Life projects, Development and the State

An anthropological study into land claims in Lesotho

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EXECUTIVE SUMMARY

In this thesis I analyse how rural Basotho in the Butha-Buthe district, Lesotho, claim and use land in relation to their local state institutions and a transfrontier conservation area, the Maloti-Drakensberg Transfrontier Conservation and Development Project (MDTP).

The land claims and uses of rural Basotho are mainly based on their subsistence lifestyle. Land is claimed for agriculture, grazing and residential sites. Besides this they have places that are invested with cultural meaning, e.g. spiritual sites.

It is these claims and uses that are partly contested by the MDTP. The MDTP is a joint project of Lesotho and South Africa with the objectives of biodiversity conservation and economic development of the local population through nature-based tourism across their state borders. Conservation is promoted as land use option through which nature-based tourism as livelihood strategy can emerge. Notwithstanding its intention, I argue that the MDTP zones land to influence and affect the people’s land use. Mapping is an important tool as are pilot project areas, both elements of a process of territorialisation.

The local state is marked by an extended period of unclear jurisdiction and a vacuum in local governance. The election of Community Councils in 2005 was meant to close this gap. These Community Councils claim the right to natural resource management, including the allocation of land and the restriction of its use, in competition with traditional structures. The MDTP strengthens the elected body, mainly by the creation of another, more local advisory body, thus effectively enhancing the presence of the state in the villages. Notwithstanding this standardisation of local land administration, both elected bodies do cooperate with the traditional structure, which has retained much practical power among the local population.

The rural Basotho interact in a variety of patterns with both the state and the MDTP. In the interaction with the local state institutions, the rural Basotho utilise the competing jurisdiction to shop for the appropriate procedure and forum to realise their own end. The interaction with the MDTP takes place as disregard (unawareness and refusal), instrumentalisation, commitment and protest. It is through these patterns of interaction as well as the shopping behaviour that the Basotho claim their agency. They interpret and evaluate what is presented to them by the MDTP and the state against their life projects and livelihood options and then interact via the patterns outlined.

In a wider context, I conclude that development and conservation projects are an alien, external agenda, far removed from people's culturally and historically constituted life projects. Therefore most of the interaction tends to be in a disregard and instrumentalisation pattern. While promoting community participation, the MDTP is strengthening the state rather than the local population through the creation of new state institutions, leading to a higher state infiltration in spite of a participation and empowerment rhetoric. Further the perception of the current situation in ‘development countries’ is informed by outside agendas, resulting in the application of uniform solutions, such as decentralisation and nature-based tourism. The thesis points to the negotiation that these solutions have to undergo in the local context.
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LIST OF ABBREVIATIONS
B&B .........Bed & Breakfast
DSC ..........District Steering Committee
GIS ...........Geographic Information System
ICDP ..........Integrated Conservation and Development Program
LCD ..........Lesotho Congress for Democracy
LHDA .......Lesotho Highlands Development Authority
LHWP ........Lesotho Highlands Water Project
MDTP ..........Maloti-Drakensberg Transfrontier Conservation and Development Project
MRA ..........Managed Resource Area
MRC ..........Managed Resource Committee
MTEC.........Ministry of Tourism, Environment and Culture of Lesotho
PCC..........Project Coordination Committee of the MDTP
PCU ..........Project Coordination Unit of the MDTP
PPF ..........Peace Parks Foundation
SADC ........Southern African Development Community
TFCA.........Transfrontier Conservation Area

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Kea leboha!

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Khotsong!
Chapter 1
INTRODUCTION

Usually every sub-village of Ha Molapo covers one hill with valleys on both sides. The exception is the sub-village of Nyakoaneng, which stretches over one and a half hills, thus is divided by a valley and shares part of a hill with the sub-village Ha Machefo. Until 1934 both hills were part of Nyakoaneng and were ruled by the Headman of Nyakoaneng. That year, Chief Molapo allocated one third of one of these hills to Machefo Machefo, a rich livestock owner coming from the South African Free State. This land is now referred to as Ha Machefo, ‘the place of Machefo’. Somewhere around 2004, the son of Machefo Machefo claimed the complete hill to be under his authority. According to the current Headman of Nyakoaneng, Machefo’s son “wanted to take the chance to cheat and to take over when I and Area Chief Mopeli were new in our positions”. The claim of Machefo’s son was brought before the Area Chief Mopeli who in first instance agreed with him ruling the entire hill. When the inhabitants of Nyakoaneng who should now be inhabitants of Ha Machefo heard about it, they refused to accept Machefo’s son’s authority. The situation escalated when Machefo’s son brought his cattle to a place that was a restricted area according to the ruling of the Headmen of Nyakoaneng. It was one of the members of the Village Committee who took the cattle and brought Machefo’s son in front of the court of the Acting Chief. The case went straight to Area Chief Mopeli, who sent the crowd home for that day. The next day the senior citizens of Nyakoaneng, Ha Molapo and Ha Mokone (a neighbouring sub-village) were asked to

Figure 2:
Ha Machefo and Nyakoaneng (II) on the left hand side and Ha Mokone on the right hand side
come and advise Area Chief Mopeli in his jurisdiction. They said that Machefo’s son could not take the whole hill as it was given to his father only in parts. Then, a public gathering was held and the situation was explained to the people. Machefo’s son is again only ruling parts of the hill, basically his family plus three more households.

The children living in the part of Nyakoaneng that shares the hill with Ha Machefo, when in 2007, were asked by me where they live, they answered, “Ha Machefo”, not Nyakoaneng. The elderly still refer to it as Nyakoaneng. In this thesis I refer to the area as Nyakoaneng (II), and it is my research location.

This case study touches upon some of the main issues that are going to be covered in this thesis – competing land claims, contested boundaries, territoriality and the agency of people. When I first entered Nyakoaneng (II) in the Butha-Buthe district of Lesotho, I was unaware of this history and was presented with the name Ha Machefo. It was when I started to enquire deeper into land claims and uses in Nyakoaneng (II) that I noticed that senior men would refer to it as Nyakoaneng, while younger people or those living outside would refer to it as Ha Machefo. Questioning this revealed the complexity of land claims and uses of individuals, groups and institutions such as Headman, Chief and the newly elected Community Councils. As if this situation would not be complex enough, the same area is subject to land claims and uses in its being part of a Transfrontier Conservation Area (TFCA), the Maloti-Drakensberg Transfrontier Conservation and Development Project (MDTP).

Research Question
There are at least three actor categories that claim and use the same land simultaneously in the research location. To me it is intriguing how rural Basotho at one corner of the triangular do address ‘outside’ land claims and uses. Therefore my research question is as follows:

How do rural Basotho in the Butha-Buthe district claim and use land in relation to the local Lesotho state and in relation to the Maloti-Drakensberg Transfrontier Conservation and Development Project (MDTP)?

Actor categories
In this research question I clearly emphasise that my point of view is the rural Basotho. With this term, I refer to the population living in the Butha-Buthe district I interviewed. As a category

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1 The Basotho are the citizens of Lesotho. Sesotho refers to their way of doing things and their language.
they will be referred to as ‘the locals’, local population or villagers.

The rural Basotho use their land for a variety of purposes that I shortly summarise here and which will show in the following discussions: agriculture, farming, grazing of animals, extraction of resources (e.g. grass, medicine, wood), homesteads, burial places, spiritual places of the sangoma2 or of churches, market place, paths, and roads. In a metaphorical sense the land is claimed for rituals. These target it by prescribing how to behave on it, for example in order to prevent hail. In addition it is used as social differentiator (status) and national differentiator (South Africa – Lesotho).

A second actor category to be addressed is the local Lesotho state. Here I refer to the local state institutions dealing with land-related issues. I will distinguish between two structures. The Chief is part of what I term ‘Traditional structure’3, together with the Village Committee, the Headman and the Land Guards. The Community Council, together with the Managed Resource Committee (MRC) is part of the ‘Modern structure’. As implied in the introductory case study these institutions are responsible to settle land disputes, allocate and restrict areas of land.

In general, development projects4 in the research area focus on land and natural resources, and the Maloti-Drakensberg Transfrontier Conservation and Development Project (MDTP) is no exception. The current emphasis in the arena of conservation efforts is on transfrontier conservation areas (TFCAs), which span over state borders and include areas with multiple land use forms. According to their main promoter, the Peace Parks Foundation (20075), their prime aims are promoting “regional peace and stability, conserving biodiversity and stimulating job creation by developing nature conservation as a land-use option”.

The MDTP was envisioned already two decades ago by conservationists in Lesotho, South Africa and internationally. In 2001 both governments signed a Memorandum of Understanding6. A bilateral Project Steering Committee is composed of the Project Coordination Committees (PCC) of both countries respectively. These PCCs consist of pertinent government organisations, according to the Memorandum this includes for Lesotho five ministries with the Ministry for Tourism, Environment and Culture (MTEC) as leading implementing agency. The PCCs are assisted in their work by the national Project Coordination Units (PCU) that carry out the

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2 A sangoma is a traditional healer.
3 The terms ‘traditional’ and ‘modern’ are chosen by me to highlight the maturity of the chiefly structure in comparison to the youth of the Community Council structure. This terminology was not applied by all informants.
4 See the work of the Lesotho Highlands Development Authority (LHDA), Highlands Natural Resources and Rural Income Enhancement Project (HNRRIEP), ACTION AID Lesotho for justice and peace, funded by the Irish government; and others.
5 See Website of Peace Parks Foundation (www.peaceparks.org/story.php?mid=82&pid=5, retrieved 11.06.2007)
6 This Memorandum of Understanding is accessible via http://maloti.opencms.co.za/export/sites/maloti/galleries/sa_project_documents/Bilateral_MoU_Page.pdf (retrieved 27.06.2007).
implementation work. The Global Environment Facility funded the project and made the World Bank its implementing agency for a period of five years starting in 2003. In addition, the Peace Parks Foundation (PPF) supports with money, expertise\(^7\) and provides an ideological background. The specific objectives of the MDTP are twofold. First of all it aims at conservation of local plant and animal biodiversity as well as cultural heritage in form of San rock art and secondly at the economic development of the local population through ecotourism.

\(^7\) See Website of Peace Parks Foundation (www.peaceparks.org/tfca.php?pid=1&mid=146#current_projects, retrieved 25.06.2007) outlining the funding of the Lesotho TFCA Facilitator since May 2000 and assistance for MTEC, in developing Mphoane National Park.
The objectives are justified and legitimated by recurring into a conservation discourse, in which urgent action is postulated as necessary in order to save biodiversity from extinction. This discourse identifies humans as intruders with interests that oppose conservation. In the context of the MDTP, this means that the local population is identified as exploiting the biological resources unsustainably and as vandalising cultural resources.

The project area encompasses 8,113 km² of which 64% are in Lesotho, with an altitude range from 1300 to 3200 metres above sea level. It stretches on the North eastern border of Lesotho with South Africa, including parts of three districts in Lesotho (Butha-Buthe, Mokhotlong, Quacha’s Nek) and parts of three provinces in South Africa (KwaZulu-Natal, Free State, Eastern Cape). Hosting almost two million people, the area subsumes a variety of land uses and combines different tenure systems. What is pointed out in some newspaper articles is the importance of the area as a water resource for both Lesotho and South Africa. While there was no public launch of the project in South Africa, in Lesotho this was done in 2004, and according to Büscher (2006) initial local feedback towards the MDTP was positive, focusing on economic and commercial possibilities that could arise.

**My lenses or theoretical concepts**

In the analysis I rely on two main concepts and wherever possible refer to a third. The first concept is **territoriality** or **territorialisation**. Territoriality is defined by Sack (1986: 19) as “the attempt by an individual or group to affect, influence, or control people, phenomena, and relationships, by delimiting and asserting control over a geographic area”. It is not a neutral action but normative in that it might accept some people and activities and exclude others and therefore represents a form of power. In the introductory case study it was Machefo Machefo’s son who through claiming a territory, the complete hill, could have gained control over the population living within it as well. While territoriality is the attempt, territorialisation is the process or practice of doing so. Territorialisation is used by all actor categories to realise, perpetuate or influence claims and uses of land and resources, including the access to them. Access, as distinct from property, is the “ability to derive benefits from things” (Ribot & Peluso...
Access to natural resources is negotiated through and influenced by a variety of power relations\(^{12}\).

As outlined by Sack (1986), territoriality has three characteristics, which will be important in the following discussion and analysis. First of all, classification, which is done by area and involves defining the boundaries of an area and the rules for behaviour within them. Secondly, there is communication and thirdly, the enforcement of these boundaries and behavioural rules. While communication of the boundaries is done by locally recognised markers or through mapping, the enforcement is “achieved by their recognition by a relevant audience, by social pressure, and by the threat and use of coercion” (Vandergeest & Peluso 1995: 389). According to Sack (1986: 20), enforcement also includes “job descriptions, legal rights in land, brute force or power, cultural norms and prohibitions about the use of areas, and subtler forms of communication such as body posture”. The success of territorialisation strategies is limited by weak communication or undermining and resistance practices.

Until recently a theory of territoriality as “resource control strategy” (Vandergeest & Peluso 1995: 387) was mainly applied to the analysis of state territorialisation\(^{13}\), and now is described in the Sackian sense as emanating also from other sources\(^ {14}\). Important in applying and analysing territoriality as socially constructed use of space is to look at the boundaries, or with state territory at the state borders, which are “always domains of contested power” (Wilson & Donnan 1998: 10). It is especially the consequences of territorialisation by the MDTP that are analysed in this thesis rather than its intentions. Its overwhelming practice of mapping is a strong tool communicating and enforcing its claims on land.

And where is local **agency** - my second concept - in territorialisation? In essence territorialisation is a practice initiated by any actor and can be part of agency. Agency as culturally and historically contingent is conceptualised by Ortner (1995: 185) as “the capacity of social beings to interpret and morally evaluate their situation and to formulate projects and try to enact them”. She departs from the assumption that actors merely resist towards a more encompassing approach of agency. Actors do interpret and evaluate situations against influx of new information and interact with structural constraints and the power inherent in social relations. “For it is in the formulation and enactment of those projects that they [the actors] both become and transform who they are, and that they sustain or transform their social and cultural universe.” (Ortner 1995: 187).

Taking the introductory case study, the villagers showed agency in the way they acknowledged, interpreted and evaluated the situation as it presented itself. This led to protest, which transformed their situation, reassuring their headman’s position. More in general, I will

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12 It is affected by mechanisms of structural and relational nature (technology, capital, markets, labour, knowledge, authority, identity, social relations) and implications of legality.
13 See Vandergeest & Peluso (1995), who describe the process of internal territorialisation in the Thai state
14 For example local territorialisation as described by Peluso (2005).
show that rural Basotho are actors, who might not be completely free from structural constraints, emanating from power relations and nevertheless formulate and enact their own life projects\textsuperscript{15} in the space to manoeuvre available. By interacting with MDTP or state structures, the life projects might be adapted, but do not seem to change to a great extent. Therefore I will argue that projects like the MDTP seem to only matter peripherally to their life projects.

In analysing land-related interaction, individual life projects play an important role, but how can patterns in people’s behaviour be detected? Facing the same dilemma – either to treat data as individual cases without any pattern or to resort to oversimplifying stereotypes, like ‘the local’ – Crewe & Harrison (1998) achieved a balance by presenting patterns without neglecting the complexity. Illustrating the challenge of doing so is the life of Ntate\textsuperscript{16} Mokhethi, born and raised in Nyakoaneng (II) – is he a local? A candidate for the National Parliamentary Elections of 2007 – a politician to be? He is founder and fundraiser of a local farmers association – a developer? A chairperson of the District Steering Committee of the MDTP – an agent of development? A recipient of hospitality training by the MDTP – a development beneficiary? These categories are neither exclusive nor static but can serve as a tool of analysis. Avoiding on the one hand the pitfalls of universalism and on the other the one of deconstructive post-modernism, I assume a diversity of interests and practices within each of my actor categories. Notwithstanding, I surmise that actors within the categories have overlapping interests which made me categorise them and does not exclude, as exemplified with Ntate Mokhethi, that they cannot be part of another actor category when grouped around another marker.

The third concept is development, which is a highly discussed subject matter, that has been examined from different viewpoints and angles and the task here cannot be more than presenting a rough overview. As outlined by Quarles van Ufford et al. (2003), development efforts started directly after World War II as a work of hope and transformed into an implemented practice. In the 1990s development practices and policies were questioned and deconstructed by those working within the development industry, the development anthropologists and by those outside development industry, the anthropologists of development.

The first category, development anthropologists\textsuperscript{17}, embraces a critical examination instead of the deconstruction of development work which should lead to deeper insights, as expressed by Quarles van Ufford et al. (2003: 17) by saying that “development as critical understanding is vital to reconstructing development as global responsibility”.

\textsuperscript{15} I use the term ‘life projects to refer to the projects that Ortner introduces with her agency concept. This is to clarify that each person has different very subjective projects that he or she is aiming to fulfil in his or her life.

\textsuperscript{16} Ntate is the Sesotho word for ‘man’ or ‘father’, followed by either last- or first name and is used for male persons that are older than one. The same applies for the Sesotho word for ‘woman’, which is M’e. In this thesis I use both, Ntate and M’e, followed by the first name for all age groups.

\textsuperscript{17} See Quarles van Ufford et al. (2003), Mosse (2003, 2004), Crewe & Harrison (1998), Harrison (2003).
Prominent examples for the second category are Escobar (1991) and Ferguson (1990). More directly relevant is Ferguson as he analysed a rural development project, also partly funded by the World Bank, in Thaba-Tseka, Lesotho. In his analysis he outlines that Lesotho is discursively constructed as a primitive agricultural setting with a bounded national economy following governmentality principles while in reality it is a labour-reserve and early monetised border straddling economy. It is the discursive construction that is targeted by the intervention not the reality. Deconstructing the discourse he shows that this is the reason why development endeavours fail constantly. They nevertheless have important side effects on two levels. One is the conceptual effect of transforming political realities such as poverty into technical problems, depoliticising them so that they can be targeted through development projects. The other is institutional in that development leads to the expansion of bureaucratic state power. Some of his analysis, accused by others as essentialist regarding the ‘development machine’ or top-down approach will adapted find its way into my argumentation.

This thesis looks at the ways rural Basotho claim and use land in their interaction with the state and the MDTP by using the lenses of territoriality and agency and by connecting it to the current development debate. The area of tension here is twofold; first of all the attempt to affect and influence peoples’ land use and claims by the MDTP through zoning land, which as outlined earlier is a logical consequence of its goal of promoting conservation as land use and secondly people’s interaction with it. The attempts of the MDTP lead to activities on the ground and these are analysed in the light of territorialisation theory. The balancing act between attributing power to structures (as MDTP or state) or to people is resolved by looking closely at the areas of interaction, showing that ‘structure’ is not just a one-way-scheme which is imposed, but transformed through interaction. In this interaction, the rural Basotho follow their life projects, defined by Ortner (1997: 146) as “active projection of the self toward some desired end”. The areas of interaction analysed are ‘Institutions’, ‘Conservation’ and ‘Tourism’. In order to make areas of interaction subject to analysis, they are broken down into points of interaction which are the more tangible contact points between the three actor categories, e.g. MDTP pilot projects.

Outline of the thesis
The thesis is structured in six chapters. In the next Chapter 2 I present a concise overview of the history and the political, economic, and social and cultural situation of Lesotho and discuss the methods of research applied. With this background information I analyse in the following chapters, three areas of interaction between the three actor categories, all addressing the sub questions of the research question to a greater or smaller extent. These are as follows:

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- Who claims and uses land in the research location?
- Which institutions are dealing with land claims and use?
- What are the claims and uses of land in the research location?
- Which methods do the actor categories use to sustain their own vision of land use?
- What claims and uses do rural Basotho see on their land?
- Do these claims and uses affect their daily lives and if so how?
- How are conflicting interests addressed and their own sustained by the rural Basotho?

Each chapter starts with a portrait of a local person, expressing solely this persons' opinion about certain issues, not mine. These persons will at times refer to local institutions that have not yet been introduced, and will be discussed later in the chapters. These remained in to present a more complete picture. In Chapter 3 I examine the area of interaction ‘Institutions’. Here I refer to the local state institutions and the patterns of interaction of the rural Basotho with these institutions. In Chapter 4 I then address the area of interaction ‘Conservation’, where the land claims and uses of the MDTP meet those of the rural Basotho. This will be connected to the discussion of the local state institutions. In Chapter 5 I introduce the area of interaction, ‘Tourism’ which addresses the ‘development’-component of the MDTP and how the people interact with it. In Chapter 6 I conclude the thesis by outlining the findings and connecting them to broader theoretical discussions.
Chapter 2

SETTING THE SCENE

2.1. Lesotho at a Glance

In this chapter I introduce the Kingdom of Lesotho with a concise historical, political, economic, social and cultural overview. In addition I present the principles of Lesotho land tenure and changes in land legislation.

Figure 4:
Map of Lesotho in South Africa
Source: www.lib.utexas.edu/maps/africa.html (retrieved 28.06.2007)

The Kingdom in the sky

Lesotho’s territory is unique in at least two aspects. It is landlocked by South Africa along its 909 km borderline and all its territory, including what is referred to as lowlands, is on an altitude higher than 1000 m. These lowlands, stretching along the North western border, host not only the majority of the 2 million inhabitants but also the major part of arable land. Besides, the Basotho live in every part and at nearly every altitude of their mountainous country with the highest peak, Thabana Ntlenyana, at 3482 m.

In the 19th century Chaka, a young aggressive Zulu King and his troops invaded the territory of early Lesotho and either exterminated the loosely connected inhabitants or forced them to flee. Moshoeshoe, chief of the Koena, eventually started to gather his people and to motivate the refugees of other groups to fight for their territory. The fights against the attacking Zulu were soon followed by the first negotiations over land with invading Boers on their Great Trek from Cape Town towards the East. French Christian missionaries, who arrived in 1833 were of help, yet could not prevent land and boundary disputes among the Boers and the Basotho. A contemporary historian (Orpen, 1979 [1857]: 27) summarised the different perceptions of land ownership: “He [Moshoeshoe] had heard previously of the custom of the whites of purchasing and selling lands, and considered it a most abominable and barbarous custom to alienate the property of the tribe which they hold so sacred, but knowing their customs, and fearful to compromise himself, he refused to accept the ‘pego’ from any, and told them all, when they obtained his permission, that ‘he only lent them the cow to milk, they could use her, but he would not sell the cow.’ The boers all know the saying.” These different perceptions were one of the reasons for continuous fights. It was during the Orange Free State-Basotho War of 1865, the last one in a long row that King Moshoeshoe asked for British help in order not to lose more territory. He then already had lost the territory in the North between the Vaal and the Caledon River, according to Coplan (2001) currently still referred to as ‘Conquered Territory’. The British appeased the situation through formally annexing what they called Basutoland in 1868.

Political Situation

After having been a British Protectorate for 88 years, Lesotho gained independence in 1966. Now, the Basotho are ruled by a bicameral Parliament headed by Pakalitha Mosisili, leader of the majority party and their King Letsie III. The Parliament consists of a Senate with 33 seats occupied by 22 hereditary Principal Chiefs and 11 appointed members and a National Assembly with 120 seats.
Since independence, the political life in the small kingdom has been rather turbulent, including a period of military rule in the late 1980s. The parliamentary elections in 1998 caused a landslide victory (79 of 80 seats) for the Lesotho Congress for Democracy (LCD) resulting in violent protests, especially in the capital Maseru. The order was only restored through an invasion of troops of the Southern African Development Community (SADC). Subsequently the electoral system was reformed and the representatives of the National Assembly are now elected through a mixed member proportional system\textsuperscript{20}. The elections in 2002 were again won by the LCD, as were the elections of 17th February 2007. Both were peaceful, although currently the results are still contested, especially by supporters of the newly created opposition party All Basotho Congress.

Decentralised governance in Lesotho was mainly performed through chieftainship structures\textsuperscript{21} which increasingly had to accept advisory committees next to it. The Local Government Act 1997 lead to local government elections in April 2005. Since then the administrative districts of Lesotho are headed by District Councils. Merely the cattle post areas\textsuperscript{22} remained under the jurisdiction of the Principal Chiefs. The District Councils are composed of nominated members of their respective Community Councils. The latter consist of nine to 15 elected councillors plus two Chiefs each. The representative Chiefs are nominated by the Chiefs within that Community Council Area. The functions, according to the Local Government Act 1997 (Part I, 5) are the regulation, control and administration of a multitude of matters\textsuperscript{23} including natural resource management, physical land planning, land allocation and economic development. In order to perform all these tasks, a Community Council has various Standing Committees.

\textsuperscript{20} According to this mixed member proportional system, 80 members of the National Assembly are elected using the first-past-the-post system and the remaining 40 by using party-list proportional representation. (see http://africanelections.tripod.com/ls.html, retrieved 23.06.2007)

\textsuperscript{21} See e.g. Sheddick (1953: 51-52) outlining that daily administrative tasks were performed by the chiefs.

\textsuperscript{22} A cattle post area is an area high up in the mountains, which is under the jurisdiction of Principal Chiefs. In their transhumance system, the Basotho take their cattle herds in summer up to these cattle posts for grazing and only come down in the winter to let the cattle graze near to the villages when it is too cold up on the cattle posts. These areas came first into use around 100 to 120 years ago.

\textsuperscript{23} According to the Local Government Act 1997 these are: control of natural resources and environmental protection, public health, physical planning, land/site allocation, minor roads, grazing control, water supply in villages, markets, promotion of economic development, streets and public places, burial grounds, parks and gardens, control of building permits, fire, recreation and culture, roads and traffic, water resources, local administration of central regulations and licences, care of mothers, young children, the aged and integration of people with disabilities, omnibus terminals, burial of bodies of destitute persons and unclaimed bodies, public decency and offences against public order, agriculture: services for the improvement of agriculture, forestry: preservation, improving and control of designated forests in local areas.
Economic Situation

Historically, the Basotho exported agricultural products, especially wheat to the South African mines up until the 1920s. The situation changed due to imposed tariffs, discriminatory land legislation and bulk imports from Canada.

Subsequently Lesotho ‘exported’ mainly migrant workers to farms in the Free State or to the mines in Gauteng. Comparable to the South African homelands, it became a “labour reserve” (Murray 1981: 176) for the growing South African economy. Turner (2005a) identifies this economic subjugation besides gender inequity and problems of governance and politics as the underlying cause of poverty in Lesotho. After a peak period in the 1970s and 1980s, the cutback in the mining industry in the 1990s led to the lay-off of thousands of workers returning home to their fields. These are part of 9% arable land within a territory of 30,355 km$^2$. Due to its scarcity, exacerbated by urban encroachment and soil erosion, Basotho always did participate in the South African labour market and still do and are depending on cash income, as stipulated by many authors\textsuperscript{24}. Since the signing of the treaty leading to the establishment of the Lesotho Highlands Water Project (LHWP)\textsuperscript{25} in 1986 another export product is water. Following this treaty between South Africa and Lesotho five dams were built and partly are still to be built in the highlands of Lesotho to divert the water via tunnels through the mountains to South Africa. This project is implemented by the Lesotho Highlands Development Authority (LHDA) and Lesotho receives royalties.

Thus, Lesotho looks back at a long history of economic (inter)dependence (with, and) on South Africa while economically being classified as ‘least developed country’\textsuperscript{26}.

Social and Cultural Situation

The Basotho nation is a result of an alliance of different groups gathering around King Moshoeshoe. Now they, by themselves as well as by others, are perceived as being an ethnically and linguistically homogeneous population, with very small European and Asian minorities. Religious freedom exists since 2001 and an overwhelming majority of the population (91%) is Christian\textsuperscript{27}.


\textsuperscript{25} For more information see www.lhwp.org.ls.


\textsuperscript{27} 37.5% Roman Catholic, 18% Protestant, 11.8% Independent, another 7.7% follows African Traditional Religious Movements (see www.eisa.org.za/WEP/lesl.htm, retrieved 10.06.2007)
Notwithstanding increasing landlessness28, and the opinion that agriculture is not the “backbone of Lesotho” (Turner et al. 2001: viii), 86% of the population engages in subsistence agriculture and continues to value land highly. As outlined by the Panos Institute (2001), “land is not only their [the Basotho] prime asset, it is an integral part of their lives and identity. Many speak of it as though it is human, like a family member that has nurtured them for generations”. For the Basotho, engaging in labour migration means that part of the family remains on the land to secure access and rights to it, while others, mainly males, migrate to the jobs and send home remittances.

This is one example of how Basotho combine different strategies to create and sustain a livelihood. According to Ellis (2000: 10) “a livelihood comprises the assets (natural, physical, human, financial and social capital), the activities, and the access to these (mediated by institutions and social relations) that together determine the living gained by the individual and or household”. As listed by Turner et al. (2001) the Basotho in Lesotho engage in subsistence agriculture, sharecropping, cash-crop farming, cattle and livestock herding, relying on pensions and remittances, piece jobs (transport, weeding, renting out rooms), labour migration to South Africa, wage labour, self-employment, handicraft (knitting, brick making), illegal practices and a reliance on social networks.

These social networks and social protection mechanisms provide for resource redistribution, and are depleted, as whole village societies depend on the resources of those who could accomplish their full career in the mines and returned. Turner (2005c: 64) states that Basotho “society is becoming more individualistic and mercenary” with sharing mechanisms and inter-household support in decline. These support mechanisms seem to be in decline in times that they are needed the most, when the HIV/AIDS pandemic is haunting Lesotho. 28.9% of the adults are living with HIV, and the number of orphans is growing.

Land Legislation and Local Governance
Lesotho has a customary land tenure system. All land is vested in the nation29, and every citizen is entitled to it. Historically, this national ownership was expressed through the structures of chieftainship. Chiefs had an administrative function and allocated land on the basis of need for agriculture and residence. In addition, access to land was regulated by restricting grazing and harvesting of natural resources like thatching grass30. Recognising a chiefs’ authority is a

28 According to Turner & Adams (2004: 2), “about 40% of all households, and 30% of rural households, have no fields”, while the Kingdom of Lesotho (2006) states that landlessness has increased from 13% in the 1970s to 55% in 1990.
29 According to the Land Act 1979, Part I, 3(1) “Land in Lesotho is vested absolutely and irrevocably in the Basotho Nation and is held by the Head of State, as representative of the Nation.”
prerequisite for being granted a usufructuary title to land which is held by married males\textsuperscript{31}. As a life-long, yet not exclusive title, it cannot be subject to commercial transactions. The use is more exclusive for residential than for agricultural purposes, in which case it might become part of the public grazing land again after the yearly harvest.

The decade after independence saw a series of Acts\textsuperscript{32} being introduced which aimed at tackling a variety of challenges, for instance arbitrary land allocation by the chiefs. The main tool was the introduction of elected bodies assisting and advising the chiefs in matters of land administration, aiming for the process of land allocation to become more transparent. Land Act 1979, which is still the basis of land legislation, distinguishes between allocations in rural and urban areas. In rural areas, the applicant receives a ‘grant of title’, which is again a usufructuary title, allowing him to access, use and occupy but not to transfer the land. In urban areas one applies for a lease title and on obtainment exclusively possesses the plot and is able to engage in commercial transaction.

Challenging the authority of the chiefs, the introduction of elected bodies stressed their relationship with politicians. Throughout the years, the committees\textsuperscript{33} changed name, function and composition several times, because they were strongly influenced by either the governing party or the chiefs. The reforms in land legislation strongly connected to those in local governance did not clarify the allocation process, yet obscured roles and responsibilities of the institutions\textsuperscript{34} involved which led “to a general decay in the effectiveness of local government and natural resource management” (Turner 2003: 4). The latest attempt for clarification is the Local Government Act 1997, attributing the right to allocate land to the previously mentioned Community Councils. The delay in their election created again a vacuum in local governance that was filled in 2001 by the introduction of Interim Community Councils, whose members had not been properly elected or trained, yet were supposed to fulfil the whole range of functions. They were challenged by the Chiefs as they took control of the “most politically sensitive aspect of the chief’s remaining prerogatives” (Murray 1981: 70), the right to administer arable land\textsuperscript{35}. Whether the election of the Community Council members in 2005 ends the years of confusion and ineffectiveness of local governance will according to Mofua (2005) depend to a great extent on the ‘capacitation’ of its members.

\textsuperscript{31} Generally women are not entitled to land allocation; according to Murray (1981: 71) “married women and widows have clearly defined rights to maintenance from the product of their husbands’ fields while an unmarried daughter cannot in general expect a personal allocation of land at her own natal place”.


\textsuperscript{33} These bodies took several forms: in 1967 Land Committee (three elected members), in 1973 Development Committee (four elected and three appointed members), in 1986 Development Councils until 2001. Then Interim Community Councils performed the task of the Community Councils until these were elected in 2005.

\textsuperscript{34} The term ‘Institution’ refers to political institutions and to “a significant practice, relationship, or organization in a society or culture” (see http://mw1.merriam-webster.com/dictionary/institutions, retrieved 23.06.2007), thus includes references to ‘the Chief’ as institution.

\textsuperscript{35} See Shale (2004) for more information on the Interim Councils.
Talking about land tenure in Lesotho seems to always involve a discussion on whether the Basotho enjoy tenure security or not\(^{36}\). The common land tenure system is pointed out as the origin of a variety of problems\(^{37}\). According to foreign donors, it inhibits investment by foreigners who are denied legal ownership and by locals who lack physical and mental ownership. Along with the blame for constraining investment comes the responsibility for a lack in economic and agricultural development. Pressured by donors, the Lesotho government initiated two Land Policy Review Commissions. The 1987 recommendations of the first commission were widely ignored, while based on the 1998 recommendations, a Land Bill\(^{38}\) aimed at replacing the Land Act of 1979 was initiated. Currently, the Land Bill proposes that all land should continue to be held by the state and made available through leasehold to individuals. This will turn common into private property with all its consequences, especially exclusion from certain forms of land use. By both the government and the donors the new Land Bill, which is still under parliamentary discussion, is seen as a weapon to fight for development and against poverty. One of their main arguments is that through enjoying full ownership, hence tenure security the Basotho will invest themselves. Questioning this World Bank and donor discourse, Pule & Thabane (2004: 291) found that “despite all these ambiguities regarding ownership of land under the traditional land tenure, Lesotho’s rural residents have no doubt in their minds that no one can take away the land allocated to them.” They found that the Basotho are not in need of new legislation in order to feel secure about land possession. What is hindering investment from their side is the lack of means to do so. In a more general African context, Evers et al. (2005) point to the fact that issues of local land administration focusing on decentralisation appear high on the international donor agenda nowadays. By taking a historical approach, they identify that the attempts for substituting communal land tenure (as the Land Bill) and traditional land allocation authorities (as via the Local Government Act 1997) throughout the African continent were followed by attempts to reinstate these again. This leads to a situation where institutions contest each others’ authority over land, or, in their words, to a “competing jurisdictions over land” (Evers et al. 2005: 6).

I concisely presented the regional setting of my research with a main focus on highlighting issues surrounding land – as the main emphasis of the research question. Especially the decentralisation of the state institutions and their overlapping competing responsibilities will be referred back to in the following chapters.

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\(^{37}\) See more generally e.g. Evers et al. (2005), Scott (2005).

\(^{38}\) For a more detailed overview of the planned reforms see Adams & Turner (2005), Selebalo (2001).
2.2. Methodology and Place

I entered the ‘field’ in January 2007 for an 11-weeks research stay. During the first three weeks the focus was on familiarising myself with the new environment and gaining access to the MDTP in Maseru and Butha-Buthe, supported by Bram Büscher, a PhD researcher connected to the Vrije Universiteit with the same area of interest. After these initial three weeks I stayed in Nyakoaneng (II) with its contested boundaries as introduced in Chapter 1.

Where?
Nyakoaneng (II) consists of around 46 households with no running water or electricity, except for three households. I observed and participated in everyday life as far as possible, especially the life of the family I was staying with. This family was politically active, represented in MDTP institutions and ran a Bed & Breakfast (B&B) in a dedicated hut, providing me with the advantage of experiencing an intersection of influences from the state and the MDTP in the local context. In addition, three of the brothers – who were proficiently speaking English - assisted me with translations.

The LHWP project referred to in Chapter 2.1, implemented by the Lesotho Highlands Development Authority (LHDA) is important in this local setting. The house in which I stayed was located around 500m from a tunnel entrance and a great number of villagers had worked for the LHDA, mainly in construction work. Being responsible for the development of affected communities, the LHDA is still active in the area via development initiatives, against which the MDTP was often measured.
Who and how?
I did the main part of the interviews in Nyakoaneng (II), part of Nyakoaneng, which is a sub-village of Ha Molapo belonging to the area 'Moteng. In greater 'Moteng, I interviewed 51 individuals mainly in a formal semi-structured way, out of which 37 were based in Nyakoaneng (II). Due to their positions either in MDTP structures, like e.g. Managed Resource Committee or state structures, like e.g. Community Council, I interviewed the remaining 14 individuals.

In order to compare and complement the information gathered from people living in a location that is not a pilot area of the MDTP, I spent three days in Mokhunoane, which is located directly next to the Caledon River, the border to South Africa. Another three days I spent as tourist in Malefiloane, pointed out as development node by the MDTP. I usually took notes and a list of topics was the guideline.

I also interviewed nine employees of the MDTP Lesotho in Maseru and Butha-Buthe. The office of the MDTP in Butha-Buthe after a while served as a regular office space where I could type my field notes and charge my laptop. This gave me the opportunity to observe and participate in everyday office activities. On two occasions, I was invited by one of the Community Facilitators to join for visits of tourism consultants. She enabled me to join a handicraft association in Malefiloane that was initiated by the MDTP. During a period of nine weeks, I attended seven of their regular weekly meetings and a study tour to South Africa. She was my interpreter at all these occasions. These meetings gave me the possibility to test some of the hypothesis on life in Lesotho, which came up during interviews, in a sort of ‘focus group’.

All research sites gave me the opportunity to collect books, government acts, project reports and other published material.

Reflection
Being my own research instrument colours my research in nearly every aspect: the selection, collection, recording and presentation of the data. Every attempt to neglect this or de-personalise the account will fail, as I will use my filters in doing so.

I stayed at the B&B, and often was perceived to be a tourist. This opinion only changed when I interacted with the people and disclosed myself as student researcher, a fact about which I was open. Being perceived as representing a development organisation, their reference frame for white females was the US-Peace Corps, could have influenced my interviews in that people articulated material needs or requested me to help them find a job in Europe. As far as I am aware I was not associated with the MDTP and its conservation efforts.

Footnote: The aim was to include everybody engaged in livelihood strategies, which is closely related to claims and uses of land. Therefore no differentiation was done other than the wish to include all gender (46% female, 54% male), all age groups (from 18 up to 83 years), all family statuses (single, married, widowed) and all possible ‘classes’. Some of the interviewees I interviewed more than once formally, others I had informal conversations with regularly.
I influenced the lives of the family members I lived with; I was occupying their time, yet they earned from my stay as I was paying like every other guest in the B&B. The relationship was good and we were talking a lot, not only about the main research topics but about life in Lesotho and in the Netherlands (where I live) or Germany (where I am born) in general. I suspect that living with a locally influential family influenced the readiness with which the interviewees engaged in the interview when I approached them with one of the family members as interpreter. In the majority of the cases, the people were prepared to answer my questions on the spot. In the first week especially the eldest brother was bringing me in contact with people who were informed about village life, and knew about the MDTP. The longer I stayed, the deeper I got into the lives of the ‘normal’ villagers and was then accompanied by the youngest brother, who was associated neither to the MDTP nor politics. He helped me finding interviewees on the basis of certain criteria (gender, marital status, age) and translating. A third brother assisted me in exploring Mokhunoane, the village at the border. The assistance of three different people was one of the strategies, to strengthen the validity and reliability of my data and to circumvent bias. I would reconfirm pieces of information with other people, to ensure that my findings were not blurred by their views. In addition, I triangulated, which implies the use of “multiple sources of data [that] serve as sources of confirmation or corroboration for each other” (LeCompte & Schensul 1999: 131). Additionally, the handicraft group acted as focus group to discuss hypothesis.

To me, the fact that I lived with this locally influential family, combined with their interests in politics and their work in MDTP institutions, while at the same time having open access to the MDTP office in Butha-Buthe, was important. The Community Facilitator of the MDTP would ask me about the family and tell me her point of view about them, while the family would do the same vis-à-vis the MDTP and this Community Facilitator. There I sometimes felt tension and my own potential to influence relations. I used this power to enter discussions about not only differing viewpoints, but as well about the possible reasons behind, without revealing what was told in confidence.

Technical Notes on the Writing Process

Nearly all the interviews were held in Sesotho, were simultaneously translated, and I took notes. These translations were carefully edited to enhance their readability before being quoted here. Quantitative statements, like 22 out of 50 people knew the MDTP, refer to the pool of 50 people (in this case) that I asked this question. I use fictional names to protect the interviewees. At the time of writing the exchange course of the Maloti, the local currency was 9.60 Maloti for 1 Euro\(^40\). All pictures displayed in this thesis are taken by myself if not stated otherwise.

Chapter 3

'INSTITUTIONS' AS AREA OF INTERACTION

3.1. Introduction

“I used to believe that the Chief and the Community Council occupy two different roles. But now I see that they are doing the same job. The Chief intervenes with the Community Council and the Community Council performs the role of the Chief. Neither of the two knows what to do. The Chief should take care of the community, when people commit crime or have differences, while the Community Council allocates land and takes care of the environment. But this is not happening as they do not know their respective roles. There has to be a leader and it does not matter which person occupies the role of this leader.”

This statement of Ntate Thabiso, 73-year old member of the Village Committee points to the conflict between traditional and modern state structures in local Lesotho. These structures, and the institutions they consist of, deal with land administration and are the first area of interaction to be examined\(^{41}\). I argue that the local state institutions do not have clear cut, but overlapping responsibilities concerning land and natural resource management in practice. The traditional institutions use territorialisation as practice to perpetuate their claims. The Community Councils seem to be oriented more outward and are claimed by these outward structures, like the national government and the MDTP. The Basotho interact with the institutions in a variety of ways, always towards securing their livelihood and enacting their own life projects. The analysis extends from the local to the national level by inquiring into the presence of the national state in their life. Here the nearby located state border is important. The argumentation will be illustrated by a portrait of Ntate Selepe.

<table>
<thead>
<tr>
<th>Ntate Selepe – the Local Land Guard(^{42})</th>
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<tbody>
<tr>
<td>Ntate Selepe’s piece of land was very visibly demarcated from his neighbours by a barbwire fence, with a gate through which my translator and me entered. On the way to the round hut and the one-room rectangular house, we walked through freshly washed school uniform shirts that were hung up next to the path. Ntate Selepe was shaving the neighbour’s daughter’s head and willing to answer some questions. His wife joined us,</td>
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</table>

\(^{41}\) The Managed Resource Committee, originating from the MDTP, will be analysed in depth in Chapter 4, after the MDTP Butha-Buthe has been introduced in more detail.

\(^{42}\) This portrait shows the information as it was presented to me. The term Land Guard is a term I use to refer to the people that were elected to supervise that the restrictions of grazing areas was adhered to.
breastfeeding the baby-son. Her 14- and 9-year old daughters lurched through the window to see what happened.

Ntate Selepe was 41 years old and had been born and raised in Nyakoaneng. His cattle were up in the mountains at the moment, in a cattle post area. Besides his residential land, where he keeps cows, sheep, chicken and pigs, he owns a field next to the Muela Dam. As this summer was extremely dry he bought a pump to water this field. The pump was an investment that he was able to make as a result of job-generated income. Ntate Selepe had worked in the mines in Gauteng, South Africa for six years, and claimed that from that salary he could not even afford to buy one cow\(^43\). Overall, he prefers to work on the land and with the profit of his fields he could already buy six sheep\(^44\). He said that in Lesotho no-one can survive without land, and that those living close to the border have a difficult life, because they have less land and depend more on money.

It was in a public gathering three years ago that he was elected as Land Guard. According to him, people elected him as the right person, judging him on his love for his livestock. At the same occasion the villagers learned about five places with restricted access for grazing, as per decision of the Village Committee and Headman. When Ntate Selepe observes that someone enters with his animals, he finds himself a witness, writes down the number of trespassing cows and reports it to the Headman. The fine for trespassing is 4 Maloti per cow per day. It is “dangerous” work, because the villagers consider him as the one enforcing restriction. He denied that this job gives him more influence. He prefers to keep a low profile and status is not important to him. Although it is unpaid time consuming work, he stated that he could do this work forever since it is “something that is close to my heart”.

Regarding the MDTP and the Managed Resource Committee (MRC), Ntate Selepe confirmed that he had heard about both, only after we had provided him with more explanation about them. He thought that the MRC members do a comparable job to the Land Guards and that both complement each other. Ntate Selepe was unaware of Liqobong local livestock owners’ protest against a MDTP-initiative to create a Protected Area. After explaining the situation, he stated that the residents have the right to disagree and to oppose the idea and with this at hand the initiative has to be stopped.

This portrait of Ntate Selepe touches several issues, such as local land use, land use restrictions and their communication as well as border proximity. All of these will be explored in the following analysis of the local state institutions. Ntate Selepe’s personal life projects are also sketched. He sees himself as integral part of the local community, following agriculture rather

\(^{43}\) One cow is worth between 2500 and 3500 Maloti.
\(^{44}\) One sheep is worth between 500 to 800 Maloti.
than employment. Although he feared for this year’s harvest, he sees himself as successful farmer and livestock owner. These are some of the subjectivities on which Ntate Selepe bases his interaction with others and Ortner (2005) her agency conceptualisation.

3.2. The Local State Institutions and Territoriality

Both Ntate Thabiso and Ntate Selepe addressed several local institutions, their overlapping responsibilities and their processes of dealing with land. This section introduces them thoroughly following the local distinction between Chief, as a representative of traditional structure and Community Council, as a representative of modern structure. This distinction is not rigid in reality though, as the institutions intermingle, e.g. Chiefs are elected into the Community Council.

The traditional structure\(^{45}\)

Figure 7 visualises the traditional structure of Nyakoaneng (II) of which both Ntate Selepe and Ntate Thabiso are part.

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\(^{45}\) Besides information from secondary sources, this section is based on fieldwork data, including interviews with the Acting Chief, the Headman, three Village Committee Members and four Land Guards.
Nyakoaneng counts six unpaid Land Guards. All are middle-aged men and, like Ntate Selepe, responsible for the enforcement of grazing restrictions. While he reports trespassers directly to the headman, other Land Guards claimed they would first address the Village Committee, which consists of Ntate Thabiso and two more senior male villagers. They are also elected during a public gathering and assist the Headman in deciding upon which areas to restrict. Besides this, they help settling quarrels between villagers. Ntate Thabiso stated, that “if there are fights or disputes I help working them out”. When describing his function, the Headman told that he deals with the local community of Nyakoaneng and is the ‘tool’ through which the Chief exercises his power: “When the people need something they come to me and I take their claim to the Chief”.

Having inherited his function and, unlike the Chief not being gazetted, his only remuneration is one bundle of thatching grass from each person harvesting it. Due to the special territorial form of Nyakoaneng, the Headman has appointed a person living on the other hill (Nyakoaneng (II)) to be Acting Headman there. Both, he and the Acting Headman are assisted by a Village Committee and Land Guards.

The Chief of Moteng at the same time is Area Chief of Khukhune. As his son is not prepared to take over yet, he nominated his wife to be Acting Chief of Moteng. She expressed her functions by referring to the Chieftainship Act 1968, which formalised that “it is the responsibility and duty of every chief to contribute towards stability, safety, peace and tranquillity of people under his or her charge” (Ministry of Local Government, 2007). The Acting Chief mainly recounted administrative duties, such as dealing with public complaints, crime mediation, issuing of death certificates, keeping of records of animals and people, guarding of customs e.g. circumcision, initiation school and recommending people for higher schools. And with reference to the Community Council, she stated, contrary to Ntate Thabiso, that “the roles and

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46 After reviewing I assume that the work was unpaid, though this could not be entirely clarified. According to another Land Guard and the Headman, Land Guards receive parts of the penalty fees of trespassers.

47 The origin of these Village Communities, no-where referred to officially, seems to be unclear. While the Headman of Nyakoaneng stated that he asked the villagers to vote for a committee to help him, others claimed that it was the Acting Chief asking for their formation in every sub-village or that it was an initiative of the national government. It could be that they originate from the traditional group of senior citizen advisors that every Chief traditionally had.

48 One bundle of grass is worth around 20 Maloti.

49 As outlined in Chapter 1, Nyakoaneng extends over two hills divided by a valley, while other sub-villages of Ha Molapo only occupy one hill.

50 See Ministry of Local Government (www.localgovt.gov.ls/LocalGov_Background1.php, retrieved on 8.06.2007). The Ministry of Local Government also outlines the functions of the Chiefs, as listed by the Constitution of Lesotho; the Chieftainship Law 1968; the Animal/Livestock Theft Act 2003; and the Administration of Offenders and Provision of Evidence Act 1981. These are to help people identify lost items including livestock, to uphold the rule of law, to prevent crime, to charge offenders, to protect community development projects, to work towards peace and tranquillity, to serve as the first contact person for the community in cases of crimes, to keep records of births, deaths and marriages of his/her people and to be the custodians of Basotho culture and traditions.

51 At the age of about 16 years, girls and boys in Nyakoaneng (II) can decide whether they would like to go to initiation school. These ‘schools’ take up to 6 months and boys and girls are separated. The young Basotho learn what it means to be a man/woman and a Basotho.
responsibilities of both parties involved are very clear, because they are stated clearly in the law and were explained to all of us during training”.

Relating the data presented to the introduction of land legislation and the situation of local governance in Lesotho, I argue that the traditional structure seems to have retained most of the practical power on land-related issues. Despite the Community Councils’ responsibilities in that, the headman and his advising institutions, of which Ntate Selepe and Ntate Thabiso are part, play a decisive role in grazing-area restriction. Besides this, the headman seems to control the access to other natural resources, like thatching grass, as he is paid in-kind for the harvest. Both resource use restrictions have traditionally been under the authority of the Chief and its advisory institutions, as outlined by Sheddick (1954) and practically still are, as outlined here. Turner (2005b: 6) sustains this argument with his observation that, in the ongoing struggle for democratic institutions in local governance over the last years, “chiefs have retained much practical authority on the ground at community level”52.

Notwithstanding the villagers’ opinions, which are subject of Chapter 3.3., the Chief and the Headman traditionally asserted control over an area with fixed boundaries, and they still do. Analysing the people’s knowledge of the boundaries, it is apparent that these are well known. All of the interviewees, except for some aged younger than 23, could specify the boundaries by local markers, like a river, or a well. Appropriate behaviour within this area is officially communicated via public gatherings and unofficially passed on by social networks and cultural practice. Boundaries are enforced through a mediation of contradicting claims by a higher instance of the traditional hierarchy. An example is the boundary dispute in Nyakoaneng (II) introduced in Chapter 1. Within the Headman’s area53, itself part of the Chief’s area, are the areas of restricted access for grazing outlined by Ntate Selepe. Desired behaviour within those is clearly communicated through public gatherings, where the public is made aware of the boundaries and the degree of access. The enforcement is ensured through penalties and the social pressure, resulting from the elected members of the traditional hierarchy.

From this analysis of the traditional structure I argue, without referring to local interaction with it, that territorialisation as practice can be deduced.

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52 Adams & Turner (2005: 15) add that it is generally the villagers perpetuating this: “citizens’ perception of customary law and its appropriate practice has continued to guide much rural decision-making in land administration and the arbitration of disputes over land – notably because of the continuing influence of chiefs in these matters”.

53 Other special rules apply to the area of the Headman. These are established by an authority in preventing hail storms. His rules restrict the people in working on the field between 11am and 1pm, and eating or drinking in the field while standing. Although well known, these rules are not too strictly followed and no enforcement is realised, though social pressure might be one factor: everybody knows the rules and none wants to be victim of a hailstorm.
The modern structure

The modern structure includes the Community Councils, which were elected in April 2005. In the research context I refer to the 'Moteng Community Council'; eleven gender-mixed members from fourteen villages were elected for a five year period. Although charged with natural resource management including land, a domain in which Ntate Selepe is active he only mentioned the Community Council after probing, to him it seemed to be secondary. Ntate Thabiso on the other hand questioned the cooperation between the Chief and the Community Council. To him it is the conflict between both structures that is important. There are other voices as well, which will be discussed later. From general consensus, the power of the Community Council is rooted in its responsibility for land-related issues. For instance in the official land allocation procedure it is the councillors who ultimately decide on land allocation. The applicant identifies a piece of land with the Headman who addresses the request to the Chief. The Chief then forwards it to the Community Council.

It follows from the above that the Community Council works tightly together with the traditional authority, which also forms part of the Council. First of all this could be a result of the fact that the Council does not infiltrate as deep into local communities as the traditional structure with only 11 members for 14 villages. A second point is that it still lacks maturity and needs to earn respect that is awarded to the traditional structure by virtue of its long-standing, territorialisation and being part of cultural practice. While the traditional structure is part and parcel of community live, the Community Council as institution seems to be inflicted from the outside. It is at least a target and instrument for those outside the rural community.

One is the MDTP that identifies a lack of capacity with the natural resource management skills and provides training for the Community Councillors. On top of this, the MDTP established the ‘Moteng Managed Resource Committee (MRC), which will be analysed in depth in Chapter 4. Important to know now is that it is to become a sub-committee of the Community Council, advising it on and implementing issues regarding natural resource management. To do so it recruits numerous members from the local communities into which it expands deeper than the Community Council. With Ferguson’s (1990) words, the MDTP

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54 Besides information from secondary sources, this chapter is based on fieldwork data, including interviews with one Community Councillor.
55 By law, one third of the seats were allocated to females prior to the election which resulted in the election of 54% females. This was in fulfilment of Lesotho’s obligation as member of the SADC. (see Website of Ministry of Local Government, www.localgovt.gov.ls/LocalGov_Background1.php, retrieved 8.06.2007)
56 See also Turner (2005b).
57 According to Shale (2004: 4) those perpetuating chieftainship institutions “regard the modern politics and the politicians as an imported system that is alien to the people”.
58 See Mofua (2005), for whom the Community Councils as institutions stand and fall with the level of ‘capacity’ of their members.
59 According to the Community Councillor of Nyakoaneng ‘M’e ‘Malekula “the Council is now implementing all that it has learned [from the MDTP]. With the next elections, however, the Council will have new members and I do not know whether the learning outcome will be sustainable and further practiced. What we would need is resources like transport provision or allowances to make the job easier and to be even more motivated”
provides technical assistance for an inherently political problem. The question is whether the relative standing of the Community Council within the community can be changed by providing training on natural resource management or an institution for natural resource management.

Another example is the national state. A consequence of the creation of the Community Councils (and the MRC) as new local government structure is that local resource use can be more effectively affected, influenced and controlled by national government. By clearly outlining and mapping the boundaries of the Community Council area and communicating the new responsibilities via public gatherings, the Community Councils can be seen as part of a territorialisation strategy of the national government (which is part of the MDTP). Through these, it can reach places which had not yet been under effective control, especially what land management is concerned. The presence of the national government in Nyakoaneng (II) is so far determined amongst others by the relative proximity of the state border to South Africa, a fact that will be further discussed in Chapter 3.4. With Scott (1995) in mind, another effect of the introduction of Community Councils is ‘state simplification’; it standardises and streamlines local practices especially in natural resource management. Whether this strategy is successful, in light of the above discussion can still be questioned. While the legitimacy of these Councils is higher than that of every other Council before, due to it administering land, the traditional structure seems to retain much of the practical power in Nyakoaneng.

Summing up, this part introduced the functions of the local institutions, their dealing with land and the overlap of responsibilities as well as a short analysis of how they are deployed in or employ territorial strategies. A closer look is now taken at how rural Basotho in Nyakoaneng (II) interact with them, with an eye on the relationship between traditional and modern structure.

### 3.3. The Local Interaction

The rural Basotho do not simply resist, they interact with the institutions based on their individual hopes, fears, needs, desires and projects. Analysing the interaction, two patterns emerged, showing that agency can be a source of power, as claimed by Ortner (1997). I will argue that rural Basotho interact with their local state institutions through Forum Shopping and Idiom Shopping.

#### a) Forum Shopping

Regarding the functions and responsibilities of the institutions, different perceptions clearly exist.
While Ntate Selepe knew about the Community Council, he relies on the traditional structure for land restriction and its enforcement. Ntate Thabiso referred the land domain to the Community Council, like the Local Government Act 1997. The Land Guards address either the Headman or the Village Committee regarding trespassers. One result of these different versions of truth is a selectiveness in addressing some institutions over others, depending on a variety of factors, such as available institution, type of request, and gender, age and knowledge of the individual. This behaviour can be compared to what in legal anthropology is proposed as ‘forum shopping’. K. von Benda-Beckmann applies it in a context of legal pluralism, where villagers of Minangkabau, Indonesia selectively “shop among the various institutions of dispute management available among [them]” (K. von Benda-Beckmann 1984: 58). I focus on claims and requests in natural resource management where the Basotho shop for the forum that might deal most promising with their individual request. In this section, I analyse knowledge, age and gender as culturally and historically constituted categories influencing life projects and therefore contributing to the decision of favouring the one over the other institution.

Similar to the wide spread local knowledge of area boundaries, all interviewees were aware of the local institutions that deal with natural resource management, especially the traditional ones. What appeared as an unequivocal situation in 1981, when “despite conflict and inconsistency within the chieftainship hierarchy, the structure of authority relations […] [was] relatively uncomplicated” (Murray 1981: 69), is not anymore so. It is generally known that the Chief is responsible for the people and the Community Council for the land but only one out of fifteen interviewees could detail functions and responsibilities. Essentially, the functions of the Chief were clearer than those of the Community Council. Comparable to the average Dutch citizen and his or her knowledge of Dutch politics, neither the lack of in-depth knowledge nor possible confusion about responsibilities hinders the villagers in realising their ends. And insider knowledge on inter-institutional quarrels (which often equals inter-personal quarrels) is an additional advantage. Towards me as researcher, neither of the persons holding an institutional position disclosed struggles between his/her and other institutions except for Ntate Thabiso and the Acting Chief. The latter implied a tension between the traditional and the modern structure, and described a perfect instance of forum shopping at the same time: “The people listened better to the politicians than to the Chief. Now they noticed that they cannot gain anything from the politicians and come back”. The villagers without position and the people from outside identified areas of tension. For example, similar to Ntate Thabiso, the MDTP Field Technician Butha-Buthe stated: “The Chiefs

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60 In legal systems, legal pluralism is the coexistence of “parallel and often contradictory regulations of social, economic and political organisation. These are based on different types of legitimation: international law, state law, religious law, customary law and forms of self-regulation.” (Max Planck Institute for Social Anthropology: www.eth.mpg.de > Legal Pluralism, retrieved 23.06.2007)

61 The list of criteria is by no means exhaustive; other criteria are the type of request, or being member of an institution and others.

62 It was especially the Managed Resource Committee which was not as well known. Details are discussed in Chapter 4.
and the Community Council do only on paper have clear-cut responsibilities. The Chiefs do still mingle in the work of the Community Council and there are quarrels between them.” It is not only the overlap in responsibilities and processes but as well their ambiguity that the villagers can use to their own advantage.

Besides knowledge, the decision to ask either the Community Councillor or the Headman for permission e.g. to extract medical plants is also influenced by age and gender. Taking into account that the Community Council in its present form is only in place for two years, I deduced a certain trend in the data and analysed the two in conjunction. In a continuum, the senior/male end is oriented towards the traditional structure, while the young/female turns towards the modern structure. The fact that women are regarded as legal minors in Lesotho adds to the building of this continuum. In line with the senior/male end, Ntate Thabiso asked for one strong leader, which resembles the chiefly role. The positions in the traditional structure are occupied by (senior) males, with the Acting Chief as only exception. It is her being female in a male role, although she is discredited by gossip, which makes the tension less felt. Having attended school and now attending church with the Acting Chief, the elderly females are mediators in this continuum and believe in the role of the Chief as a pillar in the ongoing changes in elected local government bodies. Put in words by 82-year old 'M'e 'Mammako: “For whatever problem, I rather go first to the Chief than to the Community Council.” It is especially elderly women like 55-year old 'M'e 'Maleboa, who do not seem to distinguish between Councillors, Chief or themselves: “The Councillors and the Chief are just like everybody else, are neighbours and one is on one level with them”. But there were also deviating opinions, like 67-year old 'M'e 'Manthabseng, saying that “it is not easy to go there and sit with the Chief, this is easier with the Community Councillors because these are chosen from among us, while the Chief is born a Chief and therefore different”. Younger women tended to think like her. Assuming that females, due to rigid gender roles, have a higher barrier towards male officials it might be more promising and convenient to ask permission from the female Councillor than from the male Headman. 35-year old Ntate Mokhethi, a candidate for the National Assembly elections in 2007, thought that “the hierarchy lies with the Community Council; the Chief is only asked in order not to offend her”. Taking age and gender as markers, one could postulate that elderly males prefer the traditional system, while young females prefer the modern one, for better representation of interests.

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63 This is as well based on the gender roles and certain rules of engagement between women and men that I witnessed. When I, as white female researcher wearing trousers, T-Shirt and nothing to cover my hair, asked for Basotho customs, males often responded: “Our women wear knee-long skirts and cover arms and head when they talk to males other than her husband or children”. From the interviews with the young women I learned that they all move to the home village of their new husband. This certainly influences that their choice leans more towards the modern structure. In addition the next section on land allocation will detail the more about female rights in land-related issues.
Recapitulating this briefly, one can say that the villagers choose forum according to criteria of knowledge, age and gender. Although the traditional structure might have retained power on land related issues, especially the Acting Chief is circumvented by certain groups.

b) Idiom Shopping

Land allocation in essence is a procedure or process and besides choosing the forum one can choose the procedure. Theoretically, the latter is referred to as ‘idiom shopping’ or as put by F. von Benda-Beckmann (1994: 7) “Verfahrensalternativen”. Here, this includes the official land allocation procedure and informal practices of land allocation.

Of officially, the allocation request passes via Headman to the Acting Chief, who forwards it to the Community Council which ultimately decides. Besides this official procedure, villagers follow an informal practice, described by 32-year old Ntate Lejone: “Buying land is illegal but done. If you do not need your land anymore, you give it back to the Council and recommend that it is given to a certain person. This person has paid you for doing this. It is a sort of bribing. Prices are around 3000 to 5000 Rand for around 3ha. I heard that the Chief takes bribes while the Community Council does not.” It is this informal land market through which one can acquire land, when official allocation or inheritance are no options. According to 25-year old Ntate Khaketla a “common practice”, it started in roughly 1990, when there was not enough land to be allocated anymore. These and similar practices are confirmed by Selebalo (2001: 11), “the reality is that there have been land transactions in various forms under customary tenure”. Ferguson (1992), in his topography of wealth in Lesotho, includes land acquisition through bribing of chiefs only as a disapproved way of exchanging land. Twenty-five years later, purchase is seen as approved and legitimate if still informal way of acquiring land, at least among the villagers. That the convertibility of land to cash and vice versa is an open secret in Nyakoaneng (II) asks for an extension of Ferguson’s topography so as to account for this commodification. Another speaking example is the neighbouring sub-village, Motse Mocha meaning ‘new village’. It came into existence through this informal practice. The land belonged to a Headman who sold his numerous fields, which were allocated and then settled.

Thus, while some start the allocation procedure via Village Committee or Headman, others address the Chief directly – a clear sign of forum shopping. From the “uncertainty, rivalries and confusion over the respective roles of chiefs” (Turner 2003: 4) and representative committees one can say that the villagers relied, on what Turner (2003: 4) calls “locally pragmatic solutions to local governance”. What has just been explained is one of these solutions, accepted silently by the

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65 Land is only inherited by the eldest male son, or even by the son of the oldest son.
Community Council and actually anticipating government action. The proposed Land Bill would legalise lease titles to land in rural areas. Besides shopping for the forum, the villagers shop for the ‘idiom’ or process through which they acquire land, either traditional allocation or modern purchase.

Local Territorialisation – Fencing

As pointed out by Sack (1986) in his work on territoriality and more recently by Peluso (2005), territorialisation does not only emanate from big players such as states. Territoriality as the attempt to control behaviour by controlling space is also employed by individuals, e.g. to demarcate what they regard as their own.

Ntate Selepe does that like nearly all garden owners in the Netherlands by fencing what he perceives as his property – the residential land that has been allocated to his parents and was passed on to him. This is nothing new in Lesotho and observed by Sheddick in 1953. Discussing fencing in relation to land tenure security, he states: “Within its own homestead and homestead garden the family has considerable freedom of action. Both may be fenced about.” (Sheddick 1953: 59). However, his consideration that “the seasonal limitation of the title makes it impossible for the Basuto to consider protecting fields with permanent fences” (ibid: 60), needs to be adjusted. In Nyakoaneng (II) I observed fenced arable land. On a functional level, a majority fences its land to protect its property from the animals of the neighbours, while at the same time providing safety for its own animals. On a more interpretative or abstract level, fencing can be seen as demarcating and communicating a boundary within which the owner sets behavioural rules. It is then territorialisation, that as a side effect expresses tenure security. Fencing is done in a variety of ways. Hedges and bushes are used as mere demarcation of boundaries while barbwire or even chain-link fences are used by those that have the money to do so.

Figure 8: Supplementary Information on Local Territorialisation - Fencing
3.4. From Local to National – Perceptions of the State Border

By focusing on the nearby state border to South Africa, I analyse different aspects of the presence of the national state in the lives of the Basotho, the relation to the local state and their perception of it. Parts of this analysis will come back in the exploration of the transfrontier work of the MDTP in Chapter 4.4.

Social and economic aspects

As either relatives or friends live just across the border in the former homeland of QwaQwa or in the Gauteng region of South Africa, the social space of the majority of interviewees in Nyakoaneng (II) is ‘transfrontier’. The main reason for this migration is of economic nature, the Basotho are in the constant search for an additional livelihood, in this case paid work. While earlier mainly men migrated to work in the mines, like Ntate Selepe, now increasingly women follow. As outlined in the regional background, what ties Lesotho to South Africa is that whether for real or only in peoples’ imagination, the jobs are in South Africa, and therefore people move there. This makes South Africa part of the socially constructed space of economic activities of the Basotho crossing the socially constructed border.

Three groups can be distinguished in relation to crossing the border. First of all, the vast majority who regularly visits South Africa to do shopping or to see friends or family. The second group, mainly retired or retrenched mine workers who have not crossed during the last two years. And finally, a minority who has never been to South Africa.

![Figure 9: The Caledon River that demarcates the border. The gravel road leads from highway A1 to the Border Post Monotsa’s Pass (QwaQwa) via Liqobong. The tarred road on the right side is the equivalent road on the South African side.](image)
Cultural aspects
The interviewees in Nyakoaneng (II) stated that both sides of the border are inhabited by Basotho with the same cultural roots but with different lifestyles. The Basotho in South Africa would not uphold the customs and traditions properly, e.g. they mix Sesotho with other languages and they do not hold proper initiation schools. The Basotho of Lesotho reasoned that while in Lesotho, the Basotho are better off, they own land and therefore are more independent from money and employers. In South Africa, the Basotho do not own land and are dependent on income from employment. Very practical and sentimental at once, this attachment to their land also came forth when asked whether they would prefer a paid job or working on their land. Often they answered that they would pay somebody to work on the land while taking the job, thus not solely relying on unstable employment. Therefore land can be seen as differentiator between Basotho in South Africa and Lesotho and, along with Coplan (1991) as one representation of a cultural marker of national identity especially in proximity of the border.

Historical and political aspects
In historically grounded discussions on borders in Africa, the arbitrariness with which they were generally drawn is a main argument. Researching the same border, Coplan (2000, 2001) argues, that the Basotho still claim the ‘Conquered Territory’ stretching from the Caledon River up to the Vaal River, which they had lost in the mid 18ths' century. This assumes historical knowledge, as does his argument that all Basotho, except for their elite, perceive the border as imposed from the outside. His argumentation cumulates into the inevitability of an incorporation of Lesotho into South-Africa. Investigating historical knowledge in Nyakoaneng (II), I on the contrary found that mainly those aged 23 or younger who recently left school, were aware, others either did not know or were not interested. Out of fifteen interviewees only three thought that incorporation is a good idea, mainly for economic not for historical reasons. The remainder was either fine with the present situation or asked for open borders and freer movement between South Africa and an independent Lesotho. These answers were irrespective of how often people cross, their age or gender. One reason for the divergence in my and Coplan’s findings might be the fact that his research is explicitly at the border, while Nyakoaneng (II) is at 12km linear distance from the border line and 40km from the next border post.

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67 Some of my interviewees felt that they live in the middle of the country and not in proximity to the border. Asked where this perception comes from, they refer to the lack of means of transport or to the cost of the available transport which needs to bring them not only to the border line but to the next border post. For a one way journey from Nyakoaneng, Lesotho to Bethlehem, South Africa one has to calculate with a distance of 70km, changing minibus three times and a total sum of 31,50 Maloti for a drive of 90 minutes (excluding waiting).
Important in the interaction of state and local population in border proximity is the effect that the enhancement and creation of local state structures like the Community Council and the MRC has on the presence of the state in the people’s life. As outlined the MRC especially strengthens the role of the Community Council and the rural Basotho need to acknowledge and interact with both in order to enact their life projects. This acknowledgement enhances state presence in their lives, bounds them as one group, and thus heightens the national border.

From this analysis it follows that the villagers of Nyakoaneng (II) experience their lived social space as spanning the border. It is ‘transfrontier’ for certain aspects, as e.g. with social relationships or economic activities. There is no focus on the history of the border dividing this space. Nevertheless, they also experience the border as a social construct that hinders their free physical movement within this space requiring from them to cross at a border post with the right sort of papers. The interviewees establish a national identity of Basotho of Lesotho with the Basotho of South Africa being their ‘other’ in terms of lifestyle and land ownership, which is going to be even more enforced through a higher state presence with the modern local state institutions.

3.5. Conclusion

I presented an overview and a discussion of modern and traditional local institutions dealing with land-related issues such as land allocation, land restriction and natural resource management. From the analysis it emerged that the traditional structure seems to have retained much of the practical power among the population due to its maturity and the intertwinenement with the community. On the other hand the Community Council gains authority through land management responsibilities. The traditional structure depends on the modern one for questions of legitimacy and the modern depends on the traditional one for questions of practical power on the ground. The entanglement leads to a situation of overlapping and contested responsibilities. The way the rural Basotho engage with it shapes the situation further. Mostly depending on age, gender and knowledge they either pick the most promising institution or process to meet their own end and create their own visible tenure security. Towards the local state, they claim and use land through forum shopping and idiom shopping. This local state enhances the presence of the national state of which it is part in local peoples’ lives. Their interaction with the national state in terms of the state border is two sided, on the one hand they acknowledge the presence shaping how and where they can cross it. On the other hand it does not hinder them in creating a transfrontier social and economic space in which historical aspects are irrelevant.
Chapter 4

'CONSERVATION' AS AREA OF INTERACTION

4.1. Introduction

Conservation is the main goal of the MDTP and the second area of interaction between the actor categories to be analysed. I argue that the attempts of the MDTP to influence land use towards conservation result in territorialisation activities, such as mapping and pilot projects on the ground. From the interaction of the local population with these activities, four patterns of interaction emerge: Disregard, Commitment, Instrumentalisation and Protest.

A portrait of 'M'e 'Malenka, a member of the Managed Resource Committee (MRC) is followed by regional information about the MDTP. In a third section I analyse mapping and two pilot projects in their territorial aspects and against a more theoretical background including the interaction of the actor categories. The extent to which the work of the MDTP really is 'transfrontier' and influencing the interaction of the rural Basotho and their state is subject of the last section.

'M'e 'Malenka – Member of the Managed Resource Committee

'M'e 'Malenka is a very busy 46 year-old lady and it took my translator and me several attempts until she had time to answer some questions. As her husband works in the mines in South Africa, she takes care of the three children, the fields and animals by herself.

At a public gathering in 2006 she for the first time heard about the MDTP and its conservation and development plans. The same day, she was elected to become member of the Managed Resource Committee (MRC), and was accepted, fulfilling the prerequisite of not having a paid job. She likes the idea of conserving the land because she thinks it opens up other possibilities, especially job possibilities. Her son can better make his handicrafts when the grass is conserved well. When other areas are conserved well, the community will be able to dig for medicines and the wild animals can come back. The latter will attract tourists and jobs will be created. For the same reason, she thinks that the proposed Protected Area of Liqobong is a good idea.

As a member of the MRC, she fulfils several tasks for which she does not receive any payment or allowances. On the one hand she selects areas for restriction together with

68 These patterns are more a tool for analysis than a rigid categorisation of people into different boxes. One person, depending on the context can belong to all categories which are fluidly transitioning into each other.
the local community, the local Community Councillor and the Headman in a public gathering. There are several reasons to restrict areas such as bad soil, source of medicinal plants and thatching grass. On the other hand she checks these restrictions time and again. When someone trespasses with cattle, she asks the herd boy to take the cattle away, since women are not allowed to do so. After noting the amount of cattle and their owner, she reports to the headman. The latter reports to the Acting Chief, who invites the herd boy and his father for the payment; the money goes to the Community Council. Furthermore she communicates with and sensitises the community on issues of conservation that she learns about during monthly meetings of the MRC. These meetings are chaired by the MDTP and held in Muela, for her a walk of around 90 minutes. After these meetings, the Headman of Nyakoaneng invites her and two other MRC members, the Village Committee and the local Community Councillor to share ideas on conservation and protection of the environment. She and the Community Councillor are the only females, while all others are senior males. This does not influence their working relationship: “I do not think that I am around men”. In these discussions, she as MRC member has the final say. For her it is important that the people understand the underlying idea of conservation.

In initial meetings between the MRC and the MDTP, the herd boys were identified as important target group to be involved. The MDTP organised a workshop for the herd boys, where they learned about the importance of certain areas and where they assisted in identifying more places. The MRC asked the herd boys to help with attempts for reforestation, where the MDTP would donate the trees and grass seeds and the boys their labour. The attitude of the parents of the boys was identified as problematic by ‘M’e ‘Malenka. They expected payment as the boys are not able to take care of the cattle.

On the last monthly MRC meeting, which I had attended as well, another development initiative of the Lesotho Highlands Development Authority (LHDA) was introducing itself to the MRC members. I asked ‘M’e ‘Malenka for her opinion on their idea of using the MRC structure for this initiative. She thought that this project and the MDTP could complement each other and once the MDTP is gone, the other could take over and increase sustainability. According to her, the MRC is already a sustainable structure. Even though the projects come and go, they are important to her, because the knowledge she gains through trainings will stay with her and she can always apply it.

‘M’e ‘Malenka touched on some of the issues that were discussed in Chapter 3. As a member of the Managed Resource Committee (MRC) she is performing similar work as Ntate Selepe. However, there is more to hers than to the position of Ntate Selepe. She claimed that the MRC has the final say in meetings between the traditional and the modern structure. This supports my claim that the traditional structure has retained much practical power regarding implementation –
it is consulted, although the authority for decision making lies with the Community Council and the MRC respectively.

4.2. The MDTP and Conservation

This section focuses on the primary objective of the MDTP, conservation and its propagation as “land-use option” (Peace Parks Foundation, 2007). In order to analyse I took a closer look on how the MDTP puts its objectives into practice. According to the project website, implementation is done via eight project components. Focusing on Lesotho, Figure 10 introduces the MDTP District Office in Butha-Buthe, with which 'M'e 'Malenka works together.

Besides the general sensitisation of the public towards the conservation agenda, the MDTP Butha-Buthe is active in several pilot projects, each focusing on a certain area. Important in the research context are the 'Moteng Managed Resource Area (MRA) with the MRC aimed at sustainable natural resource management and the proposed Protected Area Liqobong with its Community Conservation Forum potentially prohibiting land use.

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69 See Website of Peace Parks Foundation (www.peaceparks.org/faq.php?pid=300&mid=439, retrieved 10.06.2007)
70 See Website of MDTP (www.maloti.org/ls/project/default.htm > Project Description, retrieved 13.05.2007)
71 These are project management and transfrontier cooperation, conservation planning, protected area planning, conservation management in protected areas, conservation management in community conservation areas, community involvement, sustainable livelihoods and institutional development.
72 Others are the Cultural Heritage Sites Butha-Buthe Plateau and Liphofung with their respective Community Conservation Forums, and more tourism related institutions are the District Steering Committee (DSC) acting as tourism-related platform of stakeholders and associations for e.g. handicraft makers and pony tracking.
In general conservation efforts are seen as most effective when areas are either fenced or when communities, living in or close to those areas are made stakeholder of the conservation agenda. With one project component being community involvement, the MDTP aims for the latter. This is addressed by creating structures like the managing institutions of the outlined areas, or by Integrated Conservation and Development Programs (ICDPs), offering new income generating strategies. Tourism, as one of those strategies and as secondary objective, will be fully explored as a third area of interaction in Chapter 5.

One can assume that, in realising community involvement a high level of awareness and information is imperative. Out of 50 interviewees in the research location, 17 never had heard of the MDTP and 11 only had heard of it once. Besides the fact that women represent 65%, these 28 interviewees came from diverse social backgrounds. It was the wealthy 42-year old female shop owner as well as the poor 62-year old widow, the 23-year old male university-applicant as well as the 44-year old male truck driver. What they all had in common was that they were not

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73 See Orlove & Brush (1996) for an overview on anthropology and conservation.
involved in the local or MDTP institutions, except for three members of the traditional structure. The remaining 22 interviewees who were aware of the MDTP activities belong to one of the following groups: member of a MDTP structure, participant in MDTP training, position holder in a local institution or relative to one of the former – with an exception of three people.

Less than half of the interviewees were aware of the MDTP and its work. Those who were seem to be the local elite involved with the project. The standing out and involvement of exactly the local elite is one of the criticisms of participatory development approaches brought forth already by Crewe & Harrison (1998).

4.3. Territoriality, Mapping and Points of Interaction

‘Conservation’ is postulated by the MDTP Butha-Buthe via pilot projects. These projects are part of the MDTP’s attempt to influence and control people’s land use through zoning land. Important in territoriality as outlined earlier, is the communication of boundaries and the desired behaviour within, as well as the enforcement of both. In the case of the MDTP this is done via zoning and mapping land.

In this section I first analyse the practice of mapping against a broader theoretical background and then examine two pilot projects, the MRC and Liqobong. As territoriality does not exist in a vacuum, but interacts with claims and attempts of other land users I explore how ‘the locals’, like ‘M’e ‘Malenka, interact with the MDTP in the context of the pilot projects.

a) Mapping

In its attempt to influence land use towards conservation, the MDTP makes extensive use of maps. These zone territory and declare it to be part of the MDTP.

Maps feature prominent in the available project material, see e.g. Figures 3 and 12 including the new website. Additionally, the MDTP displays maps and therewith its perception of space on signposts along the A1, see e.g. Figure 13. Comparing maps of different dates shows that the

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74 They were involved in local state or MDTP institution, e.g. the brothers of the B&B I was living with were stakeholders in the District Steering Committee, a tourism related MDTP initiative.

75 This includes Derwent et al. (2003), various MDTP Newsletters (e.g. MDTP 2006a, 2006b, 2006c or downloadable via www.maloti.org, accessed 14.04.2007), the Website of the MDTP (www.maloti.org) and the Website of the Peace Parks Foundation (www.peaceparks.org).

76 The MDTP changed its website in the course of June 2007. One is redirected when entering www.maloti.org to the new site http://maloti.nopcms.co.za/. Accessed on 14.06.2007, the new site features the map on the start-up page.
boundary of the project area changed slightly. What also changed is the naming of the areas and the emphasis on some pilot project areas, while silencing others. Employing one full-time GIS-specialist in either national Project Coordination Unit, these produced one map after the other. Asked for the reasoning behind the changing boundaries, the South-African senior planner confirmed that these were drawn, free-hand at the beginning and only now with increasing knowledge of the bioregion conform to the criteria of circling one bioregion.

Maps are authoritative tools that strengthen the claim of actors towards the land. According to Vandergeest & Peluso (1995: 389), maps do “more than represent reality; they are instruments by which state agencies [or other actors] draw boundaries, create territories, and make claims”. Tongchai Winichakul (1994: 174) goes further, for him it was ‘the map’ that created the geo-body of the contemporary Thai state. In reference to my research context, Spierenburg & Wels (2006) argue that in general the maps published by the PPF silence local communities, bring areas hitherto controlled by local communities under state control and introduce more stakeholders, e.g. tourists. Similar to Sack (1986), they say that “power is about space, and space is created through the exercise of power” (Spierenburg & Wels 2006: 301). Exactly this I found in Lesotho at a meeting of protesters against the proposed Protected Area Liqobong, where one protester started to wonder where the map of the proposed Protected Area originates from. The MDTP had never consulted him or others before paying a visit to the area during which they showed a
map that was outlining the boundaries of the proposed area. Who made this map and how did this person decide upon the boundaries? A MDTP representative compared it with the existence of world maps – no-one asks for their origin or producer. These as the one of Liqobong are developed by people who had gone to school and pay tax, so why not accept them? Thus maps, once created seem to assume authority and one can argue with Spierenburg & Wels (2006: 301) that mapmaking is indeed linked to “processes of knowledge and power”.

Following, mapmaking or cartography is one way of giving meaning to space. It conceptualises abstract space77, which can be cut into separate comparable units by spatial categories, e.g. meter. These units are the same whether they represent Amsterdam or Butha-Buthe. However, these ‘units’ silence other experiences and meaning-giving processes to space. While the maps highlight MDTP activities, they are silent about the fact that the area is inhabited by nearly two million people who already use the land in a certain way78. The experience of these people is not abstract and has nothing to do with homogeneous units of degrees of longitude and latitude. ’M’e Malenka experiences space as relative and local. For her, the 90 minutes walk to the MRC-meeting in Muela means going constantly up- and downhill and passing neighbours and friends.

While space can be seen as a framework “in which individuals and groups are situated, through which they interact, and by which they make statements” (Sack 1986: 25) maps are an imperfect tool to represent especially lived space. Therefore land use planning via maps, thus on abstract space, more often than not contradicts the lived space of people. The maps of the proposed Protected Area Liqobong silence that the area is used for grazing, while the maps of the Managed Resource Area ’Moteng exclude the lived boundaries of the chiefly areas. As stated by Noyes (1994: 260), maps are inadequate “for portraying […] underlying conceptions of spatiality”.

Increasingly, people’s lived space should conform to abstract land use models, e.g. MRA’s. Following the reasoning of West & Brockington (2006), a case of virtualism, moulding what is, towards what it should be while neglecting the social context. Territoriality then, is an exercise in virtualism, not only modelling space but also putting forth a reliable because recurring and therefore predictable behaviour within this space. The behaviour is conservation as land use by the people, otherwise identified as threat to biodiversity. In analogy with Scott’s (1995: 15/1679)

77 See Tuan (1977). Space is experienced and it depends on the kind of experience (sensation, perception and conception) how it is perceived. Abstract space is “construed space, which depends on the power of the mind to extrapolate far beyond the sensed data” (ibid: 17). Less conceptual and more emotional/sensational is the experience of ‘mythical’ and ‘pragmatic’ space that is often referred to as ‘place’. In this thesis I decided to refer to the immediate sensations as ‘lived space’ as opposed to ‘abstract space’.

78 The one map that outlines current land use silences the pilot projects. (see MDTP website http://maloti.opencms.co.za/site/about/maps/Landuse_a1.html, retrieved 27.06.2007)

79 The original quote reads “A great part of state-making consists in the comprehensive mapping of a nation’s population, its physical space, and its natural resources. Without such mapping - and without the
‘state simplifications’, a ‘MDTP simplification’, where “a great part of [MDTP]-making consists in the comprehensive mapping of a nation’s population, its physical space, and its natural resources. Without such mapping - and without the simplifications, standardization, naming, and classification that make it possible – most of the activities of the [MDTP] would be inconceivable.” The MDTP, by mapping out the area, simplifies standardises and names it, making it legible to a certain audience. By doing so the map is only open to certain uses, behaviour is classified and standardised and therefore better manageable.

Discussing representational techniques for lived spaces of natives in German South West Africa in the context of colonialism, Noyes (1994) identifies cartography as common language between outsiders (anthropologists, ethnographers, geographers and cartographers) eliding locals lived spaces. Analogous the maps of the MDTP are representational frameworks for outsiders, like tourists or donors®, silencing the locals. Mapping and mapmaking are set apart from local knowledge and out of local reach. Hardly any ‘local’ received brochures nor did they travel to the Internet Café in Butha-Buthe to check the MDTP website. Their unawareness includes the signposts along the A1, no-one mentioned them. Living in the mapped area, the local population is excluded twice – not present on the map and not presented with the knowledge. The interaction with the event of mapping or mapmaking is therefore from a local perspective limited due to limited access to both – maps and knowledge.

simplifications, standardization, naming, and classification that make it possible – most of the activities of the modern state would be inconceivable.” (Scott 1995: 15/16)

® See Spierenburg & Wels (2006) arguing that maps are promotional and planning tools of the PPF used e.g. for fundraising.
For the MDTP, mapping is an efficient tool for communicating and enforcing territorialisation – its land claims. The local population is presented with the map, silencing their and articulating the MDTP’s activities. Their questioning is silenced by claiming authoritative knowledge for the maps. How does the local population interact with the claims towards conservation as ‘land use-option’ that is brought about through mapping? This is examined via two MDTP pilot projects, the proposed Protected Area Liqobong is touched briefly and the ‘Moteng Managed Resource Area is analysed more extensively.

b) Proposed Protected Area Liqobong

This section focuses on the interactions of the local population with one MDTP pilot project, the proposed Protected Area Liqobong. Most probably\(^{81}\), the exact area was originally proposed by the MDTP. It borders the Golden Gate National Park, South Africa with which a transfrontier link is envisioned. According to the MDTP Protected Area Planner Lesotho, the area would consist of a fully protected core at the sponge area of the Caledon River, surrounded by a buffer area. For him the proposed Protected Area is important, because it will help to sustain the ecologically important wetlands and it will help Lesotho to fulfil its obligation under the Convention of Biological Diversity\(^{82}\). According to him, the task of the MDTP is to support, assist and empower decentralised local government institutions in implementing the pilot. This support is bound on continuous 100% local support according to guidelines of the World Bank. The local population was asked for involvement through public gatherings and the creation of a Community Conservation Forum\(^{83}\).

The pattern of interaction in focus is protest against the reality of a ‘proposed’ Protected Area which, once on map seems not to be transformable anymore. After the local protesters had sent a letter to the Ombudsman, a meeting\(^{84}\) of representatives of the MDTP, the state ministries, the local state institutions and the protesters was held. In both, the letter and the meeting, the thirty-one male protesters articulated their silenced land use. The area in question is used for winter grazing, agriculture and includes graves of ancestors. They feared that the land was to be sold to South Africa and claimed that it is unsuitable for tourism as the highland winters are hard and dangerous. The meeting, which at times was a heated debate with accusations, ended

\(^{81}\) There is contradicting information on this, while the Protected Area Planner of the MDTP Lesotho said that the MDTP proposed this special area, the Project Coordinator of the MDTP Lesotho said that it is a process initiated by the local population by which the MDTP is only guiding.
\(^{82}\) According to this Convention, Lesotho committed to set aside 10% of its surface for conservation.
\(^{83}\) Unfortunately I could not get hold of a representative for an interview.
\(^{84}\) I attended this meeting, which was held on the 2\(^{nd}\) of February of 2007 in the area of the Liqobong Community Council.
unsatisfactory for both parties. Besides being considered backward\textsuperscript{85}, the protesters were put in a position where they seemed to be egoistic (as exclusive beneficiaries of the area) and aggressive (answering “We will fight” when asked “When you are defeated, will you accept it?”\textsuperscript{86}). According to several institutional representatives, the Ombudsman will most probably recommend an Environmental Impact Assessment\textsuperscript{87}. This involves more work for the institutional representatives and no ‘peace’ for the protesters. It is not so much the protest, rather the process that surprises the proponents of the park. Instead of following the hierarchical mediation structure, the protesters addressed the Ombudsman, another instance of forum shopping. As they knew from earlier interaction that their Community Council is in favour of the park, they refer to a more central institution. From another angle, institutional representatives see in the protest the pressures of the upcoming elections for the National Assembly. According to them politicians use the plans of a threatening outside agenda to mobilise and instrumentalise people. Those living in Nyakoaneng, like ‘M’e ‘Malenka, favour the idea of a Protected Area more; it is more in line with their life projects. It is a possible tourist attraction, could create jobs and enables them to show conserved land to their grandchildren. However, the villagers were often not aware of the fact that the protection of an area implies restricted or prohibited access. Ntate Selepe (see portrait Chapter 3) is not in favour of a Protected Area when the local population, livestock owners like him, protest.

While maps are abstracting space and its use, people actually live in this space, experience it as reality and use it already in a certain way. This contradiction leads to protest being a predominant pattern of interaction for the proposed Protected Area.

c) The ’Moteng Managed Resource Area (MRA)

To start with I introduce some more facts and opinions on the ‘Moteng Managed Resource Area (MRA). Next, I analyse territorial claims of the MDTP and finally the patterns that appeared in the interaction of the local population of Nyakoaneng (II).

\textsuperscript{85} A young woman representing the Ministry of Local Government helped me with the translations during the meeting. Her comments “they repeat themselves”, “they say always the same” or “they don’t want the park without naming reason” and her attitude, such as laughing when one protester said “We do not want development, we prefer it the way it is and rather stay hungry. Poverty is better than development” show me her incomprehension of the attitudes of the protesters and her feelings of superiority against the perceived local ‘backwardness’

\textsuperscript{86} In his analysis of development discourse, Ferguson (1990) points to the ‘war-language’ used in this discourse, which came back in this meeting.

\textsuperscript{87} According to the Encyclopaedia Britannica (2007) an Environmental Impact Assessment “must describe and evaluate the direct and indirect effects of the project on humans, fauna, flora, soil, water, air, climate, and landscape and the interaction between them” (see http://www.search.eb.com/eb/article-224609, retrieved 14.08.2007).
The MRA – the facts
The concept of the MRA borrows from a concept of the 1980s, the Range Management Areas. While then the emphasis was on grazing control, the emphasis now is on natural resource control. Taking the lessons learnt from these Range Management Areas into account, membership of the MRA is based on residence within it. The governing structure, the Managed Resource Committee (MRC) at the moment is being provided with a legal basis for its actions. Through by-laws it will become a sub-committee of the Community Council, specialising in natural resource management and covering the same area. The MRC consists of five elected, voluntary representatives (three managing members and two range riders) from each of the fourteen villages. As of March 2005, the public was informed through public gatherings and members of the MRC, like M’e ‘Malenka, were elected at the end of the year. Her account provides a good overview of the work involved and was confirmed by others. The MRC will have substructures, each dealing with a special resource, e.g. wool/mohair, clay and grass. The MDTP provides training for the MRC members, guides the regular meetings and provides managerial support, e.g. drawing up of the management plan.

The MRA – the opinions
The MDTP identifies a challenge in ‘capacitating’ the MRC members. Despite training, the MDTP Field Technician Butha-Buthe viewed them as too passive, because they are either “lazy, do not know where to start [including an insecurity about the responsibilities of other local institutions] or the community does not allow them to work”. M’e ‘Malenka seems to be an exception. She herself assessed the cooperation with other institutions as good, which is confirmed by the Headman. Hesitantly, Land Guard Selepe confirmed that the responsibilities of the MRC members and the land guards are complementary. Although I suggested gender and age to be decisive criteria in forum shopping, M’e ‘Malenka saw the cross-gender cooperation in the MRC as unproblematic. An influence on this might be her perception that she has “the final say”. This leading role is confirmed by one member of the Village Committee: “the MRC teaches us how and what to do”. Surprisingly, on the other hand, another Village Committee Member could not connect the name MRC, or the names of the MRC members with any function, saying: “I do not know what the MRC does and we [as Village Committee] are not working with it”. Only 12 out of 51 interviewees had heard about the MRC. Of those that knew, four were part of the MRC, another six were working directly with the MRC and two had heard about it from a relative that works with it. Another challenge seems to be the communication between the MDTP and the MRC members. While the

88 The work for the MRC is done voluntarily, there are no allowances paid, neither for transport nor for food. As soon as MRC members obtain paid work, they have to withdraw from the structure.
89 They have been trained in handicraft production with grass, clay, wool and mohair, animal husbandry, self organisation and management.
vice chairperson of the MRC still believed to have to promote the idea of a Managed Resource Association, which was dropped by the MDTP in summer 2006, the chairperson was not aware of a grazing and management plan for his MRA being drawn up by the MDTP office.

Reality is more complicated than a perception of the MRC as prolonged arm of either the MDTP or the Community Council might suggest. MRC members, who should spread the word on issues of conservation, seem to struggle with placing themselves within the existing institutions. Again one wonders whether technical solutions such as training or support in management plans and meetings solve the inherently structural problem. The committee and its work are hardly known by the villagers and the communication line with its founding institution, the MDTP, seems to be strained.

The MRA and territoriality

Examining the MRA as part of the territorialisation strategy of the MDTP one finds that the ‘Moteng MRA shares its boundaries with the ‘Moteng Community Council and these are known in Nyakoaneng (II). The suggested behaviour is ‘sustainable’ natural resource use. While traditionally the focus was on restrictions for grazing, it now includes all natural resources, e.g. community forest and garden, medicinal plants, trees, grass and clay. The regulations are monitored e.g. by MRC members like ‘M’e ’Malenka. The chairperson of the MRC emphasises that it is about “controlled use” as opposed to “prohibited access”90. According to the MDTP Field Technician, the MRC exclusively collects requests for resource use and then approaches the Community Council for approval. In practice it seems that access or the ability to derive benefits from natural resources91 is negotiated more with the Community Council or the Headman than with the less known MRC. Territorial claims are communicated via mapping and public gatherings. ‘M’e ’Malenka herself requests public gatherings with the Acting Chief in order to promote controlled use of resources and to teach the community how to conserve the environment. The territorial claims are enforced through their recognition by local state institutions, e.g. the positive assessment of the Headman, fines, e.g. when trespassing restricted grazing areas, authority and access to legal rights in land through the Community Council.

Territoriality is used to influence and control access to and use of natural resources. Regarding territoriality via the MRA, I suggest that not only ‘the MDTP’ benefits from the use of state structures to enhance legitimacy of its own conservation oriented agenda. As outlined earlier, the MRC with its 60 representatives for 14 villages infiltrates deeper into the local

90 An example is the cutting of trees which is not forbidden as such, but that the people shall not cut the branches and dig for the roots at the same time but use it sustainable, so that there is something left for the years to come.

91 Following, the definition of ‘access’ by Ribot & Peluso (2003: 153) as “the ability to derive benefits from things”.
communities than the Community Council. Although compared to its predecessors, seen as “a less local form of local government” (Turner 2005b: 6), the Community Council regains locality with the MRC as sub-committee. From this legal status the MRC derives its legitimation, which in turn allows for cooperation with the traditional institutions. It is not so much public awareness but the cooperation which increases the influence and control of the Community Council and therefore the state on natural resource use. It is then ‘the state’ that also benefits from ‘the MDTP’ (of which it is part as outlined in Chapter 1) by enhancing its influence and control on local resource use, which so far has only remotely been under its influence. Referring again to Scott (1995), it is not only the Community Council but as well the MRC, though still a pilot project that standardises and simplifies local land administration and governance. As put by Peluso (1993: 199), “in joining international conservation interests to preserve threatened resources and habitats, some state interests appropriate the ideology, legitimacy, and technology of conservation as a means of increasing or appropriating their control over valuable resources and recalcitrant populations”. Notwithstanding the intentionality in her words, the effects I showed point to the same end.

**The MRA as point of interaction**

Analysing how the rural Basotho interact in the context of the MRA, a striking pattern is that an overwhelming majority of the villagers do not know about the MRC. Confronted with this public unawareness, although her working profile includes conservation awareness campaigns implying high public visibility, ‘M’e ’Malenka did not see this as a problem: “it is not important from who the idea is as long as the people understand”. She is convincing in two ways. First of all the life of the villagers is influenced by the cooperation of the MRC with the local state institutions notwithstanding their unawareness. Ultimately, an increasing awareness could lead to a situation where the villagers apply **forum shopping** again to include the ‘new’ forum MRC in their strategies.

Secondly, even those villagers that were unaware of the MRC adopted a discourse of conservation as being important for future generations and as potentially offering livelihood strategies based on tourism. So for example 23-year old Ntate Molupe when he said that “conservation is important because it is important to protect animals and the nature. Some animals are rare and if they can be protected, other people would come to see them, especially tourists who would bring money.” Besides an adoption of this ‘conservation discourse’, conservation seems to always happen somewhere else and by somebody else. This discrepancy between discourse and action is apparent in daily life, where one can observe burning fields or somebody carrying a dead snake over a stick. Both acts are discouraged by the MRC in the name of conservation. Whether the villagers doing it are aware of the conservation message or not is irrelevant in so far as the MRC aims to target all
natural resource users, and that includes everybody, either by virtue of owning cattle, a field or being in need of firewood. This interaction pattern is termed **disregard**, it includes unawareness and/or refusal to commit to the goal of conservation where it does not add towards the fulfilment and enactment of the own life projects. It reflects findings by Crewe & Harrison (1998) that development projects are peripheral to the lives of the majority of the potential beneficiaries. Enquiring into soil erosion and land degradation as prime indicators requiring conservation action, reveals another instance where discourse and action do not fit. The villagers mention heavy rainfall, heavy wind, overgrazing and pathways as main reasons for erosion and degradation. All know methods of protecting their fields, e.g. channelling rainfall, planting grass or trees, putting stones, and most of them told me that they do so. Though observing the fields in the village revealed that only some of the fields were indeed protected. Again, villagers do engage in the conservation discourse, and while they might care, it is neither important nor central to their life projects including their livelihood strategies that are aimed at diversification.

When would they engage? They would once the idea is central, or offers something towards the fulfilment of their life projects. Like 'M'e 'Malenka, who as MRC member engages in the structures and embraces what the project has to offer. Her interaction pattern in the area of conservation is **commitment**. As the portrait of 'M'e 'Malenka shows, she trusts the project and its deliveries and that it can change peoples’ lives for the better. Like her I have witnessed others, mainly female like the local Community Councillor, who seemed to endorse the idea of a MRA and conservation in general.

The patterns of interaction I introduce here are not static but contingent and fluid. While 'M'e 'Malenka and the Community Councillor do commit, I think that they gain as well. Being female in Lesotho, the status they derive vis-à-vis the senior males occupying the traditional structures could be motivation enough. Another positive factor for 'M'e 'Malenka is that she can use her role as MRC member to further her son’s prospect as handicraft worker, through conserved grass and an influx of tourists. As stated by her, the training is a benefit that will remain, and in that sense participating in training is an instrumentalisation of the project towards an increase in capacity and knowledge. This is how I termed a fourth pattern of interaction, **instrumentalisation**. Others doing so are the herd boys 'M'e 'Malenka was referring to in her portrait, they instrumentalise the training as a distraction from their usual work. Having worked in South Africa for 34 years, the Headman of Nyakoaneng, upon return inherited the position and asked the community to assist him in his work through creating a Village Committee. Contrary to other headmen who “fear their position and their roles” after the introduction of the MRC according to the Chairperson of the MRC, he instrumentalised the MRC as new institution to support him in his work.
While the MRA is a unit of territorialisation through which ‘the MDTP’ and ‘the state’ enhance or exercise control and influence over local natural resource use and claims, whether known or ignored, this is not a one-way-street with the MDTP as actor and ‘the locals’ as passive recipients. As I have shown, ‘the locals’ do interact with different patterns, depending on the status they accord to the project in their lives.

4.4. Transfrontier Conservation – Perceptions of the State Border

In its capacity as transfrontier conservation area the MDTP aims to span the state border. For its primary goal of conservation this means transfrontier management of border-spanning bioregions. For its secondary goal, development through nature-based tourism it could mean dismantling the border for tourists and/or for local communities.

Reasoning from a more historical point of view, the Peace Parks Foundation as the main promoter of TFCAs including the MDTP, aims at nothing less than a correction of the arbitrarily drawn African borders. As put on their website92: “Furthermore, one has to recall that the Berlin Treaty of 1884 dealt [with] African territories like a pack of cards. National boundaries then proclaimed cut across tribal and clan groupings as well as wildlife migration routes, fragmenting eco-systems and threatening biodiversity. The establishment of peace parks strives to correct these past injustices and ensure that a high level of biodiversity is maintained through the joint management of these resources”. While referring to the impact of border drawing on human groupings, the main emphasis nevertheless is put on the influence on biodiversity. The same is true for a project brochure of the MDTP where the well-being of nature and humans is put side by side. The cooperation between Lesotho and South Africa should lead to “economic development, management of migratory animal populations and peace and reconciliation among communities divided by a national border” (Derwent et al. 2003: 19).

Being on the verge of finishing its five years implementation time one could assume that the MDTP has worked on ‘tearing down’ the border – at least partly. As in the experiences of the majority of villagers the MDTP played only a negligible role, one might ask what was done in the name of the ‘transfrontier’ aspect of the project? And how does this affect the interaction of the rural Basotho and the sign of state presence respectively their state?

The work done

The transfrontier aspect of the policy and work of the MDTP is examined on four levels: project representation and build-up as well as project work on a national, regional and community level.

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92 See the Website of Peace Parks Foundation (www.peaceparks.org/faq.php?mid=300&pid=82, retrieved 17.06.2007).
In its aim to be ‘transfrontier’ the project always refers to the ‘frontier’ that it aims to ‘transgress’ and thereby actually strengthens. Examining representational project materials, the maps of the project area are always at the forefront. But instead of representing one closed bioregion they represent a bioregion with a part in Lesotho and one in South Africa. The same holds true when one examines an organisational chart of the project. It is headed by a bilateral Steering Committee consisting of representatives of both countries. While there are some bilateral monthly working groups, the remainder of the organogramm is divided according to country and strongly shaped by respective national interests. On a national level, it crystallised from project documentation, participation and observation during the Bilateral Strategy Meeting in January 2007 and interviews with project staff, that ‘transfrontier’ is used primarily in relation to tourism and bioregional planning. Transfrontier National Parks are the ultimate catalysts of the transfrontier element but so far are either still in the planning phase, e.g. the union between Sehlabathebe National Park (Lesotho) with uKhahlamba Drakensberg Park (South Africa) or only a vision, e.g. a union between a proposed Protected Area in Liqobong (Lesotho) and Golden Gate National Park (South Africa). Besides transfrontier bioregional planning a common safety and security strategy with “cross-border control of problems such as fire, pests, poaching, pollution and smuggling” (Derwent et al. 2003: 19) is drafted. Zooming in on a more regional level to the Northern part of the project area, the main transfrontier link is collaboration between the Golden Gate National Park South Africa with the MDTP Butha-Buthe via the Golden Gate National Park Forum93. The direct link between the Free State Community Facilitator and the district office Butha-Buthe seems to be non-existent, possibly due to a change in office holder in the Free State in January 2007. Transfrontier work on a community level seems to be hampered by the fact that the project was publicly introduced only in Lesotho, but not in South Africa. During the bilateral meeting of the MDTP, I was pointed towards a MDTP-initiated meeting of two communities belonging to one clan divided by the border, the BaTlokwa94. Another initiative is the study tour of the MDTP-initiated Basotho Handicraft Association95 to South Africa with Community Facilitator ‘M’e ‘Marethabile.

As pointed out by Spierenburg & Wels (2006) and demonstrated here, while pretending to break down real (state borders) and figurative fences (hindrances to community participation), TFCAs only do so partially. Today, the limited transfrontier links of the project are confined nearly exclusively to intra-project documentation and relations. The border is still visualised on the maps, it is still reified in the name ‘transfrontier’, the project is governed by two national Project Coordination Units following partly national agendas – in sum the project does not seem to

93 This forum aims at community participation and stakeholder representation in the park management.
94 See also Maloti-Drakensberg Transfrontier Project (2006a).
95 For a full introduction and more background to this association see Chapter 5.
bridge the border, not even conceptually\textsuperscript{96}. A safety and security strategy along the border even suggests a hardening. Now, how does the local population interact with the border as social construct and the transfrontier linkage? This will be examined in the next section.

\textbf{The interaction}

An examination of the villagers’ interaction with the transfrontier work of the MDTP starts again with an enquiry into the level of awareness about it. Only seven out of 50 interviewees in Nyakoaneng (II) are aware of the transfrontier aspects. For the majority of these seven, the MDTP does not have any influence on the existence of the state border between Lesotho and South Africa. A trainer in handicraft skills says “the MDTP makes the borders only for tourists more permeable”. Termed before as disregard, the interaction pattern of the majority is unawareness confirming that neither the MDTP nor its transfrontier work is a central factor to the life projects of the villagers. Not even the members of the handicraft group, who went on a study trip to South Africa which serves as an example for a MDTP transfrontier link on a communal level, know about it.

As outlined earlier, the border is experienced as locally relevant in that it is referred to as marker in the landscape hindering people in their movement and as marker of identity. For other aspects, e.g. social networks and economic activity, it is not perceived as meaningful boundary but transgressed. The transfrontier aspect of the MDTP does not influence this interaction in the border context. More meaningful here is how the MDTP through the MRC enhances state presence on the ground – as soon as it is lawfully part of the Community Council, people will have to acknowledge and interact with it. This acknowledgement enhances state presence in their lives and therefore heightens the border instead of tearing it down. This extension of state power refers me back to Ferguson (1990). Deconstructing the discourse on the ‘transfrontier’ aspect, one does not find a ‘need’ expressed by the local population to tear down the border. This is expressed by the PPF that, neglecting the history of the last 120 years, “strives to correct [...] past injustice”\textsuperscript{97} of the Berlin Treaty and to re-unite what is perceived as being different by the Basotho of Lesotho – the Basotho on both sides of the border. The interviewees established an identity of Basotho of Lesotho with the Basotho of South Africa being their ‘other’ in terms of lifestyle and land ownership. Even though this is enforced through increased state presence, it is not hindering them in having ‘transfrontier’ economic and social space anyway.

Combining this with the mapping discussion, the MDTP planners take space as abstract and map out a transfrontier bioregion which should translate into cross-border contact between

\textsuperscript{96} See Wollmer (2003) for similar findings in his analysis of the Zimbabwean involvement in the Great Limpopo Transfrontier Park.

\textsuperscript{97} See the Website of Peace Parks Foundation (www.peaceparks.org/faq.php?mid=300&pid=82, retrieved 17.06.2007).
communities. People occupying this space experience it as local and relative and claim this land as their lived space in which the transfrontier aspect does not materialise. This is also due to the fact that the transfrontier links are mainly intra-project links established for furthering tourism and biodiversity, but not targeting the people living at and with the border.

In fact, by following up on the local governance discussion, on the Lesotho side of the border the MDTP enhances the reach of the Lesotho state down to the local level by enhancing or creating state institutions locally, backed up by MDTP resources\textsuperscript{98}. Instead of tearing down, the transfrontier project actually seems to create the border by reifying what it wants to overcome – the frontier between the Basotho of Lesotho and their ‘other’, the Basotho of South Africa. In sum, the establishment of a transfrontier area does not tangibly decrease the significance of the state border – at least not in the research area. The vision of the TFCA promoters, a “return to more locally relevant boundaries” (Duffy 2006: 95) as opposed to the arbitrariness with which most African borders had been drawn on the colonial sketch board, seems not to mirror the experiences of the local population.

4.5. Conclusion

This chapter introduced the second area of interaction: ‘Conservation’ and outlined how the MDTP’s mapping activities and its pilot projects communicate its territorial claims. Interweaving all I have argued so far, on land legislation, local governance, local institutions and the territorialisation practice of the MDTP, I refer again to Ferguson (1990). While his study on a World Bank Project in Lesotho was more top-down as is my analysis, nevertheless some interesting parallels can be seen when one asks his question: What does the development project and its idea do on the ground, whether intended or not? As outlined in this and the previous chapter, there are (unintended) political consequences on local government level. The introduction of the MRC increases infiltration and enhances the locality of the Community Councils and of the Lesotho state apparatus in general. The idea of conservation backed up by territorialisation leads to possible state influence on local land use and ridicules the ‘transfrontier’ aspect of the MDTP. Through strengthening the state and concentrating only on transfrontier intra-project links, the border is strengthened instead of diminished.

Another effect of the conservation area is that the water resources of Lesotho are protected; it is at the sources of the Caledon and the Senqu River (in Mokhotlong District) that Protected Areas are proposed. These water resources are of interest for both states, for South Africa through the LHWP and for Lesotho for the royalties from this project. More parallels with

\textsuperscript{98} See Duffy (2006) for a similar argumentation on other TFCAs in Southern Africa.
Ferguson (1990) emanate from an examination of the discourses. The discourse on the threats to biodiversity emanating from local land use as it is practiced at the moment, qualify the local population as backward and ignorant, targets for ‘capacitation’ modules. Similarly and as outlined earlier problematic social relationships, e.g. the placing of the MRC members within the traditional structure, are tackled with technical solutions, as trainings, because changing skills is more easy than changing structure.

In taking the pilot projects as points of interaction I found that the majority of the villagers is not aware of the MDTP, let alone the MRA. Nevertheless the conservation agenda through the above outlined mechanism is influencing their lives. The locals acknowledge what is presented and subsequently shape it to fit their life projects. They express four patterns of interaction with the land claims of the MDTP: Protest, Disregard, Commitment and Instrumentalisation. While conservation is important for the MDTP staff, this idea is not central to most of the livelihoods and life projects of the local population.
Chapter 5

‘TOURISM’ AS AREA OF INTERACTION

5.1. Introduction

Lesotho is pinning its hope on tourism to accelerate economic and social development. The MDTP is joining in, declaring the economic development of the local population via nature-based tourism to be its secondary objective.

Analysing this third area of interaction, I will argue that neither tourism nor development via tourism is a goal but that tourism is a means for all actor categories. The MDTP, implemented by the Lesotho government (MTEC), is using nature-based tourism as an incentive to invoke the desired land use conservation and as part of its territorialisation practice. From the interaction of the villagers with tourism, the pattern instrumentalisation emerged. Tourism is used by them to meet non-land related ends.

After portraying Ntate Lejone, a local developer, I will introduce the tourism component of the MDTP’s work. The following section is dedicated to the analysis of the interaction of the local population by introducing the points of interaction. These are tourism-related associations and consultancy visits. In this analysis an emphasis is on the diversity of people, that I refer to as ‘the locals’ or villagers.

Ntate Lejone – the Local Developer

Ntate Lejone is the 32-year old son of the family I lived with, and co-owner of a B&B. He lives together with his parents and two brothers. Three more brothers are temporarily working in South Africa. Five other siblings are married and have their own homes. Like 98% of the villagers, his dad had worked in the mines and returned in 1998 to work on the same land as his wife had worked on during his absence.

Born in Nyakoaneng, Ntate Lejone visited the Primary School in Ha Molapo for eight years, during which he was also partly responsible for herding his dad’s cattle. As a 19-year old high-school graduate, driven by peers and the wish to support his parents, he started working for the LHDA, like everybody else at that time. Witnessing that those with a university degree earn more, he dropped the work after two years and decided to go and study Electrical Engineering at the Technical University in Pretoria, South Africa. Coming

99 See e.g. the speech of King Letsie III, transmitted on Radio Lesotho on 15.3.2007, on the occasion of the opening of the new parliament.
back after four years, he aimed to take up working for the LHDA or Vodacom, but both were not operating in the region anymore.

That year, in May 2002, he and his brother created the B&B “out of nothing” as he said, and they welcomed their first guest in September 2002. They involve the community, through purchases at the local shop, cultural performance shows and pony tracking tours. They became ‘famous’ in October 2003 when state and development project representatives visited them, promising financial help. This is how he got into contact with the MDTP.

In April 2004, the MDTP set up the District Steering Committee (DSC) to involve all tourism stakeholders in Butha-Buthe district, including civil servants. Ntate Lejone represented the B&B and still is secretary of the DSC. He believes that the 42 members were picked arbitrarily and only come for the allowances or for securing further benefits like trainings. According to him, the MDTP only sustains the ‘ineffective’ structure in order to proof activity on the ground to the World Bank. For Ntate Lejone, the benefits of the MDTP at the moment do not show in conserved areas but more in improved local livelihoods through participation in associations and trainings. He benefited from hospitality training, environmental management training and cultural heritage and archaeology training. Through his work with the MDTP he gets into contact with consultants, whom he usually invites to the B&B. Although, he feared that they could copy the idea and support it with money at another place, like the nearby village of Malefiloane.

In order to change behaviour, the MDTP should motivate the local population through money, food or recognition via certificates, because they do not own the idea of conservation and have other things on their mind. He critiqued that civil servants and project staff receive salaries and allowances, while locals should work voluntarily, e.g. the MRC. Further, he uttered that those with education always think they know better and therefore do not understand the people in the villages, undermining the latter’s position.

The family household farms five fields and sharecrops one more field. In the summer they grow sorghum and maize and in the winter peas and wheat, which is usually enough to sustain the family for one year. His mother mostly earns some money by selling vegetables. Because of this year’s drought, it is the income of the B&B that supports the whole family. Ntate Lejone does all sorts of piece jobs in order to complement it: the DSC meetings (allowances), the assignment for an archaeological survey on the Butha-Buthe Plateau by the MDTP, the work for the Independent Electoral Commission during the National Parliamentary Elections. Together with his brother, he founded associations to enhance community participation in the B&B and earn some more money: The 'Moteng Pony Tracking Association, the Mahaneng TOURAssociation and the Manka Farmer
Association. He believes that, once the government would make sure that everybody has a job, there would be no need to provide pensions or free primary education anymore.

Ntate Lejone would like to own a piece of land for himself, because owning land means owning everything. Having a piece of land one is somebody and is seen as a responsible person. The land should be in Butha-Buthe with a nice brick house and a vegetable garden, because his fiancée is there, working full time and studying. When he marries her, he has to pay a Lebola\(^{100}\) of 21 cows. This payment is connected with pride for him and will bind the two families. He already bought a wedding ring in Bethlehem, South Africa. He rejects the modern marriage contracts which would allow his wife to take half of their goods in case of divorce. At a later stage, he would like to live more rural and either open a tourism establishment or extend the existing B&B with two more chalets, running water, and a good tarred road. At the moment he applies for jobs that are advertised in the Public Eye\(^{101}\).

The portrait of Ntate Lejone illustrates the economic dependency of Lesotho on South Africa. The Basotho work in the mines of South Africa or in co-financed projects like the LHWP, study in South African universities and go shopping across the border. Additionally, it points to the fact that, besides this monetised economy, the Basotho continue working on their fields. Land does not only provide subsistence but enhances status in the village society. As outlined more generally in Chapter 1, Ntate Lejone and his family use the land for grazing, farming, vegetable gardening and as place of residence.

The family can be seen as relatively wealthy in terms of monetary income, number of fields, housing, labour force available and social standing as the father is Ntate Thabiso, who I introduced earlier as member of the Village Committee. Referring back to Crewe & Harrison (1998: 174), they argue that “participation is likely to be an alliance between local elites”, of which this family is definitely part. Ntate Lejone alone could attend three MDTP trainings, and the community involvement of the B&B includes other members of the local elite (such as the local shop owner, Village Committee members). From the portrait emerges the main pattern of interaction; instrumentalisation of the project towards either material gain through allowances or knowledge gain through trainings. For Ntate Lejone, the networking with consultants that allows him to draw attention to the B&B is important.

As will become clear throughout the chapter, Ntate Lejone put himself fluidly in different categories, which is not contradictory to him. He presented himself as ‘a local developer’, opening a B&B and propagating community participation, as ‘an educator’, teaching villagers in the Manka Farmer Association how to grow potatoes, or as part of ‘the locals’, whose interests

\(^{100}\) Lebola is the Sesotho word for bride wealth.

\(^{101}\) The Public Eye is the main newspaper of Lesotho.
are undermined by the state (civil servants) and the MDTP (project staff). The boundaries of his identity are fluid, as are those of others.

On a final note on this portrait Ntate Lejoone pointed to his needs and desires, being employment, running water and a road to the B&B. Adding electricity to this list makes it representative for the entirety of the villagers. Although this might be a nice list for developers following Ferguson (1990), technical problems solvable with technical solutions, their focus is on land, natural resources and nature-based tourism.

The points emerging from this portrait will be addressed further when looking at the interaction of the local population with the project.

5.2. The MDTP, Nature-Based Tourism and Territoriality

Before analysing these interactions, I present a more comprehensible overview of the secondary objective of the MDTP, nature-based tourism.

As outlined in Chapter 4, the MDTP involves communities through Integrated Conservation and Development Programs (ICDPs). These offer new income generating strategies like nature-based tourism, which should transform communities into stakeholders of the conservation idea. Generally, ICDPs are objects of critique for several reasons, like creating unfulfilled expectations or creating higher inequality in distribution and less reliability of income than anticipated. Furthermore, nature-based tourism asks for lifestyles that are ‘authentic’, ‘traditional’ or ‘close to nature’. This contradicts with the aim to contribute to development of the local population, e.g. their ‘modernisation’. Nature-based tourism not only commoditises traditional lifestyles and culture making them serve conservation ends but it also commoditises land, tangibly reducing access of local communities to natural resources by claiming space for tourists and their facilities.

With respect to the MDTP, it became clear during discussions on a bilateral meeting, that its staff had departed from an earlier strong assumption that tourism would change behaviour around land use. Instead of thinking of tourism as “the” strategy offering an “alternative” livelihood, the disposition is now to think of it as “a” tool offering an “additional”

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102 See West & Brockington (2006).
103 See Orlove & Brush (1996).
104 Others have argued that ecotourism in particular serves political and economic interest – thus power. This is described by Kuper (1999), and in the context of tourism implicitly exemplified by Schramm (2004) and her research on how cultural heritage in Ghana is marketed through tourism to serve political and economic interests.
106 Bilateral Meeting held on the 17./18.01.2007 in Butha-Buthe, Lesotho.
livelihood strategy\textsuperscript{107}. For the South African part there was the realisation that locals do not benefit from the possibilities. The reasons discussed were the “lack of confidence” and the “fear of responsibility”\textsuperscript{108} of ‘the locals’. The ‘failure’ of the nature-based tourism possibilities to offer alternative livelihood options was located in the ‘inability’ and ‘incapacity’ of the local population. Interpreted like this, the situation can be improved by offering more training, or as put by Crewe & Harrison (1998: 44) “cultural barriers are portrayed for example to derive from ignorance and therefore it creates the need to educate by the promoter of the technology”.

The MDTP staff recognised that nature-based tourism can only be an additional livelihood strategy and therefore cannot be a motivator on grand-scale, which would be necessary when their other belief, that ‘the locals’ need to ‘first eat then conserve’\textsuperscript{109}, expressed during the bilateral meeting holds truth. In addition, taking nature-based tourism as motivator for local participation in conservation goals, neglects on the one hand that it only is an additional livelihood strategy and on the other the strong possibility of differing goals of ‘the locals’\textsuperscript{110}. Both points will be discussed in the next section.

\textbf{Some comments on skin colour, gender and power}

As outlined by Crewe & Harrison (1998: 47), “racial identity although rarely mentioned directly within development agencies is certainly relevant to development”. This relevancy could be observed in the research context.

Generally conservation is perceived as a white agenda. The idea is portrayed as rooted in the nature reserves of colonial officials dedicated to hunting and timber extraction. The majority of consultants contracted by the MDTP Lesotho as external experts, whom I witnessed were white and from South Africa, with one exception a consultant from Nigeria. Taking a look at the composition of the South African project members as outlined on the website (see \url{http://maloti.openems.co.za/site/about/project_members/}, retrieved 27.06.2007), nine out of thirteen are white and they are in the decision making positions. During the meeting of the bilateral steering committee in Butha-Buthe in January 2007 I observed that all white participants were indeed part of the South African PCU. Examining their functions, the black and coloured people in the South African Team were either Community Facilitators or part of an implementing agency, like KwaZuluNatal Wildlife. From skin colour to gender I observed four women and 16 men present. The women were in roles such as Community Facilitators, Socio-Ecologist and Tourism Specialist. An overwhelming majority of those who spoke up were white and male and putting conservation and biodiversity first: “Development is just a tool for conservation to get along”. Draper et al (2004: 343) connect it to the development of TFCAs by arguing, “that through the TFCAs the PPF manages to foster cohesion between the old – mainly white – and new political and business elites in post-apartheid South Africa”.

\begin{figure}[h]
\includegraphics[width=\textwidth]{figure14.png}
\caption{Supplementary Information on Skin Colour, Gender and Power}
\end{figure}

\textsuperscript{107} See also Dressler & Büscher (forthcoming).
\textsuperscript{108} Both quotes are from a discussion in the Livelihood and Tourism Working Group, 17.01.2007 during the Bilateral Meeting held on the 17./18.01.2007 in Butha-Buthe, Lesotho.
\textsuperscript{109} See as well the statements of the RSA Tourism Planner in the Financial Mail, 5.08.2005 (online at \url{www.peaceparks.org/news.php?pid=160&mid=561}, retrieved 17.06.2007)
\textsuperscript{110} See Spierenburg & Wels (2006)
Rather than as incentive, nature-based tourism can also be viewed as part of the MDTP’s territorialisation process, with the side effects of commoditisation of land and traditional lifestyles, and reduction of access to land and natural resources by the local population. Land is again classified, e.g. as ‘development node’, protected area, pilot area or an area of extraction of resource for handicraft production. Through committing to nature-based tourism, people’s dependency on land in a certain appearance – a conserved one attracting tourists – will increase and ‘force’ them to conserve the land. The boundaries and the appropriate behaviour are communicated through a diversity of means: mapping, local markers, consultancy reports, public gatherings or trainings. The infiltration of local networks with training beneficiaries possibly leading to social pressure on others can be identified as (momentarily weak) enforcement measures.

Whether nature-based tourism really enhances the aim of conservation will be further analysed in the next section.

5.3. Nature-Based Tourism and its Points of Interaction

The work of 'M’e Marehable, MDTP Community Facilitator for Tourism and Development, brings forth two points of interaction. In the following I first of all briefly analyse how ‘the locals’ interact with tourism consultants and secondly and more extensively how they interact with tourism related associations.

a) Consultancies

The overall tourism plan of the MDTP Lesotho is drawn up partly by external experts. In those locations that will be included, they establish contact with the local population, for whom they embody the project and its ideas.

In February 2007 I accompanied two white South-African Adventure Tourism Consultants for a visit to the ‘development node’ Malefilaoane. They aimed to include a specific sub-village into their proposal. After a short detour via the Mamohase B&B of Ntate Lejone, which inspired the consultants very much, we went on to a sub-village of Malefilaoane. It is only accessible by foot, by horse or by a 4x4 and was proposed by an earlier consultant as a potential stop on a

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111 Development nodes are areas with clear boundaries, e.g. Malefilaoane, that are seen as less developed and more in need of development than other areas.

112 This chapter will not give an overview over the complete tourism strategy of the MDTP. It rather shows how the ‘locals’ in the Butha-Buthe district deal with certain tourism initiatives.
walking trail through this part of Lesotho, connecting several B&Bs. In June 2006, one woman was appointed to open a B&B as there is none in Malefiloane so far. The consultants were apparently mesmerised by the landscape, the river and the long mountain range, by the ‘picturesque’ huts and the ‘purity of traditional life’. On the moment that we disembarked the vehicle, nearly all villagers gathered and accompanied us to the future B&B owner. She was pleased by our unannounced visit. Unfortunately she did not speak English and communicated only via the Community Facilitator. Besides visits of consultants, she had not yet seen any step towards the opening of the B&B. Trainings in hospitality, announced for December 2006, had not yet materialised. On the way back to the car, the two consultants were busy thinking about bringing future and currently operational B&B owners together in order to learn from each other, and about the creation of a camping place and the right route for the hiking trail.

Several issues emerge from this little episode between the Adventure Tourism Consultants and the local population.

In a first instance, the influx of tourists and their money would certainly lead to a modernisation of life in Malefiloane, which could include satellite antennas ‘ruining’ the ‘picturesque’ scene, or the local demand for an improved road, undermining the aim of attracting 4x4-tourism. This exemplifies how nature-based tourism is trapping itself. By being a vehicle for development it changes the very basis on which it is marketed.

How does nature-based tourism act as additional livelihood strategy? With the MDTP ending in December 2007, the future B&B owner has in fact not benefited from nature-based tourism yet, not even as additional livelihood strategy. Her only contact to the MDTP, besides occasional public gatherings, had been the tourism consultants. Having spent three days in her

Figure 15: Panorama of Malefiloane
house myself, I suppose tourism as envisioned by the MDTP could become an additional livelihood strategy for her, with the side effect of increased local status and access to knowledge through trainings for her grand daughter who speaks English – but it is not yet. What becomes apparent is the exclusiveness of community participation initiatives. While including her (and her cultural dancing group), the remaining villagers are excluded. Along with West & Brockington (2006), I argue that those engaged in non-tourism related livelihood strategies are neglected or silenced in community participation approaches of that kind. Furthermore, through a possible inscription of a camping space and a hiking trail on the land it might limit them in exercising those. Thus, as stated by Spierenburg & Wels (2006), land is claimed for tourism and locals are excluded.

Coming back to Ntate Lejone, the visits of consultants for him are a tantalising element. On the one side, they constitute access to funds for the desired extension of the B&B, on the other they could copy his idea, support others and thus create his competition. In general, he thinks that the creation of more B&Bs is short sighted and unsustainable. These appointed B&B owners are not as committed as he and his brother are and there is not enough potential for all of them – there are barely sufficient amounts of tourists for their B&B. I argue that he knows the rules of engagement with the project and the locals – being part of both. Towards the project, he is a ‘beneficiary’ and a stakeholder who will not bite the hand that feeds him. This attitude allows him access to the possible benefits. Towards the locals, the interaction with the project and its (white) consultants enhances his status, as it distinguishes him from the mass, presenting him as knowledgeable and charitable. From his interaction with the consultants, as with the project in general as outlined in the analysis of his portrait, instrumentalisation as pattern emerges.

One ‘local’ is not like any other, the diversity of the interests and the different life projects play of course a role in how people interact with consultant visits. While for Ntate Lejone this is a two edged sword, the future B&B owner seems to have everything to gain and the remainder of the sub-village seems to be excluded.

b) Associations

In this section I analyse a new and an existing association as points of interaction and present patterns of interaction that emerged. I further point to the complexity and diversity of the actors within the actor categories, which are all too often neglected.
The new association – Handicrafts

I first present an overview of the association and its work with some analytical details before I analyse it as a point of interaction.

The association “Baballa lihloiloeng me o Phelile Malefiloane” is formed by 21 trainees of a six-weeks handicraft training, provided by local practitioners of leatherwork, grass work, pottery, art weaving and horn work. The training was initiated and funded by the MDTP.

Despite penalty fees, only seven out of 21 members are on average attending the weekly meetings. Others are on maternity leave, engaged in a temporary paid job, out on the cattle post or have other commitments. The meetings start and end with a prayer, are usually led by the Community Facilitator ’M’e ’Marethabile and minutes are taken in a records book. The association sells their products to three curio shops, lends money to members and organises study trips. According to the record book, individuals monthly sell 1 to 18 items worth 3 to 25 Maloti each. 10% of the individual monthly income remains in the association, which received 917 Maloti over the last 6 months. Each individual can borrow money at an interest rate of 10% over a period of 3 months, after which an additional penalty of 15% applies. The members borrow money in order to pay for school fees and study trips, as well for purchasing medicine, soap, sewing thread and gas. Study trips to an agricultural exhibition in Butha-Buthe and to South Africa (Fouriesburg and Clarens) helped in gaining inspiration for their own work and in exploring new markets. There are several issues that the association is working on. First of all, the group applied for and was allocated a site on which they aim to build a multifunctional shed for meetings, storage and selling. A second issue, the opening of a common bank account is delayed by the absence of one of the Committee Members. Thirdly, the constitution still needs to be finalised and registered in Maseru.

113 This is based on my observations during seven meetings, one study trip and interviews with the members. To be taken into account is that the Community Facilitator of the MDTP assisted with all the translations.

114 Translation: “We conserve to live out of what we conserved, Malefiloane”.

115 17 women and 4 men aged between 27 and 62 years
Looking at the name of the association, one can directly point to the fact that the MDTP uses it to promote its ideas of conservation, besides attempting to render conservation directly relevant to the lives of the association members. The members, on their turn say that they know that the MDTP conserves biodiversity and only now, through using natural resources they know how important this is. The members thus perceive that they use natural resources now as handicraft association member, and have not done so before. For me this points to the fact, that they do not link conservation as land use to their daily activities such as farming.

The members joined the association because they can learn from the trainings (in handicraft production and record keeping) and earn money – thus gain in knowledge and material. The association also offers a safety net through lending money of which the members make extensive use. Further into the non-material level, I observed that the members appreciated the study tours that help them to break out of their small world and literally looking beyond the border, when travelling to South Africa. Moreover I observed that mainly the female members used the hours of the meeting to dress up and to socialise with other members. The meeting, although squeezed into daily commitments, allowed them some liberty and control over their time. The way their weekly meetings are set up show an accommodation of other daily commitments. The meetings start at eleven, to allow for work on the field before the sun is too high, and are suspended altogether for the period of harvesting, usually at the end of May/the beginning of June. One member said that it is during the meetings that she produces most of her handcrafted hats, as her daily schedule does not allow much time otherwise. Another said that she gave up beer brewing in exchange for the handicraft production, which is an easier way to earn the money necessary for the school fees.

I suggest that, although they participate with and gain from it in a variety of ways, neither tourism nor conservation is central to their life projects. The handicraft production is filling the gaps in their daily schedules and their purses. In light of the latter it is interchangeable with other livelihood strategies. As outlined by Turner et al. (2001: 5), in creating livelihoods composed of different strategies, the locals “must tackle tensions between livelihood motives and values, balance threats and opportunities, and strive for strategies that make the most of fluctuating personal relationships within households, between households and across the local and broader community”. The members of the handicraft association, as well as Ntate Lejone and the future B&B owner instrumentalise the relationship with the MDTP, which leads to an additional interchangeable livelihood strategy but not to commitment to the idea behind.

On a final note, the Community Facilitator ‘M’e Marethabile’s and her way of ‘facilitating’ the development of the group is put under pressure by the MDTP head office in Maseru. With the introduction of a new time monitoring system, her work is qualified as inefficient, as she takes too much time for the association. While her vision on community participation involves the personal development of each participant in the sense of encouraging them to try new ways
and to take their chances, as well outside the context of the association, the head office seems to rely on technical handicraft training.

Summing up I argue that the members of the handicraft association instrumentalise their participation to diversify their livelihood and to meet some of their non-land related ends. This still leaves ‘tourism’ peripheral and ‘conservation’ unimportant, relative to their livelihoods and life projects. Enforcing territoriality through tourism seems not to work. While verbally acknowledging the projects priority in conservation as land use, the people shape it towards fitting into and being part of their own life projects. By focusing on providing additional livelihood strategies, the MDTP, at least the head office, underestimates that locals could potentially gain in other ways from their participation.

**Other associations**

Besides establishing this new association, ‘M’e ‘Marethabile, the Community Facilitator had to revive ‘dormant’ associations. When trying to do so with the ‘Moteng Pony Tracking Association, initiated in 2003 by Ntate Lejone and his brother, different perceptions of how an association has to function clashed. According to the brothers, the association was founded as a means to involve the local community in the business generated by the B&B. Acting as ‘local developers’, one as the chairperson and the other as the secretary, they demonstrate the members how an association is supposed to work, e.g. by giving them pricing guidelines. Meetings are only held when necessary and are perceived as not so important. When the B&B has guests who want to do a tour, Ntate Lejone has a list according to which he asks certain members to bring their horses. After the tour, the money for the guide remains at the B&B and the horse owners receive their share.

From the brother’s point of view, the situation is that they are interested in providing more facilities to the tourists visiting the B&B. At the same time, through involving associations, they realise community participation as desired by possible funding institutions, like the MDTP. This image helps them in gaining access to benefits like the hospitality training by the MDTP, further consultancy visits with possible new investment and more tourists visiting them.

From ‘M’e ‘Marethabile’s point of view the association is dormant and a puppet of the B&B. The challenge lies in transforming it into an active association that meets regularly and is de-linked from the B&B. Given on the one hand the difficulties of contacting the association due to the irregularity of the meetings, and on the other hand the firm grip the brothers have on the members, she abandoned her efforts to reform the association. Now she concentrates on another group of horse owners for the building of an association. She perceives the brothers as being materialistic, unsatisfiable and elitist, because they believe that they are entitled to more support.
than others. Furthermore she does not think that the community involvement of the B&B is
done in a fair way, as the brothers dictate the rules of engagement. In order to help spreading the
benefits better throughout the community, she allocated a birding training with a third person, so
as to allow the brothers to hire him.

Back to the brothers, they are locally well established and the whole family is engaged with
local and national polities as well as with development initiatives116. With regards to the MDTP,
both profited from its trainings and allowances as member of the committees, while opposing its
initiatives where these are contra to their interests and contesting their position as local
‘developers’. While blaming those “with education” for undermining the villagers, Ntate Lejone,
educated himself, and his brother do themselves act as ‘developers’ and give guidelines, because
the locals would, as they say, “not understand” how to do it.

Asking who is in the driving seat of development projects, Crewe & Harrison (1998) point
to the complexity of power relations especially between ‘local’ office holders, like the brothers –
intermingled in several associations or groups – and the implementing staff of development
organisations – like the Community Facilitator. The tourism initiatives of the MDTP are not
always and everywhere welcomed with open arms. On the contrary, my analysis points to the
importance of differentiation within ‘beneficiaries’ of development efforts and to look at
individuals and their working relationships.

To sum up by analysing the interaction I showed that ‘the locals’ or the ‘rural Basotho’ are
categories which are fluid and open. Those thought of as being passive at the receiving end of the
development chain are actors engaged in their life projects and do utilise e.g. membership in
associations in their fulfilment of the latter. Ortner (2005) describes the projects as being both
the source and the effect of power and culture respectively, and as based upon subjectivity
defined as “a specifically cultural and historical consciousness” (ibid: 34). The rural Basotho
engage in subjective, culturally and historically constituted life projects. Addressing these with a
one-fits-all-solution like nature-based tourism, leads to a variety of patterns of interaction – all
showing how peripheral the universal motivator in cultural context is. The Basotho either oppose
the tourism offers out of power-political interests, or they take part, which leads to the adoption
of an interchangeable additional livelihood strategy and to non-material gains such as knowledge
and control over time117. In the latter case, as concluded in a similar analysis by Crewe &

116 They had been involved with other development initiatives, e.g. the LHDA initiative leading to the
establishment of bee-hives as income generating strategy.
117 In their analysis of Amazonian eco-politics, Conklin & Graham (1995: 706) present a strong case of
agency. They argue that “cultural identity constitutes indigenous peoples’ most effective source of political
power” as long as this is resonated by global trends. In recognising their dependency “they actively sought,
and often found, ways to preserve a degree of autonomy by taking the skills and resources acquired from
outsiders and turning them to indigenous purposes” (ibid: 706), so are they reshaping environmentalism
“into forms suited to their own objectives and realities” (ibid: 706).
Harrison (1998), people’s action can be explained by neither materialist nor functional motive only.

5.4. Conclusion

As pointed out by Crewe & Harrison (1998), the process of community participation is one of inclusion and exclusion. Those that are not participating are not only excluded from the project but also from this analysis. This should be taken into account by the reader. As discussed in Chapter 1 and taken up again here, the grouping of actors in categories, as done in my research question should not mute their diversity.

I argue that tourism is a means towards meeting different ends. The MDTP uses it as incentive or as part of its territorialisation practice through which it claims the land for conservation. Instead of shifting dependency of people away from land, tourism perpetuates an increasing dependency on ‘conserved land’ by those engaging in tourism. Currently, it is only a threat that other land uses and access to territory might be restricted due to tourism and conservation. As soon as the strategy is fully realised and the tourists become aware of the structures created, the land access and use forms might be restricted. Importantly it showed that for the majority of rural Basotho, tourism is not relevant to their life projects and livelihood strategies. For those that engage it is an interchangeable strategy of peripheral relevance. They instrumentalise the project for material and non-material gain while paying lip-service to the conservation discourse where necessary in order to maintain access to it. Tourism is not meeting its objective, neither as incentive nor as territorialisation tool. Rural Basotho claim and use their land in their own way, disregarding the tourism-component of the MDTP which only reaches very few. Those are instrumentalising what is offered in the enactment of their life-projects without committing to the idea behind. The additional livelihood strategy it offers is only one amongst a range of others that the rural Basotho follow. At the moment it is a promising one, where the next development project could offer something different.

\[118\] See Hughes (2006) who suggests that ‘community-based’ conservation and tourism projects left people worse off than before.
Chapter 6

CONCLUSION

The subject of this thesis is the combination of the inherently political agendas of conservation and development and where these meet and interact with subjective local life projects in Nyakoaneng (II). The political practices of conservation – “establishing and enforcing boundaries, curtailing subsistence activities, negotiating benefits” (Brosius 2006: 683) – meet the “anti-politics machine” (Ferguson 1990: xv) of development in the residence of the rural Basotho, the Kingdom in the Sky, Lesotho.

Analysing land as “key element of localisation” (Staring et al. 1997: 19) can show how rural Basotho appropriate global influences, like a transfrontier conservation project or national influences such as decentralisation attempts by the state. By identifying and analysing three areas of interaction between the rural Basotho, the local Lesotho state and the MDTP which I defined as ‘Institutions’, ‘Conservation’ and ‘Tourism’, I aimed to answer the following research question:

How do rural Basotho in the Butha-Buthe district claim and use land in relation to the local Lesotho state and in relation to the Maloti-Drakensberg Transfrontier Conservation and Development Project (MDTP)?

By focusing on agency, territoriality and development critique, several patterns emerged, which represent the ways in which the rural Basotho in the Butha-Buthe district interact with both of the outside influences. Straightforward, in relation to the MDTP these are disregard, instrumentalisation, commitment and protest, where the first two are the most prominent ones, and in relation to the local state institutions these are forum shopping and idiom shopping.

The thesis reveals areas of tension such as the one between territoriality and the agency of people. With the objective of conserving land, the MDTP has territorial claims which it enhances through producing authoritative knowledge – maps, and by zoning land for its pilot projects. The cooperating state is a prime initiator and the main beneficiary of ‘community-based development’ through enhanced presence (analogous to Ferguson 1990), simplified land administration (analogous to Scott 1995) and strengthened borders. The practice of territorialisation and what follows from it, decentralisation and development through tourism, is not only imposed on people but undergoes a flexible negotiation vis-à-vis local life projects. Territorialisation is practicing power, where those in power control or influence the behaviour of others by controlling territory. These others, the rural Basotho do reflect, evaluate and enact their life
projects upon and within these possible power constraints. This agency is culturally and historically constituted and based on subjective personal experiences. What is imposed upon them as new structure is transformed through interaction, which is informed by culture, history and personal experience. Contextually this means e.g. that in a changing instable local governance situation, the Basotho tend to rely on the stable institution of chieftainship and to shop for the most appropriate forum and procedure. A basis and a clear advantage in enacting life projects is awareness or knowledge on the context in which one’s action is placed. This is comparable with a game of chess, where knowledge about the strategies of the counterpart, besides knowledge about the rules is a clear advantage.

Although I wrote many words about local interaction I here again stress the fact that the development project and its doings is not known to a majority of the villagers. Neither the project nor its conservation aim are part of their life projects, their wishes, desires or fears – it is an external agenda. While biologists or social scientists like me refer to the region as belonging to a TFCA, this is an abstract reference, a name assigned to a region on a map. This is not how it is referred to by those living within – for them ‘TFCA’ is an alien concept. The MDTP only rarely enters their actual lived space. And I suspect that in general only a marginal number of all development projects actually does. While development projects have noble goals they are at the same time like a drop in the ocean, they only reach few, those that are informed and belong to the local elite. This situation results from a general alien, outside-informed focus or problematising of development endeavours. In Lesotho for example the focus is on land. While the villagers strive to diversify their livelihood mainly by finding non-land based employment, the nature-based tourism option of the MDTP increases exactly the dependency on land. Therefore the MDTP cannot be more than peripherally interesting through its tourism component, which offers merely an additional, interchangeable livelihood strategy option.

Another area of tension is between what the territorialisation of the MDTP ends up in – the global donor-driven uniform solutions for a ‘better’ world: privatisation of land titles, decentralisation processes and tourism-based development initiatives – and the cultural practice existent in the places these solutions are to be implemented. The cooperation of the state with the development project takes these solutions out of a political and into a technical development discourse. The implementation is then a black box, in which I brought some light by looking at how these uniform solutions are adapted in and to the local context. Though homogeneous on paper, tourism as well as decentralisation efforts turn out to be very specific when looked at through a magnifying glass in the Sesotho context. And in showing this, this thesis turns out to be readable in the light of globalisation theories and to add to the debate about the appropriation of global streams in local contexts. These are negotiated with the existing cultural practice and
thereby shaped to fit the culture and history and to add to the culturally and historically constituted agency.
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