

**ETHNICITY, INC:
on the affective economy of belonging**

Jean and John Comaroff

PROLOGUE: toward the ethno-future

In October 2000, *Business Day*, a leading South African newspaper, published an extraordinary story. Its title read: *Traditional Leaders Form Private Firm for Investment*.¹ Contralesa, the Congress of Traditional Leaders, is the voice of ethnicity in this postcolony. It speaks for culture, customary law, and the collective rights of indigenous peoples. Also for the authority of chiefs who, as a power bloc, seek to change the national constitution. Their objective is a nation-state that accords them sovereign autonomy over their realms, a nation-state that puts the dictates of indigeneity before the universal rights of citizens.

According to *Business Day*, Contralesa had decided to move ethnicity into the global market place: it was creating a corporation to invest in mining, forestry, industry and tourism, that archetypal site for the commodification of culture. Said Patekile Holomisa, powerful Xhosa head of the organization: "We have concentrated for too long on the political fight for constitutional recognition." The time had come to empower their peoples by venturing out from their traditional capitals into the realm of venture capital. Since then, Contralesa has become a truly cosmopolitan concern, a multi-million dollar business with interests carefully diversified across the planetary economy.

Could it be, *pace* all social science orthodoxy, that the future of ethnicity – or, at least, a future – lies, metaphorically and materially, in ethno-futures? In taking identity into the market place? In hitching it to the world of franchising and finance capital?

Leruo Molotlegi, King of the Bafokeng,² a wealthy South African chiefdom, intimated as much in an address on “corporate ethnicity” at a leading American university. The Wealth of ETHNO-Nations is a topic about which he knows a lot. His people is famed throughout Africa for its lucrative platinum holdings. In 2000, soon after he succeeded to his throne, Leruo was pictured on the cover of *Mining Weekly* under the caption, “Meet the New CEO of Bafokeng Inc.”³

Cut away to another time, another optic, another part of South Africa.

In 1994, in the North West Province, there appeared an op-ed piece in *The Mail*, the local weekly,⁴ by one Tswagare Namane. “Our futures,” he predicted, are going to rely increasingly on tourism. To attract it, however, demands not just hotels or game parks. It requires “uncovering,” and marketing, “what is authentically Tswana.” Recourse to the cargo of cultural tourism, as we all know, has become a global panacea, an autonomic reflex almost, for those with no work and little to sell; this despite the fact that it seldom yields what it promises. But Namane had in mind something more than simply the tourist dollar. The commercialization of identity, he argued – *pace* Frankfurt School orthodoxy – does *not* necessarily reduce it to a brute commodity. *Per contra*: marketing what is “authentically Tswana” is also a mode of self-construction, of *producing* Tswana-ness. And an assertion, thereby, of political subjectivity and universal being-in-the-world. “I have searched for something genuinely mine; something I can cherish as the achievement of my forebears, something to affirm my humanity and my equality,” he wrote. This restless urge, he added, is most acutely felt by persons dispossessed of their past. Note the choice of term: “dispossession.” It connotes of property, propriety, prosperity, paradise lost. “What I am reclaiming,” he insisted, “is my

ethnicity, my heritage; not my 'ethnicism'." The distinction, a striking piece of vernacular anthropology, is critical. *Ethnicity* refers here to membership in a population with distinctive ways and means; *ethnicism*, to the tribal allegiances "propagat[ed by] apartheid." Heritage, of course, is culture projected into the past, and, simultaneously, the past rendered into culture. It is identity in alienable form: identity whose objects and objectifications may be consumed by others and, therefore, delivered to the market. Its alienation, as Namane saw, has the curious capacity to confer upon ethnicity a currency at once moral, political, material and affective. Even more – and here is the irony – in solidifying the stuff of difference, of locality and indigeneity, the circulation of that currency also holds out the promise of universal recognition: of entry into what, from the perspective of the parochial, is a global cosmopolis. To have culture is to be human – in an age in which "humanity" is *the* key trope of species being. If they have nothing *distinctive* to alienate, many rural black South Africans have come to believe, they face collective extinction. As a Tswana elder once said to us: "if we have nothing [of ourselves] to sell... does it mean that we *have* no culture? No presence in the world?"

To be sure, the sale of culture seems, in significant part, to have replaced the sale of labor in the Brave New South Africa, whose industrial economy, founded on racial capitalism, is presently under reconstruction. A new breed of consultancy firm, like *African Equations*, has arisen to advise communities on how best to market themselves and their cultural products.⁵ There is a growing demand for their services.

Ethno-businesses are opening up all over. Like Funjwa Holdings, established by the Mabaso Tribal Authority in KwaZulu-Natal and funded by a major bank, to "reap the sweets and cakes of free enterprise."⁶ Seeking to draw "thousands of international

visitors each year,” the “Mabaso people” have invested in a wildlife park offering such “authentic” African activities as bow-hunting – which, being Zulu, they never did.⁷ By these means they hope to find “empowerment.” Mark this term. It has little to do with power or politics. What it connotes is access to markets and material benefits. Among ethnic groups, it is frankly associated with finding something essentially their own, something of their essence, to sell. In other words, a brand.

This, patently, is not just true of South Africa, or Africa, or that part of the World formerly known as Third. It is as true in the US, where, as Marilyn Halter (2000) points out in *The Marketing of Ethnicity*, there is a large “industry [to remind] hyphenated Americans of how valuable heritage is *no matter how remote or forgotten it may be*” (our italics). According to brandchannel.com, this has “spawned an array” of culture-conjurors, a.k.a. “ethnic marketing experts,” whose commerce – referred to as the “ethnic industry,” in an unwitting parody of Adorno – yields \$2b a year. Even in Britain, long known for its indifference to difference, that industry is growing quickly. The English and Celtic “heritage” business is expanding in direct proportion the decomposition of *Great Britain* as national imagining. Scotland the Brave has, literally, become Scotland the Brand.⁸

The juxtaposition of branding, marketing, culture, and identity – what Namane pointed to in seeking something “authentically Tswana” to sell – finds echoes in recent scholarly discourse. Thus Martin Chanock (2000:24-26) suggests that, in our age, in which “fantasies work where reality fails,” advertising technologies, those neoliberal weapons of mass instruction, replicate the production and alienation of culture.⁹ In particular, he says, the process of branding – of creating an attachment to a commodity,

to both its *object*-form and to the *idea* of an association with it – is “full of clues to the ways in which allegiance to culture [is] made.” Note the term “allegiance to culture.” It translates, with little slippage, into ethnic identity. But here is the heart of the matter. To survive, concludes Chanock, “[c]ultures, like brands, must essentialise. Successful, sustainable cultures are those that brand best.” This calls to mind a remarkable example of the willful “commodification of tradition” in South Africa (Oomen 2005:161). It concerns the *koma*, the initiation school of the Pedi of the Northern Province. Initiation rites, across Africa, are held to transmit “deep knowledge”; it is here that cultural secrets are passed on (cf. J. Comaroff 1985). For Pedi, the *koma* is also a lucrative business. This is not just because locals pay up to \$250 to take part (Oomen 2005:161-2). It is also because many *non*-local youths – for whom the fee is much higher – also enroll. Pedi brand *koma* has become a niche product in a regional culture market. In this immiserated economy, the alienation of vernacular knowledge *is* both a means of self-construction and a source of income. Cultural survival is giving way, in many places, to survival through culture. But with a twist: the more successful an ethnic group is in commodifying its difference, the quicker it may devalue itself. This is the irony, too, of the quest of those who consume exotic cultures-as-commodity: the more they pursue their alienated selves in the *geist* of others, the more that *geist* risks succumbing to the banality of the market (cf. Povinelli 2001).

But not always. Ethno-commodities are queer things. Apart from all else, their aura does *not*, as critical theory would have had it, inevitably diminish with their mass production and circulation. As we have implied, ethnicity as a fact-of-being-and-becoming seems often to take palpable, credible, creative life in the

very *process* of its commodification. Thus we read of Balinese dances, designed for tourist consumption, which so captured the imagination of “natives” that they ended up replacing the sacred, auratic originals previously performed only in the temple (Sanger 1988: 99-100). Observing similar things in China and elsewhere, Phillip Felfan Xie (2003) arrives at an unwitting, counter-intuitive syllogism: that, far from destroying cultural value, the commodification of “tradition,” insofar as it valorizes indigeneity, is as likely to be a “positive mechanism in the pursuit of authenticity,” a means of finding “true selves,” individual and collective, “through the appropriation of pastness.” Almost like nationalism – but not quite. For the imagination, here, is propelled less by the conceit of homogeneous inclusion, than by the impetus to produce identification and self-definition through meaningful difference. To echo Žižek (n.d.), our current worldliness seems to conjure an endless quest for unalienated otherness as its “necessary supplement.”

What conclusions may be drawn from all this? Could it be that we are seeing unfold before us a metamorphosis in the production of identity and subjectivity, in the politics and economics of culture, and in the interpellation of indigeneity into worlds beyond itself? Does this imply, concomitantly, a shift in the ontology of ethnic consciousness and the nature of belonging? And why does ethnic genealogy provide an ever more compelling basis for human connectedness and collective life, often seeming more “authentic” than the putative horizontal fraternity that underlies liberal citizenship? Note that, in posing the problem thus, we treat ethnicity, culture, identity, and indigeneity *not* as analytic constructs but as signs variously deployed by human beings across the planet in their quotidian efforts to inhabit sustainable worlds.

ETHNICITY, IN THE ONGOING PRESENT: one or two questions of theory

Let us pause briefly here to offer two general observations about cultural identity. One is ontological, the other, orientational.

First, ontology.

The oldest, most foundational question of all about ethnicity, *sui generis* – ethnicity as consciousness, ethnicity as a sociological formation, ethnicity as a sentiment deep enough to die for – is whether it is primordial or an instrumentally-motivated social construction.¹⁰ Happily, this question – which once divided scholars, organic intellectuals, and militias – has receded in significance. Few social scientists would argue any longer for primordialism, pure and simple, although ethno-nationalists continue to kill for it. To many in academia, bromides about ethnicity really being *both*, part primordial and part social construction, offer a banal compromise, a way of distantiating an intractable problem. In fact, that compromise is itself incoherent, impossible: primordial attachment and the social construction of identity describe irreducibly different ontologies of being that cannot, logically or sociologically, dissolve into each other. Unless, of course, the primordial is treated not as an *explanation* for ethnic consciousness, but as a phenomenological description of how that consciousness is experienced from within by those who share it (J.L. Comaroff 1996). More important, for now, however, is the fact that the compromise itself – that ethnicity is part primordial, part social construction – actually *mimics* an ever more palpable social fact: the great existential irony that, in its lived manifestations, cultural identity *is* increasingly apprehended, simultaneously, as a function of voluntary

self-production *and* the ineluctable effect of biology. In other words, as *both* construction and essence.¹¹ This doubling, we would argue, is not a contradiction at all: it is an endemic condition of identity in neoliberal times. Of which more in due course.

Second, orientation.

It is a matter of observation that, across the positivist social sciences, treatments of cultural identity, where they extend beyond its modes of expression and representation, tend overwhelmingly to orient towards its *political* dimensions; perhaps this is itself the corollary of the triumph of constructionist perspectives, for which the fabrication of *any* collective consciousness is, by definition, a political act (cf. Hall 1996:442f). Which is why *politics* and *identity* are so often locked in conceptual embrace, as if each completes the other. So much is this the case that the economics, ethics, and aesthetics of ethnicity are, by extension, almost invariably reduced to a politics: to the pursuit of shared social and material interests (cf. Jung 2001); to struggles for recognition in the face of homogenizing hegemonies; to redress for histories, real or imagined, of injury, suffering, victimhood (cf. Brown 1995); to the right to engage in “different” bodily and domestic practices, poetics, musics, moralities.

Patently, the politics of ethnicity *are* critical. All the more so because neoliberal tendencies are commonly said to disperse the political by submerging its ideological bases in the imperatives of economic efficiency and capital growth, in the fetishism of the free market, bioscience, and technology, in the dictates of security and social order, in the demands of “culture” (Comaroff and Comaroff 2001). At the same time, the continued privileging of the *politics* of ethnicity has a number of costs: it depends on an under-specified conception of the political; it reduces cultural identity to a utility function;

and it confuses the deployment of ethnicity as a *tactical* claim to entitlement with the *substance* of ethnic consciousness. Indeed, it is arguable that ethnicity-as-*political identity* and ethnicity-as-*cultural identity* are quite different phenomena, despite being conditions of each other's possibility. Ethnicity-as-political identity usually presents its cultural bases not in the "thick" terms of a living, inhabited order of signs and practices – i.e., of ethnicity-as-culture in its anthropological sense – but in the "thin," second-order terms that, purged of density, refer to very general, reified values (cf. Jung 2001:22-4). Like Britishness, which stresses such things as fair-play and civility. Or *ubuntu*, African "humanity," usually glossed in South Africa as a socially-oriented sensibility by contrast to Western individualism.

But, most of all, the stress on the political misses precisely what we began this lecture with. Recall Contralesa, the trustees of culture in South Africa, who have taken identity into the realm of venture capital; recall, too, the King of the Bafokeng, with his emphasis on corporate ethnicity. Neither of their visions lacked a politics. But what they recognized is that the institutional topography of the world has shifted: that the current age is one in which the political is no longer apprehensible as an autonomous domain, with sovereignty over material life; that politics and economics, inseparable as never before, are anchored together at once in the market and the law. Nor is this revelation confined to South Africa. In China, says Arif Dirlik (2000:129), "ethnic groups, once defined politically, now perceive themselves as 'natural' economic groups." Pay attention to the stress on *natural* economic groups. It will have echoes as we proceed.

These observations lead, in turn, to a Big Issue. To the extent that they are true, should it not follow that the *context* in which culture, identity, and politics are embedded

is itself under radical reconstruction? That context is typically taken to be the nation-state and, ever more nowadays, the transnational order of which it is part. Or, more accurately, in which it is dialectically entailed.

It has become commonplace to bespeak the metamorphosis of the modernist polity under the impact of globalization, neoliberalism, empire, whatever. The more difficult question is *how* precisely to make sense of this unfolding history. And how to do so in such a way as to illuminate the variant species of political subjectivity taking shape within it.

THE NATION-STATE AND ITS SUBJECTIVITIES

Modernist European polities, according to Benedictine history – Benedictine, as in Benedict Anderson (1983) – were founded on a fiction of cultural homogeneity, on an imagined, often violently effected, sense of horizontal fraternity. Much has been said about this imagining: that Euro-nationhood was always more diverse than its historiography allows, always a work-in-progress, always subject to a tenuous hyphenation with the states that ruled them. But that is another story, a narrative of the *longue duree* which begins with Westphalia and ends in the Failure of the West. (Now, tellingly, renamed the “global *North*.”) Since the late twentieth century, those polities have had increasingly to come to terms with difference. Historical circumstance has pushed them toward a more heterodox nationhood (J.L. Comaroff 1996:177). Hence the growing literatures, scholarly and lay alike, on citizenship, sovereignty, multiculturalism, minority rights, and the limits of liberalism. Hence the xenophobia that haunts heterodoxy almost everywhere. Hence, too, our disciplinary concern with the curious

counterpoint between cosmopolitanism and indigeneity, *both* variously understood. Hetero-nationhood seeks – usually for pragmatic, not ethical reasons – to accommodate cultural diversity within a civic order composed of universal citizens, all ostensibly equal before the law. And to embrace identity politics within a liberal, constitutionally-founded conception of national community. Especially since 1989, global liberalization has not merely transformed the sovereignty of nation-states. It has actively compounded the degree to which they are both polymorphous and porous: we scarcely need mention, here, the ever more mobile demographics of wage labor; or the incapacity of many Western cosmo-polities to reproduce their social infrastructures without the discomfiting presence of “aliens”; or the impact of the electronic commons on the planetary circulation of virtually everything – and everything virtual. All of which, plainly, are corollaries of the hegemony of the market, of its power both to breach *and* to buttress borders, to curtail *and* to extend the regulatory reach of states, to valorize the local *and* to cast it into economic force-fields well beyond itself.

In this world, in which the political and the ethical are also swept up under the sign of the market, freedom presents itself ineluctably as choice: most of all, as choice of identities and modes of fashioning them. As other bases of aggregation – most notably, in a post-Marxian, post-Weberian world, class – are undermined, as they dissolve into empty metaphors, as the social itself seems ever less “real” (cf. Kapferer 2005), as “the” nation is compromised by heterogeneity and relativism, individual and collective attachments come to inhere in what appear as the unmediated, elemental bases of human life itself: race, religion, gender, sexuality, generation, ethnicity. Which is why there has been a radical intensification of claims, since the last decades of the

twentieth century, made in the name of all of these things, and sometimes in constellations of them; claims that frequently transcend and transect national frontiers. Mark the move here from metaphor to metonym: from the body politic to the politicized body as the *fons et origo* of concrete social connectedness.

Among these putatively “elemental” bases of human life, ethnicity – which has the potential to found populations of variable scale, from a handful to millions of people – has proven particularly compelling as a principle of similitude, recognition, attachment, consociation, and mobilization; the active components, that is, which together congeal into identity. Like the nation, it is rooted, presumptively, in shared blood, culture, and corporate interest, a conjuncture that seems all the more real as civic nationhood is less able to pass itself off as fictive kinship, to hold difference in check, to subsume it within a political community imagined-as-one, or to confine it to the realm of the private. To the degree that ethnic consciousness has become the socio-semiotic vehicle of cultural diversity, situating it in both the *existential* (in biology) and the *elective* (in self-determination), it has emerged as a common language of transaction “in the trading pits of pluralist relativism” that characterize hetero-nationhood (Vanderbilt 1997:140). While most people continue to live as citizens *in* nation-states, they tend more and more only to be conditionally citizens *of* nation-states. Thus, to return to South Africa, which seems fairly typical in this respect,¹² a recent study shows that less than twenty-five per cent of the population regards itself primarily as South African. The “vast majority...principally think of themselves” as members of “an ethnic, cultural, language, religious, or some other group,” to which they “attach their personal fate.” At the same time, most of them do *not* reject their national identity (Gibson 2004).¹³ Therein lies the

complexity. The conditionality of citizenship, the fact that it is overlaid and undercut by a politics of difference, does not necessarily entail the negation of the national subject, merely its uneasy alignment with other priorities. Mostly, the priorities of otherness.

In addition, these developments all involve a stress on *legal* instruments: on copyright, intellectual property, and the like. The modernist polity has always rested on jurial foundations, of course. But, of late, there has been a palpable intensification in the resort to legal ways and means. The signs are everywhere: in the development of a global jurisprudence far more elaborate than its internationalist predecessor; in the epidemic of new national constitutions since 1989; in the proliferation of legal NGOs across the world; in the remarkable spread of human rights advocacy; in the subjection of ever more intimate domains of human life to litigation. People across the planet are being encouraged to behave as *homo jurialis*. And collectivities of all kinds are given ever more reason to mimic bodies corporate (Comaroff and Comaroff 2006; 2009).

There is a critical corollary to all this. It concerns the relocation of politics into the legal domain. More and more are differences of *all* kinds being fought out in the courts – whether they involve private freedoms, property rights, or national resources, access to medical treatment or title to real estate, sovereignty or cultural knowledge. In ways unthinkable until recently, governments and their agencies, especially those that deal in death and taxes, are regularly sued by their citizens; and citizens are ever more litigious in respect of each other. What once happened in parliaments, street protests, and political councils now finds a new space of contestation. Even history is being re-politicized, redeemed, recouped in the courts. Britain, for one, is being sued by several formerly colonized peoples in East Africa, each demanding restitution for an old

wrong: the Nandi, for the killing of their leader in 1905; the Nyoro for a land seizure in 1900; the Samburu for injuries inflicted by relict munitions. In all these class actions, the plaintiff is an ethnic group, reclaiming its past by jural means. And asserting a corporate identity in the process.¹⁴

Project the legal subject onto the terrain of cultural identity, add the reduction of culture to property, mix it with the displacement of politics into the domain of jurisprudence, and what is the result? It is, to return to where we began, “Ethnicity, Inc.”

CASINO CAPITAL, CULTURAL PROPERTY, AND INCORPORATION

Neither the incorporation of ethnic groups nor the commodification of culture is new. In North America, it has had *legal* recognition since at least 1934, with the passage of the Indian Reorganization Act. In 1971, moreover, the Alaskan Native Claims Settlement Act *explicitly* re-organized indigenous peoples into corporations composed of shareholders whose rights were based on genealogy, whose traditional lands became private, alienable property, and whose cultural products, a growing proportion of them trademarked under brand-names like the ‘Silver Hand,’ were directed toward the market (Hollowell-Zimmer 2001).¹⁵ But the *popular* prototype of Ethnicity, Inc. in the US lies in the Native American casino-owning “tribe,” its apotheosis in the Mohegan Sun and the Pequot Foxwood Resort, two enormous monuments to ethno-marketing and the architecture of vernacular kitsch; at Foxwood are found such establishments as Ethnic Concepts International Gift Shop. As it turns out, the Native American cases of

ethno-incorporation are bewilderingly complex; their identity economies stretch far beyond the gaming house. But most of them share five things that will turn out to be significant as we proceed.

The first is obvious: the more like profit-seeking corporations indigenous groups become, the more the terms of membership privilege birth, blood, and biology over social or cultural attachments. And the more they tend to be contested.¹⁶ The second, by contrast, is counter-intuitive: not infrequently, it is commercial enterprise that begets an ethnic group, not the other way around. *Vide* the Pomo Indians – Pomo in both name and spirit – that, in the 1950s, consisted of two families, without tribe or territory. These families lived on land set aside for homeless Native Americans until they secured reservation land and a casino licence. Whereupon they became “the” Pomo. Or better yet, the case of the Augustine Cahuilla Indians, who consist of one woman, Maryann Martin, but who have been allowed to open a gaming house on an abandoned reservation in California. By these means does Ms. Martin constitute a certified ethnic group. Nor is she the only one-person ethno-corporation in North America.¹⁷

The third notable thing about the US cases is that, in many of them, the creation of a corporate ethno-economy has been set in motion by venture capital from outside. Its source is usually non-Indian financiers, for whom real or virtual “tribes” are franchises licenced to make a killing. As this suggests, ethno-enterprise is mandated by culture, but may not originate in it. In fact, several officially recognized bands have little connection to vernacular life-ways. Maryann Martin, the last living Augustine Cahuilla, was raised African American. But, once on the road to incorporation, they typically begin to assert– if necessary, to discover or develop – their “traditions,” which may then be

merchandized; hence the Ethnic Concepts store on the Pequot reservation – and, close by, a state-of-the-art Museum and Research Center of Culture. The content of identity, as we all know, is often produced in response to the market. So, sometimes, is indigeneity.

The fourth matter of note is that, once recognized by the state, Native American groups tend to proclaim their sovereign autonomy against it.¹⁸ Thus, for example, Indian tribes, now major contributors to political campaigns in California, refuse to report their donations; as “nations,” they claim exemption from US law (this predated recent legislation that lifted limitations on corporate campaign spending). Predictably, such assertions provoke reactions; the State of California has litigated against several Indian tribes. Similarly, when the governor of New York insisted that cigarette sales on the Mohawk reservation be licenced by his state, indigenous leaders invoked sovereign exclusion; the Mohawk make their own tobacco products and, acting under the sign of ethno-preneurship, were determined to protect their market.¹⁹

Finally, the Indian cases indicate that ethno-incorporation strives for geo-spatial materiality.²⁰ To be sure, it often involves a land claim. Which is not surprising: real estate held in patrimonial tenure – *territory*, that is – is typically taken to be a founding principle of sovereignty. Note these five points. They will, we repeat, turn out to be critical.

The prototypical Native American instances of Ethnicity, Inc., those associated with casino ownership, *presumed* a cultural identity at their core. But the *substance* of that identity was incidental to their incorporation. There are exceptions to this. Or rather, inversions: “tribes” whose corporate history began *not* with casino capitalism²¹ but with

the copyrighting of their cultures. Take the Zia Pueblo (Brown 1998:197), who successfully sued New Mexico a few years back for the unauthorized use of their sun symbol on state flags. The design, with its spiritual powers, they said, was their holy-owned property. Or, also in New Mexico, the Indians of Sandoval county who, over centuries, developed a ritually-valued variety of blue corn that, in the 1980s, became a fashionable health food. As a result, Five Sandoval Indian Pueblos, Inc. was established to superintend the sale of trademarked agri-goods, like “Hopi Blue” (Pinel and Evans 1994:45). Here, in sum, an ethno-corporation arose from distilling local knowledge into a brand that, in turn, sedimented sociologically into an ethnic federation; just the thing Chanock pointed to in saying that “sustainable cultures are those which brand best”(above, p.5).

The branding of culture has been facilitated by an implosion, in recent times, in the domain of intellectual property: in the laws governing its possession, the rights accruing to it, and the spheres of existence over which it extends. This has persuaded the United Nations and the World Intellectual Property Organization to recognize an “inherent” right of indigenous peoples to the fruits of their vernacular knowledge (see e.g. Posey 1994:227-233; Greene 2004:213) – one effect of which has been to accelerate yet further their incorporation in many places. Some of them in quite unexpected ways.

Which brings us to a Tale of Two Ethnicities, two instances of Ethnicity, Inc. that draw together the various strands of our narrative by addressing an unresolved dialectic at its core: the dialectic between the incorporation of identity and the commodification of culture. It should be clear by now that they are *not* the same thing. Hence the contrast

between (i) those Native American groups, exemplified by casino capitalists, that became bodies corporate by virtue of being shareholders in enterprises enabled by their sovereign legal status and (ii) those made into corporations by virtue of a shared copyright in vernacular signs, knowledge, or practices. The relationship between these two tendencies, it turns out, completes the dialectic. But we are running ahead of ourselves. Our Tale of Two Ethnicities returns us to where we began: Southern Africa.

ETHNO-FUTURES, AGAIN

The first takes us to the edge of the Kalahari Desert, to the Land of the San – known, pejoratively, as Bushmen. It involves the hoodia cactus, *xhoba*, which they have imbibed since time immemorial. In the past, when hunting in the desert, it staved their appetites and thirst; it is used these days to stave off the effects of poverty. San suffered severely from the predations of colonialism: stigmatized, victims of various forms of violence, removed from their ancestral lands, prey to illness and alcohol, their numbers diminished greatly. Over the past century, in fact, most of their communities dispersed into the immiserated reaches of the South African “coloured” population.

The hoodia saga was to unleash a global media frenzy: In the USA, *60 Minutes* attested to the efficacy of the plant and spoke in awe of its promise for the fat-fighting industry;²² the BBC sent a reporter “deep into the Kalahari desert,” to “one of the world’s most primitive tribes,” to sample the “extremely ugly cactus” that “kills appetite and attacks obesity with no side effects.”²³ It all began in in South Africa in 1963, when the Council for Scientific and Industrial Research (CSIR) became interested in the medicinal properties of the cactus (Evans 2003); this was stimulated by reports of its use by San

trackers deployed by the army in its wars against the enemies of apartheid. The CSIR corroborated the cactus' appetite suppressant properties, identified their bioactive component and, in 1997, patented it under the label P57.

The CSIR licenced P57 to Phytopharm, a British company – which, after extensive trials, licenced it on to Pfizer for \$21m; ironic perhaps, since *xhoba* was held by San to have some of the same properties as Viagra, Pfizer's most famed product. It is at this point that the story becomes especially interesting.

The San first heard about the patent when Phytofarm announced P57 to the media. Or, more precisely, it was Roger Chennells,²⁴ a human rights lawyer, who read a quote from the head of Phytofarm, Richard Dixey, to the effect that the people from whom the knowledge of hoodia derived, were extinct. At the time, Chennells was representing the San in a land claim (see Robins 2003:12-14; Isaacson 2002), in the course of which there had emerged an NGO, the South African San Institute (SASI), one of many such organizations that surfaced with the end of apartheid, with liberalization, and with the postcolonial politics of identity.²⁵ Chennells told SASI that the San were victims of biopiracy, that the return on the patent could be considerable – its value in the US is about \$3b a year (Evans 2003:16) – and that this was an opportunity to assert a collective identity under the San Council, a new body created by SASI to give political shape to, and claim sovereignty for, their ethnic aspirations (Evans *ibid*:14).

Richard Dixey may have been disingenuous in asserting the extinction of the San; the advantages to Phytofarm were plain enough. When the San Council protested

to the CSIR, it acknowledged the error of its ways, Dixey confessed his “embarrassment,” and a profit sharing agreement was signed. Since then, Pfizer has given way as licensee to Unilever. Since then, too, the San Trust, set up to manage the incoming funds, has received its first royalties, has begun to tackle the problems of distribution among the San peoples of South Africa, Namibia, and Botswana, and has filed suit against twenty-six illicit producers. Since then “the San,” as an ethno-corporation has taken ever more articulate shape.

In point of fact, Dixey had not been altogether wrong. The San may not have been extinct, but their *ethnocide* had gone a long way. Having been cast out of their social ecology, “they” did not evince much by way of a collective identity; their dispersal into the gray racial space of South Africa made it impossible to do so. But the assertion of intellectual property – coupled, significantly, with the land claim that preceded it – reanimated San “identity.” And gave it ever “thicker,” more dense substance; a symptom of this, interestingly, being a sudden increase in people accusing each other, on biological grounds, of “not being real San .”²⁶ Thus it is that there has been a language revival, that genealogies are being collected to create a population register; that SASI has initiated a “cultural resources management project”; that programs have been designed for “San-controlled income generation” using indigenous knowledge in a sustainable manner; that a legal platform has been set up to protect the global interests and dignity of the San. All of which had the effect of re-indigenizing this “people” through the very act of interpellating them into a distinctly cosmopolitan sense of being-in-the-world. When we asked Roger Chennells whether a new ethnic identity had been produced in the process, he answered in the affirmative. He is correct. In fact, the

presumption that “the” San actually *had* a shared identity– or a coherent ethno-sociology – prior to the colonial dispersal of a complex *population* of hunter-gatherers collectively called “Bushmen,” is itself contentious: who or what “they” were has long been a subject of bitter debate.²⁷ But that does not matter any more, at least not outside of the academy. Today they are a multi-national, ever more assertively cosmopolitan ethno-corporation: as we said, “the” San, and the San Council that makes manifest their sovereignty, now straddle three of the countries of southern Africa.

The other story involves the Bafokeng, the people made wealthy by platinum, the people whose kings are spoken of as CEOs, the people actually referred to in South Africa as Bafokeng, Inc.²⁸ The history of their incorporation begins, long ago, with land: one of their nineteenth century chiefs realized that, to protect their territory from white settlers, his people ought to *purchase* it outright (Cook n.d. [a]:5-6). So he sent young men to the diamond fields and commissioned their wages to buy as much real estate as possible. The subsequent history of South Africa did not make it easy to hold on to this land. But, by establishing the Bafokeng as a private, corporate owner, the purchase enabled their chiefs to defend it from seizure (Cook *ibid.*:6 *et passim*), especially after the discovery of platinum in 1924 and its leasing to Impala Platinum, a large company, in the 1960s.²⁹ The greatest challenge, in this respect, came when the puppet homeland government of Bophuthatswana, set up by the apartheid state, exiled the chief of the Bafokeng, expropriated their mineral rights, and negotiated contracts directly with Impala; this sparked a lengthy series of legal actions which eventually yielded a victory for the “tribe” in 1999 – and, with it, a lucrative profit-sharing arrangement.³⁰ All of which made the Bafokeng so adept at litigation that, as one journalist put it, “their traditional

weapon became the law, not the club.”³¹

The corporate growth of Bafokeng, Inc. in the wake of these legal processes has been breathtaking. This nation of 150,000 shareholders – membership is defined by patrilineality – has large stakes in a complex network of companies; their interest in Impala alone yielded \$80m in 2002. In addition, they have opened up two new mining operations each valued at \$65m;³² established a profitable partnership with Exxon;³³ bought a huge construction company;³⁴ purchased 20% of South Africa’s second largest packaging plant;³⁵ and own 33% of SA Chrome, now renamed Merafe Resources.³⁶ *Merafe* is Setswana for “nations.” Nor does the story end there. Their sovereign government is vested in the Royal Bafokeng Administration; their global investments are overseen by Royal Bafokeng Finances; a Royal Bafokeng Economic Board manages development within the chiefdom; and their mineral interests are husbanded by Royal Bafokeng Resources (see e.g. Gray 2003:16) – which recently became a *public* company. By these means, “the Bafokeng” chiefdom has become the ultimate ethno-enterprise: one in whose present holdings and futures you or we might purchase stock.³⁷

What is missing in all this? The *cultural* element of Bafokeng cultural identity. King Leruo and his money managers have long presented themselves as highly cosmopolitan business people primarily concerned with a sustainable future: Vision 2020 is their ambitious plan to develop Bafokeng into a “self-sufficient,” fully employed, globally-oriented nation by, well, 2020 (Gray 2003:13-14). Of late, however, there has been much more culture talk, much more talk of indigeneity. Since being installed in a ritual saturated with the trappings of a tradition partly historical, partly made up,

powerfully vernacular, the young king has taken to essaying “African values,” to celebrating “traditional governance,” and to arguing that, in moving toward “Afro-modernity,” his people must “affirm” their essence (see Gray *ibid*:14; the king has also hired a personal consultant with a PhD in anthropology). In short, Bafokeng, Inc, the manifest commodification of Bafokeng *identity*, appears to be reaching toward a cultural sensibility in order to complete itself.

Running the San and Bafokeng together, then, the dialectic at the heart of Ethnicity, Inc. reveals itself. Each of these cases evinces the five things foreshadowed in Native America, if in different proportions: membership in both has come to be defined genealogically, with some contestation either evident or imminent; in both, commercial enterprise has been instrumental either in crystallizing or in reproducing the sociological entity in which cultural identity is presumed to inhere; in both, venture capital and legal expertise from outside has been crucial; both have asserted their new-found sovereignty against the state; and both have based their incorporation on land claims, past or present. In both, moreover, the displacement of the political into the legal has been demonstrable: both have fought their battles by means of lawfare. In the process, they have both naturalized the trope of identity around which their “rights” adhere – and interpellated into it a significant measure of affect. This is particularly striking in the case of the San. It is arguable that knowledge of the hoodia was produced not by “*the San*” at all – who may or may not have existed at the time – but by hunters of the Kalahari, a class defined by their relationship to a mode of production. The projection of a vernacular right to intellectual property onto “the San,” a putatively “primordial” collectivity, has the effect of extinguishing a class of producers as it *d*istinguishes and

materializes a cultural identity – and, as it does so, giving ontological primacy to the idea of identity itself. Thus, to reiterate, does ideology become ID-ology and hide itself in a sense of the natural, the inevitable, the given.

Most of all, though, the stories of the San and the Bafokeng, precisely because they *are* such extreme instances, demonstrate how and why it is that Ethnicity, Inc. rests on a dialectic between the incorporation of identity and the commodification of culture; and, at another level, between indigeneity and the human cosmopolis. Whether it starts with the incorporation of identity, as in the Bafokeng case, or with the commodification of cultural property, as in Kalahari, the process evinces a drive to complete itself in the other. Thus it is that a dispersed group of former hunters and gatherers have become, ever more explicitly, “*the San*,” replete with a sovereign sense of their own ethno-sociology, their own governance, their own affective economy, their own range of institutions to make it all real. Thus it is that Bafokeng, Inc is turning to vernacular ways and means in the name of an Afro-modernity which it may inhabit as it reaches toward the future. Neither is fortuitous. After all, Ethnicity, Inc., to the degree that it naturalizes collective right, material entitlement, and sovereignty, *does* require both the incorporation of identity *and* cultural substance to realize, recognize, fulfill itself. Which is why it tends to begin in land, thence to make claims to sovereignty, to secure its cultural property, and to invest in the long-run. The future of ethnicity *does* seem to lie, at least in one important respect, in ethno-futures.

CONCLUSION

We have come *not* to praise to Ethnicity, Inc. Nor do we extol empowerment that depends on the commodification of culture or the Empire of the Market, let alone the

creeping judicialization of politics or the naturalization of the ethno-trope of identity into a brute term of social being. Quite the opposite. Ethnicity, Inc. carries with it a host of costs and contradictions. What we seek to do here, in short, is to interrogate a world-wide phenomenon in the making; one that is much more complicated than it first appears.

In so doing, we have stressed that Ethnicity, Inc. has deep roots and many precedents. After all, nation-states have long sought to distinguish themselves by marking as unique their national cultures, their fraternal heritage, their essence as embodied in both utilitarian and aesthetic objects. French champagne, Italian *grappa*, German opera, British tea and...china, have long been branded *national* products. In ever more cases they carry trademarks. Implicitly, in other words, the modernist nation has always been a brand, with some strange consequences; note, in this regard, Jonathan Franzen's brilliant caricature of Lithuania, Inc. in *The Corrections*, the upshot of which is that its national economy is sold by a quite plausible mistake to a bank in Atlanta. Note, too, the fact that Silvio Berlusconi, CEO extraordinaire, often referred to his country as *Azienda Italia*, "Italy, the Company" (Muehlebach n.d.). Nor only nations. Religions too. The judiciary of Pakistan, in deliberating the dispute between Ulema, religious authorities, and the Ahmediya, whom they style as blasphemers, has recently chosen to treat Islam as intellectual property (Ahmed 2006). And the process is proliferating in time as well as space: *vide* the recent efforts of the Israeli national archive to establish in a court of law that, because he was a Jew, Kafka's works were rightfully the intellectual 'assets' of the Israeli state as the guardian, in perpetuity, of Jewish heritage (Butler 2011). What is going on here, it seems, is the hyperextension of

an old phenomenon. And its migration into places it has not gone before: into the domain of cultural being, where, as Clifford Geertz (1963) once reminded us, modernity was supposed to run up against its limits. But the ethnically-defined peoples of “traditional” Africa, Latin America, the USA, and Asia have become thoroughly modern, if each in their own ways. Even more, they have sometimes passed by the modern and, like that Indian group of which we spoke, leapt directly into the Pomo. Which, above all, refigures and sometimes renders absurd, the lineaments of modernity. We may or may not like what Ethnicity, Inc. promises. But we are going to have to live with it, and, even more, to fashion an engaged anthropology to deal with its unfolding logic, its ambiguous promises, its material and moral vision for times to come, the deep affective attachments that it engenders. Ethnicity, Inc. is the congealed product – a fusion both hot and cold, if you will – of three elemental features of the neoliberal tendency: the apotheosis of intellectual property and the reduction of culture to it; the migration of politics into the realm of the law; and the growing naturalization of the trope of identity as *the* taken-for-granted domain of collective action. These are all key stations on the Road to a Brave Neo World.

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