.

4.3 Failures of the claim

Despite reports that justice had been restored in the Richtersveld, at the time of research, the approximately 2,630 beneficiaries of the land claim had received only R4,500 each (R1,500 in 2009 and R3,000 in 2010). Part of the problem is that the diamond industry has declined dramatically in the area (*see section 4.4*), but the community has also had limited post-settlement support.

Following the *Communal Property Associations Act 28 of* 1996, which aimed to enable local communities to effectively govern and take ownership of their newly acquired land, the 'successful' settlement of the restitution claim entitled the Richtersveld community to its own legal entity and management system, known as the Richtersveld Sida! Hub Communal Property Association (CPA)[9]. Negotiations between the CPA and the DPE were allegedly done without first consulting the LRC (the legal representatives of the Community), and although the CPA asserted that the community had voted for the settlement, community members told me the deed of settlement was not adequately discussed with the community (Focus Group, 28-8-2019, Eksteenfontein). One interviewee said, "we were misled by lawyers; we were sold-out" (Interviewee 7, 21-8-2019). The Reverend of Kuboes explained that "one thing you must remember is that most of the people wasn't well-educated […], they haven't got an education, so it is difficult for them to go to a court of law" and ensure they are being fairly represented (Focus Group, History, 28-8-2019, Kuboes). This resulted in a DoS and trusts that many community members felt were unrepresentative of their needs. Additionally, the community had to pay over R2m in legal costs, even though Alexkor had been instructed to do so.

In the Eksteenfontein focus group, I talked with a community member who had been elected to the CPA at the start of the land claim court case and was later a Director of the World Heritage Site. He explained that part of the problem was that by 2007, his two-year term on the CPA was expired and new people were elected. Since they had not been involved in the case prior to election, they were not able to adequately represent the community and then signed the deed of settlement "in a hotel room in cape town" (Focus Group, 28-8-2019, Eksteenfontein). As a result, the RMC came out owning only 49% of the share, which is now a serious point of contention for the community. One interviewee said that it undermines their rights as landowners: "[we're] the landowners! But the majority of the mineral rights, 51%, are rested in the State. Alexkor is a state company, 100% of the shareholders in the company is the government. It's an SOE. So, on our own land, we've got a minority share, you see?" (Interviewee 2, 13-8-2019). I was told in the Eksteenfontein group that during the

[8] Including R190 million as reparations for pain and suffering to the RIHC over a period of three years; a development grant of R50 million to the RIHC for agriculture and mariculture; and R45 million to the RPHC as compensation for Alexkor's occupation on transferred residential properties for ten years.

[9] The CPA is the legal body comprised of community representatives in charge of negotiating, managing, and implementing the terms of settlement. All beneficiaries of the land claim are members of the CPA and have the opportunity to run for election on the Executive board.

process of drafting the DoS, the community was hardly consulted and there was never an opportunity for them to provide feedback.

In February of 2019, the DPE published a progress report on the implementation of Deed of Settlement (Department of Public Enterprises, 2019). According to the report, the mining rights have been successfully returned to the community, R200m were made available to finance mining operations of the PSJV, and 18 parcels of farmland were transferred to the community. Furthermore, they claimed that more than R100m was spent improving the Municipal Infrastructure and establishing the Alexander Bay Township, and that the community has been financially compensated by the Department of Rural Development and Land Reform (DRDLR), at R50m to the RAHC for agriculture and mariculture and R190m transferred to the RIT. There are also plans to establish new municipal services and infrastructure, which a task team lead by the Northern Cape Provincial Government is supposedly overseeing.

At the time of research, there were no tangible results of the implementation of the DoS according to the community. Furthermore, the R45m had yet to be transferred to the RPHC, although in 2015, the CPA requested an amendment to the DoS that would allow the outstanding sum to be paid directly to the beneficiaries of the land claim. This was contingent on a functioning CPA and Property Holding Company; however, the CPA had steadily unraveled after years of internal conflict. In 2011, after accusations of financial mismanagement and a vote of 'no confidence,' the community elected a new CPA (G7 Renewable Energies, 2011). To help ensure its success, the Office of the Regional Land Claims Commissioner in the Northern Cape "implemented a program of regularization," in an attempt to realign this CPA and community members "around a common goal" (Department Rural Development and Land Reforms, 2019). The CPA functioned to an extent, but in 2016, when the terms of the CPA Executive members had expired, they refused to resign. As explained by the DRDLR (2019), "perceived collusion with Alexkor, undue benefit by some and mistrust [had] taken hold and it has become very difficult to unravel the knots." In 2018, there were multiple attempts to organize new elections, but after several failed attempts, the DRDLR recommended that the CPA be "placed under administration" and the court process of amending the DoS to redistribute the R45m is still underway (Department of Public Enterprises, 2019).

In response to the inadequate governance structure and internal conflicts, an Interim Committee (IC) has formed, in an attempt to focus leadership and improve conditions for the community. The IC is comprised of leaders from various towns, although whether they were chosen through democratic processes was unclear to me. Regardless, they appeared to have the community's best interests at heart, using personal funds to travel back and forth for meetings, and working closely with legal representatives. While the DRDLR claimed that almost all of the terms of the land restitution claim have been settled (except for the 45m), the IC fully disagrees. I had the opportunity to attend one of their meetings, during which I was told:

> *"the fact of the matter is corruption. That is the main thing which is happening in Alexkor at the moment. So, the community has nothing […] part of the [DoS] was that the State brings all these entities for the community […] the State says you must have a mining company, you must have a farming company. And at the end of the day, those companies are now redundant. They're not even active. You can see the farm here, what it looks like. There's nothing happening. It's a failed process"* (Committee Meeting, 18-7-2019, Sanddrift).

They were referring to the Richtersveld Self-Development Company, which was supposed to oversee various community-run endeavors. When I asked if they had been given training prior to the establishment of these companies, I was told they were not. The Alexkor RMC pooling and sharing joint venture (PSJV) was an attempt to build community ownership of mining enterprises, but according to the interviewees, the 49% has not actually amounted to any forms of ownership or profit and Alexkor essentially has total control. According to a member of the IC, every month for ten years, Alexkor has been getting monthly dividends, while the community gets nothing. The development structures in place were bureaucratic and complex, and ultimately unable to sustain themselves. When I asked if it was still in the trust and who had access to it, I was told that they did not actually know, since there is currently no legal CPA that would have access to it (Focus Group, 28-8-2019, Eksteenfontein).

The illegitimate CPA still interacts with Alexkor and the government as though it were legitimate, but many community members felt they do not have the best interests of the community in mind. In their fight to get returns from the trusts, one IC member said, "we believe that the government […] some of the corrupt officials are involved in this issue," and that is part of why they still have not received any benefits. Since the CPA is a government instrument, the DRDLR is supposed to help with the election process, and some of the IC members felt that the Department was "dragging their feet." Another member of the IC explained that in a democracy, conversations regarding their land are supposed to be transparent: "we are not fighting development. We want to be part of the negotiations. Because we are the people who won this land" (Committee Meeting, 18-7-2019, Sanddrift). Today, the community struggles to get anything to change: "we would like to talk to [Alexkor] but we don't have money to pay our lawyer, it is too expensive to go there, and the state does not help us; the battle is uphill" (Committee Meeting, 18-7-2019, Sanddrift). As expressed by one participant, "we won the battle but not the war" (Focus Group, 28-8-2019, Eksteenfontein).

Figure 5. One of Alexkor's fenced-off mining areas.

4.4 The diamond decline

Mining is a linear form of production and inherently unsustainable—once the land is devoid of diamonds, multinational mining corporations withdraw operations and relocate, leaving communities like the Richtersveld with barren landscapes and few alternative ways to make a living. By the time the Richtersveld land claim was won, the mineral resources were significantly depleted, and many of the companies were in the process of scaling back on operations. Further disruption for the Richtersveld communities occurred in 2017, after Trans Hex, the biggest and primary source of employment in the area for many decades, sold its mines in Baken, Bloeddrif, and Reuning, claiming that diamond production in the area was no longer sufficiently profitable. One interviewee complained that this was just another case of a mining company making promises and then neglecting the community: "Take your money, take your [stuff] and go, now there's no further work. So, what happens now?" (Interviewees 8, 21-8-2019). Mining rights were sold to a company called Lower Orange River Diamonds Proprietary Limited, and nearly all of the Richtersveld employees were retrenched. Trans Hex also left an immense, multi-million Rand rehabilitation debt estimated at R95.7m (Groenewald, 2019). In 2006 a second land claim was filed against Trans Hex, for the mining area from Sanddrift to Sandelingsdrift, but during field work, the claim was still an ongoing process, and nothing had come out of it.

One interviewee explained that the mines did not account for "social responsibility toward the community," meaning that they did not mitigate the impacts of closing on the local economy (Interviewee 2, 10-9-2019). He further explained that this was not entirely the fault of the mines, but that the municipality also did not adequately represent the community and ensure that the mines were acting responsibly. Although mines like Trans Hex have social labor plans, at the meeting in Sanddrift, I was explicitly told "it's just for show." The Richtersveld communities are almost completely dependent on mining as their economic backbone and primary source of employment, and the decline of the mines has had overwhelming impacts on the local community. In response to rising levels of poverty, members of the community have now resorted to illegal digging, as described in section *5.3*. Not only has this resulted in violent encounters between illegal diggers and mine operators, but it has also led to further environmental degradation (Groenewald, 2019).

5. Spheres of exclusion and wasted lives: Deprivation and squalor in the Richtersveld

This chapter considers what the actual, lived experiences are like for those residing in the Richtersveld, demonstrating the ways in which exclusion has manifested itself. From a Marxist perspective, modernity and development can be understood by studying the material circumstances in which people live, since those who are 'wasted' often live in conditions of squalor (Marx, 1845). As seen in the Richtersveld, and as will be explored throughout this section, the community lives on the fringes of society, largely neglected by the government and lacking many basic social services. Unable to be self-sufficient and alienated from their former ways of being, they are dependent on governmental services that hardly allow for basic existence. As one man explained about the people of the Richtersveld, "the refugees live better than them […] they have no value to society. It's out of control, the way people live, the way they struggle" (Interviewee 1, 13-8-2019). Another young man explained, "currently, I don't think it will change. It will always be the same or it will get poorer" (Interviewee 17, 5-9-2019).

The chapter looks at the ways in which the community is marginalized and surviving in a precarious context. First, it examines the institutional incapacities, limited political representation and experiences of voter disillusionment, building on the context of the preceding chapter (*section 5.1*). This is followed by a section about social participation, which looks at issues of community, social cohesion, and education, and explores the poor developmental conditions and inadequate infrastructure throughout the towns (*section 5.2*). It also looks at the ways in which poverty has manifested itself in the available healthcare facilities and health conditions of the local residents. Next, this chapter examines the issues of unemployment and lack of access to education opportunities (*section 5.3*). Further downscaling of the mines implies that unemployment will continue to grow, given limited livelihood alternatives. The final section explores exclusion from culture and cultural practices (*section 5.4*).

Figure 6. A family's laundry hanging to dry in their front yard.

5.1 Politics: Inadequate institutional support

Almost all of the people interviewed expressed dissatisfaction with the government and those who were supposed to represent them. When asked about why the situation in the Richtersveld is so bad, the issues of the municipality and leadership—both within the community and on a larger scale—were repeatedly brought up. This section looks at institutional inadequacies related to local governance and CPA corruption, as well as expressions of voter disillusionment.

Local governance

According to most interviewees, the Richtersveld is largely neglected by the South African government. One interviewee, who was not actually a member of the Richtersveld community but rather a diamond digger from Johannesburg, told me that the government "trusts the heads in the municipalities, it gives them money. But what are they doing with it? They don't do the right thing. Because of personal gain […] it's a very good salary he gets every month, but is he delivering to the people, is he fighting for the people?" (Interviewee 1, 13-8-2019). And nothing will change for the people—the road will still be in disarray, the water pipes will be broken, the school will not have adequate toilet facilities, and so on.

The overarching dissatisfaction with and ineptitude of governing bodies is widely apparent. Multiple interviewees were not certain who their leaders were; one interviewee said that the new reverend was the leader of Kuboes, but other than him, she was not aware of any community leaders (Interviewee 10, 29-8-2019). Others talked about the role the church used to play, before social issues became a focus of the state, and how the church now does not have enough resources to adequately help the community (Interviewee 7, 21-8-2019). During apartheid, the church also represented the community, but now all politicians care about is getting votes: "we don't have full support from the government. It's just for political reasons they must use us. As a community" (Interviewee 7, 21-8-2019)

Unfortunately, I was not able to talk to the councilor during my stay in the Richtersveld. According to my translator, he does not actually live in Kuboes right now, and most of the time is not there. One interviewee said this was because he has to leave for meetings because "he's fighting for Kuboes" (Interviewee 19, 5-9-2019), but others staunchly disagreed. When I explained that I had been trying, without success, to get an interview with the councilor, another interviewee said, "you can forget it because he's not a responsible person because he [doesn't] care what is going on in his community," despite the fact that he is originally from Kuboes and "knows the circumstances" (Interviewee 20, 5-9-2019). Another said that the councilor and mayor of the Richtersveld should "be more visible in the communities [and] not make empty promises. Because that's what all of them do" (Interviewee 16, 5-9-2019).

Most of the subjects felt the government should play a stronger role in facilitating the development of the Richtersveld. Multiple brought up the issue of job creation (*see section 5.3)*. My translator, for example wanted the government to introduce learnerships with monthly stipends, so that young people could start saving for their children's educations (Interviewee 13, 29-8-2019). Another felt that the government should help with funding education, so that they could get the qualifications for different jobs, such as teaching (Interviewee 5, 21-8-2019). Others wanted employment in the mines, adequate housing with indoor toilets, and multiple felt the pension should increase to R3,000, so they could at least afford to eat properly and clothe themselves (Interviewee 12, 29-8-2019).

One informant, however, believed that the government and municipality should take a step back, explaining that when the people were "self-governing," they proved they were capable of managing their villages. Instead, the government is portraying them as though they are helpless and lazy, as though they "have done nothing for themselves" (Interviewee 3, 15-8-2019). The same interviewee felt that municipal service providers should at the very least hire members of the Richtersveld. One member of the Richtersveld municipality was living in Kuboes at the time of research, and he was provided with a vehicle "because he is trusted. They give it to him, not to our people. We have become 'untrustable'" (Interviewee 3, 15-8-2019). Yet another interviewee said that the government "will never put resources here. Never. These are the outcasted ones. The outcasts." (Interviewee 1, 13-8-2019)

CPA corruption

As discussed in the previous chapter, the CPA is a large part of the problem and there is a deep lack of trust within the community. One interviewee explained that they go through the same cycle—community members elect new CPA members, and every time it's the same story. They make promises and claim to represent the people, but ultimately "do absolutely nothing" (Interviewee 18, 5-9-2019). Another interviewee explained that the leaders made a lot of mistakes: "they must listen to the people and must make decisions so that things can happen," but instead, they just keep the money for themselves, and "the people were left behind" (Interviewee 9, 28-8-2019). This interviewee felt that this is a common occurrence with land claims in South Africa, explaining "there's no land claim with a happy ending story […] we should not expect [anything different] here. The ones who are rich don't care about the ones who are poor—only at election time, when they come and make some contributions and [empty] promises." I was told again and again that the CPA has fallen victim to "a lot of small fighting" and gross mismanagement of the community's funds (Interviewees 14, 2-9-2019).

The CPA has been largely ineffective and its operations are currently at a standstill, as has happened in communities across South Africa, due to lack of "experience and capacity to manage the land collectively," as well as "mismanagement and fraud" (Koot & Büscher, 2019, p. 8). Without the skills to effectively manage the land, much of the area has been neglected and the people "remain poverty stricken and perpetually hungry" (Finlay & Barnabas, 2012, p. 145). As Koot & Büscher note, the 'postcolonial structure' of the CPAs is "based on a blueprint model" that focuses on topics of "democratic leadership, centralization, hierarchy and decision-making models more common in the West" (2019, p. 9). It is unsurprising that such a generalized model of governance would be successful, and on some of the farms, smaller management strategies that combine 'traditional' with 'modern' practices have proven to be much more successful. However, the Act still mandates that an official committee be formed, at risk of losing tenure rights. Even the DRDLR has stated that "it has become clear that the DoS that was made an order of court in 2007 is un-implementable. The myriad of Trusts and entities created are mostly dysfunctional and non-operational" (Department Rural Development and Land Reforms, 2019). The CPA executive is responsible for managing millions of Rand coordinating immense resources, yet is unable "due to lack of appropriate management, business and financial skills" (ibid.)

According to discussions in Eksteenfontein focus group, for the legal entities to work, they must be simplified. Rather than having all of the smaller development companies, they only need a CPA committee and a Richtersveld community trust, centering and streamlining the land claim benefits directly to the community. In a Kuboes focus group, a participant told me that "the government has forced the CPA into our village, because the CPA is born from the government's

regulations. So, it is coming from the government and that is why the proposed elections for about five years are not realized, because they are controlling that. And they are the body who have to support us through this. But it never comes to the front."

Voter disillusionment

Throughout my interviews and surveys, I learned that most people consistently voted for local and national representatives, but also shared a common sentiment of frustration because little change resulted from their votes. A community leader explained that he cannot blame the community for being frustrated "because a lot of empty promises were made in the past" (**SOURCE**).

When asked why they voted, many said they did not know why, but simply did so because it is "normal" or "because I need to" and "it's our democratic right" (Interviewee 11, 29-8-2019; Interviewee 10, 29-8-2019; Interviewee 18, 5-9-2019). One elderly man told me that "if you don't vote then you don't have a voice—no recognition" (Interviewee 7, 21-8-2019), and another told me that he votes for "a government who cares about me. Looking for a fair life for Richtersvelders. I vote because I'm looking for a government without corruption" (Interviewee 6, 21-8-2019). Another woman told me she voted for better employment, saying "I thought that I would start with a job already, but it doesn't happen" (Interviewee 21, 6-9-2019). I was repeatedly told that nothing changes, but most interviewees said they would continue to vote. One woman told me "I can see a bright future, but they must do for the people what they promised. Then everything will be good" (Interviewee 18, 5-9-2019). Not everybody had as much faith in the system. A young father told me:

> *"I'm not voting. 'Cause Cyril Ramaphosa or the president before him, they don't know what our places look like […] they don't worry with us, at the bottom. Look, at the elections they promise 'we'll go and fix roads, we're going to give you jobs.' Here there was an election right before the [Trans Hex] retrenchment. [They say they will] save jobs, those things. Alexkor even goes to government for money so that we can save our jobs. But it doesn't come back. So, from my point of view, I'm not voting. Doesn't make a difference to me — the only person that's making a difference to me is Jesus. So, I'm praying, I'm believing in him and everything I earn, everything I've become, is because of him."* (Interviewees 14, 2-9-2019)

In contrast to his impassioned statement, his wife explained that she does vote, because she is South African, and therefore she must. She agreed, however, that not enough came out of voting, and that it was thanks to God that the people of Kuboes have anything at all. She also said that many believe they must vote for the ANC in order to get a job or a house. This issue was brought up continuously, although not all believed that you had to vote for specific parties in order to get certain benefits.

Others talked about the promises that politicians would make, and how political parties would distribute food and other goods in the time leading up to elections, to convince people to vote for their party (Interviewee 9, 28-8-2019). In a study by Muñoz Arce & Patazis (2019), they found that power in rural and isolated areas can enable "practices of authoritarianism and clientelism," meaning that political support is often exchanged for goods and services (p. 137). In the Richtersveld, the political parties do exactly this—they come and make promises, paint houses, bring food parcels, and then leave again and nothing changes, resulting in the widespread voter disillusionment experienced in places like the Richtersveld. One young woman explained, "I'm turning 26, but I only voted for the first time this year. Because I felt maybe I would get something. Cuz I've never gotten a real job […].

But every time it's just [the same story]. I'm still sitting here, I still got nothing. So, I don't think I will vote again. It doesn't make a difference. It really doesn't." (Interviewee 13, 29-8-2019)

5.2 Social Participation: Intercommunal conflict & restricted access to services

With regards to social participation, the community has suffered growing tensions in recent years, according to multiple interviewees. They also have poor access to education, and those who to finish their studies are not guaranteed work opportunities. Furthermore, there is limited infrastructure and poor access to health services. All of these factors limit the abilities of community members to participate in the larger society.

Community cohesion

One issue continually brought up was that the community does not support each other like they did in the past. A young woman explained: "my mother, my aunts, these people are always saying there used to be a lot of love in Kuboes. Always used to help each other, I don't know what went wrong […]. We need to work together to make this a better place" (Interviewee 13, 29-8-2019). There is distrust between community members, with many feeling that as soon as someone is given power, they will steal money and other resources from the community (Interviewee 9, 28-8-2019). I was also told that the people are so poor that there is a lot of jealousy and as a result, they are not able to work together— "if we respect each other and are honest with each other, only then there's a future" (Focus Group, 28-8-2019, Eksteenfontein). Although some interviewees felt the community does look after each other, others expressed anguish at the fact that the community is so small, yet so dysfunctional. One young woman explained:

> *"Mandela, they [were] fighting for us. But today, we throw everything away. Because we don't stand together […]. We don't support each other. We work against each other. [We] don't agree [on] anything. Like the money that was supposed to [be given] to the community. Some people say this, the others say this—they don't agree. Like the CPA, they don't have new committee members, that's why we can't do anything now. And that money could help a lot of people here: they could have built a hospital, rehabilitation centers. They could work on the park. But they don't see things like we do. Actually, we need a good leader."* (Interviewees 22, 6-9-2019)

When talking with the Director of the World Heritage Site, he also linked the issue of community cohesion to the poor and ineffective self-governance in the Richtersveld. The Director—a coloured man who married a Nama woman and moved to Kuboes later in life—used modern terminology like "capacity-building" and "community awareness" to discuss the "pillars" of development in the Richtersveld. He also talked about how the language program in the elementary school will "rebuild the culture," and they must establish a similar program to rebuild environmental awareness through education. "Bits and pieces, you know; get all the ingredients together to [recreate the Richtersveld]" (Interviewee 2, 10-9-2019). "And get the CPA working", he added at the end of our final conversation.

I also noticed contradictions between the older and younger generations. While the older people often felt that the community and its internal dynamics must return to what they had been in the past, younger people explained that change is needed in the Richtersveld. One young woman expressed interest in getting involved with local leadership, telling me:

> *"Our people are very old school. They don't like the new generation because they said the new generation is coming with the new technology, the new models. Things change, but these people, they don't see it like that. They work now in the old ways. It's a long path. But there must be more young people now on the board. The young people, they are the leaders, so I think [the older people] must step back and let the young people take over. Maybe then we can have a bright future."* (Interviewees 22, 6-9-2019)

The Director of the World Heritage Site also told me that young people should get involved with politics. Some younger people that I talked to were interested, but there the pathway to leadership seemed vague. The Director seemed confident that "you just have to unlock their potential," but in order to do so, they need to have an adequate education: "if they're going to study, they must have the resources […]. They mustn't worry who will pay the courses."

Education & youth

Education is a major issue in the Richtersveld. Members of the older generations only have a primary school education because there was no secondary school in close enough proximity, and only those who could afford to board were able to go; due to apartheid laws, there were no bursaries or scholarships for coloured people (Interviewee 6, 21-8-2019). Some of the mines were starting to offer learnerships, but during my fieldwork, the starting date kept being pushed back and many wondered if the program would actually go through. Given poor employment prospects, one young woman told me that many did not feel going to secondary school or college/university was worth the expenses: "even if he's finished studying and he comes back, there's no work" (Focus Group, 28-8-2019, Eksteenfontein).

There are only primary schools in the villages, and for secondary education students must travel to Alexander Bay. There is a school bus that daily takes the students back and forth to Alexander Bay, but the drive is over an hour "and they're tired when they [get home] and then have homework to do" (Interviewee 19, 5-9-2019). The librarian in Kuboes told me that the students come to the library to do research, but there is currently only one working computer (Figure 7). The library is also one of the only places in Kuboes with WIFI. When asked if the low matriculation rates were related to the difficulties of studying, she indicated yes, and my translator, who was one of the students able to matriculate, explained "it's exhausting." A teacher at the primary school felt that "parents don't encourage the [children] enough to go to school and learn," explaining that home support systems are often lacking (Interviewee 9, 28-8-2019). One mother told me that she does not send her children to daycare "because it's useless. The kids don't learn anything there. So, the money that I have to pay for school can go elsewhere. I don't think it's worth paying if she doesn't benefit" (Interviewee 16, 5-9-2019). A teacher from the daycare fully disagreed with this sentiment, explaining that she sends her child to the creche because "when she goes to primary school or high school, it will help very much, with the education and developing a brain" (Interviewee 15, 2-9-2019). She explained that it is only R50 per month and felt that not educating children makes their lives even more difficult.

Parents explained that raising children in the Richtersveld has pros and cons. While it is safe for children, there are very few opportunities, "and there's no relaxation or entertainment for the kids. Things for the kids to do." (Interviewee 18, 5-9-2019). A mother and father said they wished the primary school could be more like the schools in Port Nolloth or Springbok, where the children get to play football or study drama (Interviewees 14, 2-9-2019). There are also no services specifically geared toward young people, and their struggles and boredom are apparent. Throughout the villages, you

see young people sitting on street corners, sometimes drinking. One young man explained that “when you get bored, you go do things like alcohol abuse and drug abuse” (Interviewee 17, 5-9-2019).

The fact that getting an education does not ensure employment is a deterrent for many. One young woman told me that “most children or people...they go to school, some of them leave school and some of them go study but they don’t get a job. It’s a big struggle” (Interview 18, 29-9-2019). Some younger adults are enrolled in online courses, studying subjects like Human Resources or administration. One woman said she was hoping to get a good job but was very scared of leaving Kuboes because she is afraid (Interviewee 21, 6-9-2019). Another interviewee explained that “the problem here is [many people are only] qualified for one thing” and then must wait until that position becomes available, either at with the World Heritage Site management team or at the municipality, but there are simply not enough jobs (Interviewee 9, 28-8-2019). Due to the lack of job opportunities, many leave the Richtersveld in search of work elsewhere in South Africa (Focus Group, 28-8-2019, Eksteenfontein).

Figure 7. The Kuboes library, located in a small trailer at the entrance to the town.

Limited infrastructure & underdevelopment

The Richtersveld is poorly resourced and there is a significant lack of available resources and limited opportunities for development. Nattrass and Seekings (2001) claim that the governing African National Congress (ANC) is disproportionately invested in the urban working class, neglecting the needs of the rural poor and dispossessed unemployed. They argue that the poorest members of South African society are not only excluded from the formal economy but are also politically marginalized. According to Stats SA, poor and uneducated South Africans are most affected by low economic growth and high unemployment, and in terms of poverty share, more than half of people living below the UBPL (upper-bound poverty life) live in rural areas.

Isolation is not the only issue—the municipality, in the opinion of many interviewees, is largely absent and ineffectual. While it was still operating, in addition to providing jobs, Trans Hex provided multiple services, supplying fresh water for the community, and immediately repairing the pump if it

was broken (Interviewee 13, 29-8-2019). As a private company, "they actually did more than the government, and so now that they're gone, the problems are really starting" (Interviewee 19, 5-9-2019). The company also had a social plan for the community and supported the schools, paying salaries of some teachers and providing supplies. They ensured the roads were in drivable conditions and provided free buses to and from the mines (Interviewee 19, 5-9-2019; Interviewee 21, 6-9-2019). Once gone, these provisions became the responsibility of the municipality. One community member told me "there's nothing going on in the municipality, they don't have the staff" (Interviewee 2, 10-9-2019). Although he believed this could work to their advantage because it gives them some sort of autonomy, in reality, the result is severe neglect. Another interviewee said the municipality does not do anything "because everyone just wants to work for themselves. They don't care about the welfare of the community" (Interviewee 15, 2-9-2019), and another said "the municipality must do the same as Port Nolloth. We must have the same services" (Interviewees 12, 29-8-2019).

Isolation & the Road

The road was consistently the biggest problem identified by informants (Figure 8). The remote location is made worse by the poor conditions of the access road. One man felt that the road was a symbol of their neglect by the black government. He told me "even when your [thesis] is completed and you graduate, there's still no road" (Interviewee 2, 10-9-2019). From my own experiences, the road is truly terrible. As soon as you veer off the main road in Alexander Bay and enter the Richtersveld, the road becomes unkempt gravel, full of stray rocks and potholes. It takes approximately one hour to travel the 60km from Alexander Bay to Kuboes, and it is a very difficult drive if one does not have four-wheel drive, which most people do not.

Figure 8. Two sections of the unpaved Richtersveld road, consisting primarily of sand and rocks.

One interviewee said that a tar road would be "something beautiful for the future," a chance for Kuboes to grow and get bigger shops and build more infrastructure (Interviewees 14, 2-9-2019) (Figure 9). The towns in the Richtersveld have small convenience stores that are run by Pakistani immigrants, but most people I spoke to do their groceries once a month in Springbok, and only go to the local shop when absolutely necessary because it is much more expensive and "doesn't supply anything we actually need," including fresh vegetables (Interviewee 5, 21-8-2019; Interviewee 18, 5-9-2019). Since most do not have access to a private car, many are dependent on a taxi service, which costs approximately R500 per person. One interviewee told me that "there are people who are struggling. Sometimes they don't have food in the house" (Interviewee 11, 29-8-2019). Another said "travelling that kind of distance, you can't then buy underpants. You can only buy food" (Interviewee 5, 21-8-

2019). Additionally, there is a lack of access to petrol. The two nearest petrol stations are in Alexander Bay and Sandelingsdrift, though often these stations have shortages, going several days without petrol. The next petrol station is more than an hour and a half away in Port Nolloth, so even for the lucky ones who have cars, it can be difficult.

Figure 9. Abandoned shops in Kuboes.

Water

Water should be provided by the municipality, but in Kuboes, inhabitants do not have regular access to freshwater. Usually, they only have direct access to slightly salty, brackish water, known as *brakwater*, extracted from the Orange River. The pump frequently breaks or gets clogged with sand, so most people fill large storage cannisters in preparation for brakwater (Figure 10). If the freshwater in the cannisters water runs out, they either transport freshwater from the village of Sanddrift or buy water at the shop if they can afford to do so (Interviewee 5, 21-8-2019; Interviewee 19, 5-9-2019). One interviewee told me they never know if the water from the taps will be fresh or *brak,* but the last time they had freshwater was a single day one or two months prior to the interview (Interviewee 16, 5-9-2019; Focus Group, Quality of Life, 28-8-2019, Kuboes). The water they get from the taps is not purified, and most do not boil it before consumption (Interviewees 8, 21-8-2019; Interviewee 10, 29-8-2019; Interviewees 22, 6-9-2019). According to one interviewee, Kuboes could connect to the water pipelines used by the local mines, but the municipality insists on having a separate line due to internal conflicts (Interviewees 8, 21-8-2019). The water struggle is widespread; two young women told me:

> *"Sometimes we are two weeks, we are three weeks without water. Nothing, nothing. When the water come through then my father makes all the cans full of water so that we don't struggle if there is not water."* (Interviewees 22, 6-9-2019)

Figure 10. A typical house in Kuboes. The orange and blue barrels are filled with fresh water.

Other infrastructure

Housing is substandard for many residents. Many houses leak during the rainy season, and while I was there, strong winds had blown off the roofs of several houses. The most recently built social houses were still awaiting electrical connections. For those who do have access to electricity, it is very expensive. This is an issue throughout South Africa—the country is almost entirely dependent on Eskom, a centralized, state-run utility company. The company has struggled to meet demand and is deep in debt, having suffered from mismanagement and corruption (Reuters Staff, 2019). Like in other parts of the country, the Richtersveld goes through periods of power cuts. The government offers small subsidies for elderly citizens, providing 50kw per month but this is not nearly enough according to interviewees (Interviewee 5, 21-8-2019).

Waste is also an issue. There is a septic tank in Kuboes, but it is only emptied once a month, and garbage is collected every two weeks. Other interviewees complained about the lack of streetlights and post office (Interviewee 19, 5-9-2019; Interviewee 20, 5-9-2019; Interviewee 21, 6-9-2019). An elderly interviewee explained how she was lucky because she was able to afford a house with proper amenities, but many others are not. She also expressed frustration with the municipality, stating that they should provide weekly services and ensure that everybody had access to proper shelter, with indoor toilets (Interviewee 12, 29-8-2019).

Health

Health in the Richtersveld is significantly impacted by remoteness. Upon meeting with the nurse of Kuboes, I learned that she was on strike due to circumstances at the clinic, claiming that often there is not enough equipment or medication for patients and that the workload is unmanageable, especially the administrative duties (Interview 20, 5-9-2019). The Kuboes clinic consists of one nurse, a 'data-capturer', two HIV counselors, a health care worker and a cleaner. Every day there are sick patients as well, which have to be dealt with in order to prevent the spread of illness. Emergency cases sometimes come directly to her house, no matter the hour. The nurse explained, "I can't refuse a

patient, otherwise you don't see them again. So, if they come request a test, you just do it" (Interview 20, 5-9-2019). This meant that even though she was on strike, she could not stop seeing patients, and instead decided to prioritize different patients into block schedules for each day of the week, as a way of cutting back on her workload and making a statement to the administration of the Northern Cape. She was also protesting the lack of access to proper transportation. The entire Richtersveld has access to one fully equipped ambulance, which is usually stationed in Springbok or Port Nolloth. The nearest hospital is in Port Nolloth, and it can take many hours or even over a day to transport patients in emergency situations, especially given the distance and condition of the road. As the retired nurse told me, in terms of access to social services, "we are left behind" (Interviewees 8, 21-8-2019).

Before Trans Hex closed, they provided health care for employees. The closing of the mines not only put people out of work, but it also meant they were not able to get the same medical attention that they were used to, and once closed, the workload for the Kuboes nurse increased significantly. She felt it was the responsibility of the counselor and municipality to step up and assist her, but they are largely absent. "We won't stop [striking] until we get what we want […]. I need my things to continue here. Otherwise, the work can't go further, without those things. It's basic things that the clinic needs" (Interview 20, 5-9-2019).

Illness & diet

There were numerous chronic illnesses and health trends that the nurse identified. She considered HIV to be a big problem, with 22 patients who were HIV positive and in treatment. Tuberculosis was also an issue. Another trend the nurse noted was health education—a large part of her job is "education and motivation," helping her patients understand why it is important that they take their prescribed medications, especially for illnesses like TB. She also explained that a lot of people do not go to the clinic, even if they should, often because they are under the influence of drugs or alcohol. A lot of her patients are also babies and young children who suffer from pneumonia due to exposure to the cold, not getting enough fluids, and inhaling secondhand smoke.

Many community members also suffer from illnesses related to diet, including high blood pressure, hypertension, and diabetes. While for the most part, interviewees had enough to eat, many have limited access to vegetables, especially towards the end of the month, given that most are only able to do groceries after pension day. One man told me that usually the only vegetables his family eats are potatoes (Interviewee 5, 21-8-2019). Another young man said "on a day-to-day basis we can cope. It's not enough, but we can cope" (Interviewee 17, 5-9-2019). In general, sugar consumption is high, and the community is very fond of red meat, though they are not able to eat as much as before because climate has impacted stock farming and meat from grocery stores is more expensive. One interviewee explained "the people survive… but, for the last 5 years, the drought made it difficult for us. Especially the stock farmers. Most of them sell their sheep or cattle […] (Interviewee 9, 28-8-2019)..

Mental health is also an issue, primarily for the younger people. When I interviewed the nurse, she told me that she had five drug overdoses over a period of six months, with three incidents over the last month, all teenage girls. The last one did not survive. When this happens, she must call an ambulance and monitor the patients in case they relapse. In the village of Kuboes, there are approximately 20 mental health patients, most of which are drug or alcohol related, according to the nurse. She said there are no available institutions for mental health patients in the Northern Cape, although a psychiatrist comes once a year to evaluate these patients and renew their prescriptions.

Drugs & alcohol

Substance abuse is a major problem in the Richtersveld and throughout the Northern Cape. The primary substances are alcohol, cannabis, locally known as 'dagga', and methamphetamine, known as 'tik'. According to interviewees, substance abuse has increased dramatically over the past years, with multiple people dealing on the streets or at the taverns (Interviewee 21, 6-9-2019; Interviewee 10, 29-8-2019; Focus Group, 28-8-2019, Eksteenfontein; Interviewee 20, 5-9-2019). The taverns are not official places of business, but rather peoples' homes that have been converted into local drinking spots. One young woman explained:

> *It's a very big problem here in Kuboes. I know, I'm talking from experience, some of these people—the people who are using drugs, they've got problems. So, they say you feel like another person if you use the drugs, so they just want that kick, they want to be on another level, they just want to forget about everything in their usual life, so that's why they're doing it"* (Interview 13, 29-8-2019)

In a study by the South African Community Epidemiology Network on Drug Use, they found that in the Northern Cape, 72% of substance abuse patients admitted to treatment centers were male, with 47% unemployed and 42% of school age (5% ages 10-14, and 37% ages 15-19) (SACENDU, 2018). Multiple interviewees linked drug use to joblessness; there is also the stereotype that Nama people are lazy and make for bad employees, because they drink as soon as they are paid and then will not return to work until they are out of money again (Interviewee 1, 13-8-2019). The nurse said that she has seen a rise in substance abuse since the mines closed and more people are out of work. Tik has also only been in the Richtersveld for a few years, but more and more people are starting to abuse it. One woman explained:

> *"It wasn't always like this, really. There was alcohol and dagga, yes, but [tik] wasn't here. And now our community is really messed up […]. I think it's the unemployment that drives them to that stuff. They have nothing to do with their lives, so they think they can mess it up because what are they living for"* (Interviewees 22, 6-9-2019)

Young adults, many of whom have never had proper jobs, abuse substances because of hopelessness and boredom, according to multiple interviewees (Interviewee 17, 5-9-2019). Stealing has increased, likely to support drug dependencies, and there have been more acts of violence, including multiple stabbings (Interviewee 5, 21-8-2019; Interviewee 12, 29-8-2019) The nurse explained that her son also has a drinking problem: "I don't know what to say. I say to him, you must talk to me! Talk to your mother. Maybe he does have a problem, but I don't know." Another young woman said her brother drinks because "he doesn't get work, he's 32 now, but doesn't get work" (Interviewee 13, 29-8-2019). She went on to explain that the future does not look good for many of them:

> *"There are too many people who doesn't have a work. And each time if I hear something, I hear this person is also on drugs. And it will only get worse. It will most certainly only get worse. And I'm so afraid of that. So, if something is not done, the government is not like seriously doing something, it will only get worse."*

Substance abuse by children is especially concerning. A mother explained that parents are consumed with worry that their children are doing drugs, "because you don't know where your child is going to go in life […], you worry they will also end up [on drugs] because there is nothing to do" (Interviewee 18, 5-9-2019). For the most part, school age children are more likely to use marijuana than alcohol or tik, but the nurse explained that it is very worrying because "they are too small. They think if one smokes, the other must smoke too. It's very bad for them because they're still growing, and that's why they leave the school very early. Because they can't think properly" (Interviewee 20, 5-9-2019). One mother told me: "Every morning, my daughter is smoking dagga in the bus. So, when does this end? I don't know what the future looks like. All I want is that my children and my grandchild have a better life" (Interviewee 12, 29-8-2019). Another mother said:

> *"It doesn't feel good, just to see your child grow up in a place like this […]. To see the boys sit there, smoking dagga. Even the children, small children, they sit in a circle, they have the dagga pipe, they sit and smoke. Or they are drinking beer. It's not right. They're so young"* (Interviewees 22, 6-9-2019).

Teenage pregnancy

The South African National Youth Policy (NYP) 2015-2020 emphasizes the importance of reducing unplanned teenage pregnancies, identifying sexual and reproductive health "as one of the biggest challenges for young people in South Africa" (National Youth Development Agency, 2015, p. 13). The Northern Cape has one of the highest rates of adolescent motherhood in South Africa, with 14% of teenage girls having given birth in 2016 (Statistics South Africa, 2018). The majority of these girls (~95.5%) have never been married, although in South Africa marriage is often formed later in life and is often not considered a prerequisite for childbearing (Statistics South Africa, 2018, p. 30). Although this does not mean the fathers are not involved in childrearing, many of the fathers were absent.

The nurse identified teen pregnancies as a problem, which was evident throughout fieldwork. The nurse counted five teenage pregnancies in total at the given time, with three others who had recently given birth. When asked why she thought so many young girls were getting pregnant, her response was vague and unsure, saying that although they learn about sex and family planning in school, "some of them don't want to use family planning because they said they are too young," and others "just want to experience [sex]" (Interview 20, 5-9-2019). She also suggested that there was an element of peer pressure to the phenomenon, with girls wanting boyfriends because their friends had them, and that they are simply not considering the consequences of unprotected sex.

In a conversation with a young woman who had her son when she was still a teenager, she describes how she got pregnant when she was in a relationship, but that once their child was born, they broke up (Interview 13, 29-8-2019). According to her, this is a relatively common occurrence amongst young couples. When asked about sexual education in school, she explains that they get it "but we just don't want to hear, and don't want to be responsible."

One young man,talked about how the young people are not provided for or driven to succeed, and that many leave school at grades 8 or 9 (Interview 17, 5-9-2019). For young women, "pregnancy is a major concern—when they get pregnant, they come back and stay at their house and then […] what are the opportunities for her?" This is corroborated by statistical evidence—according to the 2016 consensus, only half of adolescent mothers in South Africa were attending schools, in comparison with the 83% of childless girls in the same age group (Statistics South Africa, 2018). The interviewee also explained that although there is sexual education in schools, "it's not up to standard

and not getting enforced in the right way." Another older couple discussed how when teenage girls get pregnant, the girls' parents end up caring for the grandchildren, especially if the girls want to go back to school (Interview 8, 21-8-2019).

5.3 Economy: Livelihoods & (un)employment

When asked what the biggest problems are in the Richtersveld, one of the most common answers was 'joblessness'. Of the working-age adults whom I surveyed, I found an unemployment rate of 66%. This was abundantly apparent during the surveys—people were almost always home, and I rarely came upon an empty house. Before mining was introduced to the area, wealth was determined by livestock, but now the primary livelihoods in the Richtersveld are connected to the mines—often working as contract workers. One interviewee explained that because of the general lack of education and isolation, working in the mines is the only option for many (Interviewee 10, 29-8-2019). After the closing of the largest mine, Trans Hex, the community suffered mass retrenchments, with few alternative sources of employment. The situation in South Africa was made even bleaker after the 2008 financial crisis, which lessened the international demand for minerals and resulted in even greater unemployment.

Employment & the mining industry

Alexkor and Trans Hex still technically own a lot of the land but lease it to external contractor companies based around South Africa. According to an interviewee, the companies are not necessarily registered as official employers, meaning that they can get away with not paying their employees regularly, and that if their employees lose their jobs, they are left without any financial support; if the companies were registered, their employees would pay a portion of their salaries to a labor fund that would then support them for six months after being retrenched. They are also not obliged to provide benefits to their workers, such as medical aid. Furthermore, the new mine contractors pay significantly lower salaries than Trans Hex did; one interviewee told me that general workers, regardless of their levels of education, could be paid upwards of R10,000 per month, but that the new mining companies pay general workers a basic salary of 3,000-5,000 (Interviewee 9, 28-8-2019). The new mines also have brought many workers from outside of the Richtersveld, despite the fact that the Richtersvelders have been working in the mines for their entire lives, and some even have relevant professional qualifications, so employment rates have significantly declined. According to some interviewees, the workers are usually black, and the mining companies can get away with treating these people poorly "because they are used to little" and if they complain, "they must take their things and go" (Interviewees 8, 21-8-2019). There is also a stigma about Richtersveld people in the work force. One young woman told me "I think some people are just lazy. I know work is very scare and such, but some people don't want to work. And then they go to Alexander Bay to go work, and they [skip shifts] and then get fired, and so people say Kuboes people don't want to work" (Interviewee 15, 2-9-2019). Other community members said that jobs were given based on nepotism, rather than experience or credentials (Interviewee 10, 29-8-2019; Interviewees 22, 6-9-2019).

Although the companies started abandoning the Richtersveld due to diminishing minerals, some community members do not think the resources are gone like the companies claim. After the mass layoffs, a few people were able to continue mining by procuring their own contracts, but to be a successful contract worker is dependent on many factors, all of which require access to resources and funds. Contractors must buy mining rights and have all of the necessary supplies, including generators, excavators, jackhammers, and diesel to power the machinery. One man explained that

“you buy a mining right, but you will never be a title deed holder. It’s impossible. You can be the owner of the rights, which is temporary. Mining rights through the department of minerals and resources, they give you a temporary for one year, then you have to pay 6-7,000 for a renewal every year. So, you cannot claim the land to be your rightful property” (Interviewee 3, 15-8-2019). Since not all can afford proper machinery, many are dependent on physical labor, which is significantly less productive and therefore less lucrative. In the Eksteenfontein focus group, I was told that “they are being strangled as contractors”—they must provide a percentage of their diamonds to the mining companies who manage the land and since “there’s no committee (CPA) to stand up for the community,” the mining companies manipulate contract workers, claiming higher percentages. Another interviewee explained that there are all different kinds of agreements, but that the community is almost always disadvantaged—often, the agreement is 60/40, meaning that although the contractor is doing all of the work, 60% still goes to the mining company (Interviewee 2, 13-8-2019). They are also technically required to put away 30% of their profits in a trust for rehabilitation—in the past, this was not taken care of, and now there are massive dumping sites throughout the Richtersveld, with no plans for environmental rehabilitation (Figure 11).

Figure 11. A common view in the Richtersveld: massive piles of used sand and dirt, the biproducts of diamond mining.

Limited alternative employment options

Aside from mining, a small number of community members still work as stock farmers; in a Kuboes focus group, participants estimated that approximately 30 people still work as stock farmers in Kuboes alone (Focus Group, History, 28-8-2019, Kuboes). In the Eksteenfontein focus group, I was told that traditional stock farming is under threat because the younger generations prioritize mining for their livelihoods. There are some people who work in the mines during the week and then tend to their stock posts on the weekend, but these people are nothing more than “bakkie boers”—or pick-up truck farmers (Focus Group, 28-8-2019, Eksteenfontein).

A select few have administrative jobs at the World Heritage Site or the municipality, others work as teachers at the school, and some are field workers in the parks, clearing paths and cleaning

facilities. The Richtersveld also has a Community Work Programme (CWP), a South African initiative that offers community members a few regular days of work per month. The CWP is responsible for street maintenance and cleaning of public buildings and pays ~R700 per month. While not a substantial amount, one interviewee explained that "the money comes nicely. And you do community work at the end of the day. Make the street clean. You make a difference" (Interviewees 14, 2-9-2019). Another, however, said that the CWP does not pay nearly enough, "you can't buy food with that kind of money" (Interviewee 12, 29-8-2019). Many households also indicated that multiple family members were away working, because there were so few opportunities in the Richtersveld. While there is money to be made in tourism, the community does not receive any meaningful benefits from current tourism initiatives, which are primarily run by non-Richtersvelders.

Agriculture is almost nonexistent in the Richtersveld, with the exception of a few large, white-owned farms close to the river. One interviewee explained that "the agriculture of Namaqualand is mining. There's no other option. Do you see how dry this place is? If you're closer to the river, you must apply for a water permit to extract water" (Interviewee 1, 13-8-2019). To apply for a permit, an application must be sent through the Department of Minerals Resources (DMR)—not only is it costly, but many of the locals are uneducated and have limited internet access, so they are dependent on intermediary agents to assist.

Rampant unemployment

I was told multiple times that during apartheid, there was a lot more work and, in many ways, life was easier: "it was better in the past. Because most of the people did work. […] since now the mine is closing, it's become very bad, because so many people are seeking for work but there's no work for them" (Interviewee 20, 5-9-2019). Others explained that mining should be something of the past, and it is time for the community to shift attention to other means of making a living. One man I spoke with told me that, rather than focusing on mining, he wants to help "bring awareness to the people through tourism and [make] them aware that they can be self-maintaining—self-sustaining, through tourism," essentially explaining that tourism will increase self-sufficiency for the community (Interviewee 7, 21-8-2019). Another explained that the community should not focus on diamond investment because "that is a gamble […] you see the current situation, on one piece of land you will get a lot of money from diamonds, but two, three years from now when it is finished, it is finished (Interviewee 9, 28-8-2019). Rather, according to him, the community must invest in tourism marketing and agriculture—both sustainable, long-term projects. Another interviewee said that in order for community involvement to be successful and lucrative, there must be programs and workshops to teach knowledge and skills, as most have limited business experience (Interviewee 2, 10-9-2019).

Because unemployment is so high, many households are comprised of multiple people who would otherwise be unable to support themselves independently. There is also a large dependency on government grants: elderly people get small monthly pensions (~R1,700), and families get a small amount per child (~R400), but "it's just one time in the month and the people do struggle" (Interviewee 11, 29-8-2019). I was repeatedly told that the grants from the government are insufficient, and that what they really need is employment—as one person explained to me, "employment brings back dignity to everyone" (Focus Group, Quality of Life, 28-8-2019, Kuboes). When asked if they were able to save money, almost all indicated that they live paycheck to paycheck: "there's no money to save. You get money, you have to do things, you have nothing to save. Every penny you get you must put on the table or lend somebody" (Interviewee 17, 5-9-2019).

Zama-zama: Illegal digging

In response to declining employment opportunities and increasing levels of poverty, Richtersveld community members have started to partake in the practice of illicit diamond digging, known as 'zama-zama'. Community members who do zama-zama break into operating mines to collect the gravel and then sift through it in hopes of finding diamonds. If successful, these diamonds are then sold on the black market, as it is illegal to trade diamonds without a permit (Figure 12). While it was previously more of a covert activity, today it is common knowledge and the diggers do not hide their identities. There is little hope of mobility and there not enough jobs "so all of us, we go dig, Yes, we dig now. Zama-zama" (Interviewees 14, 2-9-2019).

Throughout the Richtersveld, there is evidence of mining and destruction. One interviewee exclaimed, "look at the dumps! Why are they there? Because they extract and extract, and they get wealthier and wealthier" (Interviewee 1, 13-8-2019). When I asked who "they" are, he said, "the companies. The white men." He continued, explain that:

> *"[the Richtersvelders] are now also restricted by where [their] livestock can herd. [They] want to take them to the river, but there's a wire fence. And then there's another wire. If he pushes through them, there's a problem. There's fighting when he comes and takes [diamonds] back in the night. You understand? And he can't get access to buy those things in order to become a contractor. He doesn't have a bakkie, doesn't have resources, there's no money for the resources.*"

Of the community members interviewed, all recognized its illegality, but most stated that the practice was done out of necessity. If there was no hope of employment, how else were they supposed to feed their families? One married couple told me: "It's not legal. But we are looking for life. All the people outside are looking for food, not to get the money to get drunk or for drugs. It's for food on their table. That's why we are going to dig." (Interview 14, 2-9-2019). Similarly, another interviewee told me that zama-zama is a good thing and "sometimes maybe it is the only way to gain something for the family […] that way they can have something on the table for their family" (Interview 20, 5-9-2019). Others said it was necessary because it is their land, and the government is not acknowledging their rights to it:

> *"I would say that I was also there, zama-zama. We struggle and we just try to get a living. The government can't make this possible so we can get permits and go and actually dig legally. And get your own company, project"* (Interview 17, 5-9-2019)

One interviewee, a man in his early 30s, was retrenched in February 2019 from Alexkor, in a mass retrenchment that he estimated cut 70% of employees. He was given his pension fund and was looking for work, though had not been successful and had turned to zama-zama. My translator described him as "one of the lucky ones," who was able to find diamonds. When I asked him what he thought about it, he also admitted that its illegal, but said: "You need money. And it is our ground … it is our land. It is legally our land, but it is illegal [to operate there]" (Interview 17, 5-9-2019). Despite the inconsistent income the bedrock supplies, it is better than nothing. Only one expressed disapproval of the act. She said that zama-zama prevents people with official contracts from working and attracts negative attention to the area. She felt that the attention would impact tourism "in a very bad way […]. The tourist won't come visit the Richtersveld National Park because of the diggers, so it's hurting the community" (Interview 21, 6-9-2019).

In 2018, violence began in the Richtersveld area, when mine security guards and farmers allegedly opened fire on community members who were protesting their exclusion from mining sites, according to a statement by ActionAid South Africa (AASA) (Thamm, 2018). While I was in the Richtersveld, events escalated, leading to the shooting of some community members by white mine operator. One participant from the community said that following the event, the mine cut off the community's water supply and blocked public access roads. AASA also faulted the Department of Mineral Resources (DMR) for not creating new legislative frameworks for artisanal miners, such as those in the Richtersveld. A man told me that it was important that they continue because the more of them there are, the better, since "the government is not helping [them], and the police come, but the police are biased" (Interviewee 3, 15-8-2019). A young woman explained:

> *"we don't have a bright future to look forward to. Our people get hurt by the security if they go and dig in the mines. We dig for money because they don't give us work. We see opportunities so we grab it, to bring food on the table. So, for now, I don't see a bright future"* (Interviewees 22, 6-9-2019).

Figure 12. A sign on the road into the Richtersveld calling for people to report illegal diamond mining.

5.4 Culture & ethnicity

This section explores the cultural sphere of exclusion, related to the indigenous ethnicity and 'coloured' racial classification. There is still great pride for the Nama identity, but overall, there has been a steady decline of Nama customary practices and most of the community members have adopted more western lifestyles (Figure 14). One man said that this "is very sad because the culture is dying" (Interviewee 9, 28-8-2019), and another said, "the thing I want to see for the future is bring back the Nama culture, which will bring more value to the people" (Interviewee 7, 21-8-2019). Others seem to accept that it does not have to be all or nothing. The younger generation, in particular, emphasized a pervading Richtersveld identity, rather than one connected to ethnic origins, though

many still take great pride in their Nama ancestry. Of the few I was able to talk to, those who identify as Bosluis Baster take equal pride in their origins.

As explored, the meaning of the 'Nama' identity has changed as they have modernized, and there appears to be some tensions between the idealizations of the 'old ways' and the 'new.' While again, this goes beyond the scope of this thesis, the experiences of loss of culture can be considered forms of exclusion.

Ethnicity and the land claim 'failure'

As discussed, the communities of the Richtersveld are not heterogenous; some inhabitants are of Nama descent but do not identify with the Nama culture, and others do not have any genealogical connections with the Nama. Yet identity, community, and proof of belonging were all pertinent factors during the land claim, used to demonstrate whether they had the right to the land (Mostert & Fitzpatrick, 2004). A central focus of the LCC was to determine whether the identities of those within the communities were 'legitimate', and whether there was "an element of commonality within the community at the time of dispossession" (Mostert, 2010). In the SCA's decision, the community had to prove their status as a "discrete ethnic group" (*Supreme Court of Appeal* 2003 at [15]), that there was continuity between the dispossessed community in 1926 and the community at the time of the land claim. This emphasis on authenticity arguably resulted in intra-community conflicts that are still experienced today. One Nama interviewee felt especially jilted by the land claims process, explaining that the lawyers mislead them and went behind their backs, broadening the meaning of the Richtersveld community to include !Xhosa and Basters without informing the Nama. As a result, he felt that it caused damages for the Nama, because the "the Nama were not recognized at the end of the day" (Interviewee 3, 15-8-2019).

Some interviewees also wondered if the failure of the land claim was a result of their ethnicities. Many communities that identify as coloured continue to endure social and political marginalization (Adhikari, 2013). While the government was supposed to give the community compensation for diamonds extracted in the area, "some in the Richtersveld suspect government resistance was to do with the fact that 'we are not really black'" (Cargill, 2010, p. 158). One sentiment expressed by multiple interviewees was that during apartheid, coloured people were not white enough, and now, with a black government, they are not black enough.

Restricted access to cultural land

In addition to the privatized areas reserved for mining, there are two areas that the community now has limited access too: the Richtersveld National Park (RNP) and the World Heritage Site (Figure 13), areas that host burial grounds and have cultural significance.

The RNP became a 'contractual' park in 1991, meaning that it is owned by the local community, but managed by South African National Parks (SANParks). Because of its status as a contractual park, it is technically supposed to be managed through community-based natural resource management (CBNRM) strategies, however, according to multiple interviewees, the amount of community involvement is negligible, largely due to inadequate leadership bodies within the community. When the park was first established, Richtersvelders were not allowed to continue practicing stock farming in the area, having been excluded from negotiations in 1991. After winning the land claim, despite the park being part of the Protected Areas Act, the community was allowed to use the land again. Other than a few community members who work at the park doing maintenance projects, the community has very little interactions with the RNP. One afternoon, I decided to visit the

park with my translator and two other young people from Kuboes. Surprisingly, there were not able to enter the park without paying conservation fees. Despite being from the Richtersveld, they were asked to pay R300 each, which far exceeded their personal budgets.

The World Heritage Site is managed by the Department of Sports, Arts and Culture (DSAC), through a small number of hired employees. It was inscribed into UNESCO's World Heritage List in 2007, due its cultural and natural value. The larger community has little involvement or interaction with the area, despite multiple statements in the RWHS Management Plan promising to maintain a close relationship with the community and engage local students with conservation initiatives (Reference Group of the Richtersveld Community Conservancy, 2006). The Site is bordered by a 'Communal Buffer Zone,' which separates the grazing areas from the protected areas, for the few community members who continue the practice of stock farming. When I was in the Richtersveld, the community explained that the buffer zone was being extended, limiting the amount of land available for stock farming. In Eksteenfontein, they told me this was not fair because stock farming "is a cultural thing! This is our livelihood, before diamonds. This is tradition" (Focus Group, 28-8-2019, Eksteenfontein).

Figure 13. An entrance to the Richtersveld World Heritage Site.

Language

In post-apartheid South Africa, indigenous groups have begun making efforts to redefine and reclaim their identities (Besten, 2013). For the Richtersveld Nama, reintroducing their language has been key to reviving their culture. There is no formal recognition of the Nama language, or *Khoekhoegowap*, as it is not one of the eleven official languages. During apartheid, children were only allowed to speak Afrikaans at school; an older man explained that he had not even heard Afrikaans until he started school (Interviewee 3, 15-8-2019). During the surveys, many explained that they were coloured, rather than Nama, because they did not speak the language (e.g., Interviewee 16, 5-9-2019; Interviewee 10, 29-8-2019). For members of the older generation, the Nama language symbolizes a loss of cultural identity, in addition to the loss of physical land. Parents eventually stopped teaching their children the

language “because they perceived it as a burden rather than a medium of advancement in their lives” (Fairweather, 2006, p. 8). Afrikaans is by far the most common language spoken in the Richtersveld, with only the oldest generation still speaking Nama amongst each other.

During my time in the Richtersveld, they had just started a new initiative to teach the younger generation Nama, starting with the youngest school children. One interviewee explained that the initiative is important because they have to “rebuild the culture” (Interviewee 2, 10-9-2019) and another explained “we must never forget here we came from” (Interviewee 21, 6-9-2019). This was repeated throughout interviews, and during one of the Kuboes focus groups I was told that there is a “war […] for the Nama traditional culture against the Western influence,” and that relearning the language is critical for their “heritage to be recognized” (Focus Group, History, 28-8-2019, Kuboes). Another participant explained that every nation has their own language, and it is necessary for them to teach Nama at school and conduct all classes in the language. Two older men explained during their interviews that part of the problem is that that the younger people are “ashamed” to speak Nama and refuse to learn (Interviewee 6, 21-8-2019; Interviewee 3, 15-8-2019).

Figure 14. Older Nama women preparing for a South African cultural celebration, in which a film crew would come record the Nama enacting traditions for a television special. In this picture, they are making the poles for the traditional Nama huts. They reproduce their culture for TV, but it is starkly different from how they actually live.

6. Discussion

In this discussion, I explore some key findings from my research. The arguments are twofold: first, that the Richtersveld community can be considered 'wasted,' a result of decades of exclusion and conditions of modernity (*6.1*), and second, that through the use of different types of agency, they continue to reassert their rights and resist structural disadvantages.

Ultimately it can be concluded that the Richtersveld community meets the criteria for being wasted lives. In an age of liquid modernity, achieving 'self-sufficiency' is virtually impossible for the Richtersveld community. The problems in the Richtersveld have accumulated, challenging social reproduction, and limiting opportunities for the post-land claim generations. They endure precarious employment, lack access to secure land tenure, and live on the fringes of society in highly impoverished conditions. Their situation has been created by modern society: they are late-comers to modernity, the byproducts of social ordering, the surplus population, the flawed consumers. They have no hopes of returning to their pre-modern lifestyles and also do not have full access to modernity, making their exclusion all the more apparent. They also have full awareness of what they do not have and what life could be like if there were opportunities for upward mobility. Many see themselves as social outcasts, abandoned by the governing structures that are supposed to represent them. Because they are written-off as incompetent, 'untrustable,' and even violent (Interviewee 3, 15-8-2019), their neglect is further justified. They are also in a perpetual state of waiting; waiting for something to come out of the land claim, waiting for employment, waiting for a tar road. The fact that multiple interviewees expressed a longing for the past – not necessarily their pre-modern lives, but a longing for life during apartheid, is especially significant. That they felt life was better during a regime of institutionalized racial segregation is indicative of just how bad the situation is. They have little hope for the future, and all they are asking for is an opportunity to work and live with dignity.

Despite all of these factors that justify 'wasted lives,' I argue that while Bauman's theory has theoretical value, empirically it is minimizing and disempowering. It also insinuates a permanence that is counterproductive and suggests that all hope is lost. With this thesis I have shown that while the people of the Richtersveld do meet the requirements of wasted lives, ultimately, they are still capable of acting as human agents. Through both legal and illegal actions they continue to fight back against the system rather than completely succumbing to it. By exploring the tensions between agency and structure, I challenge Bauman's theory, arguing that the word 'wasted' connotates a linear finality to their state of being. Perhaps they are of no 'use' to the current system—and yes, indigenous people may really be at the bottom of the social ladder, so to speak—but the categorization of 'wasted,' semantically, is limiting and lacks nuance.

6.1 Modernity & exclusion

The history of the Richtersveld exemplifies modernity in South Africa, the neoliberal processes of privatization, accumulation by dispossession, and the spatial fix. Capitalism and modernity first arrived in the Richtersveld with the discovery of diamonds. Mining turned the Richtersveld into a production site, displacing the local people and resulting in a concentration of wealth and land ownership amongst the economic elite—mining is driven by global processes, but its impacts are highly localized. As the land has become less profitable, the elite are now abandoning ship, in search of new markets to exploit, with little regard for the social or environmental repercussions. There is also a large disconnect between those who produce the diamonds and those who consume them—although beyond the scope of this thesis, it is safe to assume that the violence and exploitation of extraction is

largely hidden from those at the other end of the market, representative of the so-called 'bifurcation' of society.

Bauman (2004) writes that mining is "an epitome of rupture and discontinuity"; once something is extracted, the process is irreversible (p. 21). Mineral extraction is highly symbolic of capitalism; it is a linear form of production, dependent on the commodification and exploitation of both human and natural resources. It is also a process that cannot be achieved without waste— "the new is created in the course of meticulous and merciless dissociation between the target product and everything else that stands in the way of its arrival" (Bauman, 2004, p. 21). Waste is the 'trade secret' of modernity; for something to be created, something else must be discarded.

Mining is also an integral and lucrative aspect of South Africa's industrial economy, but after nearly a century of diamond mining, it does not come as a surprise that supply is declining and that the mines are ceasing operations. Communities across South Africa have been devastated by mining initiatives that have forced relocations, destroyed livelihoods (often without compensation), and caused irreparable environmental damage (Rall, 2018). According to the South African Human Rights Commission (SAHRC), "the current social and labor plans (SLP) system does not adequately address the negative impacts of mining activities" on local communities or on the environment, and "there is an immediate need for all Environmental Impact Assessments (EIAs) and Environmental Management Programmes (EMPs) to clearly detail land quality and potential post closure land use," or else areas like the Richtersveld will continue to be rendered unusable and uninhabitable (SAHRC, 2016, p. 6).

The context of liquid modernity creates the precarious circumstances of exclusion. As late-comers to modernity, the Richtersveld people went from nomadic, indigenous lifestyles, to being highly subjugated and monitored during apartheid. After apartheid, the community gained access to many features of modernity, but due to manifestations of systemic exclusion, have not been able to fully reap its benefits. Neoliberal ideals have resulted in precarious circumstances for the people of the Richtersveld, resulting in joblessness, limited public services, and overall deterioration of the community.

Indigeneity and the legal system

There are many factors that may account for *why* the Richtersveld community has been so excluded, but based on my research, it boils down to the issue of unequal power relations stemming from a long history of deeply rooted racial oppression. The post-apartheid government claimed to have indigenous interests at heart, but as shown throughout this thesis, the community has continuously struggled to navigate the legal system, being repeatedly sidelined and underrepresented.

The land claim itself can be heavily critiqued, though the actions of the LCC are especially telling. The purpose of the formation of the LCC was 'restitution,' but by dismissing the idea of customary law because land ownership was not recognized at the time of dispossession, they reaffirmed the colonial discourse that indigenous land ownership was not legally founded. The LCC's decisions have also been described as furthering a "market-based relationship between the dispossessed and the landowner"—the landowner, in this case, being a State Owned Enterprise (Lennon, 2019, p. 5).

Both the SCA and CCT concluded that the claimants had a right to land under the Restitution Act but deemed it unnecessary to explicitly use 'aboriginal title' since 'customary law' could also be applied. Chan (2004) and Mostert (2010) both attribute this to the government's aim to exclude colonial dispossession from the Restitution Act, thus avoiding a precedent for the use of aboriginal title in other land claims and maintaining judicial caution. It can also be argued that their reticence to

accept aboriginal law is an attempt to discount claims to indigenous distinctiveness and thus make the community more manageable, or governable, within the existing democratic system. While the land claim was technically successful, Chan (2004) also points out that rights to the land are not equivalent to ownership, and that granting rights based on customary law is an attempt to fit aboriginal title into existing paradigms of land ownership (p. 123). By describing customary law interest as comparable to common law ownership, the SCA appeared to be approximating 'aboriginal title' without explicitly recognizing it.

The disconnect between the LCC and the other courts demonstrates a failure of the Restitution Act to define criteria for justice in land restitution claims. The LCC operates within a neoliberal system in which individual groups bear the burden of responsibility to prove their legitimacy and win back land from descendants of those who took it in the first place. The situation is riddled with hypocrisy, as the community is forced through endless legal hurdles, depending entirely on a system established by a government that has financial stakes in the matters at hand. This directly relates to one of the contradictions of contemporary development in a neoliberal, capitalist society: the simultaneous "promotion of capitalist processes and concern to improve the condition of the dispossessed" (Li, 2007, p. 27). The failure of the claim is indicative of this—despite pretenses of returning mineral wealth to dispossessed populations, the government continues to operate within the global capitalist market and continues to foster economic development that does not benefit the most marginalized. As Büscher (2015) argues, indicators of growth in the African continent do not necessarily mean that the continent is tackling poverty, but rather that 'growth' indicates an uneven distribution of capital.

This series of legal events only represents a fraction of the problem. The reality is that even with the end of apartheid, conditions have not improved for the community of the Richtersveld which remains severely neglected by the state. The disconnect between what the DPE has claimed to have completed regarding the DoS and what the community has actually received in terms of reparations is yet another example of the failures of the claim.

I want to raise the point that it is perhaps not in the South African government's interest to return the land or the mining rights to the people. Mining is a mode of production that stimulates the economy and giving mineral rights to the community could be less financially lucrative. The Richtersveld community is so marginalized and powerless that the government can continue to profit off of the mining enterprises without repercussions until the mineral deposits are gone and new markets can be exploited. Whether this is also directly linked to their ethnic status as 'indigenous' and 'coloured' is speculation, but I believe it should be questioned. Aboriginal status is arguably both a source of oppression *and* empowerment, having provided the framework for the land claim, but also influencing the overall failure of the claim.

Manifestations of exclusion

By conducting a social analysis of quality of life for the Richtersvelders, I examine how the community contends with different aspects of modernity, providing ample evidence for how they are excluded. There are multiple domains from which the community experiences exclusion: politics, social participation, economy, and culture. Examining the ways in which exclusion is manifested can help make the argument for whether the community can be categorized as 'wasted'.

Politics

Since the land claim, mechanisms aimed at inclusion and integration into the modern political system have largely failed the community; in many ways, the community has been 'absorbed' into the system, and then simultaneously neglected. The DoS established a set of companies to help support development in the Richtersveld, but all of these have ceased to exist. Another prime example is the inefficiency of the CPA, which can be attributed to the fact that community members put in charge are inexperienced and unable to adhere to the top-down, one-size-fits-all governance structures imposed upon them (Finlay & Barnabas, 2012; Koot & Büscher, 2019). As the DRDLR has said itself, the mandates of the DoS have been "un-implementable," leading to dysfunction and growing poverty (Department Rural Development and Land Reforms, 2019).

In many ways, the failure of the CPA is another reminder of the loss and disappointment felt in the years following the land claim, making it more and more apparent that nothing will come of their 'win'. Many interviewees were aware that most of the reparations had been paid out to the community, but they were losing hope due to the fact that nothing changed in their daily lives; the schools still do not have enough money, the road has not been repaired, and the church lacks resources to provide necessary services. The disconnect between larger governing bodies and the Richtersveld community is also a manifestation of exclusion. Many felt that the government only cares about them at election time, but otherwise they are ignored because they are at the bottom. There is endless evidence that the Richtersveld is neglected by elected officials and by their own community members who are tasked with the responsibility of representation (Hunter, 2009).

Social participation

There are many factors that inhibit social participation. Breakdown of the community is indicative of liquid modernity and its emphasis on the individual. In solid modernity, identity was gained largely from one's community, whereas in neoliberal, liquid modernity, the concept of community is replaced by short-term, individualist thinking, accompanied by heightened levels of anxiety and instability (Bauman, 2004; Koot et al., 2019, p. 349).

There are many ways community members feel they could improve life in the Richtersveld. There are those who expressed nostalgia for the past and want life to go back to some vague idea of what life had been, those who aspire to make the land claim and its associated structures, such as the CPA, function for the benefit of the community, and a few who desire to recreate the system all together. While the older generations showed considerable nostalgia for the way life had been in the past, they were not necessarily lamenting their indigenous pasts, but more the loss of community cohesion and support. The younger generations want this as well, but rather than achieving community cohesion by going back to the way things were, many expressed interests in change. As one young woman explained, the older generations are not open to new ideas and technology, but adjustments are needed if they are to have a bright future.

Regardless of how the Richtersveld can be improved and supported, the fact remains that it is very difficult to solve problems when so many are living in such extreme poverty. From subpar education (and few incentives to graduate, given that it does not ensure employment) to poor infrastructure and declining health and healthcare, the vast isolation of the Richtersveld has left many without hope for the future. Furthermore, they can see what neighboring towns like Port Nolloth and Springbok have access to, making their relative poverty even more apparent. Many of the youth, especially, have declining optimism for their prospects, which may explain why drug use is increasing, especially amongst younger generations. The road is especially illustrative of the plight of the

Richtersveld and their desire for inclusion. It is symbolic of their neglect by the municipality and sheer isolation. The dream of a tar road represents an opportunity to be part of society, to have uninhibited access to food and other necessities, to be remembered.

Economics

Most of the inhabitants of the Richtersveld are in a perpetual state of joblessness, almost entirely excluded from the resources and benefits derived from the exploitation of their natural resources. After nearly a century of diamond mining, it does not come as a surprise that supply is declining and that the mines are ceasing operations. Communities across South Africa have been devastated by mining initiatives that have forced relocations, destroyed livelihoods (often without compensation), and caused irreparable environmental damage (Rall, 2018).

Because there are so few opportunities for alternative employment, the identity of the Richtersveld has come to center around mining. As mining industries continue to decline, the people of the Richtersveld must find new means of making a living, but what this could look like is vague, other than a gradual transition to a tourism economy. For now, a large portion of the community is unemployed, and life has become increasingly precarious. The fact that mines operate almost completely independently from the community and give jobs to non-Richtersvelders is also telling. The common portrayal of workers from the Richtersveld as 'undeserving' (Garland, 2001) and 'lazy' (Best, 2016) is a form of othering that justifies their further subjugation by employers. They are also an example of an 'industrial reserve army' that is hired and then retrenched without consideration for the social implications (Duffield, 2007). Zama-zama is seen as way to take what is rightfully theirs, and when security guards shoot at them, it is further enforcing the idea that they are violent outsiders and killable bodies that stand in the way of production.

In many ways, the land claim is a symbol of modernity for the community—whether access to the mineral resources would actually result in significant changes for the community is debatable, but land ownership represents an opportunity to participate in the modern economy, which many see as the ticket to a better way of life.

Culture

Arguing in line with Dubois-Shaik (2014), identity can only be constructed within the limits of the dominant system, and arguably the people of the Richtersveld have had limited opportunities to reinvent their identities and culture in modern South Africa, due to vast levels of poverty and ethnic discrimination. As discussed in the previous section, the loss of community and a shared identity may represent a disjunction between indigeneity and modernity, the old and the new.

Although indigeneity played a significant role in the Richtersveld land claim, the indigenous identity is mostly upheld by older generations. I do not dispute their claim to aboriginal title but argue that it is necessary to reconcile their indigenous status with their more modern lifestyles. While many of the younger people are largely estranged from their indigeneity (a result of years of oppression and loss of language brought on by colonization and apartheid), I recognize the communal efforts to maintain a culture and heritage that they have had to fight to uphold. In this regard, I do not think their indigenous status must come at the expense of 'modernity'—the community of the Richtersveld does not uniformly identify with either discourse, so rather than framing modernity and indigeneity as two sides of a dichotomy, they can be hybridized. As Berzborn points out, "the ethnic Nama identity necessary for legitimizing the claim to the dispossessed land was complemented by a distinct non-ethnic local identity" (p. 307). Regardless of the various ethnic identities in the Richtersveld—as well

as the non-descript 'coloured' identity ascribed during apartheid—the over-arching Richtersveld identity is a unifying and empowering concept that transcends modern or traditional ideals.

6.2 Beyond Bauman: The role of agency

This section looks at how the Richtersveld land claim and events in its aftermath demonstrate uses of agency, in attempts to counteract the oppressive system. The land claim in itself is both a legal form of resistance and dissent, and an example of immaterial indigenous modernities, employing a framework of aboriginal rights within the modern political system to reassert claims to land. By exploring agency, I examine the ways in which the community has mobilized and attempted to resist structural impediments (Petray, 2012).

Immaterial indigenous modernities

The use of aboriginal title and indigenous landownership to win the land claim demonstrates the strategic use of legal concepts of global modernity. Throughout the court case, the Nama used discourses of indigeneity to confirm their rights as a culturally unique group, historically marginalized by policies of colonialism and apartheid. In this sense, the concepts of 'indigeneity' and 'aboriginal title' are in themselves *immaterial indigenous modernities*. They are concepts that have taken on meaning in the modern system, framed in such a way as to obtain some level of power and achieve agendas. In many ways, the arguments of Huizenga (2018) and Robins (2003) are valid—the community successfully articulated indigenous rights, and synthesized these rights in conjunction with modern discourses of democracy and legality, even though the success was relatively short-lived.

In the post-colonial context, 'aboriginal title' has been criticized as being restrictive because it requires indigenous people to portray themselves in a way that the state can recognize (Berzborn, 2007a; Lehmann, 2004). From such a viewpoint, aboriginal political structures must be adapted to fit within the context of the hegemonic (neoliberal) system of political authority. Based on this research, I agree with Lehmann's (2004) point that using aboriginal title in a court of law is demanding, but I also wonder what alternatives there are for communities such as the Richtersveld. It also raises an interesting point about how much 'indigeneity' can actually achieve. While it helped them to successfully argue their case, nothing actually changed, suggesting that although indigenous rights may be politically worthwhile for the South African government (as in, the 'success' of the land claim is beneficial for South Africa's image as a post-apartheid, democratic state), in reality their long-term well-being is much less valuable.

The use of indigeneity to achieve legal goals also had repercussions within the community. The pressure to demonstrate belonging, based on identity and specific connections to land, was part of the criteria for citizenship and basic rights (Koot et al., 2019). As witnessed throughout the trial, their claims to aboriginal title had to have proof, requiring them to show that they were the descendants of an indigenous community at the time of colonization (although evidence was extremely difficult to procure, and required a team of social anthropologists and oral historians, as well as proof of burial sites) (Chan, 2004; Legal Resources Centre, 2007). One setback of such requirements is that many of the communities who filed a land claim, including the Richtersveld community, were not organized as they had been in 1913—some communities had become fragmented or newcomers had arrived, and often communal groups were not organized well enough to determine cohesion (Berzborn, 2007a). As shown, the dependency on this title has caused internal communal conflicts, with tensions arising between Nama and Basters, the latter of which some Nama see as "new-commers" to the Richtersveld and therefore undeserving of land rights.

Although claims to aboriginal title can help indigenous people assert claims to land and natural resources, this thesis shows that neoliberal processes are more destructive than beneficial. Even if aboriginal title helps frame the case for a land claim, the overall failure of the Richtersveld land claim proves that the uneven distribution of power and prioritization of the economy can supersede local and indigenous interests. In the years since the land claim, community members continue to use aspects of modernity to assert their rights to land and reach social and political goals. Formation of the interim committee (IC), for example, demonstrates the use of agency to operate within postcolonial governance structures. I also found that the language of some of the participants who were more involved in the land claim and in local leadership was influenced by development terms, such as "capacity building" and "community awareness" (Interviewee 2, 10-9-2019). There is a clear use of modern language and structures to push an agenda founded on the claim to indigeneity.

Resistance

In many ways the Nama—and the Richtersvelders, in general—are victims of the system, and through acts of resistance, both illegal and legal, they attempt to challenge the system. The notion of assembly has relevance for the Richtersveld, with zama-zama a clear example of the community's refusal to sit back as passive victims (Saloojee & Saloojee, 2011). Although highly illegal, it is an outcome of the failed land claim and mounting levels of poverty and precarity. The interactions with the mines are violent, yet the people are not deterred because they see it as taking back what is rightfully theirs and are also doing what they feel they must to adequately provide for their families. Zama-zama is not a practice limited to the Richtersveld, and in other parts of South Africa, mines have started giving contracts to locals to prevent illegal activities. In Kimberley, South Africa, for example, miners self-organized as the Kimberley Artisanal Mineworkers, successfully petitioning the Department of Mineral Resources to give them mining permits and thus legal access to 500ha of land (Casey, 2018).

There are many other examples of individuals taking action to resist poverty and maintain hope for the future: community members described plans for tourism initiatives, young people expressed interest in taking on leadership positions to fight for the community, the nurse actively protested working conditions. The community is still fighting for the benefits from the land claim and has even launched a second land claim against Trans Hex. Altogether, these actions could represent a brighter future, and if anything, they show that not everyone has lost hope. Incremental changes demonstrate the power of agency, but the overall lack of resources held by the Richtersvelders remains a detriment to their abilities to truly make a difference, especially given the larger power structures that continue to operate at their expense. Regardless, this case study shows that agency can be achieved through acts of resistance that challenge dominant systems. It also makes the case for the community to act together as a unified front, thus acknowledging their shared Richtersveld identity and shared poverty.

7. Conclusion

Land dispossession due to mining is a theme throughout South Africa and the world, with mining often superseding the customary rights of indigenous people. In many ways, the Richtersveld land claim is indicative of the complexities of land restitution in a highly racialized system and the community's fight for inclusion (Mostert, 2010, p. 75). Colonization marked the beginning of the decline for the Richtersveld community, and while the land claim was successful, it was short-lived and ultimately resulted in more loss than gain. By examining modernity as a system of exclusion for those who do not reap its benefits, this research exemplifies the impact on indigenous communities of a capitalist system that revolves around market productivity and economic development. The dominant mode of production in the Richtersveld is mineral extraction, a process that is inconceivable without waste –in the sense of mining waste, and of wasted lives

With this thesis I have documented the plight of the Richtersveld, linking their displacement and current state to Bauman's theory of wasted lives. In doing so, I answered the primary research question: *How can the people of the Richtersveld, South Africa, be considered 'wasted lives' in the post-colonial and post-land claim context of modernity?* The first part of the argument is that the people of the Richtersveld can be considered 'wasted lives'; they have been excluded from their own societies and survive in precarious, liminal spaces, as the by-products of globalization. Even though they have occupied the same land for centuries, they have restricted access to resources and limited chances for upward social mobility. Just as the large piles of sand and dirt sit abandoned on the edges of the mines, the people of the Richtersveld exist on the peripheries of South African society --as Bauman explains "out of view, out of thought, out of action" (p. 25). This research demonstrates that Bauman's theories of wasted lives and systemic exclusion are valid, especially with regard to indigenous land dispossession. Despite these findings, the second part of my argument is that 'wasted lives' implies a state of permanence that is overly pessimistic and restrictive. Simply the fact that some interviewees continue to fight for a different future and continue to express hope suggests that not all is lost. Neoliberal capitalism is an oppressive force to come up against, and there is no pretending that the cycle of poverty is easy to escape. Their agency is very low, yet the finality of the term 'wasted' may be counterproductive.

I conclude by asking what the Richtersvelders truly hoped to gain from the land claim, and whether anything could actually be different. Their fight is both an attempt to regain a way of life that was taken from them (a pre-modern and somewhat romanticized state of existence) and an attempt to reap the economic benefits of extraction, in hopes that it will provide them with full access to modernity. There is no denying that mining has had immeasurable consequences for the community, but what impacts would a 'successful' land claim actually have had? As an observer, I cannot help but question whether they would actually gain as much from access to the land as they hope. In order for the land claim to ever be successful, they need more than access to land and money (although this is undoubtedly a step in the right direction). The community has been so plagued by years of marginalization and distrust, that there are many factors that must come together before there can be any real change, and it might require a shift away from neo-colonial forms of management and production. If the mineral deposits are declining, it is also perhaps time to pivot toward a more sustainable, long-term means of making a living.

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Restitution of Land Rights Act, 1994

Appendices

Appendix I. List of interviews

#	Citation	Date	Location	Occupation	Method	Gender	Age	Translator
1	Interviewee 1, 13-8-2019	13-8-2019	Brandkaros	Miner	Informal interview	M	40-50	n/a
2	Interviewee 2, 13-8-2019	13-8	Kuboes	Site Manager Richtersveld World Heritage Site	Informal interview (key-informant)	M	50-60	n/a
	Interviewee 2, 10-9-2019	10-9	Kuboes	Site Manager	Follow-up interview (key-informant)	M	50-60	n/a
3	Interviewee 3, 15-8-2019	15-8	Kuboes	Pensioner, ex-CPA, ex-site manager	Informal interview (key-informant)	M	>60	n/a
	Interviewee 3, 18-8-2019	18-8	Driving from Kuboes to Sandrift	""	Follow-up conversation (key-informant)	M		n/a
4	Interviewees 4, 19-8-2019	19-8	Kuboes		Informal interview	M		n/a
5	Interviewee 5, 21-8-2019	21-8	Kuboes	Pensioner	Semi-structured interview	M	>70	Gert
6	Interviewee 6, 21-8-2019	21-8	Kuboes	Pensioner	Semi-structured	M	>60	Gert
7	Interviewee 7, 21-8-2019	21-8	Kuboes	Pensioner	Semi-structured	M	>60	Gert
8	Interviewees 8, 21-8-2019	21-8	Kuboes	Pensioner & retired Nurse	Semi-structured household interview	M & F	>60	Anne
9	Interviewee 9, 28-8-2019	28-8	Kuboes	Primary school teacher	Semi-structured	M	40-50	None
10	Interviewee 10, 29-8-2019	29-8	Kuboes	Administrator Richtersveld World Heritage Site	Semi-structured	F	28	None
11	Interviewee 11, 29-8-2019	29-8	Kuboes	CWP	Semi-structured	F		Nadine
12	Interviewee 12, 29-8-2019	29-8	Kuboes	Unemployed – retrenched from Trans Hex	Semi-structured	F	51	Nadine
13	Interviewee 13, 29-8-2019	29-8	Kuboes	Unemployed	Semi-structured (key-informant)	F	25	n/a
14	Interviewees 14, 2-9-2019	2-9	Kuboes	CWP & self-employed (catering)	Semi-structured household interview	F & M	31 & 37	Nadine
15	Interviewee 15, 2-9-2019	2-9	Kuboes	Teacher	Semi-structured	F	25-30	n/a
16	Interviewee 16, 5-9-2019	5-9	Kuboes	Unemployed	Semi-structured	F		Nadine
17	Interviewee 17, 5-9-2019	5-9	Kuboes	Unemployed – zama-zama	Semi-structured	M	32	n/a
18	Interviewee 18, 5-9-2019	5-9	Kuboes	Unemployed	Semi-structured	F		Nadine

19	Interviewee 19, 5-9-2019	5-9	Kuboes	Librarian	Semi-structured	F	43	n/a
20	Interviewee 20, 5-9-2019	5-9	Kuboes	Nurse	Semi-structured interview	F	56	n/a
21	Interviewee 21, 6-9-2019	6-9	Kuboes	Unemployed	Semi-structured	F	35	n/a
22	(Interviewees 22, 6-9-2019)	6-9	Kuboes	Unemployed	Semi-structured household interview	F	28 & 29	n/a
23	Interim Committee Meeting	18-8	Sanddrift	Mixed	Informal interview	M	20-70	n/a
24	Focus Group – Richtersveld History	28-8	Kuboes	Pensioners, pastor, Richtersveld site manager	Focus Group	M, F	>50	Gert, Abe, Pastor, Willem, Old dude, Lady
25	Focus Group – Quality of Life	28-8	Kuboes	Richtersveld administrator, unemployed, librarian, ex-receptionist at the park	Focus Group	M, F	20-60	Gert
26	Focus Group – Eksteenfontein Quality of Life	3-9	Eksteenfontein	Stock Farmer, Pensioner, Contract Worker, Tourist office Manager, Eksteenfontein Site Manager Richtersveld World Heritage Site	Focus Group	M, F	20-60	Nadine

Appendix II. Survey

Upon arriving in Kuboes, I surveyed every second house, in order to get a better understanding of the area, get ideas for potential interview questions, and select people for interviews. The topics were general, based on typical census questions. The format can be seen below.

Household Number	
Contact person	
Occupants	
Owner or renter	
Vehicles (+types)	
Name	(data collected for each person in every surveyed household)
Relationship to contact person	
Age	
Sex	
Identity/race	
Birthplace	
Highest level of education	
Livelihood or employment	
Previous employment	
Smoker	
Drinker (+ comments about how often)	