Dispute resolution – an archaeological perspective with case studies from the South African Stone Age and San ethnography

D MORRIS¹

Abstract

This paper presents an archaeological perspective on dispute resolution. Being a discipline based primarily on tangible material remains, archaeology may be hard put to draw firm conclusions on a phenomenon whose expression is usually intangible. It nevertheless takes up the challenge to consider whether there are traces suggesting the successful avoidance of conflict in the past. Drawing insights from South African Stone Age archaeology and San ethnography, the evidence of unperturbed continuance of a given cultural tradition is considered, as are indications of *bxaro*-like gift-giving mechanisms known to reduce tension in ethnographic instances of the recent past. Findings based on such indicators may be ambiguous. Evidence of negative outcomes in terms of conflict and homicide would be more obvious and pertinent to dispute resolution, specifically its failure. The role of "othering" in oral literature is referred to for situations where external social distance is emphasised or where regulation of inappropriate behaviour within a group is hinted at. The paper touches on the history of colonial encroachment and genocide in the Karoo, and finally, on the role of heritage itself as it becomes a locus of dispute in the present.

Keywords: dispute resolution, archaeology, hxaro, conflict, heritage, San

Introduction

The life of man left to its own natural ways, declared Thomas Hobbes (1588–1679), would be "solitary, poor, nasty, brutish and short." Famously countering this view, Jean-Jacques Rousseau (1712–1778) proposed that "nothing is more peaceable than man in his primitive state" – a noble condition, indeed, to which civilisation was a threat. With these philosophical speculations in mind – as they resurface from time to time – this paper presents thoughts towards an archaeological perspective as background to the topic of discussion at the conference on San Dispute Resolution: Resolving Disputes the South African Way (Institute for Dispute Resolution in Africa, Unisa, 5–6 November 2014). Insights are drawn mainly from South African archaeology, with some emphasis on material from the Northern Cape.

The conference theme of dispute resolution *per se* is one not easily addressed through archaeology. Archaeology is a discipline based primarily on *tangible* material remains, from which it seeks to flesh out the histories of people from a past that is remote in time, beyond – often far beyond – the reach of oral or written records. But dispute resolution, by its nature, tends to be an *intangible* phenomenon which, for as long as it is successful, may not generate a great deal in the way of material traces – and hence it is a feature of human life that archaeology may be hard put to demonstrate in any substantial and unambiguous way. The converse applies of course that for as long as dispute remains *un*resolved, a range of distinctly material consequences may ensue. There is indeed a sub-discipline within archaeology

Dr David Morris is Head of Archaeology at the McGregor Museum Kimberley, P.O. Box 316, Kimberley, 8300 and affiliated with the Department of Heritage Studies, Sol Plaatje University, Kimberley. Email: dmorriskby@gmail.com

devoted to conflict, having even its own *Journal of Conflict Archaeology*, addressing every conceivable aspect of violence and dispute, from battlefields to street protests, forensic work and human rights issues, and even conflict over landscapes and monuments, i.e. archaeology itself.

This paper takes up the challenge to consider whether there are traces that, as a positive outcome of dispute resolution, might suggest a successful avoidance of conflict by and large. These would be situations that generally lack the proverbial smoking gun – evidence perhaps of an unperturbed continuance, endurance or stability through time of a given cultural tradition (not that successful dispute resolution would necessarily be the principal or most significant factor in such scenarios – but it would doubtless be part of the mix). Ethnographic evidence is cited of distinctive gift-exchange and sharing practices amongst hunter-gatherers, taken by anthropologists to be a kind of "insurance" and of tension-releasing reciprocity between individuals and groups. It has been argued that these practices may be detected archaeologically and are, evidently, a feature of the Later Stone Age in South Africa.

In contrast, the paper looks to evidence of negative outcomes, for example the incidence of homicide and interpersonal violence, where this can be shown. Also relevant perhaps would be indications of more or less strong assertions of territoriality, reflecting actual or potential tensions that may have mounted along social boundaries, or surfaced as stress within groups.

Historical insights and an analogy for the way that differences might be approached are derived from the late 19th-century Bleek and Lloyd archive of folklore from the |xam San of the Northern Cape. In a recent study, Mark McGranaghan (2014) shows how "othering" in this oral literature could work both to emphasise external social distance or, as an internal ideological imperative, to point out instances of inappropriate behaviour within a group.

The colonial encounter in the Karoo and Northern Cape would prove to be a devastating era of sustained conflict and, for San people, genocide, through which land, culture, language, way of life – and, for many, life itself – was lost. Descendant communities experience marginalisation to this day. The earlier emergence of precolonial farming elsewhere in the subcontinent would have involved heightened stress with, again, conflict and/or incorporation and consequent marginalisation.

Heritage today, for the San and descendant communities, may be a means of restoring, if only symbolically, something of what was lost, and for this reason it is – potentially at least – intensely political. As such it is susceptible to being contested, and often becomes a locus itself for dispute resolution in the 21st century.

Endurance of the archaeological record as positive outcome

The continuance through time of the archaeological record of a particular tradition is arguably an indication of the existence of conflict-resolution mechanisms that were successful in the long term. Is there support for this view?

South Africa boasts an unparalleled wealth of Stone Age sites, amongst which are some of the longest sequences in the history of humanity anywhere. Sampson (1985:107) characterised the sum of the evidence from the central plateau of the country, stating that it was unique in the world: "it supported large numbers of non-farming people who were also prolific makers of stone tools until very recent times. A brief comparison of surveys conducted elsewhere in the world reveals promptly and unambiguously that South Africa is richer in Stone Age remains than any other place on earth." The evidence includes the deepest

histories of our species, *Homo sapiens*, and of earlier ancestral forms. The origins of the Later Stone Age, it has been argued, may be traced back some 43 000 years in the case of Border Cave (D'Errico *et al.* 2012; Villa *et al.* 2012), with demonstrable linkages between the technology of historical hunter-gatherers, reaching into the 19th century, and the material culture of their predecessors, in antiquity. In fact, however, the degree of continuity has been questioned – as has the risk of portraying the San of today or the recent past as living fossils, unchanged for tens of millennia (Mitchell 2012; Pargeter 2014). Before that, apparent stability in Stone Age material culture is exemplified by the hundreds of millennia through which Earlier Stone Age hand-axe technology persisted.

Where relative changelessness seems on the face of it to be a feature of this record, closer examination demonstrates palpable dynamism and diversity both regionally and through time. Long sequence sites, with Northern Cape examples including Canteen Kopje (e.g. McNabb & Beaumont 2011; Leader 2013), Wonderwerk Cave (e.g. Berna et al. 2012; Chazan et al. 2012) and the Kathu site complex (e.g. Wilkins & Chazan 2012; Wilkins et al. 2012; Walker, Lukich & Chazan 2014), show that change and innovation characterise even the oldest, more slowly evolving technologies and ways of life evident at these sites. By a million years ago at Wondewerk Cave there is evidence for habitual use of fire (Berna et al. 2012). Stone tools undergo a signal shift from the earliest simple flaked Oldowan tools to the systematic production of bifaces (handaxes) from circa 1.6 million years ago (Chazan et al. 2012). These became a seemingly stable type of formal tool through something like a million years, yet the sites mentioned show that flaking techniques and local cultural expression in tool manufacture were not static. Latterly, Stone Age tool-makers were crafting blades and points that would characterise what archaeologists term the Middle Stone Age. At Kathu around 500 000 years ago stone points, it has been shown, were being hafted as spearheads – another posited innovation for the region, ahead of convincing evidence for this elsewhere (Wilkins et al. 2012; although see Rots & Plisson 2014).

Palaeoclimatic shifts suggest that environmental stresses would have pertained at many junctures in this early history, with potential to generate conflict. Mounting scarcity, particularly of resources such as water, also affecting the availability of plant foods and prey, would have been a trigger. Phillip Walker (591) remarks on the close correlation, repeatedly, in a bioarchaeological survey of past violence, between outbreaks of conflict and climatic instability.

Through much of the Later Stone Age there was broadly speaking continuity in the kinds of artefacts made and used, and the hunter-gatherer way of life they reflect. A wide range of material culture documented at the time of European contact from the 17th century is found in archaeological sites spanning most of the Holocene (that is the last 10 000 years). Stone tool types remained relatively constant, albeit changing in size and shape and relative abundance, as did basic hunting equipment – bows and arrows – along with gathering tools – digging sticks, bored stones and ostrich eggshell water flasks. Beads and pendants, and fragments of leather, similarly testify to an enduring pattern, as far as this can be discerned, in clothing and ornaments (Deacon & Deacon 1999). But once again the broad similarities mask variation in the regional and temporal specifics of hunter-gatherer ways of life and material culture across a variety of ecological settings in the subcontinent (Mitchell 2012). Moreover, the earlier phases of the Later Stone Age, pre-12 000 years ago, present greater differences in artefacts and foraging strategies (Pargeter 2014).

Changing demographic patterns were doubtless a response in part to environmental constraints and opportunities. During the Holocene in the Karoo, there is a relative dearth of sites dating between about 8 000 and 4 000 years ago, probably resulting from drier conditions at that period. After 4 000 years ago, both there and in other parts of Southern Africa, there was a significant increase in the number of hunter-gatherer sites – and hence of people. A much higher population inhabited the subcontinent during the last 4 000 years than at any time previously (Deacon & Deacon 1999).

Pottery and a pastoralist economy appeared from about 2 000 years ago, which is taken to imply a migration of people or diffusion of herding practices from further north. In the eastern half of the subcontinent farmers, also with ceramics and livestock, together with metallurgy and agriculture, had also migrated south. In consequence the last 2 000 years has been a period of increasing social complexity: an era in which tension and levels of conflict may be expected to have been exacerbated.

If there is a sense of enduring stability through long periods in the Stone Age in Southern Africa, it is certainly not a history without change. To what extent disputes and mechanisms for dispute resolution were a feature in these histories is not clear. The chain of causality leading to whatever technological stability there was would surely have included other factors, but coping with conflict must have been part of the equation.

Hxaro

The idea that a significant degree of altruism would have pertained amongst hunter-gatherers – as the quintessential "Harmless People" (Thomas 1959) – received support from anthropological research in Southern Africa in the second half of the 20th century. Work with people in the Kalahari, particularly from the 1960s, pointed to the existence of an egalitarian ethic as a typical feature of these societies, evidence for it being noted in the *hxaro* (Ju|'hoasi) or ||ai (Nharo) system of exchange reciprocity (Wiessner 1982; Cashdan 1985). Gifts would be exchanged amongst *hxaro* partners who could be friends as well as close or more distant relatives over both the short and long term. Stories and story-telling reinforced actual sharing practices for the exchange of information as well as food and desirable objects. Exchange across language boundaries has been documented (Barnard 1992:141), and Hilary and Janette Deacon (Deacon & Deacon 1999:138) see *hxaro*-like exchange as a likely explanation behind the appearance of seashells in Later Stone Age sites far inland: more than merely "trade items", they may be a material expression of relationships that neighbouring groups sustained one with another across the subcontinent.

Lynn Wadley (1987) interprets the differences between contemporary Later Stone Age sites in the Magaliesberg in terms of seasonal aggregation (coming together) and dispersal, as extended families responded to opportunities in the landscape and social needs. What appeared to be aggregation sites contained an abundance and wide range of different kinds of artefacts including ostrich eggshell beads and other ornaments – items made for exchange as gifts, so it is suggested – which were far less prevalent in or absent from the more private dispersal sites.

The relative abundance of certain artefacts, as well as of animal and plant food remains, seen through time at sites in the Thukela basin has been linked by Aron Mazel (1989) to the changing alliance networks that would have arisen as people moved into the area in the period after about 4 000 years ago. Consequent on population expansion, it has been suggested, there was increased social stress and instability, including shifting gender relations.

In turn, the argument goes, more time was spent making the kinds of artefacts suitable for *hxaro*-like gift exchanges to service social relations.

Of course the mere occurrence of such artefacts in an archaeological setting does not prove the presence of Ju|'hoan-like *hxaro* exchange networks – a point which researchers sceptical about extrapolations from Kalahari analogues would note, as Mitchell (2012) has done in discussion of early finds of this nature at Border Cave.

Negative outcomes: the archaeological evidence of conflict and territoriality

The "Harmless People" stereotype arose in counterpoint to a rather different idea that referred not to living people of the Kalahari but to early human ancestors in Africa (of whom of course the San had come to be depicted as living fossils) – namely Raymond Dart's (1953) "Killer Ape" hypothesis and its popularisation by best-selling *African Genesis* author Robert Ardrey (1961). The dramatic opening sequence in the movie *2001: A Space Odyssey* derives from this view, which envisages a fundamental, defining aggression in our species, with emergent humanity cast very much in the Hobbesian role – more of "nature" than "civilisation" – indeed somewhat red in tooth and claw.

The Dart/Ardrey scenario attracted limited support in scientific circles (but see Johnson 2011). The "viciously pejorative fabrication" that depicted the San as "Brutal Savages" (Guenther 1980:137) had receded. But recent re-evaluation suggests that, in the swing of the pendulum, the 'Harmless People" stereotype was equally a misrepresentation that understated the extent of conflict in San society and over-emphasised a pristine, Rousseauesque innocence. It was suggested that it may even have jeopardised the welfare of the people in question (Guenther 1980:137). A strong sharing ethic may have been projected as an ideal at the ideological level in the Kalahari, but in practice these hunter-gatherer societies did not always live up to this reputation (Humphreys 2007:100).

Specific evidence to suggest that dispute resolution did not invariably succeed amongst Kalahari hunter-gatherers comes in the form of exceptionally high homicide rates, documented ethnographically by Richard Lee (1979:8), marked levels of conflict reported by Guenther (1980) as also in high incidences of this in the Later Stone Age archaeological record (Pfeiffer & Van der Merwe 2004; Humphreys 2007). In the modern setting the rate of death by homicide amongst the !Kung was treble the contemporary figure for the United States and "six to eight times higher than the average cited for 'tribal' societies often considered to have relatively high degrees of conflict themselves" (Humphreys 2007:100, citing Lee 1979 and Knauft 1987:458).

Matthias Guenther (1999:136–138) has referred to the "ambivalent blend of conflict and anger with laughter and playfulness" which was an important mechanism of dispute resolution for the people amongst whom he worked in the Kalahari. But, he shows, these ways did not always solve conflict when it arose. Thus, a further mechanism he observed was the withdrawal of one or another of the antagonistic parties, who would simply move off and join another band. Where territories were more fixed (in other environmental settings) and opportunities constrained – with higher levels of what Ian Hodder (2012) would term "entanglement" – this option for antagonists to withdraw from a situation of dispute may well have been more limited, if available at all, so that feuding may easily have spilled more often into actual violence – and murder.

Anthony Humphreys suggests that the higher levels of interpersonal (often domestic rather than inter-group) violence noted in many decentralised and egalitarian societies may indeed be "a reflection of an enforced dependence on reciprocal altruism." He concludes, in line with the behavioural ecology model he advocates, that the alleged lack of selfishness amongst hunter-gatherers is illusory, and that "what we in fact see is exactly what one would expect in terms of the classic sociobiological theory of inclusive fitness" (Humphreys 2007:100).

Instances from the archaeological record point to a certain prevalence of homicide and interpersonal violence in the South African Later Stone Age – which is mirrored in other archaeological hunter-gatherer contexts: "a remarkably high level of violence for small-scale societies" is noted by Steven Mithen (2004, cited by Humphreys 2007:101), commenting on the "endemic violence" evident in the northern European Mesolithic period. Walker (2001) comes to the same conclusion for precolonial archaeological settings in North America. A number of specific cases are reported from South Africa: a murder at Quoin Point about 2 000 years ago in which two bone arrowheads penetrated a young woman's 12th thoracic vertebra, shot from behind as she lay on the ground (Morris & Parkington 1982); injury to the top of the skull of an adult woman in the southern Cape, consistent with the impact of a digging stick (Pfeiffer *et al.* 1999); fatal trauma to the head for three juveniles found at the Modder River mouth (Pfeiffer & Van der Merwe 2004); and an older man who lived several weeks after receiving blows to the top of the skull (Morris, Thackeray & Thackeray 1987).

Although, as Carmel Schrire (2014; cf. Walker 2001) recently said, there are "many faces" to murder, the causes of conflict in these instances may well have included the limitation of options for dispute resolution/withdrawal of antagonists alluded to above. Several lines of evidence suggest degrees of territoriality in support of this. The potential for territorial fixing is heightened by the kinds of language differences noted in the historical period (Traill 2002). There are hints of landscape referents or topophilia in identity formation, which may have made for strong attachments to place (Deacon 1988; Morris 2002). And there are indications that the degree of seasonal mobility across the landscape derived from historical huntergatherer analogues in the Kalahari was not universal (Sealy 2006). On the latter score, isotopic analysis of diet shows that Later Stone Age people in some areas, for example the southern and western Cape, did not move, as previously suggested, between coastal and adjacent inland areas, but probably remained more permanently - more "entangled" - in a more circumscribed area. It appears that certain traits noticed in the archaeological record, including burial patterns and particular kinds of artefacts, served as territorial markers (Hall 2000; Sealy 2006; Humphreys 2007). Regional patterning in rock art may also be part of a place-based identity-signalling cultural repertoire.

McGranaghan (2014) recently discussed the role of the |xam phrase k'e e: |xarra in processes of "othering" that might have served both to establish social distance and, more locally, to point out or condemn anti-social behaviour within the social group. It is a phrase familiar to South African citizens from its incorporation in the national motto, k'e e: |xarra | |ke - a loose translation of the political notion of "unity in diversity". The latter is not an idiomatic expression occurring in |xam oral literature but is an aspirational construct adopted by the modern state (McGranaghan 2014:672–673; see Smith et al. 2000; Barnard 2003, 2004).

What does occur in the |xam language, recorded by Bleek and Lloyd and pointed out by McGranaghan, is the concept k'e e: |xarra, or, in the singular, kwi a |xarra, signifying "a person who is different". This is an example of |xam terminology which, as McGranaghan remarks, was suitable, and deployed by the people of the Upper Karoo in the 1870s, for

discussing appropriate and inappropriate behaviours. It was applied equally well to friends and relatives as to non-human species, for example lions and hyenas. "These descriptive epithets," he adds, "were applied just as easily to non-|xam human individuals and groups" – for example Korana, "Bastards" and European colonists. Significantly, McGranaghan finds, "it is in the characterisation of these 'Others' that this terminology might be said to have been most fully explored, discussing communities that were outwardly human but who often behaved in strikingly non-|xam ways" (McGranaghan 2014:678). In sum, kwi a |xarra – "a person who is different" – would be any "person" (human or animal) who was anti-social, angry, greedy, ugly or selfish. The phrase clearly had dispute-resolving valency for the greedy hunter who ate all the springbok without sharing the meat – who was in short kwi a |xarra, like a hyena – and who would have been expected by fellow band members to amend his ways. At another level, however, it defined who was "in" and who was "out" in the wider social landscape, and in this context it would reflect situations of potential – or actual – conflict.

A no more devastating instance of the latter was the colonial encounter experienced by the |xam in the 18th and 19th centuries in the Cape interior. The loss of land, language, culture, identity and of life itself, in that period has come to be recognised as nothing less than genocide (Penn 2005; Adhikari 2010; De Prada Samper 2012). Marginalised survivors would have descendants today who are genetically Khoisan but who are all but cut off from their precolonial past. Remnants of stories and veld lore are told not in the now-extinct |xam language but – as this history would have it – in Afrikaans. A dwindling number of individuals who were native speakers of N|uu in remote places in or at the edge of the Kalahari have left, through language researchers, a linguistic record of their fast-disappearing language, which is related to |xam. One of the last speakers of N|uu, Ouma |Una Rooi (1930–2012), remarked that: "if a person who speaks our language dies then our language also dies. When you cover him with sand the language is not a plant that grows again" (Sciencenetlinks).

The role of heritage today

|Una Rooi's remark is a poignant appraisal of the nature of culture loss and the essential tragedy of heritage where, with Sebaldian gloom, it can be said that "everything is constantly lapsing into oblivion with every extinguished life" (Sebald 2011:31). A consequent clutching-at-straws constructedness of heritage in contemporary situations makes it a notoriously loaded resource (Wright 2013) that is drawn upon in the negotiation of rights and in restoration – albeit often by no more than an empty symbolic gesture – of what was and is being lost.

The particular political currency of Khoisan heritage was sharpened in 2013 when President Jacob Zuma, in his State of the Nation Address, announced the re-opening of opportunities to lodge land claims for those who had missed the 31 December 1998 deadline. He went further in promising to create exceptions to the 19 June 1913 cut-off date to accommodate claims by descendants of the Khoe and San, "including claims on heritage sites, and historic landmarks" (Mxotwa 2013). The full ramifications of this probably have yet to be realised, since hardly a segment of the South African landscape exists which is not, one way or another, embodied, as far as Khoisan history goes, by "heritage sites and historic landmarks" (Morris 2014). Khoisan heritage is thus catapulted into a field of political contestation in an unprecedented way. Heritage becomes a locus itself for potential disputes, where conceivably more than one descendant constituency could present a more or less legitimate (or indeed

spurious) claim over a given heritage resource, where the available evidence may often be insufficient to decide the case conclusively (cf. Morris 2014). The uncertainties of the archaeological record would often render archaeologists reticent if not unable to adjudicate in such matters.

Appeals made to a deep cultural continuity may have other unanticipated political implications. An unwitting portrayal of the San as living fossils – as such deep-time links may imply – risks denigrating contemporary communities (Mitchell 2012). The presidency in Botswana, referring to San people by reference to Stone Age ancestors, dismissed them recently as an "archaic fantasy" (Pargeter 2014:23).

At the more recent end of the chronological span, recognition of San or Khoisan individuals or groups in post-1994 South African liberation narratives has been less than consistent. The story of the resistance leader Kousop, the 150th anniversary of whose death was commemorated and memorialised at the Wildebeest Kuil Rock Art Centre outside Kimberley on 6 July 2008, is included in the book *The struggle for liberation and freedom in the Northern Cape*, 1850–1994 (Allen, Mngqolo & Swanepoel 2012). But a submission to have one of Kimberley's major streets named in his honour has yet to be acted upon, while another suggested name-change submitted at the same time (*Transvaal Road* to *Phakamile Mabija*) was successfully implemented.

More controversially, ruling political party insignia were engraved on a flat granite slab on the grave of the ≠Khomani leader Dawid Kruiper without the family or community being consulted. The disputed granite slab replaced the stones carried by mourners from near and far to be placed on the grave at the time of the burial in 2012 (Times Live 2012; Netwerk24 2013). Where heritage is concerned, it is relevant to ask who owns the past, who speaks for whom, and which voices are heard.

Conclusion

If an archaeological perspective on dispute resolution, as such, has been hard to pin down, it has been possible to gain some sense of outcomes from this sphere of interaction, through time and insofar as they are reflected in the archaeological record. Positive outcomes are inherently more difficult to identify, and more ambiguous, than negative ones.

Guenther (1980) concluded, on anthropological grounds, that the stereotypical images of "Brutal Savages" and "Harmless People" both reflect and deviate from reality – as stereotypes do. The first reflected the reality of San fiercely resisting colonial encroachment, but was primarily pejorative and a pretext for genocide; the second was "overly charitable", failing to acknowledge that conflict and aggression exist as everyday problems for people in the Kalahari. The hard evidence of archaeology and forensic anthropology, suggests Walker, reveals ultimately that wherever and whenever disputes have arisen, both "brutish" and "peaceable" responses have come into play. "Everywhere we probe into the history of our species we find evidence of a similar pattern of behaviour: people have always been capable of both kindness and extreme cruelty ... peaceful periods have always been punctuated by episodes of warfare and violence" (Walker 2001:590). The search for an earlier, less violent way to organise social affairs, he suggests, "has been fruitless": "as far as we know, there are no forms of social organization, modes of production, or environmental settings that remain free from interpersonal violence for long." As to underlying causes, Walker finds no neat materialist/ecological correlates but rather complexity at the specific level where violence

erupts – but that one "sobering pattern", already mentioned, relates to episodes of climatic instability.

If there is pessimism in these conclusions, it is even more pervasive in the work of Steven Pinker, who in *The better angels of our nature: the decline of violence in history* (2011) campaigns against "nostalgia for a peaceable past". Critiques of Pinker's book (e.g. Corry 2013) point to a selective use of evidence and statistics to paint an overly gloomy view. Johnson (2011) takes on the now resurgent "popular concept" of the "killer-ape", presenting recent research on bonobos, our closest primate relative, whose success is based not on violence but on mutual aid and pleasure. "The killer-ape is our own creation," urges Johnson, "and by holding on to this myth we are chaining ourselves to a pessimistic vision of human nature. We may be risen apes,² but this need not reduce the better angels of our nature" (2011:39). John Terrell, the author of A talent for friendship (2014), also looks to how, in a world filled with disease, floods, famine and other natural afflictions, "our friendships and social networks have the potential to extend the range of people we can call upon and learn from," and how this buffers people "against the trials and tribulations of life" (2014:31). The substance of his argument is the evidence of a "wealth of inherited friendships" and functional "intersecting social relationships" that bridge different communities across language and cultural boundaries in New Guinea (cited in Green 2015). For Terrell these suggest a compelling case for an impulse to form relationships of this kind despite linguistic barriers, warfare and distance. If we cannot avoid conflict entirely, there is at least this: that "as a species we are remarkably talented, not just at thinking up new ways to kill other people, but also at turning strangers into friends" (Terrell 2014:30).

Harold Green (2015) cites Cicero in a review:

If the natural love of friends were to be removed from the world there is no single house, no single state that would go on existing; even agriculture would cease to be ... We can readily see how great is the power of friendship and love by observing their opposites, enmity and ill will. For what house is so firmly established, what constitution so unshakable that it could not be utterly destroyed by hatred and internal division? (Cicero, On Friendship, cited in Green 2015).

The truth, with an archaeological record to prove it, is that houses and states have gone on existing, and subsistence has been sustained – for some of the time. And equally, from time to time, houses, once firmly established, and constitutions seemingly unshakable, have fallen. Pivotal, one way or another in these histories, is dispute resolution – successful or not.

Acknowledgements

I wish to thank Dr Dries Velthuizen and Professor John Faris, and the Institute for Dispute Resolution in Africa, Unisa, for the opportunity to contribute to the conference on San Dispute Resolution. I am grateful to two anonymous reviewers for helpful comments and suggestions.

References

_

Johnson (2011:38) cites here Robert Ardrey's summing-up: "We were born of risen apes, not fallen angels, and the apes were armed killers besides."

- Adhikari, M. 2010. The anatomy of a South African genocide: the extermination of the Cape San peoples. Cape Town: UCT Press.
- Allen, V., Mngqolo, S. & Swanepoel, S. 2012. The struggle for liberation and freedom in the Northern Cape, 1850–1994. Kimberley: McGregor Museum.
- Ardrey, R. 1961. African Genesis. A personal investigation into the animal origins and nature of man. New York: Atheneum.
- Barnard, A. 1992. Hunters and herders of Southern Africa: a comparative ethnography of the Khoisan peoples. Cambridge: Cambridge University Press.
- Barnard, A. 2003. Diverse people unite: two lectures on Khoisan imagery and the state (Occasional Papers No. 94). Edinburgh: Centre of African Studies, University of Edinburgh.
- Barnard, A. 2004. Coat of arms and the body politic: Khoisan imagery and South African national identity. *Ethnos: Journal of Anthropology* 69(1): 5–22.
- Berna, F., Goldberg, P., Horwitz, L.K., Brink, J., Holt, S., Bamford, M. and Chazan, M. 2012. Microstratigraphic evidence of in situ fire in the Acheulean strata of Wonderwerk Cave, Northern Cape province, South Africa. *Proceedings of the National Academy of Sciences* 109: E1215-E1220.
- Cashdan, E.1985. Coping with risk: reciprocity among the Basarwa of Northern Botswana. *Man* 20:454–474.
- Chazan, M., Avery, M.D., Bamford, M.K., Berna, F., Brink, J., Fernandez-Jalvo, Y., Goldberg, P., Matmon, A., Porat, N., Ron, H., Rossouw, L., Scott, L. & Horwitz, L.K. 2012. Oldowan occupation at Wonderwerk Cave, South Africa: archaeology, geology, paleontology, and paleoclimate. *Journal of Human Evolution* 63: 859–866.
- Corry, S. 2013. The case of the 'Brutal Savage': Poirot or Clouseau? Why Steven Pinker, like Jared Diamond, is wrong. Open Democracy, 12 June 2013. https://www.opendemocracy.net/stephen-corry/case-of-%E2%80%98brutal-savage%E2%80%99-poirot-or-clouseau-why-steven-pinker-like-jared-diamond-is-wro (accessed 16 Feb 2015).
- Dart, R.A. 1953. The predatory transition from ape to man. *International Anthropological and Linguistic Review* 1(4).
- D'Errico, F., Backwell, L., Villa, P., Degano, I., Lucejko, J.J., Bamford, M.K., Higham, T.F.G., Colombini, M.P. & Beaumont, P.B. 2012. Early evidence of San material culture represented by organic artefacts from Border Cave, South Africa. *Proceedings of the National Academy of Sciences USA* 109:13214–13219.
- De Prada Samper, J.M. 2012. The forgotten killing fields: 'San' genocide and Louis Anthing's mission to Bushmanland, 1862–1863. *Historia* 57(1):172–187.
- Deacon, J. 1988. The power of a place in understanding southern San rock engravings. *World Archaeology* 20:129–140.
- Deacon, H.J. & Deacon, J. 1999. Human beginnings in South Africa: uncovering the secrets of the Stone Age. Cape Town: David Philip.

- Green, H.M. 2015. The evolution of friendship. *American Scientist* March–April 2015. http://www.americanscientist.org/bookshelf/pub/the-evolution-of-friendship (accessed 14 February 2015).
- Guenther, M. 1980. From 'Brutal Savages' to 'Harmless People': notes on the changing Western image of the Bushman. *Paideuma* 26:123–140.
- Guenther, M. 1999. Tricksters and Trancers: Bushman Religion and Society. Bloomington: Indiana University Press.
- Hall, S.L. 2000. Burial and sequence in the Later Stone Age of the Eastern Cape Province, South Africa. South African Archaeological Bulletin 55:137–146.
- Hodder, I. 2012. Entangled. An archaeology of the relationships between humans and things. Oxford: Wiley and Blackwell.
- Humphreys, A.J.B. 2007. Behavioural ecology and hunter-gatherers: from the Kalahari to the Later Stone Age. *South African Archaeological Bulletin* 62:98–103.
- Johnson, E.M. 2011. Ariel casts out Caliban. *Times Higher Education* 21 April 2011:34–39. http://www.history.ubc.ca/sites/default/files/Johnson_Ariel_Casts_Out_Caliban.pdf (accessed 16 February 2015).
- Knauft, B.M. 1987. Reconsidering violence in simple societies. *Current Anthropology* 28:457-499.
- Lee, R. 1979. The !Kung San: men, women and work in a foraging society. Cambridge: Cambridge University Press.
- Leader, G.M. 2013. New excavations at Canteen Kopje, Northern Cape Province, South Africa: a techno-typological comparison of three earlier Acheulean assemblages with new interpretations on the Victoria West phenomenon. PhD dissertation, University of the Witwatersrand.
- Mazel, A.D. 1989. People making history: the last ten thousand years of hunter-gatherer communities in the Thukela Basin. *Natal Museum Journal of Humanities* 1:1–168.
- McGranaghan, M. 2014. 'Different people' coming together: representations of alterity in |Xam Bushman (San) narrative. *Critical Arts* 28:670–688.
- McNabb, J. & Beaumont, P.B. 2011. A report on the archaeological assemblages from excavations by Peter Beaumont at Canteen Koppie, Northern Cape, South Africa. *University of Southampton Series in Archaeology 4*. Oxford: Archaeopress.
- Mitchell, P. 2012. San origins and transition to the Later Stone Age: new research from Border Cave, South Africa. *South African Journal of Science* 2012; 108 (11/12), Art #1147, 2 pages. http://dx.doi.org/10.4.102/sajs.v108:11/12.1447 (accessed 10 February 2015).
- Morris, A.G. & Parkington, J.E. 1982. Prehistoric homicide: a case of violent death on the Cape South Coast, South Africa. *South African Journal of Science* 78:167–169.
- Morris, A.G., Thackeray, A.I. & Thackeray, J.F. 1987. Late Holocene human skeletal material from Snuifklip, near Vleesbaai, southern Cape. South African Archaeological Bulletin 42:153–160.

- Morris, D. 2002. Driekopseiland and "the rain's magic power": history and landscape in a new interpretation of a Northern Cape rock engraving site. Masters dissertation (cum laude), University of the Western Cape.
- Morris, D. 2014. Narrating Biesje Poort: negotiating absence of storyline, vagueness and multivocality in the representation of Southern Kalahari rock engravings. *Critical Arts* 28:648–669.
- Mxotwa, M. 2013. The Khoi and San people agree to work with government in restoring their land rights. Statement on behalf of Minister Gugile Nkwinti, 16 April. http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71654?oid=37025 1&sn=Detail&pid=71654 (accessed 19 August 2013).
- Netwerk24 2013. Ontevredenheid oor ANC embleem op Dawid Kruiper se graf. http://www.netwerk24.com/nuus/2013-09-17-ontevredenheid-oor-anc-embleem-op-dawid-kruiper-se-graf (accessed 16 February 2015).
- Pargeter, J. 2014. The Later Stone Age is not San prehistory. *The Digging Stick* 31(3):1–4, 23.
- Penn, N. 2005. The forgotten frontier: colonist and Khoisan on the Cape's northern frontier in the 18th century. Athens, Ohio and Cape Town: Ohio University Press and Double Storey Books.
- Pfeiffer, S., Van der Merwe, N.J., Parkington, J.E. & Yates, R. 1999. Violent human death in the past: a case from the Western Cape. *South African Journal of Science* 95:137–140.
- Pfeiffer, S. & Van der Merwe, N.J. 2004. Cranial injuries to Later Stone Age children from the Modder River mouth, Western Cape Province, South Africa. South African Archaeological Bulletin 59:59–65.
- Pinker, S. 2011. The better angels of our nature: why violence has declined. New York: Viking.
- Rots, V. and Plisson, H. 2014. Projectiles and the abuse of the use-wear method in a search for impact. *Journal of Archaeological Science* 48:154–165. http://dx.doi.org/10.1016/j.jas.2013.10.027 (accessed 12 March 2015).
- Sampson, G.C. 1985. Atlas of Stone Age settlement in the central and upper Seacow Valley. Memoirs van die Nasionale Museum, Bloemfontein 20:1-166
- Sciencenetlinks. ND. Sciencenetlinks.com/videos/last-speakers (accessed 14 February 2014).
- Sealy, J. 2006. Diet, mobility and settlement pattern among Holocene hunter-gatherers in southernmost Africa. *Current Anthropology* 47:569–595.
- Sebald, W.G. 2011. *Austerlitz*. Translated from the German by Anthea Bell, introduction by James Wood. Harmondsworth: Penguin.
- Schrire, C. 2014. Review of Jerardino et al. The Archaeology of the West Coast of South Africa. South African Archaeological Bulletin 69:219–220.
- Smith, B., Lewis-Williams, D., Blundell, G. & Chippendale, C. 2000. Archaeology and symbolism in the new South African coat of arms. *Antiquity* 74(1):467–468.
- Terrell, J.E. 2014. Survival of the friendliest. Interview by Linda Geddes. *New Scientist* (6 Dec 2014) 224(2998):30–31.
- Thomas, E.M. 1959. The harmless people. New York: Knopf.

- Times Live 2012. Khoisan leader given state funeral despite last wishes. http://www.timeslive.co.za/local/2012/07/01/khoisan-leader-given-state-funeral-despite-last-wishes (accessed 10 February 2015).
- Traill, A. 2002. The Khoesan languages. In Mesthrie, R. (ed) Language in South Africa. Cambridge: Cambridge University Press.
- Villa, P., Soriano, S., Tsanova, T., Degano, I., Higham, T.F.G., D'Errico, F., Backwell, L., Lucejko, J. J., Colombini, M.P. & Beaumont, P.B. 2012. Border Cave and the beginning of the Later Stone Age in South Africa. *Proceedings of the National Academy of Sciences USA* 109:13208–13213.
- Wadley, L. 1987. Later Stone Age hunter-gatherers of the Southern Transvaal: social and ecological interpretations. *BAR International Series* 380.
- Walker, P.L. 2001. A bioarchaeological perspective on the history of violence. *Annual Review of Archaeology* 30:573–596.
- Walker, S.J.H., Lukich, V. & Chazan, M. 2014. Kathu townlands: a high density Earlier Stone Age locality in the interior of South Africa. *PloS One* 9.7 (2014): e103436.
- Wiessner, P. 1982. Risk, reciprocity and social influence on !Kung San economics. In Leacock, E. & Lee, R. (eds). *Politics and history in band societies*: 61–84. Cambridge: Cambridge University Press.
- Wilkins, J. & Chazan, M. 2012. Blade production ~500 thousand years ago at Kathu Pan 1, South Africa: support for a multiple origins hypothesis for early Middle Pleistocene blade technology. *Journal of Archaeological Science*. (accessed 4 February 2012).
- Wilkins, J., Schoville, B.J., Brown, K.S. & Chazan, M. 2012. Evidence for early hafted hunting technology. *Science* 338(6109): 942–946.
- Wright, J. 2013. Heritage as feel-good history. *The Digging Stick* 30(2):1–3.