

Introduction

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Property Relations and Relations of Equality

Intellectual concerns surrounding property date back to ancient times. Philosophers such as Plato and his student Aristotle debated the merits of public versus private land holdings. This has been echoed in European and American traditions. John Locke, Adam Smith and Herbert Spencer are still widely cited by ‘advocates’ of private property while Jean-Jacques Rousseau, Karl Marx, Pierre Proudhon and Henry George are champions of its critics (Shipton 2001, 2003). In our two volumes we continue the debate along different lines by focusing on a number of related themes. In particular we want to illustrate what forms of property relations are engendered in situations where local groups are experiencing processes of encapsulation.

Property and equality as used in our volumes are concepts referring to the relation between a people’s identity and its social reproduction with regard to the resources of the environment. The degree of access such groups have to property and their entitlement to use, share or to dispose of such property, defines their relation to other groups. It is these arenas of property relations in which powerful external forces such as the state attempt to redefine existing relationships. The contributors to this volume document and analyse the impacts of such redefinitions of relations and the responses of indigenous and ethnic minorities in these contexts. Although property is not the only area where equality or inequality are manifested, it would be misleading and naive to think that property is not crucial in shaping relations of equality and inequality between persons and between groups. Anthropological discussions concerning these issues were invigorated when James Woodburn gave his Malinowski Memorial Lecture at the London School of Economics in 1981. In this lecture, entitled ‘Egalitarian Societies’, he stated that:

Greater equality of wealth and of prestige has been achieved in certain hunting societies than in any other human societies. These societies are assertively egalitarian. Equality is achieved through direct, individual access to resources;

through direct, individual access to means of coercion and means of mobility which limit the imposition of control; through procedures which prevent saving and accumulation and impose sharing; through mechanisms which allow goods to circulate without making people dependent upon one another. People are systematically disengaged from property and therefore from the potentiality in property for creating dependency. (Woodburn 1982: 431)

His findings gave rise to a new focus of enquiry into the property situation of encapsulated indigenous and ethnic minority peoples in those parts of the world conventionally labelled as ‘the marginal peripheries of the West’. Two decades after Woodburn’s landmark lecture, Thomas Widlok and I organised a conference at the Max Planck Institute for Social Anthropology in Halle on the theme of ‘Property and Equality’, to honour James Woodburn’s contribution to anthropology and to take stock with the aim of seeing what progress had been made on the key issues that he had raised. The participants to the conference approached the subject from different thematic perspectives and thereby covered considerable ground with regard to the complexity of the issues of property and equality. James Woodburn himself revisited his ‘Egalitarian Societies’ material in the light of developments since the 1980s, and he suggests that the transformation of immediate-return systems cannot be explained with reference to external political and economic factors. Taking into account data from many hunter-gatherer communities and his own Hadza material, Woodburn argues that the domain of ritual and religion are the likely spheres in which a degree of inequality and ideas of property are generated. He concludes: ‘My opinion now is that the religious route is likely to have been a major route, perhaps even the major route in the repeated historical transitions from immediate to delayed return’ (Woodburn, Volume 1).

The contributions to this second volume resulting from the Halle conference view issues of property and equality from the thematic vantage points of encapsulation, commercialisation and discrimination. The three concepts are elaborated by Richard Lee (this volume) in a separate chapter, providing the reader with a general framework for thinking about the issues at hand. It should be noted, however, that the contributors were not restricted and have not restricted themselves to dealing with only one of these themes. Instead they emphasised the links between themes and have also included themes developed in the first volume. Hence this second volume not only broadens the range of cases and the empirical basis of our debates, it also extends and elaborates the discussions that feature in Volume 1.

Encapsulation

Lee (this volume) argues that encapsulation, the first of the central themes of this volume, represents the economic aspect of a larger process: the loss of autonomy. However, he warns that economic autonomy must not be equated with isolation, and exchange should not simply be equated with domination and loss of autonomy. Encapsulation, a concept that is covered in various ways in many of the contributions, is the general incorporation of groups into

structures of larger and more powerful entities such as the nation state and international institutions. The actions of these power holders have considerable impact on the lives of societies which are usually referred to as indigenous or marginalised ethnic groups at the peripheries of power centres. Such people are, in the words of Jerome M. Levi and Bartholomew Dean (Dean and Levi 2003), people who are ‘all too often caught in the crossfire between competing political and commercial interests seeking a foothold in their territories. Squeezed by global avarice for their natural resources, fearful of military might, and threatened by dominant groups’ intolerance for their distinctive ways of life’.

All of the people under consideration in this volume have for much of their current history been engaged in fierce struggle in their encounters with colonial and postcolonial nation states. They were often objects of both homogenising as well as heterogenising policies of nation states in exercises of nation building. Larger ethnic groups wielding political and economic power in these nation states often consider the lifestyle of marginal people as backward and as an obstacle to progress. Today nation states often continue the practices of old colonial times and in some cases they conduct the very same practices, in particular that of marginalising smaller groups of peoples such as pastoralists, hunter-gatherers and horticulturalists having ways of life different to theirs. In cases I observed in Ethiopia both bigger and smaller ethnic groups subsisting on agriculture, cattle pastoralism as well as on hunting and gathering are marginalised politically and economically both by bigger ethnic groups and by the nation state, which also plays a mediatory role between its people and global economic institutions.

In the past the response of the weak to conquest and ultimate encapsulation varied from place to place and from people to people. In the 1890s in Ethiopia peoples of the south and the southwest were conquered and enslaved by Abyssinians, who were using firearms they had received from Europe. The Abyssinians prevailed in spite of the commendable courage and fierce resistance of the weaker groups (see Vanderheym 1896; Dilebo 1974). During the conquest some ethnic groups abandoned their territories and sought refuge elsewhere among friendly neighbours (Tadesse 1999), while others were wiped out in such great numbers that in one area only a chief and a handful of his people were left. Some chilling accounts of the period indicate that even sovereigns had taken part in hunting expeditions and returned home with a great number of slaves they raided from among their subject peoples (Hodson n. d.). These atrocities of the conquest army perpetrated in the late 1890s in Ethiopia’s southwest have also been engraved in the oral traditions of the peoples concerned that are passed down from generation to generation as heritable property linking different generations. More recent responses to increasing domination and appropriation of group property (especially landed property) were equally varied. Some indigenous peoples rebelled or joined rebellious ethnic political movements which fought against the state or threatened to do so, thereby triggering a massive blow from the nation state and becoming perpetual suspects. Some have

legitimately used their constitutional rights, using the political structures of the nation state to fight against land appropriation which provincial and central authorities had initiated and which had in the past reached the imperial court (Tadesse 2003). Others evaded the nation state, NGOs (nongovernmental organisations) and religious organisations by insulating themselves in ancient traditions to protect their ways of life and their resources (Tadesse 2002). By mere evasion, avoiding any significant contact with a patronising nation state and with other outsiders, and by refusing entry to members of bigger discriminating groups, some ethnic groups have maintained a degree of autonomy. Although these measures have helped the people in maintaining autonomy and keeping their lifestyle, they have also prevented them from taking an active role in influencing the policies of the nation state regarding ethnic minorities. The resilience of such groups, despite the devastation caused by conquerors, and their determination in ensuring their own social and cultural reproduction is an indicator and proof that, given the political and economic space and the right to practise their customs, they would stand on their own feet and flourish. Such groups want to be taken seriously on their own terms and conditions. The pastoral Hor, with whom I have worked since 1994, and their western neighbours, the Hamar, whom Jean Lydall (this volume) and Ivo Strecker (Volume 1) deal with at length, are examples of such cases of extraordinary resilience and the ability to keep outside forces at bay. The cases discussed by contributions to this volume should be read also with such responses in mind; taken together they indicate the large spectrum of historical developments.

The indigenous peoples who provide the case studies of this volume live in insecurity and uncertainty about their future, and they want to be heard. To be recognised, to claim entitlements as citizens of their respective countries and to secure rights as groups that have lost their political, economic and cultural autonomy, they make efforts to win friends and guarantees for a secure future. Being vocal involves a variety of risks for indigenous people (Dean and Levi 2003). By being silent, on the other hand, indigenous peoples and ethnic minorities risk remaining invisible and without a voice. In most cases these groups are not in a position to embark on the trail of visibility on their own. They need the support of global forces to aid them in this endeavour to be heard and to be visible, including allies who in the past may have been indifferent to atrocities perpetrated and unleashed on indigenous groups and ethnic minorities.

Commercialisation

Commercialisation, the second theme of this volume, is a key aspect of the economic dimension to encapsulation. It is often an important part of a conscious effort made by indigenous peoples to cope with the loss of economic autonomy. Contributions by Köhler, Endicott, Guenther and Lewis deal with varying degrees of commercialisation as it is experienced today among groups which used to produce for subsistence consumption and for sharing

their produce internally. The studies in this volume indicate that the process of commercialisation has brought about a change in the practices of sharing as outlined by James Woodburn (Woodburn 1982: 431–51). They show that sharing and commoditisation often coexist. As Endicott (this volume) indicates, Batek involvement in trade has not brought an end to their immediate-return practices or sharing. Mathias Guenther illustrates how the trance dance has evolved from being a shared consumable of an immediate-return system for the treatment of patients into a professionalised and marketable commodity. At the same time, however, the dance has maintained its traditional purpose of healing (see Boyd 1985 for parallels in New Guinea). What the situation of encapsulated indigenous peoples around the globe indicates is that the degree of encapsulation and the responses to it vary and do not follow exactly the same pattern across the board. My own study of the Hor and the Gamo (Tadesse 1999, 2002, 2003) of Ethiopia shows that many indigenous groups in this area are also part of an extensive trade network. However, their practices are clearly different from most of the cases dealt with in this volume. Agricultural groups such as Konso or Gamo people of southwest Ethiopia, to mention only two, engage in the laborious enterprise of cultivation and pastoralism, in weaving clothes and blankets of cotton, and engage in a wide network of regional trade. The latter are principal manufacturers and traders of woven products at the nation's central markets. Pastoralist groups further south are also integrated into a regional trade network and take part in a system controlling the secure exchange and safe passage of marketable commodities, livestock and property in the network area. This is notwithstanding their chilling experience during the conquest period little over a century ago and the consequent discrimination and appropriation of their land and labour. Within these regional networks most local knowledge, ritual knowledge and skills such as animal entrails reading are shared. Leading prayers amid the serving of sacrificial honey mead follows seniority and whoever is senior at a given moment in time says the prayers. Honey mead, sacrificial coffee and tobacco are distributed on the occasion equally among a class of initiated fathers of the land. Divinatory skills of qualified practitioners are exchanged for a nominal gift of butter (among the agricultural Gamo) and for a bowl of honey mead (among pastoral Hor/Arbore and Hamar) during wedding feasts or other events. Every member of a group, however, is entitled to consult persons attributed with such knowledge. In this situation certain aspects of ritual knowledge and power are hereditary while other parts of the politico-religious powers are transferred from incumbents of political office to their successors in the assembly of fathers who have been initiated to positions of power. In some of these areas a notion that labour is a form of property which should be developed by working and growing together in a team under a leadership that mimics the structures of local politics is widespread. Work group leaders are nominated for the purpose of agricultural labour and are organised along gender lines. These named labour groups grow together until late in life sharing and exchanging labour and at times working for payment which is saved

and used by members during an annual feast. These specific practices observable in the region are a result of the fact that neither global impacts nor a state presence are strong, which contrasts with the commercialisation processes in many other contexts presented in this volume. As elsewhere, political developments of the last hundred years have brought about wider commercialisation, for instance in the area of weaving which was previously practised for private use and was subject only to limited exchange. Indigenous land tenure involving individually owned fields, common pastures, and common sacred spaces for religious and ritual purposes and grave yards are still in collective use. However, a threat by some religious groups claiming exclusive rights to some of these common property regimes and a state policy that does not recognise indigenous tenure are contributing to rising tensions.

In many case studies commercialisation indicates the increasing inclusion of indigenous and minority ethnic groups in the wider economic sphere of the globalised world. By commoditising their produce indigenous people and ethnic minorities are able to take part in the exchange process and to obtain essential items for consumption. Their produce – be it bush meat, forest products or trance dances – and their labour are the readily available commodities that they can exchange for cash (see the contributions by Köhler, Lewis, Guenther, Endicott, and Lye in this volume). However, in contrast to these relatively peaceful processes of intensifying interactions there is evidence of groups holding fresh memories of terrible atrocities which were perpetrated unto their forefathers during times of conquest. Many groups did successfully avoid contact with conquest forces after an initial encounter or even before encountering any disaster. Others have intentionally been evasive of any contact hence minimising the risk of being annihilated. In these ways groups have maintained their autonomy and have been able to maintain their way of life. Some have succeeded in maintaining autonomy (as explained earlier) while also being connected to their neighbours in a regional trade and friendship network. Through this network they supply livestock and receive firearms, ammunition and tools of production and ritual items in exchange. Today they are visited by international tourists who camp in their midst and watch their dances for limited fees while dining on small stock roasted in the style of pastoralists of the region. With the further development of infrastructure, the state and a global audience will be drawn closer to these marginal groups. Furthermore, the development of infrastructure is likely to create possibilities for people to come into contact with allies who may air the concerns of these indigenous people and of ethnic minorities to a global audience.

Discrimination

Discrimination refers to the situation experienced by encapsulated groups when they join the margins of larger societies. Being discriminated against involves mainly economic alienation and political marginalisation but it also takes other forms (Woodburn 1997; Lewis 2000; see also Kenrick, Köhler, and Lewis in this volume). By way of illustration I will draw on more examples

from Ethiopia's southwest, my own area of field research. Members of larger ethnic groups that have wielded political and economic power since the time of conquest discriminate against ethnic minorities from the newly conquered areas in terms of their skin colour, the part of the country they come from, the language they use and their ethnicity and religious beliefs. The abuses directed against indigenous groups and ethnic minorities are mainly verbal. The food they eat, the clothes they wear and their customs are subjects of derision and it is not uncommon to see members of such groups being teased, bullied and even attacked in the streets of the capital Addis Ababa. Even in their own territories in government outposts where police and a few other civil servants dwell, members of indigenous groups are bullied, verbally assaulted and even beaten. Their customs and religious practices are despised. Their hair styles are condemned. The food they eat is considered to stink. Farmers who till the land are likewise insulted as a stinking lot, and nomads are considered to be idle wanderers. Often schools, missionary organisations and officials of government lead campaigns against the 'backward' way of life of these groups. They often accuse indigenous groups of 'devil worship' because of their dreadlock hair. Members of more powerful ethnic groups do not consume food with indigenous groups because they accuse them of eating 'impure' slaughtered animals. Christian organisations attack the religious practices of indigenous groups and ethnic minorities and humiliate the practitioners, notwithstanding the constitution which promotes secularism and the right to freedom of belief. Schools rename children who have local names; teachers bully children who come to school wearing local clothing and encourage salvaged urban-style clothes which are often too expensive for parents to afford. This is discrimination as experienced locally and collectively. Political and economic discrimination takes different forms. State-run social services are poorly organised and often the people who are entrusted to provide these services to indigenous peoples and minority ethnic groups are themselves brought up under circumstances of discrimination and perpetuate discrimination in various ways. State policies are patronising; they view weaker groups as incapable and maintain that their lifestyles ought to be changed by establishing projects which increase the state's power of control. This is achieved by introducing plantation and forestry projects which do not benefit local people but legitimise state appropriation of land. In addition the state has hierarchised ethnic groups as 'nations', 'nationalities' and 'peoples', placing indigenous peoples on the lowest rung of its hierarchy and establishing justifications to make the state's patronising role appear sensible and philanthropic. In actual fact, however, the state paves the way to appropriate resources of such groups be they big or small. The forms of discrimination as perpetrated against indigenous peoples and ethnic minorities are varied. Some are subtle, others obvious, but it always takes courage and determination to resist. The international climate of the last twenty-five years, however, has been more open to appeals for help made by such minority groups. On the other hand, the political and economic pressures that they currently face in many parts of the world cannot be underestimated.

A number of contributions in this volume show the degree of external discrimination that is perpetrated on nonliterate groups. In one particular case, Justin Kenrick describes a situation where land which Bagyeli of southwest Cameroon have been cultivating for years, and where they used to live, was claimed by literate villagers so that these villagers could obtain compensation due for damages caused by the World Bank-funded Chad–Cameroon oil pipeline. In a similar way, Lewis, Köhler and Hitchcock in this volume discuss the varying degrees of discrimination to which the Yaka and Baka of Central Africa and the Ju/'hoansi of Southern Africa are exposed and the ways in which these groups have reacted to these external pressures.

Property and Equality Revisited

The links between the three themes of this volume become particularly clear in a collection of contributions as presented here. Moreover, in some cases contributions to this volume also touch upon the themes of Volume 1 (Ritualisation, Sharing and Egalitarianism) and give a variety of perspectives for looking at property and equality in societies which are affected by global and national political and economic developments. Parallels emerge across the diverse regions that are covered. For instance, the contributions by Weiner, Lydall and Keen show parallels although they are dealing with such far-apart cases as Papua New Guinea, Ethiopia and Aboriginal Australia respectively. All of these peoples have been incorporated by forces of the state or outside forces. In all these cases the groups are delayed-return societies who practise cultivation, cattle pastoralism or hunting and gathering. In some areas state law mediates the commercialisation of resources between subject indigenous peoples and global big business, as is shown in Weiner's contribution. His study focuses on a deal between the Chevron Company and the local land-owner corporation. He investigates the commercial encounter between Chevron and the ILG (Incorporated Land Groups) and indicates the benefits the latter reap from these contracts. Weiner's contribution indicates the inherent contradiction in the designs of fixed royalty payment by a global oil firm and the culturally continuous instability and reconfiguration inherent in the structure of clan membership. The problem they face is the fragmentation of clan groups in order to register for incorporated land group status so that they can claim benefits. However, his study indicates the egalitarian aspect of distribution of royalty money and equity benefit in the terms of the deal between Chevron and the state. Jean Lydall's study focuses on pastoralist Hamar of southern Ethiopia. The Hamar have been subjects of the Ethiopian state for over a century, but they occupy a dry and infertile terrain. At the moment, neither the state nor other multinational groups show great interest in their resources. Some missionary activity has been going on for over two decades and Norwegian NGOs are actively involved in education, health, emergency relief and in drilling water wells. In their day-to-day life Hamar do not suffer from discrimination by larger groups, but like most of their neighbours in

southern Ethiopia they do not benefit from education on their terms and do not get sufficient protection from the nation state either. Lydall's study focuses on the process of internal power differentiation and its replication. Her contribution on the internal dynamics of Hamar pastoralist society reveals hierarchy and the distribution of power along gender lines in the domestic sphere quite independently of externally generated encapsulation processes. Similarly, Ian Keen looks at Aboriginal relations of marriage and compares the marriage systems of six Aboriginal communities in Australia. He addresses issues of power and inequalities in ritual, exchange of women and the differential return earned by the powerful. Here again we see the internal reproduction of inequality independent of the processes of encapsulation.

As mentioned at the beginning, this volume does not claim that the same dynamics apply to all cases. For instance there are cases where, after a century of incorporation, small groups have managed to keep their autonomy by controlling their members, by keeping outsiders in separate villages, and by refusing to send their children to schools outside their country out of fear that these places would transform their children into different persons (Tadesse 1999, 2002). What the diverse examples show us is that although nearly all the groups that we deal with in this volume are incorporated into the nation state, their lives are not all affected in the same way by the processes of encapsulation. Their responses to this situation also vary.

The spectrum of cases shows how changes that are brought about by global, national and local actors affect the economic, political and social arrangements of former hunter-gatherer and other small-scale societies. The anthropological observers aim to understand the lived experiences of these societies and to compare their lives today with earlier periods of relative autonomy. In particular, the contributors to this volume clarify the implications of the powerful external forces for the egalitarian principles on which these societies have been based.

The idea of property and its relation to equality/inequality has interested and continues to interest the academic world within the framework indicated above. Property has been the subject of debate in many disciplines but the papers assembled here take a specific anthropological perspective on the issue. Relying on comparative ethnographic data, anthropology is able to investigate and compare a range of cases in which people have varying understandings of property and to show how various groups of people relate to it. Comparative ethnography has provided various ways of looking at issues of property and at how people conceive of it in different parts of the world. This comparative approach has broadened the scope of the investigation of property and claims to rights in various forms of property (material property, intellectual property, incorporeal, virtual property etc.) which have developed to include, for example, patent rights in animal and human genetic information. The debate on property and (in)equality is also advancing as a consequence of the great interest devoted to the current situation of postsocialist rural property relations (Verdery 1999; Swaine 2000; Hann 2002; Hann et al. 2003), a property situation in which political and economic

disruptions and rearrangements have occurred following the collapse of the Soviet system. This volume demonstrates how groups which are faced with equally extraordinary circumstances respond to new economic and political situations and how this affects their own practices. It is one of the main concerns of the contributors to portray the actual range of agents with their differing power relations, the effect of power on the behaviour of weaker groups and the impact of such power on access to crucial resources.

In his 'Egalitarian Societies' James Woodburn (1982) described egalitarian practices as being central to the life of hunter-gatherers in terms of individuals having direct access to ungarnered resources of their country, only limited by the division of labour between the sexes (Woodburn 1982: 437). 'In these societies', he wrote, 'equalities of power, equalities of wealth and equalities of prestige or rank are not merely sought but are, with certain limited exceptions, genuinely realised.' Equality is repeatedly acted out, publicly demonstrated, in opposition to possible inequality. He also emphasised that 'only the hunting gathering way of life permits so great an emphasis on equality' (Woodburn 1982: 432). Whilst early work on small-scale societies made scant reference to relations with larger-scale economic and political forces, such as the nation state and global economic power relations, all the papers assembled here address these issues in one way or another. In general terms they do so in the light of the three general themes of this volume. This has led us to take a thematic rather than geographic approach to organising the contents of the two volumes, in order to highlight parallel debates across regions.

The contributors to this volume, therefore, do not simply indicate developments in the scholarly debate since 1982 but they also shift the emphasis by trying to give general answers to the question, 'What did encapsulation engender in the social, political and economic life of small scale societies?'

Richard Lee explores the large-scale social processes affecting foragers and post-foragers today and gives a survey of the foragers' past and current situations. The future of post-foragers he suggests, is intimately linked to their ability to identify themselves as Indigenous Peoples. 'After centuries of negative stereotyping, images of denigration that still persist in pockets, being recognised as indigenous has become an avenue for entitlement, enfranchisement and empowerment.' Among other things, Lee's contribution also highlights the necessity for a historical perspective on the current situation.

Axel Köhler looks at commodity sharing, gifting and exchange in the Congo. He puts the Baka, their precolonial trade networks, their Bantu neighbours, the colonial and postcolonial states in perspective and illustrates how the economic life of the Baka has been affected by regional trade networks and by the Atlantic trade long before the advent of colonialism. He shows how alternating periods of accelerated trade relations and relative calm characterised their economic life in the past and how the 'rationality of money, its potential as a repository of wealth and as measure of value, and the idea of investment with incremental interest (through gifting), were not intrinsically alien concepts that had to be implanted from outside, but had rather devel-

oped in step with ever widening exchange relations'. He argues that the Baka have ingeniously appropriated and adapted money and commodities to their own cultural understanding and social purposes. Only in moments of financial crisis such as the 1990s in the Congo did barter constitute an appropriate response. A major theoretical point of this paper is that it connects the two questions – discrimination on the one hand, and the internal dynamics of immediate-return systems, on the other hand – which up to now are usually considered to be separate issues.

Jerome Lewis focuses on the notion of property as held by the Mbendjele and their Bilo neighbours, the state and multinational organisations, discussing the role of the colonial and postcolonial governments in relation to their land policies. He also illustrates how these intruding groups today claim forest territory that was once held exclusively by the Mbendjele. Lewis indicates that rights to land are sold and traded to multinational companies as rights to specific resources: trees for loggers, minerals for miners, game for conservationists and safari hunters, thus discriminating against the Mbendjele. The national laws work against the Mbendjele, not only by denying them entitlement to their territory but also by not allowing them access to parts of their territory acquired by new conservationists. The original holders of these rights only gain incidental benefits (as workers/employees or through infrastructure). Benefits are hierarchically distributed so that those most recently involved in colonisation get most of the benefits. Thus the Europeans earn most from logging and mining, the Bilo come second and lastly, if at all, the Mbendjele.

Kirk Endicott examines the nature of the external trade among the Batek of Malaya in an effort to see how it is accommodated within their egalitarian social system and to determine why trade does not lead to predicted social inequalities. His point of departure is Woodburn's assumption that the absence of delay between the point when people acquire food and other resources and when they distribute and consume them engenders egalitarian relations in immediate-return hunting and gathering societies. His study suggests that values and social obligations can, in some circumstances, exert control over economic processes and their consequences and that food-sharing obligations and other levelling mechanisms can prevent the rise of economic and social differences in foraging societies that engage in trade.

Lye Tuck-Po starts with an extensive examination of the implications of roads and road building through indigenous territory, and what pathways mean to the Batek. In particular she investigates how roads enter the Batek idiom of property. She expands her argument by stating that roads function as markers of socioecological change and can lead us to an examination of how they are assimilated into the cognition and practice of immediate return hunter-gatherers, providing insights into the emergence of inequalities. She concludes that 'roads are a delayed-return phenomenon but, as used by the Batek, they become a bridge between immediate and delayed returns, and therein lies the tension', a tension that could be a fruitful source of insight.

Justin Kenrick questions the established academic interpretation of the dominant colonial and postcolonial discrimination against Central African hunter-gatherers by their farming neighbours, and suggests that it intensifies rather than alleviates the experience of discrimination. He also questions the hitherto dominant anthropological ways of understanding the relationship between hunter-gatherers and their neighbouring farmers, suggesting that it ultimately impedes rather than enables these hunter-gatherers to claim equality with their neighbours. He suggests that ‘the need is not only to identify the processes of discrimination and domination present within and between both peoples, but also to identify and support equalising processes of inclusion’. Thereby, Kenrick’s argument opens up a new dimension for combating discrimination.

Drawing on a wider study of variation in Aboriginal economy and society, Ian Keen’s study considers variations in Aboriginal kinship and marriage, and the association of this variation with difference in power. To make his points he outlines the classification of kin and affines in the communities under consideration, showing the boundaries of marriage, the returns and the kin who are entitled to these returns. Some of the arrangements demand an investment in time, as in the bestowal of a young spouse on an aging husband and the bestowal of a yet unconceived child. Using detailed data comparatively, Keen argues that ‘there is an association between the length of the “delay” in marriage bestowal and the size of return for males as measured by the level of polygyny’. He shows that the level of polygyny bears a strong relationship to the degree and kind of power differences in Aboriginal societies. This contribution provides a case of internal inequalities and their reproduction in the sphere of marriage arrangements.

Jean Lydall looks at the domestic sphere to analyse the power women exercise over members of their families, over property and even over the fertility of animals and fields and over certain rituals, in what is usually alleged to be the male-dominated world of Hamar pastoralists of southwest Ethiopia. Her description relates to what Woodburn (Volume 1) suggests with regards to ritual: that it may be the weak spot in the immediate-return system. Her material reveals, however, that women, too, have access to and power in ritual and in mundane matters.

James Weiner focuses on the distribution of royalty money and equity benefits by Chevron Niugini to Foi and Fasu clans in the Kutubu Oil Project Area in Papua New Guinea. He investigates the relation between the Incorporated Land Groups established according to the 1974 Incorporated Land Groups Act, Chevron Niugini and clans, which are the corporate owners of land in oil resource areas and consequent receivers of royalty and other benefits. He explains multiplicity in the number of new applications for the status of Incorporated Land Groups from subgroups that were incorporated in the early 1990s. He indicates predictable faults for fission in clan organisation and the reasons for why such fissioning takes place (see also Weiner 2002). While the oil company views this trend as resulting from dishonesty of leaders of Incorporated Land Groups, Weiner explains it in cultural terms. Weiner’s contribution is an example of a case where a nation state legislates

a favourable land policy to benefit its subjects based on the terms of agreement between the state and the oil company.

Robert Hitchcock questions the general assumption regarding property rights among hunter-gatherers that access to land was relatively equitable and that hunter-gatherers shared the land with one another. He argues that in fact individuals and groups always had differential access to land and resources, depending on a whole range of variables, including kinship, age, social and marital status, language-group affiliation, and personal and group identity. He takes cases from the San and Ju/'hoansi groups of Southern Africa to illustrate his argument and indicates that currently there is a struggle between these groups and their powerful opponents (governments, wealthy individuals, multinational corporations and other groups) for control over land. He expresses the necessity for an understanding of the complexity of San territoriality and an appreciation of the complex history of land tenure, land use and resource management in order to be able to make a cogent case for the recognition and the institutionalisation of their land, and for resource claims, and to secure various rights: residential rights, hunting rights, gathering rights including commercial rights to wild plants, water rights, grazing rights, arable land rights, rights to do business, etc. Hitchcock's paper shows that these groups are in a much better position, both in terms of getting international support and in terms of organising themselves to secure a better future legally, compared to other encapsulated Pygmy groups and other groups, for example in southern and southwestern Ethiopia.

Mathias Guenther discusses how the Bushman trance dance, which was originally performed by experts as part of the wider sharing practice and as part of a healing process, has been transformed. It is now performed both to local and international audiences with the goal of making money. This has involved professionalisation and commoditisation. The traditional expectations of healers by those who expect to be cured from ailments, and the expectations of international visitors intending to consume the performances as marketable substances, coexist. The trance dance, Guenther concludes, will endure both in its traditional form and its commoditised shape, thus contributing to social integration and political change.

Thomas Gibson casts some light on Woodburn's argument that the origin of social inequality in immediate-return hunter-gatherer societies lies in the appropriation of the religious domain by senior men. Comparing egalitarian religious images in one of the most hierarchical societies, the Makassar of South Sulawesi, with the hierarchical religious images that exist in one of the most egalitarian societies, the Buid of highland Mindoro, Gibson argues that the major threat to society comes from individuals who place their autonomy above the needs of the group. The seeds of hierarchy lie in those aspects of social life in which the desires of the individual are subordinated to the needs of the group, combined with the ability of one part of the social whole to claim the right to interpret and represent those needs. Gibson thus argues that an egalitarian ethos exists as an oppositional response to either factional attempts or continued efforts to encapsulate.

Processes of encapsulation may often appear to have predictable responses but the range and degree of responses to encapsulation vary widely from group to group, as evidenced in the various examples in this volume. For some former hunter-gatherers and other small groups presented in this volume maintenance of their original lifeworld after the loss of autonomy becomes increasingly difficult. In many cases these groups occupy the margins of larger social systems and their acquired status is characterised by discrimination. Torture, insults and humiliating experiences become part of their daily experiences. The discrimination these groups experience involves the denial of equality and of a recognition of political or social rights. At the heart of this process is the denial of political autonomy by dominating groups and the nation state and, in particular, as the contributors to this volume show, the denial of property rights.

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