
Hiding in Full View: The ‘Forgotten’ Bushman Genocides of Namibia

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This article examines the Bushman genocide of 1912–1915 which, despite overwhelming evidence of its having occurred, has been largely ignored by both scholars and the local population. It invokes the Durkheimian distinction between necessary and sufficient conditions. Necessary conditions are akin to Marxian notions of “primitive accumulation” or Weberian “booty capitalism,” but in addition, the author emphasizes the demographics of the settlers, largely (aspiring) middle-class single men, and suggests that notions of the Rechtsstaat—code-based rather than case-based rule of law—represented an important, if not distinctive, sufficient condition in facilitating genocide, especially in tandem with the legitimization activities of turn-of-the-century scholars. The article concludes with a brief examination of the “bureaucratization” thesis.

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In 1914, while the numerically superior and better armed South African forces were invading German South West Africa, the seriously outmanned German commander, Major Viktor Franke, had to send a company of sixty Schutztruppe (“protection troops”) to the Grootfontein district to deal with troublesome Bushmen. The unpublished journal/memoir of one of these troopers, Gunther Walbaum, provides vivid documentation of what happened on these “Bushman patrols.” His commander instructed him as follows: “I would be glad if you will not kill too many [Bushman] if possible. Only kill them when there is an attack, but use your own discretion.”¹

The banality of these hunts is obvious from Walbaum’s description:

After three kilometers we reached an open field where Jan [the guide] showed us to go down. One kilometer in front of us some Bushmen were busy digging out uinjies [tubers]. Now Jan did not want to walk in front anymore, because he did not want to have anything to do with the shooting. We discussed our next step for a moment so that we could encircle them. We had to sneak up to them like one does with game. On a sign, we all got up with our guns ready to shoot. We were about fifty to seventy meters away from them. The Bushmen stood in astonishment. When we approached them, ten or twelve men ran away. Falckenburg and one of our natives shot two. Unfortunately, I missed.²

Indeed, death was often preferable to capture:

Jonas [a prisoner] said he did not know Sus [a farm that had been raided recently by Bushmen], well, he did not want to know Sus, but the women said they saw him as he cut the boy’s heart out. [Note: This is not verified by court records.] The people were asked how many people were involved and how many guns they had, as well as who had killed the other [white] farmer. They said nothing. I hit them until the blood was running down [in streams]. They behaved badly and said their brothers would kill us all. I told them I would get them all. At night I tied each one naked to a tree. It was ice cold and they stood far from the fire; they tried to untie themselves with their feet.

The watchman hit them all over with a sjambock [hippo-hide whip]. At four o'clock in the morning—the coldest time of the night—they started begging: "Mister, if you bring us to the fire we will say everything." I told them that they had to wait because I was sure they were not mistreated enough.

At five o'clock we untied them. Jonas told us everything, but his bad behavior he did not change. The woman stayed near the fire with her child during the night. All the men had bad lacerations on their shoulders from trying to untie themselves by rubbing their shoulders on the bark of the tree.

At eight o'clock we took the scoundrels to the bush where we found the right trees in no time. A few boxes were piled up, ropes were tied onto branches—the men were put on the boxes with their hands tied and ropes placed around their necks. We kicked the boxes over and they were dead in seconds, because their necks were broken. All four of them had burst veins in the lower leg after they died. In twenty minutes they were dead. The women we took to Wiesental [a farm].³

One of the first orders of business of the newly installed South African administration in 1915 was to ban "Bushman hunting." The instructions of the secretary for South-West Africa were explicit:

It is necessary in the interests of all to secure a truce and bring the belligerents back to reason. The farmers must be told that shooting of Bushmen will no longer be permitted and will be prosecuted with all the rigour of the law. The Bushmen must be informed in like manner.⁴

But so traumatic was Bushman experience of German brutality that, three years after the German defeat, the South African military magistrate of Grootfontein felt duty bound to break protocol and write directly to the secretary of the Protectorate. Magistrate Gage described how he encountered some Bushmen prisoners who

were trembling so much that I remarked on it to the Gaoler. Later they were brought before him under an escort with fixed bayonets, and their terror was pitiful to behold. . . . It is like catching a bird in your hand when you can see its heart throbbing against its breast and you know that unless it is soon released it will die of sheer terror.⁵

This silence might have serious consequences. Recently the prominent and influential Herero historian Dr. Zedekia Ngavirue weighed in on the debate about Herero genocide and the claims for German reparations; he reportedly

dispelled the confusion of “other people” having suffered. He said it is true that the numbers of Namas were reduced with some having been taken to countries like Togo and Cameroon. He said it was equally true that some Damaras were on the side of the Ovaherero and that some Oshiwambo fought on the side of the Ovaherero like

The German administration did its utmost to facilitate the “internal” labor supply as well, by way of a series of draconian Verordnungen (ordinances) issued by Governor Friedrich von Lindequist in August 1907, which allowed for indigenous inhabitants to

between 1911 and 1913. More telling, though, was the expansion of European farms in the district, from twenty-five in 1904 to 173 in 1913, encompassing 777,077 ha. The number of settler-owned cattle in the district increased from 7,600 in 1908 to 13,611 in 1912.³⁴ Outjo District, lying directly adjacent to Grootfontein experienced a similar expansion with some 431,125 ha occupied by farms. This area was not terra nullius but, rather, the traditional habitat of Bushmen. If police are stationed where the trouble is, then these two districts were clearly the epicenter. By 1907 Grootfontein already boasted the single largest contingent of police—some eighty-two personnel,

If some of the male Bushmen who have been arrested are strong enough to work, they should be handed over to the district authorities at Luderitzbucht to work in the Diamond Fields.⁴¹

Seitz's immediate subordinates felt that these draconian measures did not go far enough. More specifically, the commander of the Schutztruppe felt that the *Verordnung* was unsatisfactory because the term "felon" would raise problems; he urged that the proclamation be amended to state that any Bushman who did not stop on command could be shot. Since it was impossible to say from which werft (loosely, "encampment") the alleged culprit came, he said, "it was nearly futile not to break up and arrest the members of all the settlements in the area where the patrol is operating." The district commandant of Outjo went even further: he wanted to include women in the definition of Bushmen, as they "were just as dangerous." Only one district commandant, Beringar van Zastrow of Grootfontein, felt that Seitz's measures were too draconian, but even his protests were muted.

Given the broad interpretation of what constituted the "slightest case of insubordination," or even the Germans' dubious linguistic capacity to tell Bushmen to stop "on command" and the fact that it was common knowledge that Bushmen fled at the sight of any patrol, this *Verordnung* constituted, in effect, as later events were to show, a warrant for genocide. Insofar as it was crucial in providing a legal underpinning for sustained purposeful action by officials and settlers to carry out a policy referred to in the settler press and administration as "Ausrottung" (extermination), this was more than simply an episodic massacre or pogrom; it was embedded within settler society. Of course, the creation of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide was still several decades away at the time of these events, but, like genocide scholar Helen Fein, I treat this as a sociological genocide. All the facilitative characteristics for genocide were present—deep structural divisions, identifiable victim groups, legitimating hate ideology and a breakdown of moral restraints, and what we might call "audience obliviousness" (toleration by local, national, and international communities).⁴²

Action was indeed thorough. The governor's annual report for 1911–1912 notes that in that year alone police, often supported by soldiers, undertook more than 400 Bushman patrols in the Grootfontein, Outjo, Rehoboth, and Maltahohe districts, covering some 60,000 km². Attempts at controlling vagrants, mostly Bushmen, by issuing metal "dog tag" passes were so unsuccessful that settlers, the press, and the Landesrat discussed the possibility of tattooing Bushman vagrants, but this suggestion was dropped, largely because of "technical difficulties" and the possibility of public outcry in Germany.⁴³

Still, the "Bushman problem" did not go away. In April 1912, Seitz addressed the Landesrat, acknowledging that there were still many difficulties because of robberies committed by Bushmen in the Grootfontein, Outjo, and Maltahohe Districts and that there was a need to further increase punishment.⁴⁴ By early 1912, the area west of the Etosha Pan had been "cleansed" of Bushmen and the police station at Okakeujo reinforced with additional personnel. Attacks on Owambo migrant workers, however, continued to such an extent that the Luderitzbucht Chamber of Mines urgently requested the government to "please be so kind as to immediately start with the sanitization of the Bushman hordes in that area."⁴⁵ The Chamber of Mines was supported by the Outjo district head, Dr. Schultze-Jena, who proposed that all Bushmen in his district be forcibly removed to the coast. The governor vetoed this suggestion, both because of

because I was afraid the Boss would have killed me if I did so. I ran away when we got to the house. I ran to the Sandveld because if I went towards the Police Station the master might have found me on the road and shot me.” Becker openly boasted about his Bushman-hunting exploits to the police. The South Africans found him guilty of murder and sentenced him to life imprisonment, citing as mitigating circumstances the fact that the German administration had condoned such killings.⁵²

Captured Bushmen were usually deported to the coast to work in cold and damp conditions at Swakopmund and Luderitzbucht, and sometimes in the mines at Tsumeb.⁵³ Hard statistics are difficult to come by, but some indicators are available. A letter from the Grootfontein District secretary reports twenty-seven Bushman men, twenty-four women, and twenty-four children captured. Of these, twelve men, two children, and two women were being sent to Swakopmund. The women were wives of men killed in skirmishes with troops, and it was assumed that they would hate settlers

but whatever you do on African soil will always be merely “semi-European.” The democracies you create are not a people, but merely a class, whose progress, existence and safety depends on the services of a subject race which they cannot amalgamate, but which they must rule. There lies ... the labour foundation of the African society.⁷³

Most of the junior officials Bonn encountered

were scions of the Prussian nobility who had not learned much and who were suspicious of every kind of learning. They had come out to Africa because it offered them a chance of bossing on a scale no longer available even in darkest Pomerania.⁷⁴

The Schutztruppe contained a high proportion of officers descended from distinguished military families,⁷⁵ and their legacy lives on in the form of the fake Rhenish castles and massive monuments that are so popular with tourists nowadays. Even the missionaries Bonn found disappointing: “Their small-town minds had been trained in that docile obedience which was a distinctive feature of German Lutheranism; they did not dare to stand up for the rights of the natives or even for their own work.”⁷⁶ This mindset of arrogance combined with unquestioning acceptance of orders, or of the dictates of science, helped facilitate the exercise of killing people defined as “lesser,” whether for the purposes of massacre or of genocide.

The fifth consequence of the demographics of settler society, as Courtwright

Fear of criticism influenced how they treated strangers who might be critical. Bonn, for example, found that on his 1907 visit, officials and many settlers refused to assist him in his inquiries until he threatened to make their lack of cooperation a matter of public record.⁸⁴ Settlers and officials had reason to be suspicious of meddling metropolitan types because of the claims made in the Reichstag by one of its leading members, August Bebel, in 1905 to the effect that it was difficult for people to send unpopular reports to Europe and Germany about the administration there because if it became known who the individual was, “his entire existence is placed in jeopardy.”⁸⁵ Similarly, for economic reasons, colonial civil servants, unlike their metropolitan counterparts, lacked tenure and thus were discouraged from questioning or taking a stand against abuses, and from criticizing their superiors, by the fear of losing their jobs.⁸⁶

The *Mariannenburg* as Ceremonial State

The situation in German South-West Africa was rife with contradictions. Settlers hated the indigenes yet depended on them; they disliked the government but relied heavily on it. In such circumstances, there was a strong emphasis—indeed, some visitors felt, an overemphasis—on ritual and ceremonialism. On a 1913 visit, South African anthropologist A. Winifred Hoernle complained, “It is awkward having anything to do with the Germans because rank counts so much and one can’t get to the individual direct.”⁸⁷ Excessive formality can disguise many features, including ignorance. The *Weltanschauung* of such persons, I suggest, had two important consequences. First, it produced an excessive reliance on the letter of the law; second,

exaggerated etiquette from both colonizer and colonized. According to Albert Memmi, "formalism is the cyst into which colonial society shuts itself and hardens, degrading its own life in order to save it. It is a spontaneous action of self-defense, a means of safeguarding the collective consciousness."⁹¹ Memmi has noted the profound ambivalence that permeates the colonial project: How could the colonizer look after his workers while periodically gunning down a crowd of the colonized? For the colonizer, to think about the contradictions inherent in colonialism was to undermine it. The panoply of legislation and the activities of scholars represented a mechanism for the colonizers to grant themselves self-absolution.

This image of a smoothly functioning social order creates the capacity for fascist self-delusion. As Erving Goffman has noted:

A performer may be taken in by his own act, convinced at the moment that the impression of reality which he fosters is the one and only reality. In such cases the performer comes to be his own audience; he comes to be performer and observer of the same show. Presumably he intrcepts or incorporates the standards he attempts to maintain in the presence of others so that his conscience requires him to act in a socially proper way. It will have been necessary for the individual in his performing capacity to conceal from himself in his audience capacity the discreditable facts he has had to learn about the performance; in everyday terms, there will be things he knows, or has known, that he will not be able to tell himself.⁹²

Rech Mache i Rech, aa (Making Right with a Rech, aa)

Settlement involves not only physical movement but also a psychic domain: angst and other anxieties must be allayed for settlers to be settled. Law is crucial in this operation, creating what Jürgen Habermas has termed "facticity."⁹³ Settlers, while in a position of domination, suffer the unbearable powerlessness of "waiting"⁹⁴ and seek to stabilize their situation through the magical use of law. As an ideology, law contributes to the social construction of the social world by creating images of social relationships as natural and fair to the settlers because they are endowed with legality.

The emphasis on the instrumentality of legislation has diverted attention from the contradictions inherent in it. We must look not only at what the law says but also at what it does. In particular, the cultural and attendant "moral" meanings of this legislation have been ignored. The 1907 Native Regulations were important for the settlers not only on an instrumental level but also on a symbolic level. For the first time, the distinction between "whites" and "indigenes" was legally recognized,⁹⁵ and thus the issue of sovereignty was touched upon. Sovereignty is not about determining the law but about determining who is exempt from it, as Giorgio Agamben has argued.⁹⁶ But there are two types of exemptions: first, those whereby those with power can ignore the law and foist their will upon the less powerful; and, second, those whereby the vulnerable and less powerful are defined as beyond the law, as *Vogelfrei* (literally, "free birds"). The latter is obvious, if frequently overlooked, in von Trotha's infamous "extermination order," the very first sentence of which is "you have ceased to be German subjects"—the implication being that, as non-German subjects, they are beyond the realm and protection of German law. This idea meshed well with the German jurisprudential notion of *Rechtsstaat* (roughly translated as "constitutional state"), which, essentially, makes everyone equal who is subjugated by the same law within the bounds of the state. According to the Native Regulations, indigenes without labor contracts were without legal rights and could be punished as vagrants.

It also validated the ability of settlers to engage in private policing. The Musterstaat survived by franchising its legal use of violence to its settlers.

Authorization or legality displaced legitimacy as a key concern. In the Schutzgebiet, as in apartheid South Africa, oppression occurred not so much through terror per se as by the routinization of terror in day-to-day interaction. “Lumping it” (ignoring the state officials) or “redressive self-help” (do-it-yourself justice) were apparently common settler strategies on the outlying farms, especially in the Grootfontein and Outjo Districts.⁹⁷ Indeed, these strategies led to a sub-genre of German colonial literature, epitomized most notably by Hans Grimm, author of the influential Nazi-era bestseller *Volk ohne Raum* (“A People without Space”). Such misguided settler self-help was not seen as mistreatment but justified as “discipline” (Züchtigung).

Another level at which the Rechtsstaat played a role was the quality of the formal judicial structure. Even while en route to Swakopmund from Germany, General von Trotha issued orders empowering every commanding officer to suspend preliminary judicial proceedings and to shoot any enemy. Other “colored” inhabitants, if suspected, were to be tried by field courts.⁹⁸

In 1912 a Dr. Müller complained in the Reichstag,

Our civil and military administration of justice is simply indefensible. . . . With regard to native justice and administration there exists an incredible uncertainty concerning the powers of the administrative authorities. . . . One judge uses the German penal code without further ado. . . . Another does not use^{233.n2i10e}there

The reserve option was given official credence in a memorandum drafted by Dr. Seibert, the government's chief medical officer:

[Bushmen] are unsuitable as settled employees, and the relinquishment of their nomadic lifestyle spells their doom. While they are of little economic value, they are of large scientific value. And even the Cameroons have a law, which protects gorillas

and recently elected member of the Reichstag, made an eloquent plea for a reserve for the “poorest of the poor . . . the slaves of the slaves.” Bushmen, he claimed, were a product of a tragic history, dispossessed by farmers and railroad companies and riddled with venereal disease. As a reserve, Mumm suggested the area stretching from the Grootfontein farms to the Kavango River. He repeated his call for a Bushman reserve in 1914.¹⁰⁹ While Mumm’s plea did not have much impact, it is clear that there was an important information network linking the colony to the metropole.

The issue of whether Bushmen could be “habituated” to work also provoked much discussion among academics. The academic who provided the immediate reference point for the debate was the geographer Siegfried Passarge who, in 1907, published a compilation of his contributions to the *Mitteilungen aus des deutsches Schutzgebiets* as a book. His research was based on a sojourn of a few months in the Kalahari on an expedition led by Lord Lugard and accompanied by a Dutch-speaking Bushman. Most of his information was derived from white traders or Bechuanas, since he found it difficult to get information directly from Bushmen: “Nothing is more changeable, undependable, and unpredictable than the character of the Bushman; it combines within itself the greatest imaginable contrasts, virtues, and vices.”¹¹⁰ As a race, Bushmen were on a closed development path, he claimed; they were incapable of adapting to agriculture or pastoralism. Passarge concluded that the only viable policy, in a settlement situation, was extermination:

What can the civilized human manage to do with people who stand at the level of that sheep stealer? Jail and the correctional house would be a reward, and besides do not even exist in that country. Does any possibility exist other than shooting them?¹¹¹

troops in their last great flanking movement, which led to the death of Nama leader Hendrik Witbooi, and then accompanied Hauptmann Ludwig von Estorff in his famous tracking expedition, which pursued fleeing Nama and their allies to Rietfontein in the southern Kalahari. Obviously the war situation restricted his travels, and his research was carried out only in a small part of southern Namibia. The sample on which his famous classification is based was neither random nor large; it consisted of measuring

slightly more liberal anthropologists centered around the *Zeitschrift für Ethnologie* in Berlin, who in 1914 published von Zastrow's 1912 memorandum dismissing proposals calling for "shooting or deporting whole tribes as so absurd as not to deserve any consideration"¹¹⁸ and opted instead for economic integration and education. But this was decidedly a minority view. More typical was George McCall Theal, the leading South African historian, who carefully studied the available evidence and concluded in 1919,

It can now be asserted in positive language that the Bushmen were incapable of adopting European civilization. . . . To this day there has not been a single instance of a Bushman of pure blood having permanently adopted the habits of the white man.¹¹⁹

The relative importance of science and the practice of science in Germany vis-à-vis other colonial powers should be noted. German anthropology dominated its English and French counterparts; as early as 1885, von Luschan could already boast that the "Berlin collection is seven times as big as the ethnographic department of the British Museum." As late as 1920, with Germany stripped of its colonial possessions, the Berlin *Gesellschaft für Anthropologie, Ethnologie und Urgeschichte* had more members than the Royal Anthropological Institute and the American Anthropological Association combined. Even smaller German societies outdrew their British and US counterparts. In 1906, the Vienna Anthropological Society, for example, could claim 459 members.¹²⁰ Given the mandarin nature of German academe, this meant in practice that academic and scientific pronouncements enjoyed a much wider currency and authority in Germany than in the other metropolitan centers. Even critics of colonialism, such as Moritz Bonn, conceded that German scientific colonialism was more advanced than the British or French versions. It is within this context that one can appreciate von Luschan's claim that he was "entirely convinced that our late war in South-West Africa might have been avoided, and that it was simply the result of neglect of the teachings of ethnology on the part of leading officials."¹²¹

Certainly officials took scholars seriously. In November 1912, Franz Seiner wrote a letter concerning Bushman prisoners to the colonial secretary and enclosed photographs to illustrate his point about their mistreatment. His letter was forwarded to Governor Seitz for comment. Ten months later, after investigating the matter, the governor replied that he had no doubt that, if published, Seiner's photographs would provide "unpleasant agitation material against the Territorial administration." He then added, in a trope familiar to science, that

a more objective view of the situation must take into account the fact that the Bushmen are by no means only harmless children of nature, but constitute a serious danger to more intensive settlement of the fertile northern districts. Weakness cannot therefore be justified by any means in the treatment of the Bushmen.¹²²

These photographs are important—indeed, damning—for what is not discussed in the resulting correspondence. Two of the prisoners have amputated arms; this was a common way of dealing with Bushman "theft," yet neither then nor later did such practices merit discussion, let alone criticism.¹²³

While sweating at their uneconomical smallholdings in the Grootfontein district, many inexperienced and underfinanced settlers projected their wildest fantasies upon the "vagabond Bushmen," and their fantasies often meshed with those of academics. The same can be seen in the numerous reports written by officers and officials that were published in quasi-academic journals. With the exception of Seiner, the scholars whose material and ideas were so eagerly read and used by officials and settlers were

not in Namibia during the period when these Bushmen “hunts” were carried out. They were still involved in Bushman issues, but they seem to have been exclusively concerned with Bushman penises! A major question troubling some of the finest scholars was how to distinguish between “Bushmen” and “Hottentots.” Craniometrical differences between the two were insignificant, and thus the issue had to be resolved by other means. Within a few years the focus had shifted to penises as the differentiating trait. Especially influential were Seiner’s research on and photographs of Bushman prisoners; Seiner argued that the semi-erect penis of the Bushman was a distinctive racial characteristic and that Bushmen could be identified by the angle of the penis: “Exceptionally interesting is the circumstance that Bushmen do not have pendular penises like the other human races, but are in non-aroused circumstances horizontal like four-footed mammals.”¹²⁴

So intense was the debate over the Bushman/Hottentot distinction that Eugen Fischer, later to achieve a certain notoriety in Nazi Germany, wrote to Governor Seitz in 1913 requesting a Bushman penis. His letter contains detailed instructions about how to preserve the organ and the suggestion that if the governor had a condemned Bushman, the prisoner could be sent to Freiburg, where the cold climate would soon kill him and the good professor would have a fresh cadaver to work on. Bushmen’s genitalia seem to have transfixed many physical anthropologists, and this fascination continued to be a popular trope in German physical anthropology. Fischer, too, associated the genitalia of Bushmen with attributed animality. Genitalia were seen as clinching their intercalary role between humans and animals—a belief that lasted into the 1950s.¹²⁵

Seiner appears to have played a key role not only in stimulating this debate but also in directly and indirectly influencing official policy on Bushmen. Indeed, a closer reading of newspaper headlines featuring “The Bushman Danger” or “The Bushman Plague” indicates that all seem to be traceable to Seiner’s pen. Some felt that his claims were exaggerated—so much so that Seiner tried to sue an experienced settler newspaper editor and member of the Landesrat, Rudolf Kindt, for libel after the latter accused him of presenting reports laced with fantasy. Kindt obtained sworn statements from Pater Bierfort, a Catholic missionary on the Kavango River, who pointed out Seiner’s numerous elementary linguistic faux pas. Other expert witnesses

These conditions are not mutually exclusive but must be analyzed synthetically, since the problem in examining colonial genocide is not to explain it so much as to understand the variations that occur. As I have pointed out, structurally German South West Africa was a classic case of Marxian “primitive accumulation” or Weberian “booty capitalism.” Seeing the situation as one of resource competition would appear attractive. Ecological pressure most certainly might have been a factor: as well as settlers’ having moved into Bushman territory, 1910 had also been a bad drought year, with only 42% of the average annual rainfall.¹²⁸ The fact that four of the following five rainy seasons also saw below-average rainfall aggravated the situation. In addition, the 1907 proclamation of the Etosha Game Park, in prime Bushman territory north of Grootfontein, and 1908 proclamations outlawing hunting out of season or without a written license conceivably added to the pressure. The Blue Book detailing Germany’s treatment of the indigenes cites approvingly an earlier official report dealing with Bushmen in the northern Cape in which Major J. Herbst (secretary for South West Africa at the time of the Blue Book) states that “the strict enforcement of the game laws has made the country unsafe for them. They profess to be unable to understand by what right Government protects the game and invariably ask to be shown the government brand on the animals.”¹²⁹

The problem with the ecological approach is that this was a case of genocide by long-term stealth. Bushmen, farmers, and officials occupied different ecological niches on the same terrain, and thus were not in direct or immediate competition. Rather, as in other parts of the Kalahari, a symbiosis emerged, and direct resource competition became an issue only much later. With respect to the game laws, it is obvious that state forces were thinly spread and had little chance of implementing these laws.

Theories on colonial genocides, those situations of brute “booty capitalism” or “primitive accumulation,” often ignore the importance of demographics and of psychologically pacifying settlers. In Namibia the settlers were spread thinly and came from a strong German tradition. Had they been less “tradition-bound,” they would probably have sought their fortunes in regions beyond German hegemony. In pacifying the colonizers, ceremonialism, and particularly the Rechtsstaat, played an important role. This emphasis fits the facts well and complements Isobel Hull’s recent argument about the role of German military culture (understood as a complex of habitual practices and basic assumptions embedded in its doctrines and administration).¹³⁰ In addition, German society valued the opinions of scholars to a far higher degree than other Europeans did. Indeed, the structure of both academia and the military had strong nationalistic overtones. This had important implications in facilitating the Bushman genocides.

that they could work.¹³⁶ In his popular Herero war novel, Peter Mohr's *Fahrt nach Südwest Afrika*, Gustav Frenssen has one of his soldiers exclaim, "These blacks deserved to be killed in the eyes of God and men; not because they murdered two hundred farmers and rose up against us in rebellion, but because they built no houses and dug no wells."¹³⁷ The attributes of Bushmen epitomized the critical distinction between Herero and Bushman: in the hierarchical typology developed by academics, Bushmen ranked even below Herero and Nama because, it was alleged, they had no property. It is not enough to recognize this hierarchy as neo-Darwinian; crucially, we must consider the basis on which the hierarchy was constructed. According to many colonials, Bushmen were *Vogelfrei*, precisely because they owned no property or had laws. Their alleged incapacity to work was also tied to notions of property. Most importantly, having no property meant that their territory was seen as *Herrenlos*

question: How does one understand the end of the Bushman genocide that occurred when the South Africans took over? Certainly the Afrikaner settlers who slowly but surely supplanted the German settlers were believed to be far more racist, even in German times,¹⁴⁵ and the first South African administrators were notoriously unsympathetic toward Bushmen. Administrator A.J. Werth, for example, asserted that

We make no attempt to civilize the Bushmen. They are untameable. . . . The territory is so large and the Bushmen so cunning that an army might seek them in vain. But it is all fine country, splendid for sheep and cattle farming . . .¹⁴⁶

In addition, the territory had undergone significant, if not massive, de-bureaucratization. In 1923, the administrator complained that the administration consisted of

visited Bushmen in the Grootfontein prison: "The poor things were trembling visibly, and seemed to think I was come to execute them . . . Some physical anthropologists, known to Cape Town, had recently visited them . . . and hence perhaps inspired the terror which greeted me." W.A. Norton, "The South-West Protectorate and Its Native Population," *South African Journal of Science* 16 (1920): 453–65, 454.

6. E.g., Jacqueline Solway, ed., *The Politics of Egalitarianism* (New York: Berghahn Books, 2006).
7. See Robert J. Gordon, *The Bushman Myth and the Making of a Namibian Underclass* (Boulder, CO: Westview Press, 1992), which contains many of the empirical data on which this paper is based. See also Robert J. Gordon, "Covering the Tracks with Sand: P.J. Schoeman and Public Anthropology," *Historia* 52 (2007): 98–126.
8. Jürgen Zimmerer and Joachim Zeller, eds., *Völkermord in Deutsch-Südwestafrika* (Berlin: Ch. Links Verlag, 2003).
9. Ute Dieckmann, *Hai//om in the Etosha Region* (Basel: Basler Afrika Bibliographien, (SchoemanE.J.

29. "Eingebornen-Verordnungen," Windhuker Nachrichten, 19 September 1907, 1.
30. Deutsche Südwest Zeitung, 25 November 1908.
31. G.P.Kruger, Outjo (undated mimeograph, National Library of Namibia).
32. Zimmerer and Zeller, Völkermord in Deutsch-Südwestafrika, 36.
33. Stals, "Duits Suidwes-Afrika," 66.
34. Gordon, Bushman Myth, 201–2.
35. Hans Rafalski, Vom Niemanssland zum Ordnungstaat (Berlin: Werseitz, 1930), 72; Dieckmann, Hai//om in the Etosha Region, 91.
36. Stals, "Duits Suidwes-Afrika," 83.
37. Südwest-Zeitung, 17 October 1911.
38. Deutsche Kolonialzeitung 28 (1911): 773.
39. Deutsche Kolonialzeitung 29 (1912): 554; NAN, ZBU 2043, District Secretary to Governor (7 September 1913) [Link letter].
40. Gann and Duignan, Rulers of German Africa 142–43; Stals, "Duits Suidwes Afrika."
41. NAN, ZBU 2043, Verordnung J.nr 26883/5391 (24 October 1911; emphasis added).
42. Helen Fein, Genocide: A Sociological Perspective (London: Sage, 1993).
43. Stals, "Duits Suidwes-Afrika," 74, 84.
44. Deutsch Südwest-Afrika Zeitung, 27 April 1912, 1.
45. Cited by K.F.Budack, "Die Voelker Suedwestafrikas (21)," Allgemeine Zeitung, 10 October 1980, n.p.
46. NAN, ZBU 2043 Buschleute Specialia, Governor to District Head, Outjo (20 January 1913).
47. NAN, ZBU 2043 Letters, District Head, Outjo, to Governor (22 February 1913, 21 May 1914); Stals, "Duits Suidwes-Afrika," 85.
48. Deutsche Kolonialzeitung 1913: 672–3.
49. NAN, ZBU 2043, Link Ref 644 (7 September 1913).
50. He was being unduly modest: archival records show that he had also killed a Bushman in March 1913 and then, on 20 August, had shot both two Bushmen (a man and a woman). NAN, R. v. Thomas (1917) SCW, 6; Link letter (7 September 1913).
51. NAN, ZBU 2043, K. Boehme to Imperial Government (4 February 1915).
52. NAN, R. v. Becker (1979) SCW; Silvester and Gewalt, Words Cannot Be Found, 311–12.
53. Stals, "Duits Suidwes-Afrika," 46–47.
54. NAN, BSW 1/1/81 G35, ZBU 2043 (15 September 1913).
55. David Harvey, The New Imperialism (New York: Oxford University Press, 2005). For readers unfamiliar with primitive accumulation, Harvey mentions that it includes
the commoditization and privatization of land and the forceful expulsion of peasant populations; conversion of various forms of property rights (common, collective, state, etc.) into exclusive private property rights; suppression of rights to the commons; commoditization of labor power and the suppression of alternative (indigenous) forms of production and consumption; colonial, neo-colonial and imperial processes of appropriation of assets (including natural resources); monetization of exchange and taxation (particularly of land); slave trade; and usury, the national debt and ultimately the credit system as radical means of primitive accumulation. The state, with its monopoly of violence and definitions of legality, plays a crucial role in both backing and promoting these processes. (145)
56. Max Weber, The Protestant Ethic and the Spirit of Capitalism, trans. Talcott Parsons (New York: Scribner, 1958), 121.
57. E.g., Alison Palmer, Colonial Genocide (London: C. Hurst, 2000); A. Dirk Moses, "Genocide and Settler Society in Australian History," in Genocide and Settler Society: Frontier Violence and Stolen Children in Australian History, ed. A. Dirk Moses, 3–48 (New York: Berghahn Books, 2004); Jürgen Zimmerer, "Colonialism and the Holocaust: Towards an Archaeology of Genocide," in Genocide and Settler Society: Frontier Violence and Stolen Children in Australian History, ed. A. Dirk Moses, 49–76 (New York: Berghahn Books, 2004).

58. Martha Mamozai, *Herrenmenschen: Frauen im deutschen Kolonialismus* (Hamburg: Rowoldt, 1989), 128.
59. Daniel Walther, *Creating Germans Abroad* (Athens: Ohio University Press, 2002), 58.
60. David Courtwright, *Violent Land: Single Men and Social Disorder from the Frontier to the Inner City*

- (Cape Town: Center for African Studies, University of Cape Town, 1987), 44; Ridley, *Images of Colonial Rule*, 152.
88. See, e.g., Wolfram Hartmann, ed. *Hues between Black and White* (Windhoek: Out of Africa, 2005).
 89. Bley, *South-West Africa under German Rule*, 63–65.
 90. Walther, *Creating Germans Abroad*; Paul Barth, *Südwest-Afrika* (Windhoek: John Meinert, 1926); Lora Wildenthal, *German Women for Empire, 1884–1945* (Durham, NC: Duke University Press, 2001).
 91. Albert Memmi, *The Colonizer and the Colonized* (Boston: Beacon Press, 1967), 101.
 92. Erving Goffman, *The Presentation of Self in Everyday Life* (New York: Anchor, 1959), 80–81. I have dealt extensively with the ceremonial nature of vagrancy legislation during the mandate period in Gordon, “Vagrancy, Law and Shadow Knowledge”; the argument is even more applicable in the German colonial case.
 93. Habermas uses this term to refer to the decisionistic aspect of the law, its origins in the will of the sovereign, and the fact that compliance with the law is externally motivated by the threat of sanctions. Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. William Rehg (Cambridge: Polity Press, 1996), 29.
 94. Vincent Crapanzano, *Waiting: The Whites in South Africa* (New York: Doubleday, 1985).
 95. Bley, *South-West Africa under German Rule*, 172.
 96. Giorgio Agamben, *State of Exception*, trans. Kevin Attell (Chicago: University of Chicago Press, 2005).
 97. W. Mattenklodt, *Fugitive in the Jungle* (Boston: Little, Brown, 1931); Otto Reiner, *Achtzehn Jahre Farmer in Afrika* (Leipzig: Paul List Verlag, 1924).
 98. Harry M. Schwirck, “Violence, Race and the Law in German South West Africa 1884–1914” (PhD diss., Cornell University, Ithaca, NY, 1998).
 99. Quoted in M.J. Olivier, “Inboorlingebeleid en -Administrasie in die Maandaatgebied van Suidwes-Afrika” (DPhil diss., Stellenbosch University, South Africa, 1961), 223.
 100. Bley, *South-West Africa under German Rule*, 260–67; Schwirck, “Violence, Race and the Law,” 172.
 101. Schwirck, “Violence, Race and the Law,” 233.
 102. Bley, *South-West Africa under German Rule*, 198, 227.
 103. NAN, ZBU 2043, Memorandum of Dr. Seibert (24 August 1911). In the policy discussions, it is remarkable how officials referred to historical precedent, especially in North America and the Cape Colony, then also cited academics to justify their choices.
 104. NAN, ZBU 2043 (2 December 1911); emphasis added.
 105. Professor von Luschan made this suggestion during the 1906 joint meeting of the South African and British Associations for the Advancement of Science.
 106. *Deutsche Kolonialzeitung* 1908: 99.
 107. Lt. P. Gentz, “Die Buschmänner: Ein auststerbendes Volk in Deutsch-Südwestafrika,” *Deutsche Kolonialzeitung* 26 (1909): 450–52.
 108. Mathias Guenther, ed., *Kalahari and Namib Bushmen in German South West Africa: Ethnographic Reports by Colonial Soldiers and Settlers* (Cologne: Rüdiger Köppe, 2005), 214.
 109. *Deutsche Südwest-Afrika Zeitung*, 16 July 1912; Oswin Köhler, “Dokumente zur Entstehung des Buschmannsproblem in Südwestafrika,” *Afrikanischer Heimatkalender* (1957): 54–62.
 110. Siegfried Passarge, *Die Buschmänner der Kalahari* (Berlin: Reimer, 1907), 2.
 111. *Ibid.*, 124, 132 (emphasis added).
 112. The information in this paragraph is drawn from documents in the National Archives of Namibia.
 113. Leonard Schultze, *Aus Namaland und Kalahari* (Jena: Fischer, 1907).
 114. Leonard Schultze, *Zur kenntnis des Körpers der Hottentotten und Buschmänner* (Jena: Fischer, 1928), 211.

115. Leonard Schultze, "Südwestafrika," in *Das Deutsche Kolonialreich*, ed. Hans Meyer, vol. 2, 129–298 (Leipzig: Verlag des Bibliographischen Instituts, 1914), 295 (emphasis added).
116. *Ibid.*, 290.
117. Rohrbach, *German World Policies*, 135.
118. NAN, ZBU 4032 (3 January 1912).
119. George McCall Theal, *Ethnography and Condition of Africa South of the Zambesi before 1505* (London: Allen & Unwin, 1919), 76.
120. Details in Robert Gordon, "The Rise of the Bushman Penis: Germans, Genitalia and Genocide," *African Studies* 57 (1998): 27–54.
121. Quoted in Foreign Office Historical Section, *German African Possessions (Late)* (London: HMSO, 1920; reprint, New York: Greenwood, 1969), 46.
122. NAN, ZBU 2043, unsigned rough draft, Governor to Colonial Secretary, Berlin (September 1913); see also Fritz Müller, *Kolonien unter der Peitsche* (Berlin: Rutten & Loening, 1962), 169.
123. Robert Gordon, *Picturing Bushmen: The Denver African Expedition of 1925* (Athens: Ohio University Press, 1997), 165.
124. Franz Seiner, "Die Buschmanngefahr in Deutsch-Südwestafrika," *Deutsche Kolonialzeitung* (1912): 311–12; "Die Buschmannfrage im nordlichen Deutsch-Südwestafrika," *Deutsche Kolonialzeitung* (1913): 745–46.
125. I have dealt extensively with this penile fixation and the subsequent rather right-wing careers of all the German scholars involved in this "debate" in Gordon, "The Rise of the Bushman Penis." See also NAN, ZBU 1006.
126. NAN, B53/12 Seiner v. Kindt, GW 556 (1911).
127. Patrick Wolfe, "Settler Colonialism and the Elimination of the Native," *Journal of Genocide Research* 8 (2006): 387–409.
128. J.H. Wellington, *South West Africa and Its Human Issues* (Cape Town: Oxford University Press, 1967), 43.
129. Quoted in Silvester and Gewalt, *Words Cannot Be Found*, 240.
130. Hull, "Military Culture," 160.
131. Bundesarchiv Koblenz, Nachlass Moritz Bonn, N.1082, vol. 13b "The End of the Colonial Discussion" (undated and unpaginated manuscript; emphasis added).
132. In 1909 Bonn had already argued that "as long as there are still people who deem such policies as necessitated by Nature, the danger will persist that they may also be used in other places. If the mistakes of Trotha's colonial policy can be surrounded with a theoretical halo, nothing will protect from it being repeated." Quoted in Volker Berghahn, *Europe in the Era of the Two World Wars* (Princeton, NJ: Princeton University Press, 2006), 25. It is also of interest that the figures Bonn gives for indigenous losses during the war are considerably lower than those given by other sources. Before the war he put the population at about 100,000, and after the war at 87,796 (but includingSex9(of)-330eaoqtillJ-2(by)-33-

address: vagabonds, vagrants, Bushmen, and the like. My reading of the literature on the