

Khoisan Heritage Resources Associated with the Thyspunt Transmission Lines Integration Project



Report Prepared for SiVest Environmental Consultancy

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Executive Summary

This report, commissioned by SiVEST (Pty) Ltd, attempts to set out the concerns of a small sample of the Gamtkwa KhoiSan interest groups who registered as Interested and Affected Parties during the Thyspunt Transmission Lines Integration Project in the Eastern Cape. The theoretical framework used to interview these groups is borrowed from the National Heritage Resources Act (NHRA:1999) which defines cultural landscapes, as well as the United Nations Policy Paper criteria used for defining First Nation People (1989).

The report found that a memory of KhoiSan culture exists in the minds of the people interviewed, they regard themselves as indigenous on account of their descent from the populations who inhabited the country prior to and at the time of conquest and colonization. The establishment of the present State boundaries, irrespective of their legal status, does not mean that the KhoiSan people have lost their own social, cultural and political institutions. The current engagement with Environmental Stakeholders, and indirectly central government, is seen as a response to this lack of recognition of the displacement of the KhoiSan people from their traditional homelands in the Eastern Cape.

Their attachment to the land is the subject of review by several geneticists interested in the demographic history of human evolution. Behar (et al) constructed a matrilineal ancestry profile (mtDNA) of the present KhoiSan in Southern Africa and was able to demonstrate that their lineages diverged from the rest of humanity at 90 000 – 150 000 years Before Present. This time frame equates with the Middle Stone Age technologies in Southern Africa. By 40 000 BP and additional five lineages existed in parallel and occur in the KhoiSan mtDNA profile which equate with the Later Stone Age. The dispersal routes of these lineages are poorly understood but was further accelerated during the Bantu expansion in Africa. Studies suggest that early settlement of humans in Africa involves small, separately evolving populations.

At the point of colonial contact early travelers describe meeting nomadic Khoi and have left a substantial record of their cultural customs. More difficult, for the purpose of this assessment, is to pinpoint a memory of specific sites that relate to the intangible aspects of KhoiSan culture, such as areas where medicinal plants were collected, specific geographical areas where people were displaced from the landscape and specific songs, poems, skills and language that convey the memory of the Gamtkwa.

Using the UNESCO guidelines for cultural landscapes we conclude that evolutionary process came to an end at some time in the past, either abruptly or over a period of time. Its significant distinguishing features are however still visible in material form. They fall into two sub-categories, relic and continuing cultural landscapes. Archaeological sites, identified over several decades of academic research, and more recently by Archaeological Impact Assessments to comply with the NHRA (1999) speak to elements of relic landscapes. These landscapes are protected under sections 34, 35, 36 and 38 of the NHRA and are found widely dispersed in the study area, and are the subject of concern of the Gamtkwa KhoiSan interest group. The study corridors also contain elements of organically evolved landscapes in that they result from an initial social, economic, administrative and/or religious imperative and developed into their current form by association with and in response to the natural environment. There are also elements of an associated cultural landscape, where powerful religious, artistic or cultural associations with the landscape are significant, rather than embedded within historical physical fabric, which may be insignificant or even absent. On the basis of this it is recommended that an integrated map be developed that highlights the study corridors and the position of early farms and towns of the Eastern frontier that have relevance in the shaping of the cultural landscape. It is here that European and black pastoralists dispossessed and finally subjugated the last of the Eastern Khoikhoi.

The mapping of these heritage resources in the cultural landscape should be seen as opportunity, rather than an a constraint, and used as a management tool which will assist in red flagging areas that require further research, discussion and mitigation with all the relevant role players. The sites identified in the study corridors are of **LOCAL**, **NATIONAL** and **INTERNATIONAL** significance in understanding human adaption to the natural environment.

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1. Introduction & Brief

This report was commissioned by SiVEST (Pty) Ltd to investigate KhoiSan heritage resources associated with the Thyspunt Transmission Lines Integration Project (TTLIP) in the Eastern Cape. The TTLIP project entails the installation of transmission lines along a Northern and Southern Corridor, the upgrading of existing substations and the development of a new substation at Port Elizabeth (see Figure 1). The proposed power lines would allow the electricity generated at the Thyspunt nuclear power station to be transmitted to other parts of South Africa via a National Grid. A comprehensive account of this development may be found in the Draft Environmental Impact Assessments conducted by SiVest (Ref: 12/12/20/1212, 12/12/20.2011 and 12/12/201213).

The proposed development triggers a number of listed activities under the Environmental Management Act (Act 107 of 1998), one of which includes a Heritage Impact Assessment (HIA). This was undertaken by Van Schalkwyk in 2011 and the current report should be seen as an addendum to his report.

2. Terms of Reference (ToR)

It is proposed to identify and assess sites of significance to the Gamtkwa KhoiSan people from existing data banks and describe the culturally significant landscape relationships between them (where existing): in consultation with the people living in the Eastern Cape. This is intended to:

- Investigate the heritage impact of the proposed TTLIP project on the KhoiSan resources within the Study Area. This includes identification of sites of historical / cultural / heritage related importance for the descendants of the KhoiSan. This includes an investigation of the relevant KhoiSan oral history.
- As part of the above, local heritage specialist, and heritage resources centers must be consulted in order to assimilate their information held on KhoiSan related heritage in the study area.
- The potential impacts of the transmission lines and substations on KhoiSan related artifacts should be investigated and reasonable mitigation measures discussed for inclusion into the draft Environmental Management Plan.
- The study must consider the KhoiSan heritage related developments in the Honeyville area that include the relocation of human remains from the St Francis Bay to this area and how the proposed project will impact on these remains

3. Project Constraints

This report is an addendum to the existing HIA undertaken in 2011 and as a result only forty hours of consultancy time was allocated to interviewing KhoiSan interest group. The following key components, which are out-with the current ToR, but which are required to comply with the minimum standards for Scoping Heritage Impact Assessments should be referenced in the original scoping assessment reports.

1. The formulation of assessment criteria based on the criteria and grading system outlined in the NHR Act and the DEA&DP Guidelines for Involving Heritage Specialists in EIA processes with specific reference to addressing cultural landscape issues.
2. A historical overview of the origins and patterns of human occupation settlement and land uses over time.
3. The identification of morphological or landscape character zones to be used as the basis for developing an appropriate analytical framework to address heritage issues at various scales.
4. The identification and mapping of potential and known built environment and cultural landscape resources at various scales including *inter alia* structures older than 60 years, previously recorded heritage resources and formally declared heritage sites.
5. The formulation of statements of heritage significance of built environment and cultural landscape resources at various scales in terms of their historical, architectural, aesthetic, social and/or scientific value as well as more specific cultural landscape assessment criteria reference to above.
6. The identification of heritage issues and concerns, “hot-spot” areas which need to be subject to further investigation in terms of their potential heritage impacts.
7. The absence of a composite map that highlights site specific heritage objects and the integration of the findings and recommendations of the VIA in terms of a potential overlap between cultural landscape and visual issues.
8. Limited participation in a targeted consultation with the KhoiSan interest groups.



Figure 1: Regional context map (Source: SiVest Environmental Consultants 2011:30).

4. Methodology

4.1. CULTURAL LANDSCAPE TYPOLOGIES AND ASSESSMENT CRITERIA

The focus of this specialist study is the assessment of the impact of the proposed transmission line on the KhoiSan cultural landscape. The concept of the cultural landscape is thus briefly defined followed by a set of criteria relating to the assessment of significance of cultural landscapes.

4.1.1 DEFINITION OF TERMS AND LANDSCAPE TYPOLOGIES

The National Heritage Resources Act (NHR 1999) does not clearly define what is meant by the term 'cultural landscape'. There is only vague reference to it in the schedule of definitions. In terms of the definitions relating to heritage resource, place and cultural significance, a working definition of cultural landscape can be stated as:

“A place of cultural significance, which engenders qualities relating to its aesthetic, architectural, historical, scientific, social, spiritual, linguistic, technological, archaeological or palaeontological value.”

In light of this the following extract was taken from a set of definitions designed by Patrick & Winter (2009) for use in the Eskom Gamma-Omega Transmission Line in which “cultural landscapes provide the essential context for a range of heritage resources, which can take a variety of forms and are themselves a heritage resource in their right. It could be regarded as the tapestry within which all other heritage resources are embedded and which gives them their sense of place and meaning. The concept of cultural landscape gives spatial and temporal expression to the processes and products of interaction of people with the environment. It may thus be conceived as a particular configuration of topography, vegetation cover, land use and settlement pattern which establishes some coherence of natural and cultural processes. UNESCO identifies three broad categories of cultural landscapes:

- **Designed landscapes** clearly defined and created intentionally by man. This embraces garden and parkland landscapes most frequently constructed for aesthetic reasons.
- **Organically evolved landscapes** usually result from an initial social, economic, administrative and/or religious imperative and develop their current form by association with and in response to the natural environment. Such landscapes reflect the process

of evolution in their form and component features. They fall into two sub-categories, i.e. relic and continuing cultural landscapes:

- A relic landscape in which the evolutionary process came to an end at some time in the past either abruptly or over a period. Its significant distinguishing features are however still visible in material form.
- A continuing landscape, which retains an active social role in contemporary society closely associated with traditional ways of life, and in which the evolutionary process is still in progress. At the same time it also exhibits material evidence of its evolution over time.
- **Associated cultural landscape**, where powerful religious, artistic or cultural associations with the landscape are significant, rather than with historical physical fabric, which may be insignificant or even absent “

4.1.2 ASSESSMENT CRITERIA

The NHR Act (1999) lists the following broad criteria for assessing the heritage significance of a place including landscapes

- Its importance in the community or pattern in South Africa's history.
- Its possession of uncommon, rare or endangered aspects of South Africa's natural or cultural heritage.
- Its potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage.
- Its importance in demonstrating the principle characteristics of a particular class of South Africa's natural or cultural places or objects.
- Its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group.
- Its importance in demonstrating a high degree of creative or technical achievement during a particular period.
- Its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.
- Its strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa.
- Sites of significance relating to the history of slavery in South Africa.

4.13 GRADING CRITERIA

The NHR Act makes provision for a three-tier system for grading heritage resources, namely:

- Grade 1: significant within a national context
- Grade 2: significant within a provincial or regional context
- Grade 3: significant within a local context

5. Oral Histories

Two KhoiSan groups, the details of which were provided by SiVest as interest groups who had registered during the public consultation phase of the EIA were approached for comment. This list was expanded by Cape Archaeological Survey to include the names of local, provincial and national representatives of the KhoiSan interest group (see Appendix 1). The CAS consultant faxed/emailed an agenda to each group prior to the interview date on the 30 August 2012 (see appendix 2) and asked each group to think about the intangible aspects of KhoiSan culture that may be recorded and mapped within the study area; such as a community memory of places where medicinal plants may have been collected and songs or poems that relate to the cultural landscape.

A local heritage specialist at the Albany museum was also consulted regarding data held at the museum regarding KhoiSan sites, both tangible and intangible.

Group 1:

Gamtkwa Khoisan Council
Mr Kobus Reichert (based in Jeffrey's Bay)
Representative Gamtkwa Khoisan Council
Tel.: 042 296 2096
Fax: 042 296 0339
Cell: 072 800 6322
E-mail: kobusreichert@yahoo.com

Group 2:

Gamtkwa Khoisan
Chief Michael Williams (Loeries Hill)
Tel.: 042 287 0664
Fax: 044 287 0657
Cell: 076 201 6283

Gamtkwa Khoisan
Provincial Head Ms Margaret Coetzee
Tel: 0765524723

Group 3:

Ms Celeste Booth – Museum Curator
Albany Museum
Somerset Road
Grahamstown
Tel: 046 6222312
Fax :046 622 2398

5.1 INTERVIEW RESULTS

“Group 1:(Mr Kobus Reichert, (based in Jeffrey’s Bay) declined to meet or be interviewed by the archaeological consultant. His concerns regarding his withdrawal from this process are related to unresolved Public Participation Issues associated with the Environmental Impact Assessment (EIA) Process and the EIA consultant accordingly. Further details thereto can be obtained from the relevant Environmental Assessment Practitioner at SiVEST or alternatively can be obtained from the Issues and Response Report (IRR) within the Revised Draft Environmental Impact Report (DEIR).”

Group 2: The following information was collected by Teleconference, 30 August 2012, from Chief Michael Williams, of the Gamtkwa National KhoiSan Group of South Africa.. Their concerns which fall into two categories are highlighted below:

Group 3: Information sourced from the Albany Museum Data Base is presented in appendix 3.

- **Cultural Landscape & Disposition of Land**

Group 2: Interviewee Chief Williams “The Kohisan people roamed over South Africa, before the arrival of colonial people and KhoiSan sites can be found throughout the study area, particularly at Jeffrey’s and St Francis Bay. All of these sites are in the hands of ‘white’ farmers and the KhoiSan have been excluded from partnership with government about how to manage this landscape. The KhoiSan is the First Nation People of South Africa and would like to be recognized as such. We believe that over three hundred KhoiSan sites will be impacted by the development and we wish to be consulted about this”.

“The KhoiSan group do **NOT** want land, they want recognition in government structures about their heritage and their right to comment on this as First Nation People”.

“How do KhoiSan fit into the proposed development, we have not been consulted about this, and we are financially not able to carry the cost of attending meetings”

“The present government says that we can practice our culture but we are not even recognized as the First Nation People”

“No funding /resources have been made available since 2005 to represent KhoiSan people”.

“Over 300 KhoiSan sites have been identified in the study area, some at Oyster Bay, three sites at Cape St Francis Bay and some in the Thyspunt area. We previously worked with Johan Binneman who identified some of these sites but he is now working with another

group and this is a problem for us. There is a perception that these are 'white' run groups that do not serve our interest”.

“Our group previously asked that an archaeological specialist meet with Chief Johnny Jenson and myself but the specialist did not turn up for the meeting”.

“Some people in our community are poor and cannot afford the fare to attend public meetings’.

Group 2: Interviewee Mrs Margaret Cotetz The following information was collected by Teleconference, 3 September 2012, from the **Provincial** Head of the Gamtkwa National KhoiSan Group of South Africa and as a Member of the KhoiSan Development Council. Her concerns relate to all the middens and burials identified along the coastline that “prove” that the KhoiSan people were the first to occupy the coastline. We are concerned that we are the last group to be consulted about these large developments and only get to here about them long after the specialist studies have been completed. For 70 years the KhoiSan group has tried to negotiate with various government to highlight the identity of our people”.

- **Environmental Landscape & Sustainability**

Group 2: “The KhoiSan people are concerned about the overall suitability of the Thyspunt development and the impact that this will have on the environment and on peoples lives”.

“Will the development bring destruction of the landscape or development? All people must benefit, especially the KhoiSan”.

- **Relocation of Human Remains**

Neither Chief Williams nor Ms Coetzee are familiar with the KhoiSan heritage related developments in the Honeyville area that include the relocation of human remains from St Francis Bay. Chief Williams is however aware of the human remains found at Pappiesfontein in 2008-9 and records his concern that his group were not consulted regarding reburial.

Group 3: Interviewee Ms Celeste Booth provided a list of thirty- seven archaeological sites, accessioned at the Albany museum, that are located in the study corridor (see appendix 4). The sites represent Middle and Late Stone Age sites, one historical structure, ten rock paintings, one cave deposit, nine shell middens and two middens with associated human burials. Several copies of Binneman’s (2004-5) published reports on archaeological research along the South-Eastern Cape Coast was included. This results of this work is key to understanding human adaptation to changing environmental constraints.

Ms Booth confirmed that the relocation of the human burial from St Francis Bay to the Honeyville area did not occur. Negotiations around this process appear to have stopped and no current impact is perceived.

6. Conclusions

The report found that a memory of KhoiSan culture exists in the minds of the people interviewed, they regard themselves as indigenous on account of their descent from the populations who inhabited the country prior to and at the time of conquest and colonization. The establishment of the present State boundaries, irrespective of their legal status, does not mean that the KhoiSan people have lost their own social, cultural and political institutions. The current engagement with Environmental Stakeholders, and indirectly central government, is seen as a response to the lack of recognition of the displacement of KhoiSan people from their traditional homelands in the Eastern Cape.

The prevailing narrative of the KhoiSan therefore needs to be understood within a cultural landscape of violence and sacred space. The two colliding narratives correspond to two notions of sacralization which can be translated into the idioms of continuity and closure. Both find expression in the modern political arena. This work is best described by the social anthropologist Katherina Schramm (2011) in a series of essays for East Germany, Croatia, Bosnia, Ghana and the Holy Lands. In Southern Africa the Department of Arts & Culture also recognizes this dichotomy and has made provision in the National Heritage Resources Act during the public consultation phase to consult and record stories of memory and sacred space. At least two case histories from the Western Cape speak to the departments commitment to these ideals; Patrick (2000, 2002, 2005) at St Cyprians, and Malan (2003) at Prestwich Place.

In the midst of political transformation, the KhoiSan claim as First Nation People who wish to reestablish their 'tribal' identity to address their disturbed sense of community, and reconnect them to the land, is accepted. The KhoiSan attachment to the land is not disputed, Behar (et al) 2008 constructed a matrilineal (mtDNA) ancestry profile of the present KhoiSan in Southern Africa and they were able to demonstrate that their lineages diverged from the rest of humanity at 90 000 – 150 000 years BP. This time frame equates with the Middle Stone Age technologies in Southern Africa and that by 40 000 BP additional lineages occur in the KhoiSan mtDNA profile which equate with the Later Stone

Age in Southern Africa. Archaeological sites that relate to these time frames are located with the context of the Thyspunt Integrated Transmission Project. These sites are of **LOCAL, NATIONAL** and **INTERNATIONAL** significance. Geneticists have been able to demonstrate that these small groups of early humans in South African populations remained in geographic and genetic isolation until migration during the Late Stone occurred. Thereafter the dispersal of people through Africa occurred from the South to the North until new groups of genetically distinct populations occur via the Bantu expansion (Behar et al 2008:1137). In light of this we consider the KhoiSan claim that they are South Africa's First Nation People to be fair.

More difficult, for the purpose of this assessment, is to pinpoint a memory of specific sites that relate to the intangible aspects of KhoiSan culture, such as areas where medicinal plants were collected, specific geographical areas where people were displaced from the landscape and songs, poems, skills and language that convey the memory of the Gamtkwa diaspora.

The majority of landscapes affected by the Thyspunt Integration Transmission Project are relic and organically evolved. To aid understanding, and appropriate heritage management, the following maps highlight the importance of the cultural landscape to the Gamtkwa KhoiSan. The maps have specifically been included as they reflect the earliest description of Late Stone Age sites, named after the farms where the archaeological artifacts were found, under the direction of Hewitt from the Albany Museum in 1910 and later by Goodwin 1935 (see figure 2). Figure 3 shows the geographical distribution of people named by Maingard as the lost 'tribes' of the Cape and figure 4 the burial places of Late Stone Age people from the Eastern Cape described by Morris.

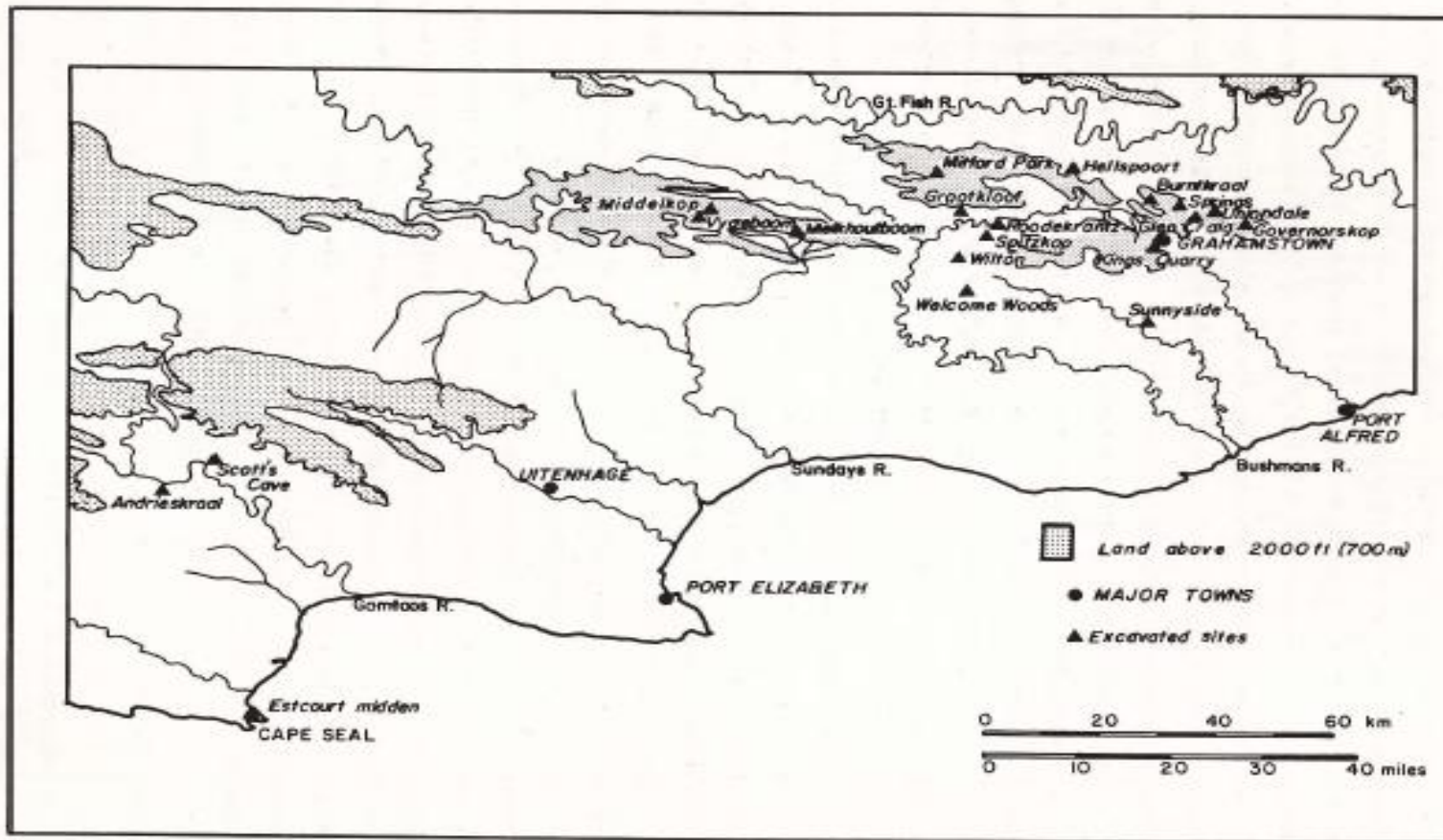


Figure 2: Spatial distribution of Late Stone Age archaeological sites in the Eastern Section of the Cape Folded Mountain Belt that speak to the footprint of a relic landscape. The names of farms where the features were found were used to record caves and rock shelters (Source: H. Deacon 1976).

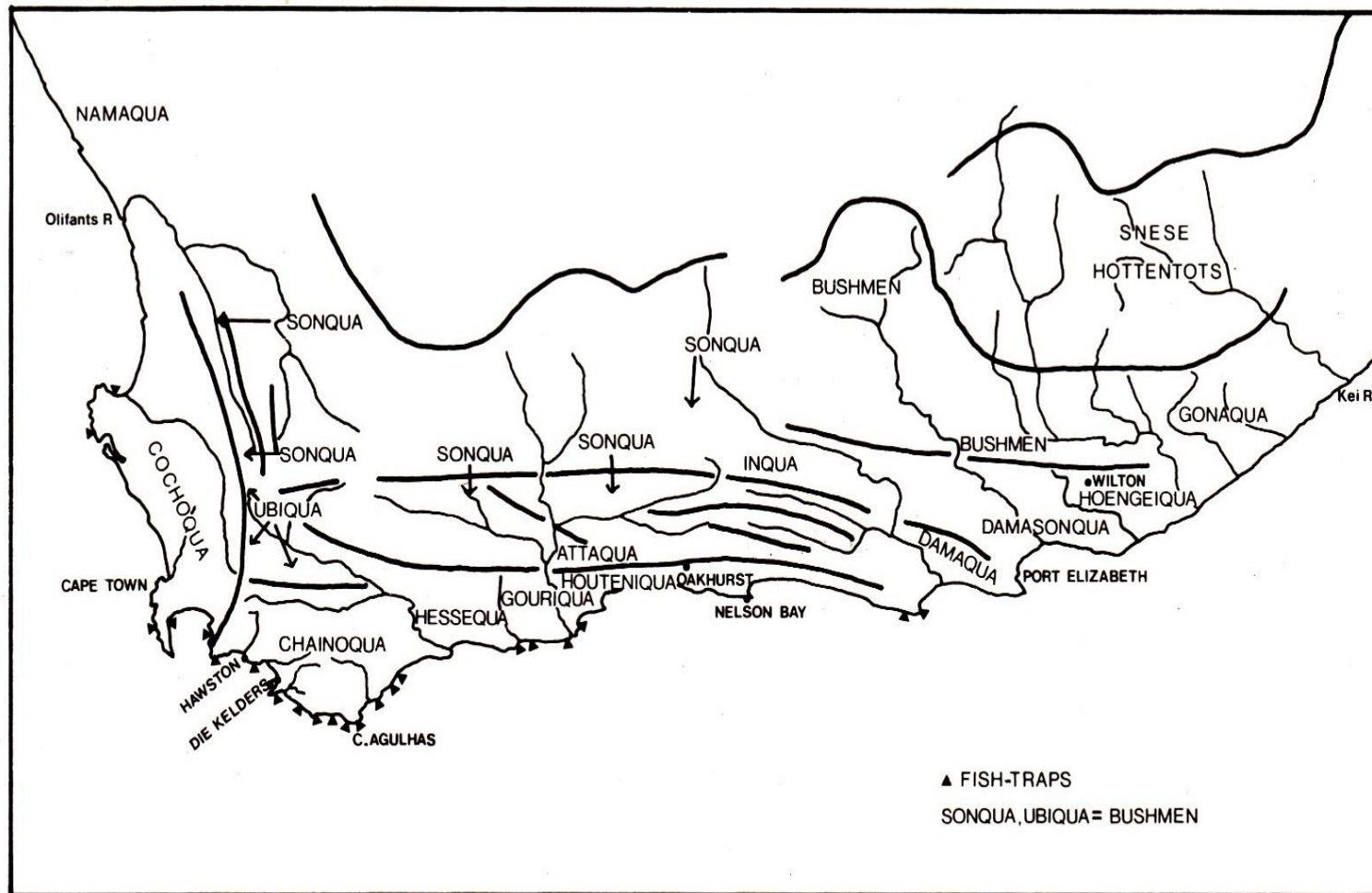


Figure 3: Historical distribution of Southern African people recorded by Maingard in 1931, viewed for the purpose of this research, part of an organically evolving Landscape (Source: G. Avery 1969: 112).

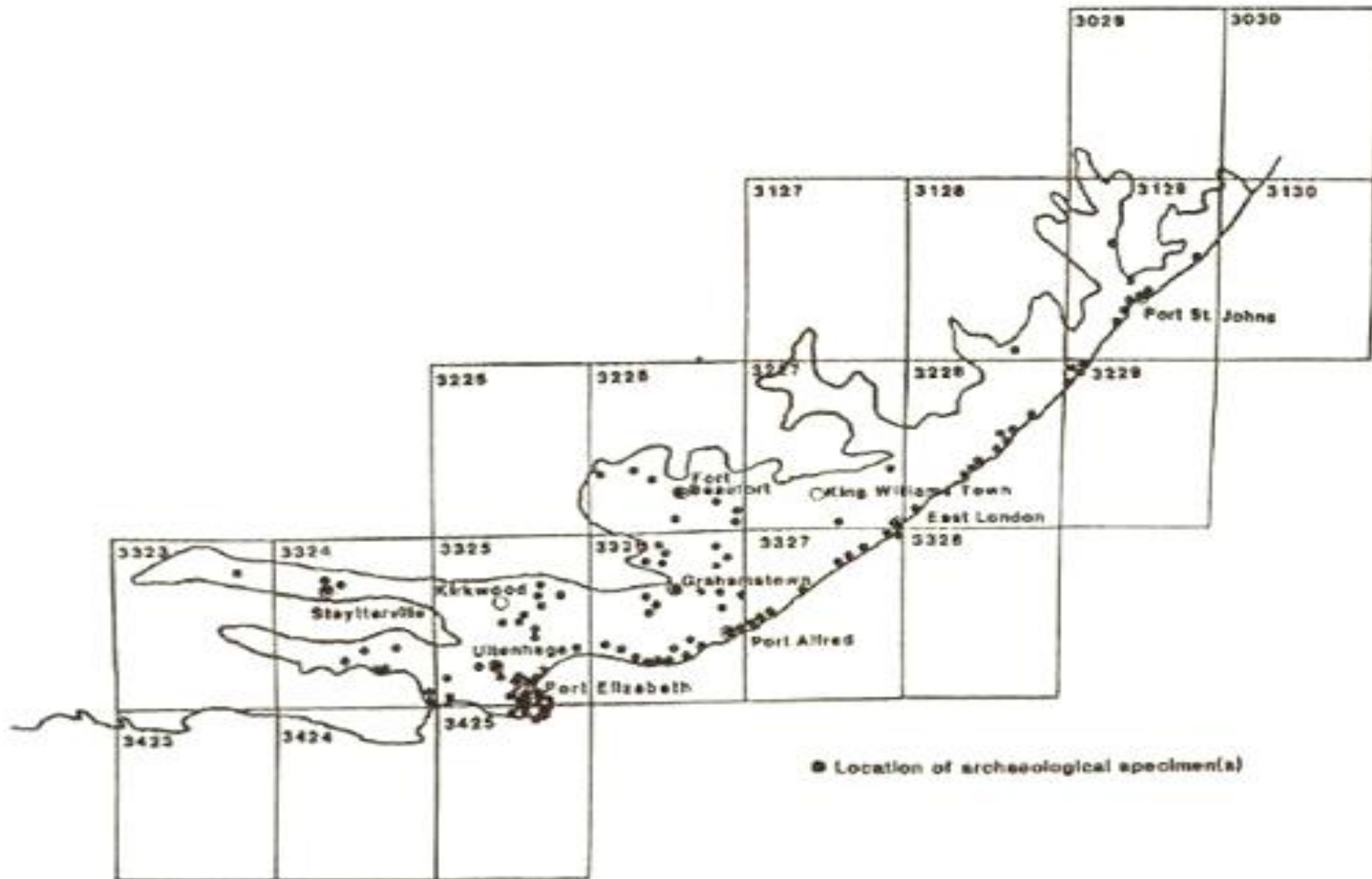


Figure 4: Map of the Savanna Biome and the distribution of Holocene burials in the Eastern Cape (Source: Morris 1992).

7. Potential Impacts

Despite the small sample interviewed it is clear that a much wider discussion regarding KhoiSan identity in the Eastern Cape needs to be addressed as part of the HIA. They are an important interest/advocacy group that meet the UNECSO definition of First Nation People and a minority group (see appendix 4) that need to be consulted about the impact that the entire Thyspunt development; Nuclear Power Station, Sub Stations and Transmission Lines will have on the KhoiSan Cosmological view. The NHRA makes provision for this:

- Their potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage.
- Their strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.
- Their strong and special association with the life of a group of people and their importance in the history of South Africa

Table 1 set out the impacts red flagged during the EIA process and Table 2 the perceived impacts and mitigations measures required in order for the HIA to comply with the NHRA (1999) regarding an assessment of the cultural landscape. The duration of these strategies are considered in both the short and long term.

Table 1: Perceived Impacts to Heritage Resources – Extract from the EIA (2011).

Specialist Parameter	Problem Areas Identified
Heritage	Northern and Southern Corridor – Area around the Thyspunt HV yard Northern and Southern Corridor - The Kabeljous River Valley Northern Corridor - Amanzi Springs

Table 2: Cultural Landscape Impacts – Additional Assessment 2012

Environmental Parameters Assessed	Potential Impacts	Mitigation Measures Short & Long Term
Heritage Assessment –Cultural Landscape and Oral Traditions	<ul style="list-style-type: none"> • Concerns that the KhoiSan Cosmological View, which links the tangible with the intangible aspects of heritage resources, have not been adequately described • Identification of areas affected by “living heritage’ • Identification of memorials/sacred spaces of significance such early frontier loan farms , towns and mission stations where KhoiSan were dispossessed first as servants and later as indentured labour • Identification of memorials/sacred spaces of significance such as historic burial sites and burial sites of cultural significance • Frontier Wars-establish and identify the historical landscape where Khoi forces encamped under British military leadership and pushed the Xhosa forces over the Fish River in 1812 • Development of statements of significance for these sites based on recognised criteria • Identification, mapping and grading of heritage resources using NHRA criteria 	<p>Targeted Focus Group Meetings with all levels of KhoiSan interest groups, national, provincial and local (Short & Long Term)</p> <p>Additional documentary and archival research regarding the sites in order to Integrated sites of significance and morphological zones in the landscape that are no-go or, red flagged areas (Short term)</p> <p>The development of a social engagement plan that serves as a management framework for the following key activity (1) capacity and skills development to assist KhoiSan people record their oral history. This would be best achieved in partnership within the Nelson Mandela Bay and Coega Metropolitan Spatial Development Framework and Integrated Policy Development Framework. (Long term)</p>

Failure to adequately address these issues may lead to the destabilization of the entire project. An important case history includes the Eskom's Gamma-Omega Transmission Line when the people of Tulbagh actively involved an environmental lawyer to represent their cultural landscape concerns in the High Court.

8. Recommendations

A detailed comprehensive geo-rectified map book that identifies archaeological sites, areas and landscapes of historical significance and highlights, ranks and reviews the impact of the development on these sites is required. The map book will serve as a management tool that can be used during the public consultation phase with KhoiSan interest groups. Individual group comment can be used to verify, refute and define the Cosmological issues that KhoiSan groups are concerned about. The results of this consultation must drive the recommendations formulated and adopted in the Environmental Management Plan.

The author of this report is unfamiliar with the ToR regarding previous KhoiSan engagement in the public consultation process but recommends that the local and provincial groups speak through a united national chairperson. The overarching aim of this engagement is to highlight, and actively participate in commemorating KhoiSan culture in the study area. It is **NOT** aimed at derailing a strategically important country wide project but to achieve recognition of a displaced people who have a right to comment on their cultural heritage.

This may best achieved through utilizing as leverage Municipal Integrated Development Plans for economic development in the study area. It could be framed as a Social Engagement Plan that serves as a framework for three key activities which involve KhoiSan people:

- Social Investment that drives local economic development which is seen as the single most important priority issue, in turn this may address;
- Small Business development and capacity building around tourism;
- Employment creation and skills development

Two working models are suggested to highlight the way forward that demonstrates the capacity for stakeholders to work together and manage these complex issues. The first is the Living Landscape Project in Clan William (Parkington 2008), funded by the Department of Environmental Affairs and Tourism, with additional support from the Canadian International Development Agency and the National Lotteries Board. Parkington and his team have over an extensive period interviewed local people about their San cultural identity and formed a community-based heritage and education project aimed at returning the archaeological archive to the Clan William area as material for curriculum development and job creation.

The second, the Kgalagadi Transfrontier Park which was developed from the joint initiative of President Festus Mogae of Botswana and President Thabo Mbeki of South Africa who formally launched Southern Africa's first peace park, the Kgalagadi Transfrontier Park in 2000. In October 2002, the government of South Africa and Botswana set aside 580 km² (224 mi²) of land for the use of the indigenous peoples, the Khomani San and Mier communities. This was divided between 277.69 km² of San Heritage Land and 301.34 km² of Mier Heritage Land. The South African National Parks (SANParks) manages the land under contract. The indigenous communities retain commercial benefits and rights, as well as the use of the land for symbolic and culture purposes. (Patrick et al UNESCO World Heritage Proposal 2011).

Finally, a working model from the Gamma-Omega Transmission Line (Patrick et al 2009) highlights the extensive mapping process that is required to document heritage objects in a complex cultural landscape similar to the current project.

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10. Acknowledgements

The author wishes to thank all those who participated in the interview process, specifically Chief Williams, Chief Margaret Coetzee and Ms Celeste Booth from the Albany Museum in Grahamstown.

11. Appendices

Appendix 1: List of KhoiSan Representatives & Albany Museum Heritage Specialists Consulted in August 2012.

KhoiSan I&APS	Name	Contact Details	Organization & Area Represented
	Chief Michael Willams	Tel: (042) 287 0664 Fax: (044) 287 0657 Cell: 076 201 6283	Local Chief Gamtkwa Khoisan Group of SA Eastern Cape
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	Paramount Chief Joe Little	084 621 12731	National Gamtkwa Khoisan Group of SA Cape Town
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Appendix 2: Interview Agenda

Terms of Reference for Heritage Addendum Study

Thyspunt Transmission Lines Integration Project

- Investigate the heritage and impact of the proposed TTLIP project on the KhoiSan-related heritage resources within the Study Area. This includes identification of sites of historical / cultural / heritage related importance for the descendants of the KhoiSan in the study area*. This must include an investigation of the relevant KhoiSan oral history.
- As part of the above, local heritage specialists, and heritage resource knowledge centres (incl. the Albany Museum) must be consulted in order to assimilate their information held on the KhoiSan and KhoiSan-related heritage in the area.
- Potential Impacts of the power line / substation construction on KhoiSan-related artefacts should be investigated, and reasonable methods / mitigation measures to be implemented during construction must be specified for inclusion in the draft EMP. These mitigation methods must consider how to ensure the inclusion and consultation with KhoiSan groupings as part of the construction and operation processes.
- Face-to face Consultation with Khoi-San groupings in the area to acquire their input and feedback on sensitive areas and elements of the heritage environment that must be considered by the EIA.
- The study must consider KhoiSan Heritage-related developments in the Honeyville area (John Barrett) that include relocation of remains from the St Francis Bay Area to this part of the site, and how the proposed project will impact upon these.
- Provide a report based on the above study as the primary deliverable

* the study area as considered in this study must be focussed around the EIA power line corridors, but if necessary must consider a wider area if the power lines could for example have a visual-related heritage impact.

Appendix 3: :1 50 000 Map Reference Sheet that lists archaeological sites in the study area accessioned by the Albany Museum

Map number	Site number	Type	Site name	Reference	number of sites
3324 DA	3324 DA1	Paintings	N/A	N/A	1
3324 DA	3324 DA2	Paintings	Cambria	C. van Riet Lowe in Archaeology Survey Series VII	1
3324 DA	3324 DA3	Cave	The Havens	Dr J.N.F. Binneman	1
3324 DB	3324 DB 1	Paintings	N/A	N/A	1
3324 DB	3324 DB 2	Paintings	N/A	N/A	1
3324 DB	3324 DB 3	Paintings	N/A	N/A	1
3324 DB	3324 DB 4/5	Paintings	N/A	N/A	2
3324 DB	3324 DB 6	Paintings	Tip Tree	C. Van Riet Lowe - Archaeology survey series VII	1
3325 CA	3325 CA 1	Paintings	N/A	N/A	1
3325 CA	3325 CA 2-5	Paintings	N/A	N/A	4
3325 CB/AD	3325 CB 1-8	Paintings	N/A	N/A	8
3325 CC	3325 CC 2	Open Air Site	N/A	N/A	1
3325 CC	3325 CC 3	Structure/Historical	N/A	N/A	1
3325 CC	3325 CC 4	Midden	N/A	N/A	1
3325 CC	3325 CC 5	Midden	N/A	N/A	1
3325 CC	3325 CC 6	Midden	N/A	N/A	1
3325 CC	3325 CC 7	Midden	N/A	N/A	1

3325 CD	3325 CD ?	Midden	N/A	N/A	1
3424 BA	3424 BA 2	Open air site MSA/LSA	N/A	N/A	1
3424 BA	3424 BA	Midden	N/A	N/A	1
3424 BA	3424 BA ?	Midden	N/A	N/A	1
3424 BA	3424 BA/	Midden	N/A	N/A	1
3424 BB	3424 BB 1-	Midden/Burial	N/A	P. Carins	1
3424 BB	3424 BB ?	Midden/Burial	N/A	N/A	1
3424 BB	3424 BB ?	Surface	N/A	N/A	1
3424 BB	3424 BB ?	Midden	Cape St Francis Dunes	Binneman & Webley 1993	1

Appendix 4: Extract from Multiculturalism: A Policy Response TO Diversity

Paper prepared on the occasion of the

"1995 Global Cultural Diversity Conference", 26-28 April 1995, and the

"MOST Pacific Sub-Regional Consultation", 28-29 April 1995,

both in Sydney, Australia

Activities on the Cultural Rights of Persons Belonging to Minorities and the Rights of Indigenous Peoples within UNESCO's Fields of Competence*

DEFINITIONS

- **Minorities**

The question of how to define 'minority' was on the agenda of the United Nations Sub-commission on Prevention of Discrimination and Protection of Minorities, established in 1947, from the very first days of its existence. Since then, numerous attempts have been made to reach an agreement on this question.

Although no definition of a minority was universally recognized and not one of the normative instruments dealing with the rights of persons belonging to minorities adopted by the United Nations or UNESCO contains any formulation in this respect, nevertheless one can observe that draft definitions, despite concrete formulations, repeat certain elements:

(a) a group numerically inferior;

(b) in a non-dominant position;

(c) having certain characteristics (identity), culture (ethnic, religious, linguistic) which distinguish them from the rest of the population;

(d) with a sense of solidarity or will to safeguard their characteristics.

However, some of these elements are subjective and, as such, open to various interpretations and understandings, as the various studies carried out by the United Nations on this question show.

As is the case with the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992), normative instruments may regulate questions of the rights of persons belonging to minorities without

containing any definition of this notion. The notion of 'minority', as implied by normative instruments, is a restrictive one and it applies only to national, ethnic, religious, linguistic groups and is not related to other disadvantage groups (women, children, aged, etc.), neither does it cover indigenous people.

- **Indigenous People**

Two definitions are used in the international context. One is to be found in an international law instrument and the other is a 'working' definition which is used as an 'operational' definition in the elaboration of an instrument that is international in character.

The first definition is found in the ILO Convention concerning Indigenous and Tribal Peoples in Independent Countries (Convention N°169 of 1989).

In Article I.1(b) of Convention N°169, it is stated that this instrument applies to:

'Peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present State boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions'.

The second definition is found in the conclusion of the Study on the Problem of Discrimination against Indigenous Populations. The definition reads as follows: 'Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems. This historical continuity may consist of the continuation, for an extended period reaching into the present, of one or more of the following factors: (a) occupation of ancestral lands, or at least part of them; (b) common ancestry with the original occupants of these lands; (c) culture in general, or in specific manifestations (such as religion, living under a tribal system, membership of an indigenous community, dress, means of livelihood, life-style, etc.); (d) language (whether used as the only language, as mother tongue, as the habitual means of communication at home or in the family, or as the main, preferred, habitual, general or normal language); (e) residence in certain parts of the country, or in certain regions of the world; (f) other relevant factors' (paras. 379-380).

This definition is supplemented as follows: On an individual basis, an indigenous person is one who belongs to these indigenous populations through self-identification as indigenous (group consciousness) and is recognized and accepted by these populations as one of its members (acceptance by the group). This preserves for these communities the

sovereign right and power to decide who belongs to them, without external interference' (para.381).

This definition was accepted as an 'operational definition' by the United Nations Working Group on Indigenous Populations of the Sub-commission on Prevention of Discrimination and Protection of Minorities.