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Abstract PhD thesis

During the last two decades, a growing number of African ethno-cultural communities have adopted a new form of identification as the indigenous peoples of Africa. Claimant communities are mainly (former) hunter-gatherers and transhumant pastoralists. The former category includes groups such as the San (Bushmen) of Southern Africa, the Batwa-Pygmies of Tropical Africa, a number of groups living in East Africa such as the Hadzabe, Sengwer and Ogiek, while the latter is composed of groups such as the Maasai, the Mbororo, the Tuareg and the Khoikhoi. The indigenous rights movement is a global dynamic aimed at advocating for the rights of communities whose customs, institutions, beliefs and identities have been and continue to be suppressed by dominant societies in countries where they live. The movement is further mainstreamed within the United Nations through a development of relevant legal standards such as the 2007 Declearation on the Rights of Indigenous Peoples.

Indigenous claims from the African continent are backed by many (international) actors such as indigenous rights activists, donors countries and institutions as well as by some scholarship. However, exclusive claims by only some groups as constitutive of the indigenous peoples of Africa are resisted - by many African governments, some members non-claimant communities where they live and some anthropologists - on the ground that descendents of all pre-colonial inhabitants of Africa are indigenous to the continent.

The book reflects on the reality and sources of marginality of claimant indigenous groups. Noting the limitedness of elaborate studies on the contextual realities of these groups, the study explores the appropriateness of proposed legal and other solutions aimed at empowering claimant communities. The study finds that undisputedly, most, if not all, claimant indigenous communities in Africa face real problems of sustainability of their traditional living environments and livelihoods. Most of them also face problems of societal discrimination and political marginalization. While calling for empowerment measures aimed at addressing the predicament of claimant communities, the book questions the appropriateness of the indigenous rights framework in inherently multiethnic African countries.

The book argues that whether under the indigenous rights framework or other mechanisms, forms of protection of claimant indigenous communities need to take into account the somehow competing identity claims by other non-claimant communities equally willing to safeguard their differential identities. It is argued that the emerging concept of human security might be relevant in better capturing the complexity of identity claims in Africa. The study suggests that the root causes of indigenous claims in Africa need to be contextually and holistically addressed. Thus, legal, political and other forms of arrangements to protect particularly vulnerable communities –such as claimant indigenous peoples - would only lead to long-lasting solutions if socio-political and economic sources of marginality of claimant indigenous and other communities are addressed.