Participation and paradoxes: Community control of mineral wealth in South Africa’s Royal Bafokeng and Bakgatla Ba Kgafela communities

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of the

University of Fort Hare

by

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DECLARATION OF ORIGINALITY

I, Sonwabile Comfords Mnwana, hereby declare that this thesis is my original effort and that no part of it has been submitted to any other university for any form of award. All secondary sources of information have been fully and correctly acknowledged.

_____________________________  ________________________
Candidate’s Signature          Date
STATEMENT BY THE SUPERVISOR

I confirm that the thesis of the candidate, Sonwabile Comfords Mnwana, Student Number: 9731539, has been submitted with my approval.

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DEDICATION

I dedicate this work first and foremost to the **Lord God Almighty** to whom I owe my entire being.

To the loving memory of my dearest mother, my hero:

**Nolitha Penelope Mathafeni.**

Your tragic exit from this world left inexorable pain too difficult to overcome but your love and wisdom have encouraged me to live and to hope.

To the loving memory of my kindest grandmother **Noselem Egnes Mathafeni** and my caring uncle **Bandile Multitude Mathafeni.** After raising me you both left this world but I am eternally indebted to your love.

Finally, to my wife **Sindi** and my three daughters **Xola, Unamandla** and **Osikelelayo Mnwana.** You endured the pain of being without me at home for many long days and nights and you earnestly prayed and supported me in every manner possible. I promise to spend more time with you from now on.
ABSTRACT

Resource control as a form of community participation in the mineral economy has gained much recognition. One prevailing argument is that direct control of natural resources by local communities is an important precondition for equitable utilisation of the natural resource wealth, peaceful co-existence between mining corporations and indigenous communities, and congenial relations between local communities and the state. Studies have also shown that the absence of direct community control of mineral wealth remains a major factor in the communal resistance and socio-political conflict witnessed in the natural resource-endowed regions of countries such as Nigeria, Ecuador, Sierra Leone and the Democratic Republic of the Congo.

However, little is known about mineral resource control at the community level. Does community control necessarily translate to equity? How does local involvement in the mobilisation of mining royalties benefit different segments of the community? Indeed, how do different segments of the community “control” the wealth? What is the specific model adopted to engender broad-based community participation in the utilisation of mineral wealth – and does it matter? These theoretical and practical questions were the impetus for undertaking this study in the Royal Bafokeng and Bakgatla Ba Kgafela – two platinum-rich ‘traditional’ communities in South Africa’s North West Province that have significant control over platinum resources in their territories.

Utilising ethnographic data collected in the two study communities in 2008 and 2009, the thesis examines the character of community participation in platinum wealth utilisation; specifically, the conditions under which community participation promotes or hinders sustainable community development. The analysis uses a “three-dimensional participation ladder” conceptual scheme, based in part on Sherry Arnstein’s (1969) “ladder of citizen participation” and subsequent typologies of participation.

Among the key findings of the thesis are that despite observed benefits, the interface of resource wealth and community development is fraught with tokenistic participation, elite-targeted grassroots anger, and local tensions – all linked to the contradictory nature of participation. The thesis further reveals that in some instances the challenge of platinum
wealth-engendered community development tends to undermine existing customary and democratic spaces for participation, and that this is exacerbated by community-level issues such as poverty and inequality.

The findings of the study compel a shift of analytical focus from conflict as an epiphenomenon of collective community exclusion and deprivation (as in the case of many natural-rich countries in Sub-Saharan Africa and elsewhere), to conflict as also resulting from collective community inclusion (in natural resource utilisation). At the policy level, the study generates insights that will, hopefully, assist mineral resource-endowed countries, such as South Africa, in dealing with the challenge of developing appropriate policy frameworks for regulating business and social partnerships between local communities and mining corporations, and within resource-rich communities themselves.
ACKNOWLEDGEMENTS

An effort of this nature can never be accomplished solely through the efforts of one person. It is only possible through collaboration and support of many people. Most of the people who contributed towards the success of this study had nothing or very little to gain out of the entire project. I must say therefore that I am forever indebted to all the people whose contribution led to the completion of this study.

First and foremost, I would like to convey my endless gratitude to my supervisor, Professor Wilson Akpan, for his enormous wisdom, astute academic rigour and rare dedication that encouraged me to carry on and complete this project even during extremely ‘low’ moments. My relationship with Professor Akpan began with a brief visit to his office four years ago. Little did I know then that I would accomplish this much under his supervision.

My PhD would never have been completed without the generous financial support from the Govan Mbeki Research and Development Centre (GMRDC). I am highly indebted to GMRDC for this generous support. I am also indebted to the Royal Bafokeng (RBA) Administration and Bakgatla Ba Kgafela Traditional Administration (BBKTA) for allowing me to conduct the study in the Bafokeng and Bakgatla communities. It would also be remiss of me not to acknowledge the support I received from the University of Fort Hare Library staff at East London Campus. I am also profoundly grateful to Ms Sheila Hicks who assisted with language and syntax checks.

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# ACRONYMS AND ABBREVIATIONS

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<th>Full Form</th>
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<tr>
<td>ACC</td>
<td>Amadiba Crisis Committee</td>
</tr>
<tr>
<td>ANC</td>
<td>African National Congress</td>
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<td>ANCYL</td>
<td>African National Congress Youth League</td>
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<td>Aplats</td>
<td>Anglo Platinum</td>
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<td>BAA</td>
<td>Black Authorities Act</td>
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<td>BBK</td>
<td>Bakgatla Ba Kgafela</td>
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<td>BBKTA</td>
<td>Bakgatla Ba Kgafela Traditional Administration</td>
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<td>BLC</td>
<td>Bakgatla Land Committee</td>
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<td>BPDM</td>
<td>Bojanala Platinum District Municipality</td>
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<td>BRPM</td>
<td>Bafokeng Rasemone Platinum Mine</td>
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<tr>
<td>CBACO</td>
<td>Concerned Bakgatla Anti-Corruption Organisation</td>
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<tr>
<td>CBD</td>
<td>Community Based Development</td>
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<tr>
<td>CBNRM</td>
<td>Community Based Natural Resource Management</td>
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<tr>
<td>CDD</td>
<td>Community Driven Development</td>
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<tr>
<td>COSATU</td>
<td>Congress of South African Trade Unions</td>
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<td>CPR</td>
<td>Common pool resources</td>
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<td>CSR</td>
<td>Corporate Social Responsibility</td>
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<tr>
<td>DLA</td>
<td>Department of Land Affairs</td>
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<tr>
<td>DME</td>
<td>Department of Minerals and Energy</td>
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<tr>
<td>DMR</td>
<td>Department of Mineral Resources</td>
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<tr>
<td>FGD</td>
<td>Focus group discussions</td>
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<td>FIFA</td>
<td>International Federation of Association Football (Fédération Internationale de Football Association)</td>
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<tr>
<td>GMRDC</td>
<td>Govan Mbeki Research and Development Centre</td>
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<tr>
<td>HDSA</td>
<td>Historically Disadvantaged South Africans</td>
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<tr>
<td>Abbreviation</td>
<td>Full Form</td>
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<tr>
<td>HRPU</td>
<td>Head of Research and Planning Unit</td>
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<td>IDP</td>
<td>Integrated Development Plan</td>
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<tr>
<td>IIED</td>
<td>International Institute for Environment and Development</td>
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<tr>
<td>IJCF</td>
<td>Impala Joint Community Forum</td>
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<td>Implats</td>
<td>Impala Platinum</td>
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<td>LEM</td>
<td>Luka Environmental Forum</td>
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<td>MDGs</td>
<td>Millennium Development Goals</td>
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<td>MEPC</td>
<td>Minerals and Energy Policy Centre</td>
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<td>MKLM</td>
<td>Moses Kotane Local Municipality</td>
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<tr>
<td>MOU</td>
<td>Memorandum of Understanding</td>
</tr>
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<td>MPRDA</td>
<td>Mineral and Petroleum Resources Development Act 28 of 2002</td>
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<tr>
<td>NGO</td>
<td>Non-governmental Organisation</td>
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<tr>
<td>NUM</td>
<td>National Union of Mineworkers (of South Africa)</td>
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<td>PBF</td>
<td>Phokeng Business Forum</td>
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<td>PGMs</td>
<td>Platinum Group Metals</td>
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<tr>
<td>PTP</td>
<td>Pathways Through Participation</td>
</tr>
<tr>
<td>RBA</td>
<td>Royal Bafokeng Administration</td>
</tr>
<tr>
<td>RBAAB</td>
<td>Repeal of the Black Authorities Act Bill</td>
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<tr>
<td>RBED</td>
<td>Royal Bafokeng Enterprise Development</td>
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<td>RBH</td>
<td>Royal Bafokeng Holdings</td>
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<td>RBN</td>
<td>Royal Bafokeng Nation</td>
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<tr>
<td>RBPlat</td>
<td>Royal Bafokeng Platinum</td>
</tr>
<tr>
<td>RBS</td>
<td>Royal Bafokeng Sports</td>
</tr>
<tr>
<td>RDP</td>
<td>Reconstruction and Development Programme</td>
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<tr>
<td>RDPCRBAAB</td>
<td>Rural Development Portfolio Committee on the Repeal of the Black Authorities Act Bill</td>
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<tr>
<td>RLM</td>
<td>Rustenburg Local Municipality</td>
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<tr>
<td>Acronym</td>
<td>Definition</td>
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<tr>
<td>SANCO</td>
<td>South African National Civic Organisation</td>
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<td>SLP</td>
<td>Social Labour Plan</td>
</tr>
<tr>
<td>SMME</td>
<td>Small, Medium and Micro Enterprises</td>
</tr>
<tr>
<td>TLGFA</td>
<td>Traditional Leadership and Governance Framework Act</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
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<td><strong>GLOSSARY</strong></td>
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<tr>
<td><strong>Bafaladi</strong></td>
<td>Immigrants or people of alien ethnic groups</td>
</tr>
<tr>
<td><strong>Bafokeng</strong></td>
<td>The plural for Mofokeng</td>
</tr>
<tr>
<td><strong>Dikgosana</strong></td>
<td>Hereditary headmen or sub-chiefs under a kgosi</td>
</tr>
<tr>
<td><strong>Dikgosi</strong></td>
<td>Plural for Kgosi – meaning Chiefs or Kings</td>
</tr>
<tr>
<td><strong>Kgôrô</strong></td>
<td>Ward – made up of collection of families of common patrilineal descent (or a clan)</td>
</tr>
<tr>
<td><strong>Kgosana</strong></td>
<td>Hereditary headmen or sub-chief or wardhead</td>
</tr>
<tr>
<td><strong>Kgôsi</strong></td>
<td>A Chief or King</td>
</tr>
<tr>
<td><strong>Kgotha kgothe</strong></td>
<td>A bi-annual AGM-style mass meeting</td>
</tr>
<tr>
<td><strong>Kgotla</strong></td>
<td>Ward (kgôrô) council and court</td>
</tr>
<tr>
<td><strong>Lekgotla</strong></td>
<td>A local ward meeting headed by a kgosana</td>
</tr>
<tr>
<td><strong>Lepaša/Mephato</strong></td>
<td>Labour regiment(s) under the control of the chief</td>
</tr>
<tr>
<td><strong>Makgotla</strong></td>
<td>Ward meetings (plural of lekgotla)</td>
</tr>
<tr>
<td><strong>Merafe</strong></td>
<td>Plural for Morafe (Tswana polity)</td>
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<tr>
<td><strong>Mmemogolo</strong></td>
<td>Grandmother (commonly used when refering to the Queen Mother in the Bafokeng community)</td>
</tr>
<tr>
<td><strong>Mofokeng</strong></td>
<td>Fokeng person (singular for Bafokeng)</td>
</tr>
<tr>
<td><strong>Morafe</strong></td>
<td>The community or ‘tribe’ or ‘nation’ or polity</td>
</tr>
<tr>
<td><strong>Rhe</strong></td>
<td>Mr or Sir</td>
</tr>
<tr>
<td><strong>Sereto or siboko</strong></td>
<td>Tswana totem or cultural symbol of identity</td>
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PART 1: REVISITING THE DISCOURSE ON MINERAL RESOURCE INSURGENCY
CHAPTER ONE
OVERVIEW OF THE STUDY

1.1 Background to research problem

Studies have shown that the absence of direct community control of, or meaningful participation in, mineral wealth remains a major factor in the communal resistance and socio-political conflict witnessed in the natural resource-endowed regions of, among others, Nigeria (Ikelegbe 2005; Watts 2007; Ross 2007; Obi 2008a), Ecuador (Switzer 2001; Kuecker 2007), Sierra Leone and the Democratic Republic of the Congo (DRC) (De Koning, 2008). In the case of Nigeria’s oil rich Niger Delta, for instance, the long history of “festering sense of grievance”, and “agitation for self determination and control of the resources of the region” (Obi 2008a:4) by relevant ethnic groups has now turned into violent war against the oil companies and the state. The quest for control is better described through the words of Obi (2008a:420) who sees the Niger Delta conflict as rooted in “the demand for local autonomy … and control of the natural resources (mainly oil) of the Niger Delta by the indigenes of the region”.

Another noteworthy example is that of the Ecuadorian community of Junín where communal resistance successfully halted a copper exploration project when local people felt that their right of self-determination was ignored (Kuecker, 2007). According to Kuecker (2007), in May 1997, 200 residents of Junín demonstrated their dissatisfaction towards a proposed copper mining operation on their land by burning down the entire exploration camp and leaving a wooden sign post warning: “Not Another Step Forward for the Miners” (Kuecker 2007:95).

Resource control is also reported as the root cause of violent conflict witnessed in the resource-rich regions of Sierra Leone and the DRC. According to De Koning (2008), since the early 1970s, successive governments of diamond-rich Sierra Leone have excluded local communities and other opposition groups from the benefits of diamond industry while enriching themselves and “selectively rewarding investors and enterprises, compliant customary chiefs and other local strongmen” (De Koning 2008:5). This became the very cause of civil war in Sierra Leone between 1991 and 1995 (De Koning 2008:5). Furthermore, the pervasive, devastating war during 2002 in the DRC, which was reported to have led to around 72,000 deaths per month, reportedly emanated from the relentless pursuit by different
rebels groups to have total control over the mineral-rich regions of that country so that they can plunder the country’s enormous mineral wealth supported mainly by diamond, coltan, copper, zinc and other precious minerals (Montague 2002; Samset 2002).

It is against the background of such conflict that the idea of community control, as a form of community participation, has gained much recognition. One prevailing argument is that direct control of natural resources by local communities is an important precondition for equitable utilisation of the natural resource wealth, peaceful co-existence between mining corporations and indigenous communities, and congenial relations between local communities and the state (Mate 2002; Ikelegbe 2005; Ross 2006; Ukiwo 2009). Moreover, the discourse of resource control is also propelled by the widely reported dilemma of mineral resource economy whereby the economic benefits of mining are only channelled towards the private corporations and national governments while local communities, who are negatively impacted by mining activities, are left vulnerable and exploited (Mate 2002; Mtegha, Cawood & Minnitt 2006:231; Cronjé & Chenga 2009).

Such ‘a paradox of plenty’ is reported in many mineral resource-endowed regions and states, including South Africa (Cronjé & Chenga 2009) – although the latter has so far avoided mining-induced violent conflict and civil wars since the first quarter of the 20th century. Moreover, it is worth noting that South Africa has enjoyed significant economic gains since the last quarter of the 19th century when major mineral extraction started. In fact, the contribution from mining of the country’s key mineral resources like platinum group metals (PGMs), gold, diamond and coal has led to massive infrastructural development and established a wide-ranging downstream industrial revolution (DME, RSA 2008:1).

The Royal Bafokeng and Bakgatla Ba Kgafela communities in South Africa’s North West Province are among the few traditional authorities in the country that receive royalties directly from mining corporations operating on their land. Even within the broader Sub-Saharan African context, the economically rewarding relationship between the two mining communities and mining corporations – indeed, the degree of community control of mineral resources – represents a unique case. The Royal Bafokeng community, for instance, reported a total asset value of over R43 billion (approx. $5.64973) in the first quarter of 2008 (RBH 2009), mainly from mining royalties. With these resources, the community has reportedly invested in such amenities as educational, medical and sporting infrastructure. An agro-
pastoralist people, the Royal Bafokeng only began to directly participate in the mining economy in 1999 after winning a legal battle to exercise indigenous land rights. Prior to this, the struggle for indigenous control had been with the Boers, the former Homeland government under which it fell during the apartheid era, and the mining companies (Manson & Mbenga 2003). The following sections provide a preview of socio-economic background of the two selected platinum mining communities.

It is also crucial to warn that the term “community” is used in this study more in the geographical sense of territorial boundaries than in the sociological sense of a “homogeneous group” (Perez et al. 2007:668).

1.1.1 South Africa’s ‘platinum boom’ and traditional communities
Since the recent rapid decline of the gold reef, platinum has become South Africa’s leading mineral in terms of production quantities. In fact, South Africa’s Bushveld Complex currently accounts for 80 percent of the global platinum production (Platinum Group Metals 2009). Undoubtedly, the “platinum boom” is now a modern replacement of South Africa’s erstwhile “gold rush” aphorism of the 1890s and beyond. The latter attracted diverse interests of fortune seekers, colonisers and imperialists from around the globe, most of whom currently form a significant part of South Africa’s history and are bound to remain part of its future. Moreover, it is self-evident that, just like the gold rush, the platinum boom will occupy a significant space in South Africa’s history. A summarised historical synopsis of mining in South Africa is provided in Chapter Six. However, only time will tell whether this new page of history will be marked with the joys of prosperity, inclusion and equitable development or with the continuation of the former sorrows of exploitation, migrant labour, and marginalisation of sections of the country’s population (including local communities and women).

The generous availability of Platinum Group Metals (PGMs – which include platinum, palladium and a range of other minerals) in South Africa’s Igneous Bushveld Complex (IBC) places the country at the frontline of major global producers of Platinum Group Metals.

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1 A detailed discussion of the social structure of Royal Bafokeng and Bakgatla communities is presented in Chapter Seven.
(PGMs). The key investors in PGMs are Anglo Platinum, Impala Platinum, Lonmin, and Aquarius Platinum.

Between the years 2002 and 2005 South Africa’s production of platinum rose from 4.28 million troy ounces to 5.55 million troy ounces and has maintained a steady increase, ranging between 30 and 35 percent annually for five consecutive years from 2002 to 2007 (Steinweg 2008:5). The demand for PGMs has been constantly growing due to their vital uses which include, among others:

- catalytic converters for exhaust control in motor vehicles, jewellery, and other minor uses which spread across many chemicals, electrical components, glass and petroleum process catalysts (Glaister & Mudd 2010:441).

The western limb of the Bushveld Complex, which contains the platinum ore-rich Merensky Reef, covers most of South Africa’s North West Province. It is this very western limb of the Bushveld Complex that also spreads underneath the land occupied and owned by Bafokeng and Bakgatla traditional communities – from the North West Province’s mining town of Rustenburg up to the Pilanesburg area via the famous Sun City resort and beyond (see Figure 1.1). In some sense, the platinum ore-rich Bushveld Complex has ushered the study communities into a new era of mining glory. Interestingly, unlike the gold rush which largely excluded black South Africans from participating in the mainstream mineral economy, the current platinum boom is epitomised by significant inclusion of local communities in a form of equity partnerships and otherwise.

Nonetheless, a question has to be raised: to what extent has this inclusion of indigenous communities in South Africa platinum mining economy led to equitable wealth distribution and peaceful relationships between communities and mining companies? The finite nature of mineral resources is at the heart of this question. Mineral resources are non-renewable. Therefore, if not carefully planned, the contemporary platinum boom, just like the erstwhile gold rush, is likely to leave these communities in a worse economic state than they were before the start of platinum mining. As Stilwell warns:

> In a country with a huge mineral endowment that exports almost all its mineral production, such as South Africa does, the wealth generated by the mineral production can last only as long as do the minerals. (Stilwell 2004:7)

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2 These partnerships are discussed in detail in Chapters Six and Seven.
Figure 1.1 shows the structure of the Bushveld Complex in North West including PGM mines and projects.

The Royal Bafokeng ["Nation"] (as it is popularly known), is an indigenous Setswana-speaking community in South Africa’s North West Province that has obtained substantial amounts of compensation in the form of royalties from Impala Platinum (also known as Implats), a leading mining company that has been operating in the areas since the early 1960s. Despite significant levels of mining activities, the North West Province is characterised by extreme poverty, a high rate of HIV/AIDS, crime and other socio-economic problems. Nonetheless, like all South African provinces, segments of the North West boast “first-world” living standards and world-class infrastructure.

3 Source: http://www.platinumgroupmetals.net/company/ (16/04/2011)
The Royal Bafokeng “Nation” (RBN), with its capital in Phokeng (150 kilometres northwest of Johannesburg), is one of the more than 800 rural communities in South Africa that are governed at once by a tribal authority and by South Africa’s neo-liberal, western-style democratic system of government (Cook 2005:125). The community is made up of 29 rural villages, spread over a land area of approximately 1,200 square kilometres between Rustenburg and Sun City (a world-class resort) in the North West. It has a population of approximately 300,000 people, with about 60% of these being ethnic Bafokeng (Cook & Hardin 2007). The Bafokeng have been settled in the area for centuries, although, as the years have gone by, the area has witnessed an influx of people from other ethnic groups, which today make up about 40% of the community’s total population. These are mainly migrant mine workers and job seekers from Lesotho, Swaziland, Mozambique, and all over South Africa, especially from the predominantly isiXhosa-speaking Eastern Cape (Cook & Hardin 2007:7).

Unlike other communities that are governed by indigenous systems, the Bafokeng have preserved their indigenous land rights for centuries, historically staving off competition from the Boers, the leaders of former homelands (quasi-independent “republics” created by the erstwhile apartheid regime) and the mining companies (Manson & Mbenga 2003). It is in this land that in 1921 Hans Merensky, a geologist, discovered the world’s most generous ore body (of mainly PGM metals) with substantial reserves of platinum, rhodium and other mineral ores (Manson & Mbenga 2003; Kabemba 2009:29;). The discovery of platinum marked the beginning of the history of the Bafokeng as an indigenous mining community in South Africa.

In 1999, after a protracted legal battle between the Bafokeng and the mining companies, the community won the right to receive mining royalties from Impala Platinum (Manson & Mbenga 2003). The royalties have been harnessed into a huge, locally managed diversified investment portfolio worth billions of rand.

The size of these assets might not be remarkable by global corporate investment standards, but for an indigenous community of 300,000 people, and in a national and continental context where few communities can lay claim to such autonomously controlled mining-related endowments, it is huge. It has led some observers to nickname the Bafokeng “Africa’s richest
“tribe” (Manson & Mbenga 2003), although, as elaborated later, the social conditions under which the majority of residents subsist do not bear out such a description.

Bakgatla Ba Kgafela (also known as Bakgatla-baga-Kgafela) community is also a Setswana-speaking community with a vibrant history of strong traditional leadership. Their current leader (as of 2011) is Kgosi Nyalala Pilane. Bakgatla are estimated to have a population of approximately 350,000, settled in 32 villages in the Pilanesburg area. With Moruleng as their administrative capital, Bakgatla occupy a vast area of land richly endowed with platinum ore in South Africa’s North West Province. Another group of Bakgatla Ba Kgafela can be found in Botswana in Kgatleng District (Makgala 2009:46). Apparently, the Bakgatla Ba Kgafela community in North West is not the only group of Bakgatla people. Makgala (2009) lists four other Bakgatla groups which share the same history and origin as Bakgatla Ba Kgafela: i) Bakgatla-baga-Mosetlha, in Hammanskraal, South Africa; ii) Bakgatla-baga-Mmanaana, and Thamana in Botswana; iii) Bakgatla-baga-Mmakau, in Brits in the North West Province of South Africa; and iv) Bakgatla-baga-Mosha, also in Hammanskraal, South Africa (Makgala, 2009:46).

The Bakgatla Ba Kgafela in South Africa are a fairly large group and are regarded as the ‘the most powerful’ due to their large population size, and perhaps, again, their significant control of mineral wealth. Hence, this thesis mainly focuses on this particular group – Bakgatla Ba Kgafela in South Africa. The Bakgatla are not as advanced in corporate strides and not as ‘rich’ in platinum wealth-engendered asset base as Bafokeng. Therefore, although Bakgatla have a larger population (350,000), the Royal Bafokeng had a higher representation in the study due to its relative economic visibility (especially in terms of the size of its economic investments).

The Bakgatla have had their own share of prolonged struggles against the Boers, the former homeland (Bophuthatswana) government of Lucas Mangope and the apartheid government of South Africa. Of all these struggles there is the one which features very prominently in

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4 See Chapters Eight and Nine.

5 Moruleng is also commonly used when collectively referring to all 32 villages of Bakgatla-ba-Kgafela.
Bakgatla history. During the latter half of the 19th century, Bakgatla people made attempts to resist forced and unpaid labour by Paul Kruger, governor of the former Transvaal Republic who happened to own a farm next to Pilanesburg where Bakgatla lived. Imposing forced labour on African communities was a common practice of the Boers all over South Africa, especially in the Transvaal. The resistance of Bakgatla tragically culminated in the public flogging and gross humiliation of Chief Kgaman yane of Bakgatla by Kruger in April 1870 (Makgala 2009:90; Mbenga 1997). This degrading incident caused Chief Kgaman yane and a group of his supporters to leave Pilanesburg, their ancestral land, and to eventually settle in Botswana. This explains why Bakgatla Ba Kgafela people are found both in Botswana and in South Africa.

In relation to platinum mining, one could say that the history of the Bafokeng and Bakgatla people is similar. Both communities are historically agro-pastoralists who survived mainly through farming (Makgala 2009; Manson & Mbenga 2003). They also share almost similar protracted battles with the Boers and the former homeland (Bophutatswana) government of Lucas Mangope. Moreover, platinum mining royalties have in recent years enabled the communities to become prominent shareholders in the world’s largest platinum producers. However, the Bafokeng community has the most documented history as a leading “platinum rich”, corporatising traditional community in Africa.

The community’s involvement in platinum mining is reportedly historically linked to a decision taken by Kgosi Mokgatle (1834–1891), “the great, great, great great grandfather” of Kgosi Leruo Molotlegi, the current leader (as of 2011) of the Royal Bafokeng Nation (RBN 2007). According to the dominant historical account, Kgosi Mokgatle secured ownership of the community’s ancestral land by forming a partnership with Paul Kruger (1825–1904, President of the then Transvaal) and Ernst Penzhorn (a Lutheran missionary) in purchasing title deeds through a lengthy land acquisition process (Hardin & Cook 2007). Kgosi Mokgatle made a shrewd decision by sending men from his community to go and work in the Kimberly mines in order to accumulate money to purchase land for the Bafokeng. Not long after 22 farms were bought for the Bafokeng Tribe (Manson & Mbenga 2003). When huge ores of

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7 This information is contested. See the discussion in Chapter Seven.

8 There is an emerging contradictory version of Bafokeng history, which will be discussed in detail in Chapter Seven.
platinum and other minerals were discovered in this land in the 1920s, the most immediate impact was to be felt in the Bafokeng nation, even though it took many decades of protracted legal battles before the community could obtain royalties from the mining companies. The discussion on the history of land purchase and platinum mining is covered at length in Chapter Seven.

The right to receive mining royalties must be seen in the light of the post-1994 South African government’s continuing efforts to right the historical wrongs inflicted on the black majority under colonialism and apartheid, efforts which may soon see the passing into law of the “much anticipated and debated” *Minerals and Petroleum Resources Royalty Bill, 2008* (Manuel 2008:1). This bill is part of the mining policy framework accompanying the Mineral and Petroleum Resources Development Act (Act No. 28 of 2002, ‘MPRDA’) which restructured all apartheid-era mining legislation, such that blacks, who had hitherto been excluded from the mainstream of the mining economy, would become active participants in that economy (Ramutsindela 2002). For instance, MPRDA, grants the right to communities (such as the Royal Bafokeng) that received royalties directly from extractive corporations before the enactment of the law to continue doing so. In his speech to Parliament on 24 June 2008, the then Minister of Finance, Trevor Manuel, encouraged these communities to convert their interests into equity shares with the mining corporations. Despite an effort by the leadership of the study communities to diversify their investment portfolios into non-mining asserts, both communities still depend largely on platinum mining investments.

The mining investments of Bafokeng are as follows:

- Equity relationship with Impala Platinum (Implats) the (13.2%, 83.1 million shares) – with total value ranging between R19.7 billion and R11.2 billion (during the period January and December 2008)

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9. This Act, however, explicitly states that all rights to the country’s mineral resources belong to the state.


11. The shareholding value dropped due to the global financial crisis which also affected the mining sector quite negatively during the aforementioned period.
• Bafokeng Rasimone Platinum Mine (BRPM) – a 50/50 mining joint venture with Anglo Platinum (Amplats) with value (50% Bafokeng owned) estimated at R2.8 billion and its latest extension - the 67% RBH owned Styldrift Project (RBH 2011:1);

• Merafe Resources (29.4%) – a subsidiary of Merafe Ferrochrome & Mining (Pty) Limited which also has 20.5% participation in the Xstrata-Merafe Chrome Venture, the world’s largest integrated ferrochrome producer. The Bafokeng (RBH\textsuperscript{12}) share value dropped during the period January and December 2008 from R1.68 billion to R612 million (RBN 2009).

All the above investments are managed by a holding company that the community set up for the purpose, known as Royal Bafokeng Holdings (RBH). The major mining investments of Bakgatla ba Kgafela community are:

• Union Section – 15%, in partnership with Anglo Platinum – an investment worth approximately R2.6 billion (BBK 2009);

• Bakgatla Parlingust Investment Consortium – a joint venture between Bakgatla and Parlingust Investment Consortium. Bakgatla community owns 50.1% and Parlingust owns the remaining 49.9%. This venture owns a significant percentage of stake in Platmin’s (Platmin Limited\textsuperscript{13}) South African operating company called Boynton (Seccombe 2008). This investment profited well when Platmin listed on Johannesburg Stock Exchange when Bakgatla community harvested a share of 40% of Platmin through their investment of not less than R500 million in the transaction (Bua Kgabo 2009:2);

• Sedibelo Project – Itereleng Bakgatla Minerals Resources (IBMR), a mining company owned Bakgatla-Ba-Kgafela community joint venture with Barrick Platinum. Bakgatla community will own 90%. The initial investment of this project was $700m. This project was suppose to start operating in 2009, but was placed on hold due to the impact of the global economic crisis.

\textsuperscript{12} See the definition of RBH below.

\textsuperscript{13} A Canadian multinational mining company.
Such opportunities also expose mineral-rich communities to enormous challenges and responsibilities. Among these are challenges of ensuring that the mining royalties are managed in ways that help to raise living standards in the community, and (besides the environmental laws and compliance measures put in place by the state) holding themselves and the mining corporations operating in their midst accountable for any adverse socio-ecological conduct.

The question, however, is not what risks a piece of mining and petroleum resources royalty legislation is likely to expose communities to, but, in the case of the study communities, what sociological paradoxes and contradictions are revealed in the model adopted by the community to mobilise mining royalties for developmental ends.

1.2 Problem statement
In this study, community control refers to collective action by community members in using mineral wealth to determine development programs and policies that would be implemented to meet their collective needs and priorities (Holden 2005:42). As hinted earlier, motivation for such control could be based on the fact that local communities that suffer adverse social and environmental impacts of mining are usually not the ones that benefit the most from mineral wealth generated in their immediate environment (Switzer 2001:9; Mate 2002; Mtegha, Cawood, & Minnitt 2006:231; Cronjé & Chenga 2009). In the oil- and gas-rich Nigeria, for example, the prevailing discourse has highlighted the conflict-inducing potential of the almost absolute state control of petroleum resources and the invisibility of the state when it comes to driving socio-economic development (Akpan 2009:115). Grassroots resistance in Nigeria’s Niger Delta over petroleum resource control now verges on outright war between armed militia groups and the Nigerian government. Ukiwo (2009:4) suggests that one way of tackling the worsening conflict in Nigeria is for the oil-endowed communities to exercise a meaningful level of control over petroleum resources.

Ukiwo’s suggestion, however, takes little consideration of the case of Peru, where the government, under a widely cited canon minero (mineral law), annually transfers 50% of mining royalties to the local mining regions in a bid to quell the conflict between mining communities and the central government (Slack 2009). Despite this effort by the state, equitable distribution of mineral wealth among Peru’s 26 provinces remains far-fetched; as a result social unrest persists (Salazar 2009; Slack 2009). Mate (2002:5) suggests that
community control over mineral wealth could promote participation, lead to better management of mineral wealth and enhance transparency and accountability. This claim, however, is yet to receive sufficient scholarly examination.

Participation as the central analytical concept in this study is applied in the sense suggested by Mulwa (1998:52): “a process whereby the marginalised groups in a community take the initiative to shape their own future and better their lives by taking full responsibility for their needs and asserting themselves as subjects of their own history”.

Scholars such as Platteau and Gaspart (2003a) and Fritzen (2007) argue that a key weakness of community-based development is its susceptibility to capture by local interests, or what is more commonly termed “elite capture”. According to these writers, the few powerful, dominant or educated members of the community (such as local chiefs, politicians and their close associates) who have easy access to community wealth and who are involved in making key decisions pertaining to the sharing and utilisation of community wealth tend to ‘capture’ the wealth for their personal gain. The question must thus be asked whether the issue of equity in local resource utilisation is inherently doomed. In other words, can there be equitable distribution of community resources given the weak institutional capacity of many resource-endowed communities?

Recent studies have suggested, however, that despite the apparent benefits highlighted above, little is known about the real character of community control of natural resources in the two study communities (Slack 2009; Bench Marks Foundation 2007; Cook 2005). The Policy Gap report released by the Bench Marks Foundation (BMF) in July 2007 based on in-depth empirical evaluation of the Corporate Social Responsibility (CSR) programmes in South Africa’s platinum mining industry revealed appalling levels of poverty: 94% of people living in Bafokeng’s 29 villages do not have flushing toilets, 39% are unemployed and 61.4% have no annual income (Bench Marks Foundations 2007). The BMF report further highlights a serious shortcoming in the area of independent environmental monitoring and evaluation. Consequently the Policy Gap report detailed, among others, the following challenges:

- The intensifying platinum mining operations have led to massive population increase and rapid increase of informal settlements in the Rustenburg area.
The increased usage of bucket system and pit latrines by local communities and increasing numbers of immigrants has affected the quality of surface water.

Generally the environment is affected by mine waste and acid mine drainage from the platinum mines.

Local people suffer from respiratory infections due to increased number of platinum smelters in the area.

The platinum mines are not transparent in their report when it comes to the impact of their tailings dams and slimes on the surrounding villages and informal settlements. (Capel 2007:1).

The standards of education are low in Bafokeng schools, just like in most rural communities in the North West Province and South Africa (Comaroff & Comaroff 2009:109). Despite claims by community leaders of heavy investment in education and skills development, these communities continue to experience high levels of unemployment, illiteracy, sprawling informal settlements, poor access to medical facilities and malnutrition. The distribution of platinum wealth in this community is not only uneven, but is also reported to have had minimum impact on the broader socio-economic conditions in the community (Mnwana & Akpan 2009:286).

Furthermore, some analysts have expressed concerns that the huge economic opportunities that come with mineral wealth can also expose mineral-rich communities to difficult challenges, especially challenges associated with equitable distribution of this wealth in the communities concerned. The weight of such responsibilities have been highlighted in a study by Revenue Watch Institute (RWI 2008), which doubts that indigenous communities have the capacity to effectively deal with the consequences of receiving direct royalties from mining companies, let alone enter into equity partnerships with big mining corporations. Indeed, RWI criticises the Mineral and Petroleum Resources Royalty Bill (2008) for exposing communities to anti-developmental consequences. It argues that equity participation is hardly the best way for local communities to receive monetised benefits for extracted mineral resources and that it may expose communities to excessive risks. Besides, the challenge of effectively monitoring an equity interest is often well beyond the capacity of small communities (RWI 2008).
For O’Faircheallaigh (1998:381), it is extremely difficult for mineral-rich indigenous societies to develop appropriate policy responses to the enormous challenges that they face vis-à-vis the distribution of royalties and other economic endowments. Other challenges may include ensuring that the mining royalties are managed in ways that help to raise equitable living standards in the community, and (besides the environmental laws and compliance measures put in place by the state) holding themselves and the mining corporations operating in their midst accountable for any adverse socio-ecological conduct. Does community control necessarily translate into equity? How does local involvement in the mobilisation of mining royalties benefit different segments of the community? Indeed, how do different segments of the community “control” the wealth? What is the specific model adopted by, say, the Royal Bafokeng community, to engender broad-based community participation in the utilisation of platinum wealth – and does it matter? These are important questions of both theory and policy, and they are the impetus for this thesis.

It is against the backdrop of these debates that this thesis investigates the character of community participation in platinum wealth utilisation; specifically the conditions under which community participation promotes or hinders sustainable community development. The core question for this thesis is: Under what conditions does community participation in natural resource utilisation and management promote or hinder sustainable community development? To address this question, the thesis investigates the models adopted by the Royal Bafokeng and Bakgatla Ba Kgafela indigenous communities to engender community participation in the utilisation of mining royalties.

The primary contention in the thesis is that there is an empirical vacuum in the resource control discourse, and that much of what has been reported on resource conflict has been based on the widely documented phenomenon of exclusion of local communities. (Mate 2002:3; Ikelegbe 2005; Akpan 2006; Banks 2008:30; Kabemba 2009:13).

1.3 Research questions
The following questions guided this study:

i. What are the main attributes of community participation in platinum wealth distribution and how do such attributes intersect with the institutional systems of traditional administration in the study communities?
ii. What are the main narratives about participation in the study communities and how are such narratives mobilised by different segments of the local population?

iii. What do the local narratives reveal about: a) local attitudes towards indigenous systems of community governance, b) the relationship between the communities and mining corporations, and c) the relationship among different segments of the two communities?

1.4 Research aims and objectives

The central aim of the thesis is to understand the character of community participation in platinum wealth utilisation and the conditions under which community participation in natural resource utilisation and management promote or hinder sustainable community development. Derived from this are three specific objectives:

i. To examine the main attributes of community participation in platinum wealth distribution and how these intersect with the institutional systems of traditional administration in the two communities.

ii. To examine the dominant grassroots narratives about participation and the modes of expression of such narratives.

iii. To examine what the narratives reveal about: a) community attitudes towards indigenous systems of community governance, b) the relationship between the communities and the mining corporations operating in their midst, and c) the relationship among different segments of the two communities.

1.5 Significance of the study

The study has both theoretical and policy relevance. At a theoretical level, it will shed light on how collective community inclusion could be a factor in what may be termed the “loss of social cohesion” in resource-endowed communities, and in conflict between such communities and mining corporations, and between the community and the state. The point is that analytical focus should shift from conflict as an epiphenomenon of collective community exclusion and deprivation (as in the case of many natural-rich countries in Sub-Saharan Africa and elsewhere), to conflict as also being a possibility despite collective community inclusion (in natural resource utilisation).

At the policy level, the study will generate insights that will hopefully assist mineral resource-endowed countries, such as South Africa, not only to deal with conflict that arise
from the collective exclusion of local communities but also to anticipate and solve problems that (paradoxically) could result from their inclusion in the mineral economy. This includes the challenge of developing appropriate policy frameworks for regulating business and social partnerships between local communities and mining corporations.

1.6 Overview of chapters

This thesis is organised into ten chapters which are arranged under three parts. Chapters One, Two, Three and Four are grouped under Part 1, titled: “Resource control and participation – revisiting the discourse on mineral resource insurgency”. This section covers the introduction to the study, some literature review, conceptual framework and the methodology.

Part 2 covers Chapters Five, Six, and Seven. This section deals expansively with the broader contemporary debates around mining and its impact on local communities both globally and locally (the South African context). The discussion in this cluster of chapters is guided by the title: “Natural resources and the state: ‘Invisible communities’ revisited”.

Part 3, which is the main empirical segment of this thesis, covers chapters Eight, Nine and Ten and is titled; “Participation and paradoxes”.

The breakdown of the chapters is as follows:

In Chapter Two the thesis focuses on the resource control-conflict debate which began in Chapter One. A detailed exposition is provided of some perspectives on resource control as a form of community participation in natural resources and some conceptual foundations in natural resource governance, especially the conceptual contestations around community participation in a local development context. Chapter Two ends by introducing the conceptual/theoretical framework for the study. This framework is the main focus of Chapter Three.

Chapter Three begins by focusing on some contentions and consensus around the ‘liberal, democratic’ conceptual framework of participation and how it can elucidate a better understanding of dilemmas around the character of community engagement at grassroots level. The present author hinges the study on a widely referenced “ladder of citizen participation” proposed by Sherry Arnstein (1969) as well as other typologies. Chapter Three thus constructs a “three-dimensional ladder of community participation” which is then
adopted as an appropriate conceptual scheme to shed light on the study’s central problematique and guide the data collection process.

Chapter Four, the methodology chapter of the thesis, is the last chapter under Part 1 and perhaps a logical transition and balance between the conceptual and the subsequent empirical sections. It details the appropriate study design (which is mainly ethnography) and various methods employed, and how the author, through these methods, sought to achieve the objectives of the thesis. Of particular significance, in this chapter is the detailed discussion on fieldwork ethical and study design challenges. The researcher reflects on these challenges using the analytical ‘lenses’ of Michel Foucault’s Panopticism (Danaher, Schirato & Webb 2000:53-57).

Chapter Five marks the beginning of Part 2. It provides a global overview of socio-ecological partnerships between traditional communities and business corporations, mainly focusing on the mining industry. The chapter provides insights into the dilemmas faced by communities in terms of balancing their responsibility to safeguard their environment against the negative impact of mining and the need to maximise profits.

Chapter Six is devoted to a historical and a critical overview of South African mining policy and legislation framework. It includes a detailed review of, and critical engagement with, the legal and institutional framework for mining operations – issues of resource ownership (land, minerals, etc.), royalty payments, compensation, corporate involvement, operational issues, remediation of environmental damage, corporate social responsibility, minimum obligation, consequences for violations, and others. The chapter necessarily provides a useful entry into the debate on nationalisation as it discusses the models of state/community control of natural resources globally.

The focus moves in Chapter Seven to the social and political structure of the Royal Bafokeng and Bakgatla Ba Kgafela traditional communities. This chapter highlights the dynamics around the legitimacy of a strong code of traditional governance in the two study communities to control and distribute mineral wealth in the vibrant community development arena. Furthermore, the writer relates the argument to the impact of existing power dynamics (as revealed in respondent accounts in Chapter Eight) upon the contemporary character of community participation.
Chapter Eight marks the beginning of Part 3. This chapter is the first portion of the presentation of empirical results titled: “The character of participation – voices from below.” In this chapter, the study reveals the links between community narratives and the influence of traditional systems of governance and the character of participation in platinum wealth utilisation.

Chapter Nine, titled: “Platinum wealth control and community conflict?” is a continuation of presentation of empirical results. This presentation is arranged in themes which emerge from a qualitative data analysis of the ethnographic and interview data. Here, attention is particularly drawn to a vibrant community development arena, but one in which the main architects of community development and key beneficiaries of platinum wealth – and the targets of grassroots anger – appear to be the same small elite group within each of the two study communities.

In Chapter Ten the main findings of the thesis are discussed. Some recommendations are proffered based on the findings, and the chapter concludes with some pointers to themes and ideas for future research.

1.7 Some key points for clarity
It is crucial at this very early stage to bring to the reader’s attention some of the salient issues which might enhance the clarity and minimise confusion while reading the thesis. Some key matters that require elucidation in this thesis can be placed under two broad categories: firstly the issue of manuscripts and publications, and secondly the question of nomenclature.

*Manuscripts and publications*
It is vital to advise the reader that the scholarly articles and publications that were developed during the course of the study form part of this thesis. These articles emerged during the process of this research; hence they form part of this thesis. Some of these articles were presented in international conferences, others are currently (as of November 2011) being prepared for publication, and still others have already been published. At this stage\(^\text{14}\), there

\(^{14}\) At the stage when the thesis was being readied for examination – November 2011.
are six manuscripts which surfaced from this study and are detailed in the bibliography section. For the convenience of the reader, these academic articles are as follows:


The reader should be aware that since these articles originated out of this study, they are part of the current thesis and therefore are not necessarily cited formally but are included in the bibliography. Simply put, the articles emerged from the thesis and not the thesis from the articles – this thesis has been presented at academic conferences and published in smaller portions through the articles listed above.

**Terminology**

Terminology can be contentious and ambivalent at times, so it is necessary to indicate how some problematic terms are employed in this thesis. Terms such as ‘tribe’, ‘chiefs’ and ‘tribal authority’, due to their ostensibly pejorative disposition and their association with the colonial and apartheid legacy of racial segregation and oppression, have fallen out of use in the ‘new’ South Africa, and the term ‘traditional’, for instance, has become a more acceptable prefix. As such, ‘tribe’ has been replaced by ‘traditional community’ and ‘chiefs’ has been replaced by ‘traditional leaders’. ‘Traditional authority’ is commonly used instead of the erstwhile ‘tribal authority’. The thesis adopts the ‘new’ post-apartheid terminology, that is ‘traditional community’ and ‘traditional leaders’, not because it is legitimate and appropriate, but, as will be discussed in Chapter Seven, the formation of traditional communities and authorities in South Africa was largely influenced by the colonial policy of indirect rule.
(Mamdani 1996). Where the terms like ‘tribe’ and ‘tribal authority’ in this thesis are used it is only to illustrate a particular point which represents the manner in which such derogatory nomenclature was used during the former colonial order or where the views are taken directly from a secondary source.

It must also be clarified again, that when using the terms ‘indigenous’ and ‘traditional’ in an alternating fashion, the author does not imply that the meaning of these terms are the same, nor does he suggest that the current institution of traditional leadership in South Africa is indigenous. In fact, this institution was largely reshaped during the period of colonial domination (Mamdani 1996; Beall & Ngonyama 2009). There are many definitions of the terms “indigenous” and “traditional” communities. These terms are often used and defined differently for many reasons in various contexts. The adoption of this nomenclature in the current thesis should be understood in the light of the South African context-oriented definition hinted by Beall & Ngonyama (2009:1) of “adaptive” and “dynamic” communities that have “some degree of domestic rootedness that is recognizable and accepted within prevailing norms, bureaucratic standards and social practices”.

21
CHAPTER TWO
RESOURCE CONTROL: DISCOURSES, COUNTER-DISCOURSES, AND CONFLICT

2.1 Introduction

The previous chapter highlighted that the general exclusion of local communities (those who occupy/own the land on which extraction of minerals occur), and the push towards control of mineral resources by the former is reported as one of the root causes of this conflict – if not the most important cause. The present chapter explores some of the dominant discourses and counter-discourses around the motivation for resource control. It also discusses some perspectives on resource control in connection with contestations around community participation in a local development context – a theoretical/conceptual debate that will be discussed at length in Chapter Three.

2.2 Perspectives on resources control and conflict

The term ‘control’ is both ambivalent and ubiquitous. It carries both negative and positive denotations. The current definition of resource has been mentioned earlier – it will not be reproduced here in this chapter. ‘Control ’ in the current context adopts the two meanings as pointed out by Zongwe (2008:8), who asserts that: 1) “control” in praxis terms “means participating in decision making”, 2) in relation to resource distribution outcomes, “‘control’ means benefiting from the profits of that particular natural resource production endeavour (mining, for example). It is in light of such meanings that the character of community participation in decision-making is a significant conceptual frame that drove the focus of this study. Thus, it is vital to note that the model of resource control adopted by the study communities can only be sufficiently analysed and understood through an in-depth examination of local grassroots narratives about participation. Only then can one be in a position to judge whether such a model of control and distribution of mineral wealth has been able to avoid local insurgency – a phenomenon generally reported worldwide. A

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15 See the discussion in Chapter One, Section 1.1.

16 This definition is stated in Chapter One, Section 1.2, in this manner: resource control in the current thesis refers to collective action by community members in using mineral wealth to determine development programs and policies that would be implemented to meet their collective needs and priorities (Holden 2005:42).
comprehensive discussion on participation as a form of community control of mineral resources is given in Chapter Three.

Any attempt to observe the resource control agitation as isolated phenomena, void of theoretical justification, would be grossly inappropriate. It is vital to make an attempt to locate the position (how relevant is it) of the resource control discourse in relation to some of the prevailing theoretical perspectives within a natural resource-conflict nexus. Motivation for control of natural resources derives theoretical justification and logical rationale from some of the dominant theoretical perspectives of conflict in the context of natural resources.

The resource-conflict causal nexus manifests in diverse contexts. One of the most prominent theoretical strands in the natural resource-conflict nexus is found within the notion of “resource curse” – the much celebrated ‘theory’ that sees the presence of natural resources and dependence of resource-endowed states on these resources as “a curse” rather than a blessing, because natural resources tend to hinder economic development and promote local conflict and civil wars (Ross 2006; Humphreys 2005; Sachs & Warner 2001; Le Billon 2001, Auty 1998). Among many examples of resource curse is that of Papua New Guinea. Banks (2008:23) identifies the character of resource curse in the mineral-rich region of Papua New Guinea in, among others, the following ways: (i) Papua New Guinea has experienced negative economic growth for more than two decades; (ii) it has encountered prolonged conflict and an “all out civil war”; and (iii) this region has had fragile and corrupt governments, unsuitable economic policies, improper government practices, and “separatist sentiments” in the country’s resource-rich regions. Banks (2008:30) also contends that the violent conflict that has pervaded this mining region (South Pacific island of Papua New Guinea) for years is not merely about the issues of access to limited mineral resources, but it arises out of “concerns over the power and politics of resource use and control” (Banks 2008:30). For that reason, this conflict may be inadequately analysed if merely observed as another case of the resource curse. Evidently, this is a typical context where resource control discourse epitomises the much celebrated theory of the resource curse.

In an attempt to devise an appropriate “typology of resource-linked conflicts”, Le Billon (2001:572) begins by cautioning that the political-ecological theory of resource-engendered conflict displays inadequacy and severe gaps, chiefly because it fails to critically and effectively engage with two central theoretical perspectives: i) “resource scarcity causes
conflicts”, and ii) “resource abundance causes conflicts”. Such a theoretical strand ‘hypothesises’ that communities and societies that happen to possess any of the two environmental extremities (both abundance and scarcity of natural resources) are vulnerable to conflict. Therefore, too much or too little of natural resources results in local disputes around distribution of resources which soon turn violent (Le Billon 2001:563). Le Billon (2001) thus warns that political-economic theoretical analysis of resource conflict tends to possess very little politics; meaning there is no serious treatment of the means of resource control and access, nor of their definition, negotiation and contestation within political arenas. (Le Billon 2001:563)

Another dominant theoretical perspective which bears much relevance to this discussion is the one of ‘lootable resources’ and their role in fuelling conflict and wars by financing the latter. Snyder (2006:943-944) defines lootable resources as profitable resources that can be moved easily from the region of extraction, for example “precious gems, tropical timber, and illicit drugs”. The civil wars in Sierra Leone, Angola and Liberia are a typical example of conflicts that are financed through illicitly acquired and traded diamonds by belligerents (Herbst 2000:276). Snyder (2006:943) thus concludes:

If rulers are able to forge institutions of extraction that give them control of revenues generated by lootable resources, then these resources can contribute to political order by providing the income with which to govern. Conversely, the breakdown or absence of such institutions increases the risk of civil war by making it easier for rebels to organise. (Snyder 2006:943)

Murshed’s (2002:389) analysis of local conflict over natural resources is anchored on two concepts. Grievance – is a drive that derives from “a sense of injustice in the way a social group is treated”; Greed, on the other hand, is – “an acquisitive desire [to control natural resources] similar to crime, albeit often on a much larger scale”. Examining resource conflict based on these concepts means that analysts must carefully explore the underlying causes of conflict: is it characterised and propelled by undesirable greed or by legitimate grievance? For Humphreys (2005:510), greed by local elite or by “rebels”, and legitimate grievances of the marginalised community members, can also be explained through socially constructed notions “of ethnic or political marginalisation” in the distribution and utilisation of natural resources.
The notion of ethnicity also features prominently in the theoretical analysis and empirical examination of the link between the resources and conflict and the discourses behind resource control. Banks (2008:27) provides a detailed empirical report on the case of Bougainville Copper’s Panguna Mine in Papua New Guinea. This mine, according to the author, was compelled to cease its operations due to violence by local communities and the subsequent bloody civil war that plagued Papua New Guinea’s province of Bougainville for 10 years. The civil war led to the death of around 15,000 people (Banks 2008:27). Yet, deep inside Bougainville’s resource conflict, Banks (2008) observes, is the germ of ethnicity. Groups that felt excluded from the immediate rewards of the large-scale mining project claimed their share of mineral resource benefits based on ethnic identity (Banks 2008:27). Such claims generated secessionist posturings, which then culminated in violent conflict within the mining communities (Banks 2008:27).

The significance of ethnically-derived social identity constructions in natural resource conflict is also reiterated by Aspinall (2007:950) through an empirical study of “separatist conflict” in the Indonesian community of Aceh. This author argues that the main source of conflict in Aceh is the strong link between natural gas exploitation and ethnically constructed social and political identities (Aspinall 2007:950). If this theoretical strand is examined further, it should also follow that little or no conflict should be expected in resource contexts where socially constructed ethnic identities are non-existent or minimal. Nonetheless, empirical evidence supporting the latter is lacking. Moreover, such a theoretical perspective is yet to be examined in context where control of resources lies with traditional institutions of governance. One has to ask: to what extent does resource control by traditional communities function to avoid or eliminate ethnically based separatist conflict?

There is also a significant theoretical and empirical link, Blench (1996:1) observes, between natural resource conflicts, including “both point resources – mines, farms, reserves and ecozonal conflicts – water, grazing and hunting rights” and rapid growth of human population. Such a perspective drives the resource-conflict nexus towards Garrett Hardin’s (1968) seminal theoretical essay of “The tragedy of the commons”17. This theoretical connection between conflict and Hardin’s theory is particularly confirmed by Adams et al.

17 In a nutshell The Tragedy of the Commons is mainly concerned with the allocation of resources. The unmanaged and unrestricted use of commons (resources freely used by all community members) will come to a ‘tragic end’ once the human population grows to a certain size (Hardin 1968).
(2003:1915) who argue that conflict in the management of common pool resources (CPR) specifically emanates from hidden differences in “knowledge, understanding preconceptions and priorities” among key stakeholders rather than mere scarcity of common resources due increase in population numbers. Certainly, if mineral wealth happens to be a common pool resource the knowledge, understanding preconceptions and priorities of different participants including groups and individuals within communities is crucial in the analysis of the nature of resource control models and conflict trajectories.

Conflict in natural resource endowed regions is mainly characterised by local struggles for resource control of these resources by local communities. The following discussion explores empirical literature on other salient issues that underlie the resource control-conflict nexus.

2.3 Resource control – the ‘motive force’ behind conflict?

Control of natural resource wealth … is a considerable motivating force in contemporary African conflicts. (Addison, Le Billon, & Mushed 2003:370)

Undoubtedly, it may no longer be plausible to separate contemporary conflict in resource-endowed regions from contemporary discourses of resource control. As already mentioned, there is a notable gap and scarcity of literature and empirical evidence supporting the effectiveness and success of mineral resource control in the context of indigenous communities in bringing equality and peaceful relations18. Nonetheless, a well-established empirical deductive argument exists which demonstrates that exclusion of local communities from mineral resources (mineral wealth) can produce a conflict (Mate 2002:3; Ikelegbe 2005; Akpan 2006; Banks 2008:30; Kabemba 2009:13). Therefore, as confirmed by Addison, Le Billon & Mushed (2003:370), control of mineral resource wealth could be the chief impetus driving resource conflict in many mineral-endowed regions, the world over.

The debate around resource control and conflict is broad and multifaceted. However, with the notable exception of Nigeria and a limited number of other cases, literature on mineral resources and conflict largely focuses on broader politically motivated conflict (fuelled and financed by their resources) between state and rebel groups but rarely elucidate the resource

18 See the discussion under Section 2.1 in this chapter and Section 1.2 in Chapter One.
control demands which often underlie local insurgencies (Ikelegbe 2005; Kabemba 2009:13). The following discussion contributes to the background of this literature gap as it reflects upon the multifarious nature in which the absence of and demand for resource control produces conflict in mineral resource-endowed regions.

The discourse of resource control is not by any means novel in the mineral extraction industry. Faust (2002:418) illustrates this fact with a detailed historical, empirical account of how, in the early 1900s, a riot between community members of Bonne Terre in Missouri and the St. Joseph Lead Company was eventually resolved by granting control of resources to the community. According to Faust, peace prevailed when the mine granted community members (most of whom were farmers) significant control over the water resources for which both parties were competing. In this way, the mining of lead in Bonne Terre did not alter the traditional economic way of life in this community (Faust 2002:418). Faust (2002) goes on to report this noteworthy account as follows:

For the people whose lives were most affected by lead mining, exercising some degree of control over water quality eased the transition to a dynamic economic order and even allowed them, in time, to elevate lead mining to a "traditional" occupation in the eastern Ozarks. (Faust 2002:418)

Obviously, Faust’s (2002) account should serve as a significant empirical case for reference and an inspiration towards resource control by indigenous communities. However, it is essential at this stage to look deeper into some of the empirical issues that make the demand for control of natural resources by local communities a widely acknowledged force behind contemporary resource conflicts.

One of the widely reported challenges which render the large scale mineral extraction intolerable to local communities and necessitate a push towards resource control is the problem of community dislocation. Such a problem is well articulated by Hilson and Yakovleva (2007:99), who assert that massive extraction of minerals is responsible for local conflict and many social problems of which there is none more prevalent than community dislocation. Moreover, the modern rapid mineral policy reform in developing countries which attracts enormous investments in the mining sector tends to exclude the interests of local

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19 A mining company that was mining lead in this community.
communities. The tendency of the state to focus merely on promoting large scale mining activities and neglecting the welfare of local communities in the area where these activities take place produces a serious problem of community dislocation due to the huge influx of foreigners who are attracted by mining (Hilson & Yakovleva 2007:99). Such an argument is illustrated by Banks (2005:189), who when extricating “the effects of large-scale mining in Melanesia” (where Porgera Gold Mine operates) also contends that local community members who are also landowners mainly complain that this mine brought about tremendous fear due to the rapid influx of migrants, referred to by the locals as “people we do not know”. Not only does a mining-induced migrant influx lead to extensive breakdown of social cohesion, Banks (2005:189) also observes that the migrants are to blame for the deterioration of traditional forms of government, escalated drinking, “gambling and prostitution”. An equally challenging situation is that of the Cajamarca region of Peru (Bury 2007). In this region the fast growth of new large-scale, multinational mining operation has led to enormous capital increases, migrant influx and new mining technology, all of which have culminated in severe displacement of households and communities coupled with severe “ecological, economic, and social change” (Bury 2007:378).

The fact that mining activities often occur on the land occupied by rural communities leads to a situation where the mines leave communities in a state of despair. With the absence of substantive support from both the state and the mining companies, rural communities are left disempowered to negotiate for their social, economic and cultural rights against violation by large scale mines, hence aggressive agitation for control of natural resources often erupt (USAID 2004:3; Ross 2006:2; Initiative for Peacebuilding 2008:11).

Other factors that can contribute to resource control insurgencies in mineral extracting regions are: 1) environmental degradation caused by unsustainable mining activities (Veiga, Scoble & McAllister 2001:192-194; Lockie et al. 2009:330); 2) poor communication between the mines and the surrounding communities (Hilson 2002:65); 3) lack of compensation for operating mining activities on indigenous lands (Clark & Clark 1999:193; Warden-Fernandez 2001:16; Crawley & Sinclair 2003:364); 4) mining companies that operate without social licenses (community consent) (Holden 2005:432) and; 5) forced relocations of indigenous communities from their ancestral lands to make way for new mining operations (Clark & Clark 1999:193). For the sake of space, and logical flow in the current discussion, these
factors will not be detailed in this chapter. They are, however, discussed at length in Chapter Five.

It bears mentioning once more that nowhere else in the world has the motivation for resource control become more prevalent than in the oil-rich, conflict-ridden Niger Delta region of Nigeria. The violent demand for control of all oil revenues by local armed militia groups has ignited unquenchable, aggressive conflict in this region (Orji & Jaja 2007:7). Adesopo and Asaju (2004:281) assert that, in the Nigerian context the concept of “resource control” means “the right of a community to a measure of control of its natural resources, the usage relating more to crude oil”. With an estimated overall contribution of around 70% to government revenues, oil is, in essence, the “lifeblood” of the country’s economic well-being (Ikelegbe 2005:208). Moreover, Nigeria is Africa’s leading producer of oil with an estimated daily output of crude oil of 2.46 million barrels and its natural gas exports estimated at 22 million tonnes per year (Obi 2008b:1-2).

It is in the relentless pursuit by local communities (and now militia groups) to have control over these rich resources that Nigeria has experienced much political turmoil and violence for decades. Oil exploration in this region has generally been characterised by communal resistance and armed rebellion by ethnic militia groups (Obi 2008b). Since the first oil commercial production, in the late 1950s, Nigeria’s oil economy has been epitomised by extreme neglect of indigenous communities, exploitation and impoverishment of the general populace and degradation of environment (Ikelegbe 2005; Akpan 2006).

Obviously, the notion of resource control seems to provide a logical rationale in the case of Nigeria. For instance, Dunmoye cited in Adesopo and Asaju (2004: 281), offers a useful background justification towards a better understanding of the demand for control over Nigeria’s rich oil resources by local communities. According to these authors, the motivation for resource control arises from a plethora of factors which include: (a) the unjust and inequitable distribution of mineral wealth (the oil revenue in particular); (b) the deliberate exclusion of the rights of local communities in oil-producing regions when it come to revenue allocation; (c) the generally poor infrastructural development in Nigeria, particularly in the oil-producing areas; (d) the destruction of the ecosystem, environmental degradation, air and water pollution, acid rain, the looming unemployment and exacerbated poverty in the oil extraction regions and the nation as whole; (e) lack of determination on the part of oil
companies to make significant contributions towards socio-economic development of communities in oil-producing regions; (f) the urgent need for political intervention which has somehow compelled unemployed youth in Nigeria to engage in the activities of ethnic militants – a gesture that in many ways appears to be aimed at exerting pressure on the country’s political and traditional leaders to carry out the much needed political action in dealing with the current resource crises; and (g) the current democratic regime, unlike the former military rule, has at least room for open airing of grievances (Adesopo & Asaju 2004:281).

Beside the West-African case (Nigeria) described above, even in Latin America resource struggles seem to project a character much similar to that of resource control discourse. Massive mineral endowments in Peru have also triggered regional conflict and local community struggles for resource control for quite some time. This phenomenon comes as no surprise considering that Peru’s mining exports in 2007 were reported in the region of 62% (more than $17 billion) of the total exports and yet more than 40% of the country’s population live in poor conditions (Oxfam America 2009:2). The Peruvian Government Public Defenders Office (Defensoría del Pueblo) reported more than 70 mine-community conflicts out of which about 30% were still quite active in 2009 (Franks 2009:2).

A compelling empirical report released by Oxfam America in March 2009 entitled “Mining conflicts in Peru: Condition critical” outlines a plethora of local conflicts which are currently impeding mineral wealth development in Peru. One of the active conflicts presented in this report is the one of the protests staged by the local Campesino communities against the Yanacocha Mine project – the largest gold mine in Peru situated in the region of Cajamarca (Oxfam America 2009:3-4). These protests conducted by local communities against the mine stem from several reasons, including the grievances over unfair compensation for the land taken from the communities, contamination of local streams by the mines which were used for irrigation and stock watering, and the unwillingness of the mine to compensate for the mercury poisoning of almost 1,000 villagers who contacted liquid mercury poisoning after a truck carrying it from the Yanacocha Mine spilled more than 650 pounds of the hazardous substance on the road that passes through a vast area occupied by several communities.

Another recent conflict highlighted in this report is the protest by the communities in northern Peru against the proposed Rio Blanco copper mining project which led to violent clashes with
the state police and thereafter deaths and torture of community protesters by the former (Oxfam America 2009:3-4). Several root causes for conflict in the Peruvian mining sector have been highlighted in this report. These include, among others, being excluded from the country’s mineral wealth benefits, the general lack of capacity and political volition by Peruvian government to impose proper regulation upon the mining industry and to handle the grievances and conflict in an efficient manner, and the failure of mining corporations to conduct themselves in a manner that enhance good relations with the local communities (Oxfam America 2009:5-6). Nevertheless, behind these root causes there is one that ostensibly transcends them all, which is at the core of the historical and contemporary disputes and characterises the Peruvian mining economy: the “perceived/real loss of community control over the ability to shape a future consistent with their own vision” (Franks 2009:1) through their mineral resources.

2.4 Beyond the discourses on ecological crisis

The discussion above highlights the multifaceted character of the resource control discourse. Without a doubt, local communities still remain “at the receiving end” of the mineral extraction process (Mate 2002:3). Over the past years, the national governments, mining companies, policy analysts and scholars in the field of mining and environmental sociology have advocated interventions that are largely informed by the principles and approaches of Corporate Social Responsibility (CSR)20 in order to avoid and avert conflict between local communities and mining companies. Although other strategies have also gained momentum, among others compensational practices and sustainable development approaches (Clark & Clark 1999; McLeod 2000:116), however, CSR seems to be the most advocated approach for reducing negative mine impact and potential conflict in regions where mining takes place (Hamann 2004:278; Jenkins 2004:23).

Then again, it should be cautioned that the CSR and other advocated approaches have yielded minimal positive results in curbing and preventing conflict in many mineral resource-

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20 Corporate Social Responsibility in this context refers to the volitional commitment by the mine or any business for that matter to take the responsibility of displaying and practising socially responsible business practices towards the communities on whose land it operates. A detailed discussion of this concept is presented in Chapter Five.
endowed states\(^{21}\) (O’Brien 2001:4). Quite often, these approaches tend to hinder the genuine participation of local communities and other key actors (Hamann 2004:288).

Now, how does the said deficit relate to contemporary analysis of resource control and conflict that dominate the resource extraction industry? Laplante and Spears (2008:69) assert that the recurrent conflicts in the extractive industries of the world are not merely premised on disputes “about the environment, human rights or health or safety” as many envisage them to be, therefore they cannot be sufficiently examined through technical approaches of CSR and other such mechanisms. According to these writers, the current struggles in the mining industry must be conceptualised as conflict over the right of community members to control their natural resources and their own lives (Laplante and Spears 2008:69). Therefore, it is no surprise that the resource control discourse seem to be eclipsing CSR and other approaches in popularity. The current thesis proposes a more radical shift of empirical analysis – one which goes beyond discourses of environmental pollution and ecological destruction (the “discourse of ecological crisis”, as Banks (2002:40) puts it) as the main root of grassroots agitations in mineral-endowed regions. A firm rationale towards such an empirical shift is laid down by Banks (200):

> to fully understand the responses of the peoples affected [by mine operations], it is necessary to distinguish between the impacts on the physical environment and the broader effects of the mines on people’s lives – in other words, to look beyond a discourse on ecological crisis. Such an alternative view would place the responses in their broader social, cultural, political, environmental, and economic contexts…, and when this is done community reactions and initiatives can be viewed as being fundamentally concerned with control over resources. (Banks 2002:40)

Undoubtedly, Banks’s (2002) contention does not attempt to trivialise the importance of studying the ecological damage caused by the mining industry on local communities. In essence, by stressing the need to go beyond the discourse of ecological crisis this author attests to the momentum which the resource control discourse has gained in recent years.

There is an argument that resource control offers a much better and significant level of community participation than other frameworks and approaches of mine-community engagement. Some of such approaches are enumerated by Ivanova, Rolfe and Lockie

\(^{21}\) This section is a continuation from the discussion in Chapter One under the topic “Background and Outline of Research Problem”.
(2005:70) and they include: “modelling techniques (Input-output modelling, Choice Modelling, Experimental Economics), engagement processes (Extended stakeholder analysis), and improvements to Environmental Impact Assessment (EIA) processes”.

It must also be noted, however, that in the case of South Africa, conflict in areas where the mining industry operates has not yet produced civil wars – at least not in recent history, and certainly not in the manner witnessed in other conflict-ridden, mineral-endowed African states (as discussed above). This is despite the fact that the mining industry forms the backbone of the country’s economy. Nonetheless, this does not necessarily mean there is peaceful coexistence between mining companies and local communities and healthy relations between the state and the communities. Mining has so far not benefited local people generally in Southern Africa (Kabemba 2009:13). Because of chronic poverty in this region, and much of it has been blamed on a general lack of resource access and control by local communities, tensions and conflict have proliferated (Kabemba 2009:13).

Mining in South Africa has also not been free of conflict. The discovery of enormous mineral deposits\(^\text{22}\) in the Transvaal (gold in the Witwatersrand) and the Orange Free State (diamonds in Kimberley) during the last quarter of the 19\(^{th}\) century signified a period of fundamental shift in the country’s economy and society. This period was not only marked by unanticipated economic, infrastructural growth but it was also epitomised by a conflict between the Afrikaners and the British imperialists over control of the mineral-rich Boer republics, that is, the Transvaal and the Orange Free State. At the very apex of this conflict was the Anglo-Boer War (also known as the South African War or the Boer War). So devastating was the impact of this war that history analysts such as Mark and Trapido (1979) describe it as:

\[\text{[a] major colonial war – perhaps the costliest in lives and money during the 'scramble' for Africa – against the Afrikaner republics, as well as numerous 'little wars' against African people. (Mark & Trapido 1979:52)}\]

The modern conflicts in the South African mining industry are nowhere close to the scale of the Anglo-Boer war. Contemporary tensions in the South African mining industry arise mainly out of social and environmental damage caused by mineral extraction activities, coupled with underdevelopment in the indigenous communities (Cronjé & Chenga 2009).

\(^{22}\) See the discussion on the “Brief history of mining in South Africa” in Chapter Six.
Among the most recent examples of vigorous community agitations in South Africa is that of the community protest against a proposed multi-billion rand titanium mining project at Xolobeni on the Wild Coast, in the former Transkei. In 2008, the then Minister of Minerals and Energy, Ms Buyelwa Sonjica, granted a mining licence to an Australian mining company, Transworld Energy Minerals (TEM), to mine titanium in the land occupied by the community of Xolobeni. This transaction occurred without consultation of the community. Such an action by the minister led to a spiral of intra-community conflicts among different factions of community members who were for and against the proposed mining project. Community protests around this issue have now brought the multi-billion rand project to a complete standstill. Precisely, the main demand of the Xolobeni community, as their lawyer Vusani Majola puts it, is “full ownership [control] of their natural resources” (Kukard & Mdledle 2008:4). The matter of the Minister’s action of granting mining rights to the Australian company without community participation has led to a protracted legal battle of the Amadiba Crisis Committee (ACC) – the local committee representing the Xolobeni community against the Ministry of Minerals and Energy. Such a demand reaffirms the dominant position that the resource control has assumed in the contemporary grammar of grassroots insurgency in mineral-endowed regions.

Evidently, the struggle for resource control exists in many parts of the world. However, despite the popularity of the resource control discourse as a panacea to natural resource conflicts, the question still needs to be raised – does resource control by indigenous communities promote effective participation and equitable distribution of mineral wealth?

2.5 Community control and local participation

Participation of indigenous communities as a form of collective control in the mineral resources is a relatively new phenomenon. This is confirmed by Mate (2002):

community involvement in discussions of mineral wealth is therefore a recent practice, occurring predominantly at the local level and within the context of community complaints about the absence of tangible benefits within the catchment area of mineral operations (Mate 2002:4).

Viega, Scoble and McAllister (2001:191) point out that community consultation and capacity-building are crucial elements of building sustainability in communities that coexist
with mining activities (or the so called mining communities\textsuperscript{23}). It is, however, critical to question whether consultation and capacity-building would amount to efficient participation. In what appears to be a direct response to this question, Mate (2002:5) enumerates several elements of a democratic and participatory national policy framework that would facilitate and enhance participation of indigenous communities in discussing mining policy and other issues relating to direct control and management of mineral wealth. Such elements include, among others: i) protection of environment; ii) transparency; iii) an atmosphere of trust and mutual understanding between the state, local communities and the mining companies; iv) the issue of allocation of revenue; v) community development; vi) corporate social responsibility and decentralization; vii) social and human development; and viii) the need to capacitate local government (Mate 2002:5). Evidently, there are notable variations among these elements in terms of their level of relevance and importance, depending on the context in which they are applied. Nevertheless, these are not to be discussed and applied ignorantly as a panacea for marginalisation. As shown in the next chapter, participation is a highly complex concept. Therefore, the elements raised by Mate (2002:5) need to be observed broadly in light of this fact if resource control as a form of community participation is to be sufficiently observed.

At this juncture, it is crucial to examine once more\textsuperscript{24} the challenge of collectively-owned resources, that is, the one of capture of resources by local elite (elite capture). As hinted in the previous chapter, elite members of the community are sometimes predisposed to abuse their positions of power and knowledge advantage in local participatory development endeavours that are driven by local communities (Platteau & Gaspart 2003a; Fritzen 2007). For instance, Platteau and Gaspart (2003a) provide an example of elite capture, reported from an empirical analysis of a case in West Africa. These authors cite a particular case of a village association in a Sahelian country whereby a community leader embezzled support funds provided by an outside donor for a local development project. Much to the dismay and shock of the European development NGO (which funded and supported this project), the leader boldly admitted that he had appropriated huge amounts of the project funds for his personal gain. In addition, he

\textsuperscript{23} According to these authors “mining communities” are communities that will survive the negative mine impact and remain economically and ecologically viable long after mining has ceased (Veiga, Scoble & McAllister 2001:191).

\textsuperscript{24} See Chapter One where the elite capture concept is introduced and defined.
exhibited no sign of remorse or regret for his actions. More perplexing than the leader’s attitude was the vast support that this leader enjoyed from fellow subjects (community members) who felt that he was entitled to a significant portion of resources including money because he was the one who established the community association which attracted the external funding in the first place. To these poor villagers, it was acceptable for this leader to accumulate a disproportionate share of the benefits as a form of a reward for his efforts. They felt he actually earned it since they (the poor community members) have to display gratitude to their leader who, according to them, was responsible for the infrastructural and other improvements (although negligible) that they had experienced in their lives since the community development project started (Platteau & Gaspart 2003a:5-6).

To counteract the problem of elite capture, Platteau and Gaspart (2003a:2) suggest that a “leader-disciplining” technique should be put in place whereby the disbursement procedure would be made slower with constant fraud monitoring. This would allow sufficient time for community members and other parties to continuously monitor the local project funds. Funds should then only be released based on the previous performance of local leaders. With these techniques carefully in place, Platteau and Gaspart contend, community leaders will be disciplined since their access to future funding towards community projects is based on ex-post analysis of their behaviour on previous phases of the project – funds are released possibly on stage-by-stage basis (Platteau & Gaspart 2003a:30).

A pertinent question that emerges from this paradox is: how effective is Platteau and Gaspart’s (2003a) leader-disciplining mechanism in traditional community contexts such as Bafokeng and Bakgatla, where the community owned monetary resources (mainly derived from platinum revenues) are under the control of traditional authorities? The leader-disciplining technique, despite its well-presented rationale for efficiency, may prove largely ineffective when applied to mineral wealth distribution in traditional community contexts. Such ineffectiveness could surface mainly on two grounds. Firstly, the leader-disciplining technique assumes that all rural community development projects are to be funded and/or monitored by external development agencies (NGOs). Therefore, these international NGOs have the power and prerogative to withhold and disburse funds at will. In the case of the two study communities (Bafokeng and Bakgatla), mineral wealth is owned and utilised by the communities through their traditional authorities. There is very minimal intervention from other powerful external agents, including the state. Hence the model of platinum wealth
control and distribution and how it influences grassroots narratives on the character of participation in these communities is receiving a closer focus in this thesis.

Secondly, Platteau and Gaspart’s analysis is based on elected and appointed community leaders who, by virtue of their influence or educational qualifications, find themselves at the helm of community development projects. In the communities investigated in the current study, community development is directed and mainly channelled through traditional power structures (the kgosi, dikgosana etc.), who acquire their power and status by birth. These traditional leaders cannot be held accountable by NGOs. Besides, it is yet to be examined whether national governments (the South African government in particular) have effective regulatory policy frameworks and other interventions that prevent the problem of elite capture and conflict from taking place in traditional community context. It is also crucial to note that it is not only the material resources (that is, mineral wealth) that the local elites tend to capture. There is also a risk of “domination and capture” (Gaventa 2006:264) of community participatory platforms and decision-making spaces by local powerful elites.

It is in light of the highlighted dilemmas in community participation that the discussion in the next chapter focuses on the dynamics of power in community participation and other conceptual debates that underpin participation, especially in the context of natural resource control and distribution. Such an endeavour is well captured in the words of Raik, Wilson and Decker (2008:731) who attest that “the exercise and effects of power are … observable, and studying power involves examining social agents in decision making”.

2.6 Conclusion

Undoubtedly, resource control discourse is dominant and is largely propagated as the panacea for instability, especially in resource-endowed regions. In this chapter, the motivation behind the discourse has been discussed at length. A substantial portion of the work in this chapter has also been devoted to the discussion of various ways in which demand for control of natural resources by local communities breeds conflict in many mineral resource-endowed regions. Furthermore, an attempt has also been made to locate the resource control discourse within some of the dominant theoretical perspectives of conflict. The current chapter also paved the way and connected the current discussion with the debate in Chapter Three by
reflecting upon the critical nexus between the resource control discourse and the concept of participation.

In Chapter Three a detailed theoretical/conceptual discussion on the concept of participation is carried out. Such a discussion then evolves towards an appropriate conceptual scheme for analysing community narratives about the character of participation in the distribution of wealth.
CHAPTER THREE
COMMUNITY PARTICIPATION: CONTENTIONS AND CONSENSUS

3.1 Introduction
Among the most popular orthodoxies in the contemporary community development arena is the imperative of ensuring that communities co-determine their future by participating in development decisions. As already highlighted in the previous chapter, there is a large body of literature that argues that the absence of such participation, especially the non-recognition of the indigenous community’s right of ownership and control over their natural resources, is a recipe for conflict between communities and extractive corporations, and between communities and the state. Participation, however, just like many analytic concepts, is subject to manifold interpretations (Arnstein 1969; White 1996; Cornwall 2008; Pathways Through Participation (PTP) 2009).

This chapter focuses mainly on two aspects. First, it reviews the contemporary debates and contestations around community participation in natural resource-engendered development. This discussion elucidates some theoretical and logical perspectives on which this ‘liberal, democratic’ concept of participation is premised, especially pertaining the dynamics of inclusion and exclusion in community-based development. The final section of this chapter, the theory section, introduces and discusses the “three dimensional ladder of community participation” as an appropriate “conceptual scheme” through which the analysis of grassroots narratives about the character of participation is carried out in this study. The terminology adopted in this typology is largely derived from Arnstein’s ladder of citizen participation and other subsequent typologies and spectrums of participation.

3.2 Participation: the main focus
Finding a “water tight” ontological focus on the term “participation” is not an easy exercise. Perhaps it is too ambitious a task to contemplate. The concept of participation has widely been theorised and contested. Moreover, as hinted earlier, the malleability of the term cannot be over-emphasised. This diverse application of participation has led to a proliferation of prefixes that in some ways ‘legitimise’ or serve to distinguish among the plethora of uses and applications of the term. Such prefixes include, among others: community, civic, voluntary,
public, individual, political, social, top-down, bottom-up and many more (Blanc & Beaumont 2005; TP 2009:3-4).

The Pathways through Participation guide (PTP 2009) elucidates three broad strands of participation namely: public, social and individual participation (PTP 2009:4-5). According to these analysts public participation is the manner in which individuals (say in a community) engage with diverse “structures and institutions of democracy”. This could also be referred to as political, civic, political or participatory governance. Social participation, according to these authors, means the involvement of individuals in collective activities such as membership of a community group, a trade union and many other relevant examples. Individual participation means the individual choice to be part of, for example, boycotting certain social gatherings, signing petitions and many other similar situations (PTP 2009:4-5).

There is much overlapping and fluidity among the broad categories of participation suggested by these authors, such that in this discussion it would be impossible, or perhaps ‘unjust’, to confine community participation to a single category. For instance, participation of community members in activities of a local environmental activism group/forum might require an individual to attend meetings, deliberate and influence decisions, picket or protest, sign petitions and even obtain membership cards. All these activities overlap the three broad categories mentioned in the PTP report.

Based on this background of malleability, fluidity and overlaps in the concept of participation, the current thesis focuses on community participation as already defined. For the sake of clarity it should be pointed out once more that in this study “participation” or “community participation” is applied in the sense suggested by Mulwa (1998:52): “a process whereby the marginalised groups in a community take the initiative to shape their own future and better their lives by taking full responsibility for their needs and asserting themselves as subjects of their own history”.

3.3 Participation, development and the rights discourse

The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realised (UN 1986: Article 1).
Without a doubt, indigenous communities have a right to participate in development decisions and benefit from the wealth that accrues from minerals extracted from their ancestral lands (Zongwe 2008:8). Such a human right to participate can be effectively examined through the literature and policy framework that underpin the right-based development approach – a much celebrated discourse, upon which the following discussion focuses.

Global human rights declarations, among others, the 1948 UN Declaration on Human rights, the 1986 Declaration on the Right to Development 41/128, and other universal covenants and an urge to undo the injustices of colonialism have placed much “pressure” on the post-colonial, democratic states to place human rights at the centre of human development. This has made the concept of ‘rights-based development’ enormously popular in recent years. In South Africa, in particular, the promulgation of the Bill of Rights (in the country’s post-apartheid, liberal-democratic constitution) and the establishment of the Truth and Reconciliation Commission in 1995 became significant milestones in this regard. However, in South Africa, as elsewhere, a wide gap still exists between the rhetoric and practice of rights (Gaventa 2002:3). With high unemployment most South Africans, especially the historically marginalised blacks, are trapped in chronic poverty (Carter & May 2001:1987; Aliber 2003: 474-479). This explains why the post-liberation development discourse has emphasised transformation and the concept of a developmental state. It is also against this background that the promise, prospects and contradictions of contemporary rights-based, natural resource-engendered development in the country remains an important subject of inquiry.

The rights agenda at first focused mainly on individual rights (political rights) and freedoms – that is, the protection of the individual against violations by other individuals, by the state or any institution or group. This made the concept of right the “creature of liberal individualism” (Mohan & Hollad 2001:192). However, Doyle (2009a:5) contends that it is this very dominance of political ideology that has rendered the human rights regime ineffective to deal with the root causes of poverty and inequality; especially the fact that a major portion of the world population remains unable to access economic and social rights. The limitations of the so-called “first generation” human rights thus led to a global clamour
for socio-economic freedom, which in turn paved the way for the rights-based development agenda, with its strong emphasis on economic and developmental rights (Mohan & Hollad 2001:178). This is where the rights agenda began to be integrated to a significant degree into the agenda for human development.

Scholars and development agents and practitioners are largely in agreement that human rights are, indeed, compatible with and vital for development. The UN (2000:19) declares that:

Human development and human rights are close enough in motivation and concern to be compatible and congruous, and they are different enough in strategy and design to supplement each other fruitfully (UN 2000:19).

Banik (2010:36) also notes that human development and human rights share a similar vision aimed at obtaining freedom for all human beings and they share a complementary role since they “promote and maintain the well-being and dignity of all people, building self-respect and the respect of others”. The adoption of the Millennium Development Goals (MDGs) by the world leaders through the United Nation’s Millennium Declaration in September 2000 became another significant landmark towards the formal convergence of human rights and human development. The UN has, through the adoption of MDGs, committed the nations of the world to measurable global targets, such as halving poverty by 2015, improvement of global health conditions, and promotion of peace, human rights and environmental sustainability (UNDP, 2003:15). Undoubtedly, the complementary relationship between human development and human rights has come to stay, with its promises and limitations.

Scholarly debates on right-based development have generally acknowledged the importance of human rights in promoting human development. Mohan and Hollad (2001:177), for example, argue for economic and developmental rights on the basis that rights promote the universal right of all citizens to a “decent living”. For Banik (2010:34), the main benefits of human rights as a development ingredient are that rights can be enjoyed by “all human beings” equally. In addition, legal claims can easily be made against any hindrances (whether from individuals, or the state) towards the realisation and enjoyment of these rights by the citizens. Therefore, a development agenda that acknowledges, as of right, the well-being of all citizens goes far beyond being just a simple act of generosity towards the poor: it becomes a legal obligation. It cannot be readily “bargained away” (Sengupta 2001:2528). Citizens, argue Cornwall & Nyamu-Musembi (2004:1417), should have a pragmatic space to demand accountability from national and local government structures in relation to state duties that
pertain to realisation of citizens’ equal right to development (or to participate in their own development).

A broad consensus exists that rights-based development produces a more sustainable human development impact when evaluated in comparison to the evidence or instrumental-based approaches to development. For instance, in situations where there is lack of volition among the ruling elite to drive human development, realisation of development as a right and a legal obligation can lead to effective pursuance of long-term development goals (Schmidt-Traub 2009:74). Banik (2010:37) also asserts that a more dedicated focus on human rights can eliminate monopolisation of development processes, policies and programmes by the elite and help to “guarantee” protection of space for grassroots participation. However, the question of who holds governments accountable for neglect of human development remains unresolved, especially since it is very difficult to enforce international declarations as law upon national and local governments. This is where the human rights-human development nexus displays some shortcomings.

In a study carried out in 2001 to establish whether human rights-based strategies have been effective in achieving the MGDs ever since their adoption, Schmidt-Traub (2009) makes the following assertion with a valedictory tone:

While many countries, particularly in Asia, have made tremendous progress in reducing income and non-income poverty, challenges remain, particularly in health, gender equality and environmental sustainability. The crisis is most severe in sub-Saharan Africa, where not a single country is on track to achieve the MDGs by the target date (Schmidt-Traub 2009:74).

Such a finding regrettably emerges halfway towards the 2015 targeted UN timeframe for the accomplishment of the MDGs. This signifies the existence of a wide implementation gap between the rhetoric and practice of right-based development (Gaventa 2002:2; Redondo 2009:30). Such a gap leads to a plethora of challenges.

One such shortfall is the historic-political discourse from which rights-based development discourse evolved. Some analysts highlight a potential danger with the universalism of human rights. Since the international human rights agenda has been cultivated by the history of struggles for human rights in the western societies, namely Europe and America, it has totally disregarded non-Western cultures, norms and history, describing them as
Authoritarian, with a smaller role to play in the modern universal human rights agenda (Penna & Campbell 1998). Moreover, there has also been a growing trend of “skepticism and apathy” towards rights-based development due to its meaning being attached to “colonially derived benefits” (Mohan & Hollard 2003:179). Nonetheless, the question of universality versus nationality or locality of the human rights agenda is a major debate on its own, far beyond the scope of this paper. It would be improper to try to ‘squeeze it’ within the limited scope of the current discussion.

Some challenges are not solely political, but arise out of conflicting institutional interests and priorities. For example:

In Koraro, a village in Ethiopia’s Tigray province, there is no water because the short rains have failed every year for the last five years. The world hasn’t done enough to limit harmful global climate change, and as a result Ethiopians die of hunger due to insufficient rains. It is said that Ethiopia is not meeting the MDGs because it’s not implementing good governance strategies. But the bed of Koraro’s so-called perennial river is dry, villagers have to dig about 6 feet below ground to find water for their fields, and their limbs are thin from under-nutrition. Despite these crippling material conditions, rich countries still insist that the problem is bad governance, and then wonder why the MDGs aren’t being met (Sachs 2005:19-20).

Such a challenge does not emanate from bad governance but from biased institutional priorities whereby multilateral donor institutions (e.g. IMF and World Bank) fail to prioritise the rights of the marginalised citizens of the world. To effectively deal with such dilemmas, Banik (2010:36) recommends that more attention should be given to accountability of donor and multilateral institutions and corporations, in particular for unjust operational practices and “unequal power relations” that have a negative impact upon the lives of the poor and vulnerable citizens. As already highlighted, the mining industry is widely reported for lack of accountability to local communities, hence Banik’s recommendation ‘fits’ in very well.

Furthermore, like all theoretical constructs, the right-based development approach has its own detractors. Cornwall and Nyamu-Musembi (2004:1417) assert that rights-based development has become the latest fashionable item of development agenda “to be seen wearing” while it “has been used to dress up the same old development”. Uvin (2002:10) describes the rights-based development discourse as just “a quest for moral high ground”, one that masquerades with moral and ethical dimensions of equal participation and development but is lacking in practice. Slim (2002:3) cautions that the “rights talk” is “a bit more like prayer ... one prays
and feels good but has a very little idea of its power and effect ... [and it] makes one feel self-righteous”.

There is no doubt that the discourses of human rights in development ought to progress beyond the ethical and moral circumference towards the centre stage of the right to self-determination, that is, allowing the poor to determine their own development through effective participation in the development process. As shown presently, rights-based development strikes at the heart of this thesis. The character, promise and contradictions of community participation in natural resource-engendered development provide a vital entry point into how the ‘modern rights discourse’ takes shape, or fails to take shape, at the grassroots.

However, it is worth stating once more that promotion of broader and meaningful participation is crucial if genuine development is to become a reality (see also UN 1986; Sengupta 2001:2527; Mohan and Hollard 2003). Undoubtedly, participation as a right of the poor places a huge burden of accountability on national, provincial and local governments, raising questions about the enforceability of such a right in instances where the national governments are too weak.

In South Africa’s Royal Bafokeng and Bakgatla Ba Kgafela communities, where accountability for promoting participation has been devolved to traditional modes of governance, a good impetus exists for interrogating how participation plays out, especially with regard to distribution of mineral wealth.

3.4 Participation and community development

The idea of participation as generally a “good thing” or the so called “normative element of participation” (Gregory 2000:179; Khwaja 2004:428-436) has received much attention in scholarly literature for some time. This is also supported by Arnstein (1969:216), who observes that;

The idea of citizen participation is a little like eating spinach: no one is against it in principle because it is good for you (Arnstein 1969:216).

Participation has been at the centre of community-based development discourses for several decades and it still remains crucial on modern policy agenda (PTP 2009). Some regard
participation as a crucial normative objective in devising the needed responses to climate change risks (Few, Brown & Tompkins 2006:2). The concept has also been applied in the analysis of models of “collective management of water resources” (Cleaver 1999:598), in management and planning of forests (Cheng & Mattar 2006) in natural resource utilisation and resource conservation (Agrawal & Gibson 1999) and in a plethora of other spheres. Hence, in many circles, participation has assumed the status of orthodoxy (Michener 1998:2105). The logic goes thus: when the poor in a community participate in key decision-making processes affecting the utilisation of, say, natural resource wealth, they will eventually become empowered and community resources will become more sustainably and equitably utilised.

A broad agreement exists among scholars that natural resource-engendered community-based participatory development is capable of empowering poor people, enhancing sustainability even after, say, a mine has reached the end of its productive life (RIINVEST 2007), improving efficiency and effectiveness of local resource control (Agarwal 2001), and building social capital (Campbell & Mclean 2003; Labonne & Chase 2008). Some scholars recognise the active participation and involvement of poor citizens in the construction and shaping social policy and social provision as unsurpassed in empowering the marginalised community members (Cornwall & Gaventa 2000:50). Putnam (1995:1-18) describes participation as a crucial indicator of strong ties and social connectedness between people and institutions.

Flynn (in Gregory 2000:180) provides a concise, helpful summation of four key arguments that underlie the significance of participation of grassroots community members in collective decision-making. The first argument is founded on ethical grounds: it is morally acceptable that all people should have a right to control their resources and to shape their own destiny. Secondly, as a matter of “expediency”, if people are not involved in decision-making they may not support or execute the decision that was taken in their absence. Moreover, if they have the necessary power, they may even revoke or subvert the decision. Flynn’s third argument regards the presence of “expert knowledge” as a crucial element when important decisions are made. Therefore experts (the educated and technically skilled technocrats) need to be involved in the decision-making process to assist and to clarify important issues for the uneducated who may otherwise be deceived or manipulated. Lastly, a collective decision becomes a “motivating force” since participation in the decision-making process informs
people about the logical rationale behind the decision. Besides, people are more likely to implement the decision effectively and efficiently if they were involved in its formulation (Gregory 2000:180).

Furthermore, the concept of participation as ‘a child’ of the democratic theory bears the character and the promises of a typical neoliberal conceptualisation. Fung (2007:444) asserts that all democrats “stick” to the basic value of “nontyranny”, therefore all democratic constructs and conceptions must articulate and apply the values that relate to collective views, decisions, interests and actions of individuals who make up that particular community. Fung’s (2007) affirmation relates more closely to South Africa’s contemporary governance model channelled through a neoliberal democratic framework of the constitution. However, it should be noted that this framework is yet to be tested in various aspects. One of such contexts is in the vibrant community development arena of South Africa’s platinum mining communities (such as the Bafokeng and Bakgatla people), the one in which the control and distribution of mineral wealth lies ‘in the hands’ of local traditional governance systems. Drawing inspiration from Fung’s (2007:444) assertion (mentioned earlier), ordinary community members should therefore become the architects of their development and key beneficiaries of platinum wealth.

Many development planners and advocates recommend the World Bank’s community-based development (CBD) and community-driven development (CDD) approaches as effective models for channelling participatory-development to deprived communities. Mansuri and Rao (2003:2-3) point out that CBD and CDD are not synonymous. According to these authors, while CBD refers to projects which fully involve beneficiaries in their design and management, CDD is a process in which communities exercise control over and are full participants in the decision-making and resource allocation mechanisms leading to the establishment of CBD projects. As the analysis in the empirical chapters of this thesis shows, the present author does not regard the differences between the two models as being of much consequence: the two models are fraught with contradictions, especially when examined against specific participatory and developmental dynamics at the grassroots.

Despite the popular advocacy in support of participatory development, some scholars hold a somewhat negative view of the process. Cleaver (1999:597) argues that participation is nothing short of “an act of faith in development; something to believe in and rarely question”.
Participation’s end goal of local empowerment is dismissed as a mere “buzzword in development” and as something whose “challenging and transformatory edge has been lost” (Cleave 1999:599). There is also a growing concern, among mining sociologists in particular, that specific dynamics around community-based development (and especially natural resource-driven development) could be fuelling inequality, as well as arguments that inequality is morally, economically and sociologically indefensible. It is morally offensive, as O’Faircheallaigh (1998:383) points out, to have some members or regions of a society living in poverty while other members or regions of the same society live in luxury. For some other writers, participation tends to be just a “euphoric buzzword” (Michener 1998:2106), “tokenistic” (Makuriwa 2004:113) or “just a label” or “a religion” (Natal 2007:10): it is hardly authentic collective action.

Despite this broad agreement and popular advocacy and support for community-based development, empirical evidence validating the efficiency of this approach is still quite thin. In many cases, it is hard to tell if it is the rigour of scientific evidence or the power of popular advocacy that sustains the community-based development orthodoxy. Do the poor and vulnerable benefit from community-based development to the extent that is imagined by advocates? To what extent are popular community-based developmental approaches (ostensibly epitomised by participation and collective action) a precondition for the empowerment of the poor and vulnerable? What contradictions do these approaches throw up? These questions are of immediate relevance to the current study.

Moreover, since economic development in indigenous communities often rests on the exploitation of communally owned resources, such development should be enjoyed by the community at large and not by a few individuals. To these sociological and moral arguments must be added O’Faircheallaigh’s (1998) correct observation that inequality often breeds social tensions, crime, public and domestic violence, and loss of traditional norms of reciprocity.

3.5 Empowerment and community participation

Indeed, an unavoidable reality is that indigenous communities, generally lack the necessary capacity needed to effectively mobilise and utilise their natural resource wealth and to foster equitable and sustainable community development (O’Faircheallaigh 1998). It is crucial, therefore, to interrogate the extent to which such lack of capacity shapes the character of
participation in communities, especially when it comes to mineral wealth-engendered development. This background makes empowerment a key concept in community development.

The concept of empowerment has become so prevalent in participatory development discourse that debates on participation models have become almost pointless without it. In many ways, empowerment and participation have become synonymous. Cleaver (1999:598), drawing from his work on community management of water resources, distinguishes between “efficiency arguments” – participation for the sake of achieving project-specific outcomes in an efficient way, and “empowerment arguments” – a process in which individuals get involved to improve their lives and the lives of the marginalised groups. The latter trend of argument contributes directly to the discourse of participatory development and empowerment.

According to Mohan & Stokke (2000:248), the move towards participation and empowerment in contemporary community development discourse emanates mainly from two development “frameworks of thinking”, namely “revisionist neo-liberalism” and “post-Marxism”. These authors highlight the responsibility of what they categorically term as the “neo-liberal counter-revolution in development”, that is, the state that is an obstacle to development and empowerment of the poor. Such a description is contrasted with the notion of the interventionist state – the state that drives the development process and empowerment of the marginalised (Mohan & Stokke 2000:248). Post-Marxism as the second theoretical perspective of community empowerment applied by Mohan and Stokke (2000:248) envisions empowerment as “a matter of collective mobilisation of marginalised groups against the disempowering activities of both the state and the market” (Mohan & Stokke 2000:248). Certainly, this shift of thinking in development theory reiterates the chief aim of community participation – the empowering of marginalised individuals through “bottom-up” and inclusive decision-making.

Despite the plethora of meanings attached to the term “empowerment” in participatory development, there is also a notable convergence of definitions and elaborations around this concept. Such convergence is expressed in broad arguments such as: empowering the local people by enhancing grassroots involvement in and better control of local development projects (Campbell & MacLean 2003:5), granting the poor people power to achieve their
aims (Wilcox 1994:4), efficient participation of the marginalised in decision making on issues pertaining to local resource allocation (Rifkin 1996), and capacity building by providing expert knowledge (Babu 2009:94). From this normative point of view, the underlying formula is ‘top-down’ (disempowerment) and ‘bottom-up’ (empowerment). Apparently, active involvement of community members is widely accepted as the main “empowerment frame” (Rifkin 1996:83) through which all decisions about resource allocation should be taken. Again, it should be questioned whether this promise of empowerment is realisable when applied to a mineral resource-engendered community development context.

It should be cautioned, however, that an in-depth analysis of the concept of empowerment in participatory development can by no means be covered within the scope of this discussion for obvious reasons of space, focus and context limitations. However, the limitation of participatory empowerment will be summarised under two broad themes in the discussion below.

As a much theorised concept itself, empowerment in the community participation milieu has not been without limitations and criticism. The first limitation lies in the heart of Foucault’s theoretical notion of Panopticism. Empowerment of the poor through participation in the process of their development is paradoxically quite often not initiated by the poor themselves. Drawing from the work of Marx on “Analyses of alienation”, White (1996:9) asserts that poor or marginalised people have more immediate concerns and interests that often come before their need for empowerment. Therefore external NGOs, and government and other organisations tend to introduce the process of empowerment for local communities. Kapoor (2002:113) argues that while facilitation of information by these “catalytic institutions” promotes empowerment by including the poor, it also “procures surveillance and discipline”. This is how empowerment endeavours in community development projects tend to acquire a Foucauldian panoptic dimension. The knowledge and power disparities between participants

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25 A panopticon is an architectural structure for a prison with a particular building in the middle that allows effective, centralised supervision and easy surveillance and monitoring of all the inmates. It was invented by Jeremy Bentham. Foucault uses this structure to theorise how modern institutional structures operate their surveillance and disciplining mechanisms so that the subjects/subordinates can internalise this surveillance mechanism and to ensure automatic functioning of power and dominance (Danaher, Schirato & Webb 2000:53-57).
concretise the panoptic behaviour whereby the “informed” experts or the powerful bureaucrats tend to, consciously or subconsciously, monitor the involvement and behaviour of the local people. For instance it is common for local people to “act” and say what they believe is expected from them by the external NGOs or governments (Kapoor 2002:113). Any insidious presence of this panoptic element in a community participation process can defeat the entire goal of empowerment.

The second limitation of empowerment lies in heart of ontological dilemmas emanating from the term ‘community’ itself. Mohan & Stokke (2000:253) contend that the term ‘community’ in participatory development is misleading in certain ways since it is never the poor who regard and label themselves as a collective community but it is the term that is often used by state officials and outside organisations. Moreover, with Mohan & Stokke (2000:253)’s argument in mind, it becomes evident that the boundaries and parameters of an ideal community are defined, set and explained through the eyes of the ‘informed’ analysts who tend to come from outside. The actual danger with this poorly-defined conceptualisation of the term ‘community’ is that decisions often empower the local powerful elites who use their power to manipulate the entire process of participation (Gaventa 2006:264; Mohan & Stokke 2000:253). The question should be asked: in what ways does this intra-community domination impact on participation in traditional community contexts where the powers of local chiefs are barely monitored and regulated by local and national state authorities and policies?

3.6 The question of accountability

Ideally, collective involvement of all community members in decision-making should elicit better accountability on the side of authorities, be it local government bureaucratic structures, NGO practitioners or even leaders of traditional communities. Singleton (2000:9), in her seminal empirical essay based on community-based management (CBM) of tribal fisheries in the Pacific Northwest, suggests that for any government to enhance long-term effective management of natural resources (fisheries in particular) there has to be “creation of mechanisms that strengthen accountability”. Such mechanisms, according to this author, should include, among others: the attachment of penalties to failure to adhere to agreed-upon annual harvest targets, periodic audits of state and community productivity and management performances, and creation of institutions specifically to enhance transparency in decision-
making which would assist “both the state agency and local communities” to resist capture and domination by each other (Singleton 2000:9).

However, Singleton’s (2000) suggestions pose at least two notable limitations. First, Singleton tends to rely on supplying technical solutions to monitor a very complex phenomenon – human behaviour. Human conduct cannot always be fully regulated through a set of technical solutions, more especially in one so complex and demanding as enhancing accountability in community development. Secondly, these solutions seem to uphold the problematic top-down state surveillance techniques over weak traditional institutional structures. Apparently it is the state agents who monitor, evaluate and have institutional capacity to carry out the punishment when the need arises. Nonetheless, Singleton’s work underpins the importance of accountability of local institutions when it comes to community control of natural resources (Singleton 2000:9).

But what does accountability mean to those who participate? Does broader participation truly enhance institutional accountability? There is a strong contention that if accountability in natural resource-engendered, community development projects is to become a reality, the performance of those who are elected to represent local communities in decision-making must be occasionally evaluated by those who are “affected by decisions” (Agrawal & Gibson 1999:641). Such an argument carries a great deal of promise. However, it goes without saying that this argument is yet to be empirically tested in the context of mineral wealth distribution, especially when this wealth is under the control of traditional communities (such as the Bafokeng and Bakgatla in South Africa). Perhaps, even more eye-catching, is Agrawal and Gibson’s (1999:641) recommendation that:

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\text{[e]ffective institutionalisation of community-based conservation requires that local groups have access to adequate funds for implementing the rules they create … this would mean that government agencies not just cede their authority to make rules … but that community groups also demand control over the resources themselves (Agrawal & Gibson 1999:641).}
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If one carries the argument a little further, the Bafokeng and Bakgatla communities in South Africa should be enjoying a significant measure of accountability, since in a way they make their own rules with regard to the distribution of their platinum wealth. However, as hinted in Chapter One, empirical evidence pointing to such an achievement is lacking. For instance, Hamann (2004:287), drawing from substantial empirical investigation carried out in the
North West province based on “corporate social responsibility, partnerships, and institutional change in South African mining companies”, carefully narrates appalling findings: community riots which took place mainly in Ga-Luka village (a Bafokeng village located very close to mine shafts). This author reported an instance of a group of community members rioting against the process opening of a new open-cast mine by Impala Platinum (a mining company that has operated shafts in this community for decades). At the heart of this insurrection lies the fact that the mining company (Impala Platinum) has historically excluded this community from participating in decisions about its operations and benefit-sharing processes. Historically, Impala Platinum (Implats) has mainly engaged with the Bafokeng Tribal (Traditional) Authorities, that is, Royal Bafokeng Administration (RBA) and excluded community members. The efforts made by the mining company to communicate directly with the community through elected representatives and local government committees have largely been thwarted so far by the RBA. Apparently, the tribal authority felt threatened by this move and had to devise means to stop it (Hamann 2004:287).

Hamann’s (2004:287) analysis shows a particular instance on which lack of accountability surfaces at local community level. Such a finding further exposes gaps on Agrawal and Gibson’s (1999:641) argument mentioned earlier. The question of lack of accountability on the side of local leadership, or in this case traditional authorities, will not be comprehensively covered at this stage of the current thesis – the empirical chapters (Chapters Eight, Nine and Ten) go deeper into this discussion.

3.7 Social cohesion
Most typologies and theoretical perspectives on participatory development give very limited and superficial attention to the nature of relationships that exist among those who participate and between those who participate and those who are excluded. The importance of relationships between individuals and the authorities and between participants themselves should never be underestimated.

Democratic theories provide some guidance and effective tools to analyse relationships in participatory development. The two main “strands of democratic theory” (PTP 2009:34), representative and participatory democracy, concur that participation, be it direct or representative, is critical in establishing legitimate, democratic institutions of governance.
Over and above this theoretic background, the nature of social relationships in participatory development has largely been understood in relation to the level of social capital (PTP 2009; Putnam 1995:2). A generally high level of participation of grassroots in community organisations and other civic groupings is often interpreted as an indicator of the presence of the much needed social capital in that particular community (Campbell & McLean 2003:5). To what extent does participation enhance good community-mine relations and therefore avoid the much-reported conflict in mineral resource contexts?

The level or degree and perhaps the type of participation cannot be taken at face value as one stands a risk of embracing misleading empirical results. Hence the discussion in the following sections explores some of the most relevant typologies of participation and the extent and manner in which such typologies can contribute towards the successful construction of a relevant conceptual scheme which will guide the theoretical and empirical analysis of the current thesis.

3.8 Typologies of participation

The popular theoretical conceptualisation of the process of participation in a metaphoric ladder form began in the late 1960s with the much-celebrated Sherry Arnstein’s concept of the “ladder of citizen participation” (Arnstein 1969). Arnstein (1969) introduced a typology of eight levels of participation illustrated in the form of a ladder. Many versions of participation typologies and ‘ladders’ have surfaced over the past decades but Arnstein’s ladder still retains its prominence and remains the most discussed and reviewed participation typology so far (Cornwall 2008:270). In more than four decades since its first inception, Arnstein’s ladder is still a benchmark for both policy and practice of community participation worldwide (Titter & McCallum 2006; Collins & Ison 2009:359). This metaphoric ladder was primarily designed and used by Arnstein as a conceptual tool to invigorate the understanding of political power dilemmas in the terrain of urban planning in America during the late 1960s.

According to Arnstein, each ‘rung’ represents a level of “individual’s power in determining or influencing the end product” (Arnstein 1969:217). As Arnstein affirms, participation is a definite expression for “citizen power”. Therefore, the crucial goal of participation is access to power and control between the elite and the have-nots (Arnstein 1969:216). It should follow that it is the nature of power distribution in a community that determines whether
members (or citizens) in that community get an equal opportunity to influence decisions that pertain to distribution of their collective resources (that is, mineral wealth in this context).

As shown in Figure 3.1, Therapy and Manipulation, the levels of non-participation, feature at the lowest levels of Arnstein’s ladder. The main objective of therapy and manipulation ‘rungs’, as Arnstein (1969) hints, is not to present the poor with full participation, but, rather to give the power-holders a chance to ‘cure’ and ‘educate’ those whom they select to participate. This level of participation can be best illustrated by the common phenomenon where the marginalised community members are convinced by the authorities (government officials, traditional leaders or representatives of mining companies) to sign off a social licence for a mining company to operate on their land without a full understanding of the actual content and consequences of such a transaction. Above therapy and manipulation, the three ‘levels of tokenism’ are posted: placation, informing and consultation. The power-holders may suggest or convince the have-nots to believe that these are legitimate and empowering levels of participation since the latter can have a voice and be heard. However, at these levels of participation, the poor lack the necessary power to influence the decisions, hence Arnstein tags them as tokenistic levels. Citizen control is at the top of the ladder and is the highest level of citizen power, followed by delegated power and partnership.

Figure 3.1 The original “ladder of citizen participation” (reproduced from source: Arnstein 1969)
Another dominant and widely cited participation typology is the one introduced by White (1996). Unlike Arnstein’s ladder, White’s typology focuses mainly on uncovering the diversity of interests in participation, hence it bears the name “typology of interests” (Cornwall 2008:271). Such a ladder-shaped participation typology seeks to establish when and why different forms of participation can either generate genuine participation or reproduce the already dominant power structures (PTP 2009:3; White 1996). The power relations in a community will therefore determine whose interests prevail over others when it comes to decision-making and implementation of decisions. Such a phenomena is confirmed by White’s (1996:6) argument that; “[s]haring through participation does not necessarily mean sharing in power”.

Through her spectrum of participation, White (1996) conceptualises participation as a dynamic process which changes over time and is riddled with contestations and conflicting ideas. This spectrum identifies what this author calls the “four major forms of participation” (White 1996:7) and characteristics are provided next to each type. The second and third columns depict the different interests, namely: top-down versus bottom-up. In reality, the interests of those in authority who design the development programmes can contradict the interests of those who are at the receiving end of participation. The arrangement of this nature is motivated by the imperative to hear the voices of the participants, that is, their narratives on how they view participation and what they intend to gain from it (White 1996:7). White’s (1996) typology is shown in Figure 3.2 below.

<table>
<thead>
<tr>
<th>Form: Which level of participation?</th>
<th>Top-Down: What are the interests of the authorities/those in government?</th>
<th>Bottom-Up: What are the interests of individuals in a community?</th>
<th>Function: What is the main aim of “participation”?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nominal</td>
<td>Legitimation</td>
<td>Inclusion</td>
<td>Display</td>
</tr>
<tr>
<td>Instrumental</td>
<td>Efficiency</td>
<td>Cost</td>
<td>Means</td>
</tr>
<tr>
<td>Representative</td>
<td>Sustainability</td>
<td>Leverage</td>
<td>Voice</td>
</tr>
<tr>
<td>Transformative</td>
<td>Empowerment</td>
<td>empowerment</td>
<td>Means/End</td>
</tr>
</tbody>
</table>

Figure 3.2 A typology of interests. Adapted from White (1996:6-7)
Wilcox (1994) introduced another “ladder” typology of participation which has also become influential. In many respects Wilcox’s ladder draws conceptual reference from Arnstein’s typology. Just like Arnstein’s (1969) ladder, the rungs of Wilcox’s (1994) ladder represent the different levels or degrees of power at which those in possession of power would allow the ordinary citizens to influence decisions (Wilcox 1994:3). Wilcox (1994) modified Arnstein’s original eight-rung model into a five-rung ladder which mainly focuses on collaboration between “stakeholders”26 (Wilcox 1994:5). Furthermore, Wilcox’s ladder goes beyond merely seeking to understand power dynamics that underlie decision-making processes between the power holders and the have-nots (Arnstein 1969). Focusing on power distribution alone contributes little towards the understanding of collaboration and interactions in a community development arena. Wilcox ‘s (1994) ladder goes beyond mere focus power dynamics to examine the role of partnerships, commitment, ownership of ideas, confidence and control in community participation (Wilcox 1994:5). Wilcox’s five levels of participation (or rather what he calls “five stances”) are (from the bottom upwards): a) Information – the lowest level where the authorities simply tell people what is planned; b) Consultation – whereby community members are offered a number of options and are allowed to contribute by giving feedback; c) Deciding together – a more collaborative level where people are encouraged to share their ideas and to be part of a collective decision-making process; d) Acting together – an advanced level at which authorities and community members not only hold meetings and decide together but also partner to implement the decisions; and e) the level of Supporting independent community initiatives – (high up in the hierarchical ladder) where groups constituted by community members are supported by means of funds and advice in order to achieve success in their development projects. It goes without saying that at this level of independent community initiatives, community leaders could easily encourage and support entrepreneurial innovation in their subjects. It is not over anticipatory to expect this type of participatory support from communities that possess substantial mineral wealth (such as the Royal Bafokeng, for instance).

It is crucial to note, however, that the ladder typologies highlighted above are all premised upon a normative view of participation. They seek to separate the “good” forms of participation from the “bad” forms of participation. Moreover, Arnstein’s ladder of

26 Wilcox roughly defines a stakeholder as “anyone who has a stake in what happens” (Wilcox 1994:5).
participation, the most dominant ladder from which most contemporary conceptual schemes of participation are derived, is not without limitations.

In tandem with its popularity, Arnstein’s (1969) ladder has also attracted a number of critics over the past few decades. Collins and Ison (2009:359) argue that despite this ladder concept being generally accepted as a “benchmark metaphor” for describing and examining participatory activities worldwide, it is about time to “jump off” Arnstein’s (1969) ladder. These authors premise this rather radical proposition on several pertinent arguments. First, they argue that participation is not always hierarchical in nature nor do people always engage in decision-making solely because they want to gain “control” of the power to take decisions (as Arnstein’s (1969) ladder assumes). Another argument is that many policy challenges are unique and they require different types and levels of participation. This goes against Arnstein’s (1969) fundamental concept that participation should be characterised by linear relationships that occur between the hierarchical levels of non-participation and citizen control. Besides, the roles and responsibilities of individuals who participate do not only change in relation to the changing power levels as Arnstein’s (1969) typology suggests. Individuals may not always describe their functions and responsibilities in terms of their perceptions of power – they also construct their roles and responsibilities based on their interest (Collins & Ison 2009:359-62).

Fung (2006:67) also posits that Arnstein’s (1969) ladder is somewhat defective as an analytic tool because there are many situations where a consultative role is more fulfilling for community members than complete citizen control. A similar criticism is levelled by Tritter and McCallum (2006:165), who describe Arnstein’s (1969) ladder as a linear, hierarchical model of involvement … [which] fails to capture the dynamic and evolutionary nature of user involvement …. [This] model does not acknowledge the fact that some users may not wish to be involved.

It should also be acknowledged, that so far, despite the critics mentioned here Arnstein’s (1969) is still very influential, useful and relevant, especially when it comes to effective analysis of the narratives about community participation at grassroots level.

Ostensibly, the critics highlighted above mobilise for total abandonment of Arnstein’s (1969) participation typology. Contrary to this call, there is also a great shift towards overcoming the
limitations pointed out in this participation ladder by modifying and improving it. For instance, Choguill (1996:431) introduces a conceptual ladder of participation titled “A ladder of community participation for underdeveloped countries”. When introducing the new ladder this author affirms that although Arnstein’s ladder of citizen participation is suitable for analysis in developed countries it is also capable of generating deceptive results in underdeveloped contexts – hence the need for a “tentative” ladder for rigorous examination of community participation (Choguill 1996:431). Choguill’s ladder presents a scale of participation for underdeveloped countries. This participation scale is based on the degree of governmental will to carry out and support community mutual-help projects. Moreover, Choguill’s scale suggests that a ‘good’ model of participation is one that lays more emphasis on ensuring that there is stable support from governments or NGOs towards the community if development projects are to be sustainable and empowering to the poor (Choguill 1996:443). The eight rungs in Choguill’s (1996) scale are empowerment, partnership, conciliation, dissimulation, diplomacy, informing, conspiracy and self-management (from the bottom upwards).

Bruns (2003) also made another notable endeavour to modify Arnstein’s (1969) analytical ladder. Deriving terminology mainly from Arnstein’s (1969) original ladder and from several other subsequent spectrums and ladders of participation, Bruns (2003:12) developed an “extended ladder of participation” for analysing and improving participation of different stakeholders in water governance. What is unique and appealing about Bruns’s (2003) scale is the somewhat arbitrary justification on which this typology is premised. Bruns’s (2003) ladder employs a less radical terminology. Such a stance is unique in comparison with other typologies that employ value judgments (for example Arnstein (1969) and Choguill (1996) that project high levels of grassroots involvement as the ultimate goal in community participation and lower levels of engagement as undesirable forms of participation (Bruns 2003:12). Bruns (2003:12) posits that levels of power and influence should not be seen as the focal point of contestations; rather, they should be accepted as reflectors of important diversities derived from legitimate power and authority. Bruns’ ladder scale consist of nine levels: inform, consult, involve, collaborate, partner, delegate authority, establish autonomy, advise and enable (observed vertically from the bottom upwards).

The approach adopted in the current study is to construct an appropriate conceptual scheme drawing terminology mainly from Arnstein’s (1969) ladder typology and other influential
typologies of participation discussed above. Such an approach is adopted mainly because of the relevance of these typologies and their ‘tone’ and terminology which is beneficial for the current thesis. Behind the background of limitations highlighted above, it would be inadequate to study community narratives about the character of participation only through a single dimension, as Arnstein (1969) did through her conceptual scheme. Drawing terminology from participation spectrums and ladders highlighted above, the current thesis adopts a more complex and relevant conceptual scheme –‘the three-dimensional ladder of community participation’. This typology draws terminology mainly from Arnstein’s (1969) seminal analytic ladder. Moreover, it takes into consideration important dimensions that have largely been rendered inconsequential or neglected by most participation analysts. Such a detailed conceptual scheme is appropriate for the current thesis, since it seeks to reveal the underlying participation paradoxes in relation to the utilisation of community-controlled platinum wealth. The adopted conceptual scheme is detailed in the following discussion.

3.9 Three-dimensional ladder of community participation: a conceptual scheme

Unlike its antecedent counterparts, the three-dimensional ladder of community participation distinguishes itself fundamentally in mainly two ways. First, this ladder takes into consideration that participation is a complex phenomenon (Fung 2006). It bears mentioning once more that community narratives about participation cannot be fully examined through observing a single facet, such as, for instance, the aspect of power struggles (between the authorities and the ordinary citizens) as this is the dominant trajectory that epitomises Arnstein’s (1969) seminal work and other subsequent single-dimensional typologies. The three-dimensional ladder takes into consideration two more dimensions in addition to “citizen power” (Arnstein’s (1969) dimension). Nonetheless, these dimensions are by no means new. They have been touched upon in some of the broader issues that underlie community participation but have not received the analytic attention and focus due to them. Such issues include the questions around the creation and ownership of participatory spaces (Gaventa 2006) and selection of participants (Cornwall 2008).

Secondly, the three-dimensional ladder proposed here, unlike other typologies, seeks to analyse the character of community involvement through analyses of grassroots narratives of participation in mineral wealth distribution. This differs from many conventional participation spectrums which attempt to account for citizen involvement but still overlook
the daily narratives of those affected by collective decisions and how the nature of their participation or nonparticipation is captured in such narratives.

Apparently, the time to “jump off” Arnstein’s ladder has not yet arrived. As earlier indicated, the thematic and conceptual framework for constructing the current conceptual scheme (the three-dimensional ladder) was largely derived from Arnstein’s (1969) seminal ladder typology and from a plethora of subsequent spectrums of participation. The three-dimensional ladder proved sufficiently wide in scope and appropriately focused to provide an in-depth understanding of contemporary dilemmas that epitomise community participation in South Africa’s platinum-rich traditional communities. Moreover, a broad and detailed analysis of community narratives about the character of participation cannot be adequately analysed through a single-dimensioned conceptual scheme.

The limitations highlighted above and the complex nature of the character of participation propelled the current conceptual analytic framework towards an examination of three critical dimensions. This is, of course, in contrast to the conventional single-dimensional focus widely adopted by many antecedent participation typologies. The three dimensions are: creation and ownership of participatory spaces, selection of participants and voice, and the level of influence/involvement (or the power dimension). Simply put, this modified ladder seeks to “uncover” what the community narratives reveal about the creation spaces for participation, the selection of those who participate (including individual choice to participate) and the level at which ordinary community members participate in decision making (based on their possession of power).

3.9.1 Creation and ownership of spaces

The very public nature of some forms of consultation can serve as a space for the airing of grievances that may become more difficult for those in power within and beyond the community to ignore (Cornwall 2008:274).

As illustrated by Cornwall’s (2008:274) assertion (above), open participatory spaces can allow those who feel marginalised to have a voice of influence in decision-making platforms from which they were previously excluded. The concept of ‘space’ is popular and generally applicable in various forms of literature including studies of policy, power, democracy (politics) and community participation (Gaventa 2006:26). It is not easy to define the term
‘space’ as it applies to participation. The ubiquity and ambiguity of this term have led to several interpretations and applications, however none of these are totally incorrect. There are several descriptions and definitions of ‘space’ or spaces in community participation that are relevant and applicable to the current thesis. For the sake of precision, only two will be mentioned. The first definition is derived from the work of Fung (2006:66) who defines the notion of space as an institutional design of public participation which consists of three dimensions: scope of participation, mode of deliberation, and level of influence in which any mechanism of participation can be located. Another applicable definition is best laid down in the words of Gaventa (2006:26) who portrays ‘spaces’ as opportunities, moments and channels where citizens can act to potentially affect policies, discourses, decisions and relationships that affect their lives and interests (Gaventa 2006:26).

Spaces for community or individual participation can be political (Hickey 2005; Cornwall, & Brook 2005; Tripp 1994), social (Lefebvre 1991), economical (Perroux 1950) or even cultural (Katz-Gerro & Yaish 2008). In a community participation and development context most, if not all, of these types of spaces do exist; hence, inclusion and exclusion of individuals need to be traced along these categories of spaces.

In a seminal empirical essay titled “Finding the Spaces for Change: A Power Analysis”, Gaventa (2006) developed a typology for analysing relationships between “the spaces, places and forms of power” and labels it the “power cube” (Gaventa 2006:26). Ostensibly, the power cube spectrum is designed to analyse not one dimension but two, that is; the power dimension and the creation and ownership of participatory paces. The power cube proposes at least three types of spaces based on asking the questions: who creates spaces for participation, how, based on whose interest, and who owns these spaces. Such questions are very pertinent and helpful for the understanding of participatory spaces in the current study. For Gaventa (2006:26), these spaces occur at all levels of governance, that is, at local, national and even at global levels. Gaventa’s (2006) participatory spaces as presented in the power cube framework are mainly the following three categories: i) closed spaces – these spaces are created and utilised by the ruling elites, bureaucrats, experts or elected representatives to decide alone and provide services to the people, without the need for broader consultation or involvement of ordinary citizens; ii) invited spaces – these spaces are created by those in power and thereafter they invite ordinary people to participate in spaces. For instance the local chief may decide to invite his subjects to discuss an issue of community
land being leased for a mining operation; and iii) the *claimed/created spaces* – these are spaces that are created and owned by people at grassroots level (Gaventa 2006:26). These spaces are illustrated in Fig. 3.3.

![Figure 3.3 John Gaventa’s power cube](image)

**Figure 3.3 John Gaventa’s power cube**

It should be cautioned, however, that there are several other categories of participatory spaces, and not all of them can be covered within the limited scope of the current discussion. For example, Frederiksen (2000:222) attests to the significance of “discursive spaces” that are created by the media in providing women and other marginalised people with opportunities to take part in public debates on critical social and moral issues. On the other hand, Barker (2003:137) also highlights the insidious role of *institutionalised spaces* (that are created, prearranged and planned by adults) in excluding children from the daily family politics of decision making regarding the choice of transport to and from school and in keeping continuous supervision and control of parents over children.

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Categorically closed spaces tend to exclude ordinary people on the basis of their lack of skill, level of education, power, gender (at times), age, even lack of financial resources (Gaventa 2006:26; Devas & Grant 2003:312). It goes without saying that the mining industry as a traditionally male-dominated industry (Azapagic 2004:646) would be an appropriate case for a future study on contemporary patterns of women involvement. Invited spaces, although regarded as open, have a potential to exclude the powerless if the power holders who invite people to participate have no genuine interest in involving grassroots community members in decision-making processes.

The significance of the question on creation of participatory spaces cannot be overemphasised. Creation of spaces is inextricably bound with the question of power distribution. In most instances, participants perceive participatory spaces as means of gaining access to the material benefits of participation (Cornwall 2008:274). Moreover, the transfer of ownership of spaces from those who create them into the hands of those who are invited to fill them remains extremely challenging (Cornwall 2008:274). Hence invited spaces in participation are often fraught with power disparities. Evidently spaces opened through invitation of community members by the authorities, cannot be relied upon as efficient means of participation.

Created or claimed spaces of participation have an entirely different character from those of the other two categories mentioned above. These participatory spaces are created at grassroots level, out of similar grievances, needs or concerns that people need to deliberate and address as a collective (Gaventa 2006:27). Claimed spaces are of great benefit to the poor and powerless groups of citizens or community members. They provide an opportunity for the powerless to voice common grievances, develop their confidence and enjoy the solidarity and support that comes with unity of a group (Cornwall 2008:274). It is through this collective agency and mobilisation that the depressing impact of power disparities among the participating groups or individuals can be ameliorated.

Clearly, in any community development context there exists a contrast of relationships between spaces made possible through invitation of community members and spaces that the people create themselves (Cornwall 2008:175). Nevertheless, one needs to ask, who creates and owns spaces of community participation in South Africa’s platinum-rich traditional communities? How do the existing power relations influence the ownership and creation of
participatory spaces? And to what extent does the current nature of participatory space creation and ownership enhance equitable distribution of platinum wealth and congenial relations between the mine, community and state organs?

Nonetheless, creation or opening spaces of participation for all community members to participate in decision making does not automatically mean that participation is effective and equitable. Moreover, no matter how open participatory spaces are, there will always be certain levels and platforms where it will be technically impossible for every individual member of the community to be equally involved. This is where the dimension of selection of participants comes in. The following discussion explores this dimension in detail.

3.9.2 Participant selection and people’s will to participate

Globally, the gradual waning in influence of representative democracy in the modern political milieu has contributed towards the current surge in popularity of direct involvement of all citizens in decision-making (Cohen & Sabel 1997:317). The rationale for this paradigm shift can be attributed to a plethora of issues. One of the key issues behind this phenomenon is that often public representatives tend to lack knowledge, skills, education qualifications, competence and the necessary resources to adequately represent the aspirations and needs of the people who elected them (Fung 2006:66). Moreover, an elected representative might also find it difficult to overcome pressures of personal interest against the duty to serve others, specifically in a community participation context.

Nonetheless, direct participation cannot totally replace elected representation in every situation. For instance, it would be impossible to involve everyone in planning due to some technical requirements (Cornwall 2008:180). However, representation is still important for many participatory contexts.

The question of selection of participants has also become a central contemporary community participation discourse. It is critical to ask: who may participate in community development decisions and who may not? The inclusive – exclusive character of the community participation process should be examined on the basis of actual involvement of ordinary community members themselves. In an influential description which might surface as a deliberate attempt to address this question, Fung (2006:67) outlines five “common mechanisms” through which individuals become eligible for selection as participants in
decision-making. The first mechanism raised by this author is the *self-selected* category, in which the mechanisms of participation are open for any community member who wishes to attend to do so freely. For example, if there is a community mass meeting (imbizo), everyone is welcome or invited to attend. Although these spaces encourage direct participation, Fung (2006:67) cautions that individuals who usually choose to take part in such decision-making processes are often not representative of the entire community. The educated, the wealthier, and the politically powerful usually attend far more often than powerless, uneducated and poor individuals (Fung 2006:67).

The second category of participant selection (mechanisms) introduced by Fung (2006:67) is that of *selectively recruited* participants. Such participants are recruited openly from various groups within the community. Such a selection is based on individual interests. For instance, community members who live very close to mine operations and are adversely impacted upon by mining activities are more likely to attend public meetings organised by their leaders (local chiefs etc.) and maybe by the mining bosses to discuss critical issues about land use or environmental pollution and other forms of negative mine impact. Communities or individuals who experience less impact of mine pollution may find little interest in such gatherings.

The third mechanism is that of *random selection* of participants from the general population or community through various techniques such as “deliberative polling, citizen juries” and others (Fung 2006:67). This technique may seem to advocate for improved public representation. However, it is not clear as to how this could be possible in situations where people, even if selected to participate, may still refuse to take part, especially if they perceive the whole process as less beneficial for them. The fourth category of participants suggested by Fung (2006) is that of *lay stakeholders*. Lay stakeholders comprise certain individuals who choose out of their free will to represent other community members with similar interests as theirs, since the latter, for one reason or another, choose not to take part. For example, lay stakeholders could be certain members of a village environmental forum who voluntarily attend meetings with other stakeholders on behalf of other members in their village, who, due to other obligations (work, health status and others) are unable to attend. The final technique is the one of public engagement through paid *professional stakeholders*. Unlike lay stakeholders who participate on a voluntary basis using their own resources (time, money and
others), professional stakeholders are paid representatives of community interests due to their expertise, knowledge and skills.

Like many analysts, Fung (2006) pays little attention to the reality of voluntary exclusion or self-exclusion by individuals who may decide not to be part of decision making for one reason or another. Numerous situations exist where people decide not to take part in a participation process. Cornwall (2008:279) affirms that there are circumstances in community participation where people simply cannot participate in decision making. For instance, as Cornwall (2008:279) illustrates, the time and the venue of the meeting may not be convenient for some community members due to work commitments, distance, nature of venue, and many other hindrances. Another important reason could be the negative encounters, such as for instance being silenced or ridiculed by those who dominate public meetings, which can also lead to lack of confidence among less powerful community members. Some people might also feel that they cannot make meaningful input since their ideas and contributions “are more likely to be laughed at” (Cornwall 2008:279).

3.9.3 ‘Voice’ and ‘influence’ – the power dimension

Drawing insight from the summation of various typologies of participation made earlier, it is a requirement that all citizens should possess a significant level of influence over the decision-making processes (Arnstein 1969). Indeed, while it is crucial for ordinary community members to have a space to voice their interests and aspirations, it is one thing to have a “voice” and another altogether to convert that voice into a collective decision. Wondolleck, Manring and Crowfoot (1996:250) confirm this ideal by alluding to some of the contemporary dilemmas in natural resource and environmental decision-making in the following empirical argument:

[communities] can now find themselves an equal partner with business and government, setting policies, establishing programs and making other decisions that affect the communities in which they live, the air they breathe, and the water they drink. They are involved in making decisions governing the management of public resources from local to national levels over which they used to have very little influence (Wondolleck, Manring & Crowfoot 1996:250).

If the argument raised by these analysts is carefully followed, one can easily ‘pick up’ the classical paradox of having a voice in decision-making but still being deprived of power to influence any important decision. Therefore, an individual’s influence over decisions will still
determine the level of involvement each participant will have. The said paradox rests squarely in the heart of the most prevailing dimension in community participation – the power dimension. Gaventa (1980:5) argues that power in community participation can only be effectively examined through the fundamental question, originally asked by Nelson Polsby, that is, “who participates, who gains and loses, and who prevails in decision-making?” So crucial is this question that the International Institute for Environment and Development (IIED) has even designed twenty-six ‘Power Tools’ to bring awareness of equitable power distribution in resource-engendered community development contexts. The following definition of Power Tools by IIED provides their meaning and purpose:

Power tools [are] instruments, approaches, schemes, devices and methods … for tackling the differences in power that impede policies and institutions from achieving equitable natural resource management. A policy tool can be defined as a mechanism for influencing decisions and decision-making about natural resource management. Power tools are policy tools that address power asymmetries between marginalised and marginalisers (IIED, 2004).28

The IIED analysts developed the power tools as simple schematic guides for rural actors (specifically those involved in decision-making) in forestry and land management to understand the dynamics of power and to promote equitable distribution of natural resource benefits. Such tools are essential otherwise unilateral control of decision-making by those with power is almost inevitable. An illustration of these dynamics of power is found in Simon-Vandenbergen’s (2007:1420) empirical thesis of “lay and expert voices in public participation”. This analyst demonstrates, through a careful examination of several extracts from an episode of television talk show, how “expert guests” and “lay guests” tend to bring different discourses and how the voice of the experts tend to dominate and prevail over that of the lay participants due to the knowledge and status of the former (Simon-Vandenbergen 2007:1420-1435). It is this background of power asymmetries in the decision-making “voice” that might have motivated Gaventa (2005:25) to suggest three forms of power that prevail in decision-making: visible, hidden and invisible power. According to this author the visible form of power “includes the visible and definable aspects of power” which include codified law or formal regulations (Gaventa 2005:25). An appropriate example in this context could

28 This definition was drawn from the IIED website: http://www.policy-powertools.org/whatis.html [on 02 March 2011]
be the BEE Scorecard for the broad based socio-economic empowerment charter which regulates the operational practices of the mining companies in South Africa.29

Hidden power is a form of power exerted in the most clandestine fashion. The powerful elite members of a group or community tend to control decision making processes in “less obvious” ways (Gaventa 2005:25). For instance, even if everyone is free to attend community meetings, if their “voice” does not have sufficient power to influence the outcomes or decisions they are not truly participating. Gaventa (2005:25) also asserts that the elite members of the community are often fully conscious of this concealed asymmetry in power distribution. However, the “power-holders” (Arnstein 1969) want to maintain this situation because operating with hidden power helps to keep the marginalised members mollified under the guise that they are ‘participating’. Invisible power is the kind of power that operates through “socialised consent”, as Gaventa (2005:25) posits – power functions in most clandestine ways to influence how people think about their inclusion, exclusion and acceptance. In actual fact, the power-holders use this power to prolong exclusion of powerless citizens by determining and defining what is acceptable and good for the community or group. Through this manipulative process, the marginalised citizens could remain unable to challenge the status quo and therefore suffer exclusion and immiseration.

However, it should be warned that the ubiquity and ambivalence of the concept of power makes it subject to extensive theorisation by several scholars and analysts. An elaborate review of dominant theoretical strands of power is presented in Gaventa’s (2003) seminal thesis titled: “An overview of theories of power since Lukes and their application to development”. In this influential draft essay, Gaventa (2003), attempts to examine how power is conceived and applied in development. This author goes on to present a fairly exhaustive exploration of different theoretical strands of power with the purpose of evaluating how these perspectives have been employed in specific cases. Such theoretical perspectives (as covered in Gaventa’s 2003 essay) include the works of Foucault, Laclau and Mouffe, Hardt and Negri, Giddens, Bourdieu, actor-network theorists, De Certeau and Scott (Gaventa 2003:3-18). Nonetheless, the current thesis will not attempt to carry out an exhaustive discussion on various theoretical perspectives of power. Such an undertaking is far beyond the scope of this study.

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29 See a detailed discussion on the BEE Scorecard in Chapter Six.
Voices of the powerless members in a community need to be strengthened if they are to influence any important decisions. The authorities need to be willing “to convert professed commitment to participation into tangible” action and to support and be involved in groups that continue to mobilise for equitable decision making and “change” (Cornwall 2008:278). While working with Arnstein’s (1969) ladder, Wondolleck, Manring and Crowfoot (1996) began to realise that, although there are worthwhile benefits for poor citizens when the latter manage to reach the top “rungs” of the ladder of participation, however, reaching this level of participation has its own limitations. Based on their work which focused on “citizen participation in alternative dispute resolution processes”, these writers contend that the previously excluded citizens face a challenge of finding themselves “teetering at the top of Arnstein's ladder” when it comes to sitting face to face with the authorities or the power-holders (Wondolleck, Manring & Crowfoot 1996:250). For these analysts, the most pertinent and vital questions to ask when the previously excluded citizens reach the top of participation ladder are:

What happens when those who demand change but who have historically had low power and been excluded begin participating directly and collaboratively with government and other parties in addressing issues of mutual concern? Is the lamb walking into the lion's den? (Wondolleck, Manring & Crowfoot 1996:250).

The questions raised by these analysts are crucial towards an in-depth understanding and examination of contemporary dynamics of power and how it affects people’s level of influence in community participation. In fact, these questions are timely when applied in the examination of the nature of participation in South Africa’s platinum-rich traditional communities such as the Bafokeng and Bakgatla communities whose traditional authorities are now grappling with the challenge of equitable distribution of vast mineral wealth. It is yet to be known whether collective control of mineral wealth and the contemporary character of participation in platinum wealth utilisation in these communities have created meaningful opportunities or just ‘lions’ dens’ for the ‘lions’ to feast on helpless ‘lambs’.

Therefore, it is behind this background that the current thesis adopts a “three dimensional ladder of participation” as an appropriate conceptual scheme. Such a scheme is constructed mainly from Arnstein’s (1969) ladder and other subsequent typologies and theoretical schemas (that were discussed earlier). As earlier indicated, there are many dimensions of community participation. Some have been briefly summarised in above. Nevertheless, to
avoid ambivalence and in order to maintain focus only three were applied in the adopted conceptual scheme.

Figure 3.4 The Three-Dimensional Ladder of Community Participation

It should be emphasised once more that two more dimensions of participation (selection of participants, and creation and ownership of space) have been added to Arnstein’s (1969) single dimension of “degrees of citizen power”. The current study employs the three-dimensional ladder of community participation as an appropriate typology to examine the character of community participation in decisions about platinum wealth distribution and community development in the two study communities. In contrast to Arnstein’s (1969) original, eight-runged, ladder typology, the suggested three-dimensional scale of participation
has five levels. However, just like Arnstein’s (1969) ladder the suggested scale has also adopted a largely normative\textsuperscript{30} premise.

Apparently, the level of an individual’s power to influence decision making seems to dominate the other two dimensions. Nonetheless, the aim is not to achieve equality among dimensions of participation. Rather, the goal is to demonstrate that community narratives of contemporary community participation can no longer be adequately analysed through a single dimension –“degrees of citizen power” (Arnstein 1969) – a multi-dimensional approach is more appropriate. Therefore, a combination of at least three dimensions can lead to a better understanding of some of the critical questions, such as, for instance, why some people decide to participate and others not to participate while others remain largely excluded from key decision-making platforms. Undoubtedly, such vital questions would be ineffectually examined through a single-dimensional conceptual scheme.

From the bottom, hierarchy levels 1 and 2 are the two levels of manipulated participation namely: neglected and patronising levels. At the neglected level ordinary community members are largely marginalised. They have no voice in decision making. The voices of the poor are ignored; hence they will be obliged to create their own spaces of participation (fora/forums) where they will mobilise for their right to participate fully. Such forums have great impetus to instil hope among the marginalised groups in mining communities challenged with the enormous negative impact of mining, especially if the voices of the poor are ignored by their authorities. At the patronising level, the ruling elite, be it local government administration or traditional authorities, tend to be responsible for the delivery of essential services required by the community. Involvement of the powerless in decision-making is still non-existent. Members within the community who pledge and display loyalty towards the power holders (or community leaders) receive benefits and due rewards (in the form of money, jobs, positions, business opportunities, financial support for businesses and other benefits) as a reward for their loyalty. At this level patronage is heightened. So intense is patronage at this level that, even if there are democratically elected community representatives for the interests of the poor, the former become much more vulnerable to manipulation by the ruling elite who have power and control over community resources.

\textsuperscript{30} It seems to suggest that there are “good” and “bad” forms of participation, or participation is a good thing.
The third level of this ladder features an *informing* type of participation. This level is characterised by mainly ‘top-down’ forms of information dissemination and expert reporting as forms of *symbolic/tokenistic involvement*. Sharing and distribution of information is generally regarded as effective participation by the elite who tend to decide alone and disseminate the information thereafter to the general populace. However, it must be acknowledged that information-sharing and reporting do or can amount to transparency (a widely adopted principle of democratic theory). Information dissemination can be in the form of community newsletters and magazines, billboard notices and adverts – all conducted in the name of “informing” or “consulting”. It is also essential to note that this level of participation is characterised by elite dominance and “ideological manipulation” (Bell & York 2010:117) since those in power have enormous opportunity to select what information to share and what to conceal. For instance, mining companies in desperate pursuit of securing operating licences may hide information about the negative ecological impact of their operations and therefore mislead rural communities who live close to the mines. Moreover, if there are appointed experts, they can wittingly or unwittingly employ technical language that is inaccessible to the uneducated majority of the members of traditional communities when they report on community investments and development projects. This is a typical top-down, technocratic, expert-dominated model of participation which Bruns (2003:12) appropriately describes as a “decide-announce-defend” model (DAD) – hence this level constitutes a symbolic form involvement.

The level of *Community control* can only be reached at the last two “rungs” situated high up at the top of the ladder – the *collective decision-making* and *empowerment and support* levels. At these two levels, the leaders of the community exhibit considerable volition to create flexible participatory platforms and to educate poor community members on the decisions before the decisions are made and implemented. If the commitment and will of the local authorities to enhance community capacity building and to empower the poor community members endures, then the degree of community participation will reach the highest level of this typology – empowerment and support level (Choguill 1996:442). At the empowerment and support level participation is not only characterised by grassroots involvement and active deliberation but there is also evidence of collective action, partnerships and conspicuous will on the side of local authorities to support individual or group-organised projects.
It should be clarified once more that the other two dimensions (that is, the dimension of selection of participants, and creation of participatory spaces), unlike the power dimension do not merely determine the level of influence one has in decision-making. However, these dimensions help enhance an in-depth analysis of community narratives, not only towards understanding of the level at which different community groups and individuals are participating but also towards an understanding of who participates, who does not participate, why, and how the ownership and creation of spaces for participation tend to affect the manner in which community members perceive contemporary distribution of mineral wealth.

3.10 Conclusion

The imperative of ensuring that communities co-determine their future through participation in development decisions ‘cuts through’ as the main theme in all discussions presented in this chapter. Evidently, the moment of “jumping off” Arnstein’s ladder (as some critics suggest) has not yet come. However, this much celebrated conceptual ladder of participation has its limitations, some of which have been discussed in this chapter. It is on the background of such shortfalls that the current thesis adopts the three-dimensional ladder of community participation as an appropriate conceptual scheme of analysing community narratives about the character of participation in platinum wealth utilisation. The terminology for such a scheme is largely derived from Arnstein’s conceptual ladder of citizen participation and other subsequent typologies, including Choguill’s (1996) “ladder of community participation for underdeveloped countries”, the “extended ladder of participation” (Bruns 2003), Wilcox’s typology of “five levels of participation” (Wilcox 1994), Gaventa’s (2006) “power cube” and several other theoretical spectrums that have been explored in this chapter.

The next chapter marks the end of Part1. It discusses in detail the research methods used in this study and how, through these methods, the researcher sought to accomplish the main objectives of the thesis.
CHAPTER FOUR
THE STUDY METHOD

4.1 Introduction
As already indicated in Chapter One, the main purpose of this study is to understand the character of community participation in platinum wealth utilisation and the conditions under which community participation promotes or hinders sustainable community development. The current chapter details the research methods that were adopted to accomplish this purpose: trying to connect this purpose to the appropriate research methods is crucial. Hence once more, it would be useful to elucidate the key questions that guided this study. These questions are reproduced in Figure 4.1 for the convenience of the reader.

The following questions guided this study:

i. What are the main attributes of community participation in platinum wealth distribution and how do such attributes intersect with the institutional systems of traditional administration in the study communities?

ii. What are the main narratives about participation in the study communities and how are such narratives mobilised by different segments of the local population?

iii. What do the local narratives reveal about:
   a) local attitudes towards indigenous systems of community governance,
   b) the relationship between the communities and mining corporations, and
   c) the relationship among different segments of the two communities?

Figure 4.1 Research questions – reproduced from Chapter One

The first question sought to examine the main attributes that underpin community participation in platinum wealth distribution. Through this question, this study endeavours to establish how participation attributes relate to the institutional systems of traditional administration in the two study communities. Attributes of participation in this case refer to ontological, characteristic abstractions of community participation as they surfaced during empirical examination of grassroots narratives. The second question evaluates the dominant grassroots narratives about participation and the manner in which these are expressed. The third question examines these narratives against: a) community attitudes towards indigenous systems of community governance; b) the relationship between the communities and the mining corporations operating in their midst; and c) the relationship among different segments of the two communities. These questions guided this study towards a more interpretive paradigm and in-depth qualitative approach, hence ethnography was employed in this study to obtain an in-depth perspective.
The fieldwork, was preceded by a pilot visit to the Bafokeng community in 2008, took place between July and November 2009. During this time, the researcher stayed and interacted with respondents in the Bafokeng and Bakgatla Ba Kgafela communities for four months. Subsequent to this fieldwork, sporadic visits to the research sites were also made in 2010 and 2011. The methods adopted in this thesis sought to provide a detailed and rigorous, qualitative examination of grassroots narratives about the character of community participation in the mobilisation of mineral wealth in the study communities.

In the subsequent sections of this chapter, the design of this study is discussed in detail and the justification for research techniques adopted is also presented. Furthermore, this chapter also highlights, in depth, some of the key dilemmas, challenges and triumphs that characterised ‘the politics’ of data collection.

4.2 Research Sites

The fieldwork was conducted in the platinum-rich Royal Bafokeng and Bakgatla Ba Kgafela traditional communities in South Africa’s North West Province. These two traditional communities were chosen because of their unique positions in the South African extractive economy: they exercise indigenous rights over minerals (mainly platinum) extracted in their territories, which enables them to receive royalties directly from mining corporations and also to have equity partnerships with the companies. They are, therefore, ideal sites for studying the paradoxes that could arise from this degree of community participation in the natural resource economy.

The Royal Bafokeng community (or Royal Bafokeng Nation – RBN) has 29 villages in all. Three villages were selected as the actual sites for this study in the Royal Bafokeng community, that is, Phokeng (the capital territory that many refer to as a “town”), and two mining villages, Kanana and Luka. The villages were selected either because of their proximity to the mines (villages close to the mines are likely to experience more impact from mining in comparison to villages located far away from the mines) or because they are the

31 Bafokeng also enjoy private rights. This is discussed at length in Chapter Seven.

32 “Phokeng” is also generally used by locals when referring to all 29 villages under Royal Bafokeng Administration (RBA).
capital regions of the study communities and therefore are major population centres. Luka and Kanana villages were selected due to their close proximity to mining activities. Luka is the village with most mine shafts, followed by Kanana and Chaneng villages.

Figure 4.2: Location of Royal Bafokeng Community\textsuperscript{33} in North West

Phokeng is generally regarded as the main administrative ‘town’ of the Bafokeng community. All the offices of Bafokeng tribal entities (administration, education, sports, and local economic development) are also located in Phokeng. The conventional geographic nomenclatural categorisations such as, for instance, ‘town’ and ‘village’ or even ‘rural’ and ‘urban’ can no longer provide a precise description of Phokeng. This dilemma is rooted in the fact that Phokeng projects a mystifying hodgepodge of modern and rural infrastructure. Such a contrast is epitomised by, among others, the multi-million world-class Bafokeng Stadium, the road infrastructure, the shopping mall, the health facilities, and the modern-built

\textsuperscript{33} The red arrows indicate the location of the selected villages in the Bafokeng community. (Source: www.bafokeng.com)
educational facilities and modern-built houses (especially along the Sun City Road) alongside an ostensibly rural persona of pit latrines (in almost every household), the patches of old dilapidated houses and shacks, the patches of grazing land and others.

Phokeng forms a significant portion of the so called Capital Region in the RBN’s Masterplan. The RBN Masterplan refers to Bafokeng villages as ‘towns’. However, this nomenclature has been avoided in this thesis because it lacks geographic, historical, political, and anthropological evidence to support it. The term ‘village’ is applied in this study to describe the demarcations within the Bafokeng community. It is against this background that Phokeng village became a vital research site for this study – administration of community mining assets and other community development projects take place in this village. Moreover, Phokeng is geographically the largest, most populated and most developed Bafokeng village because of its infrastructure.

The three Bafokeng villages selected in this study have the largest population sizes compared to all other villages in this community: Phokeng is the biggest in terms of population distribution, Luka is the second most populated village and the third is Kanana (Bench Marks Foundation 2007). As indicated earlier, physical diameter and population size were not the main factors determining the selection of the villages included in this study. Luka and Kanana, despite their relative larger population sizes, were mainly selected because of their proximity to the mine shafts, open pits and smelters. In fact, at the time of the study, Luka and Kanana had more mining activities operating in their territory than any other village within the Bafokeng jurisdiction.

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34 As outlined in the Masterplan document. The standard spelling is ‘Master Plan’, however, the researcher adopts the spelling used by RBN which is “Masterplan”.

35 The Masterplan is RBN’s comprehensive document which guides infrastructural development in this community. More details about this document are provided in Chapter Seven.

36 The RBN Masterplan can be downloaded from http://www.bafokengholdings.com/a/files/RBH_masterplan_oct07.pdf
Plate 1: A mine shaft located a few hundred metres from the homes of residents in Luka

Plate 2: One of the open pit mines owned by Impala Platinum in Kanana village
Primarily, the study targeted community members in the three selected Bafokeng villages. However, during the course of the fieldwork it became apparent that it could be more fulfilling and beneficial not to limit the scope of this study to only one community, hence the researcher extended the study to select two more villages from another Tswana community – the Bakgatla Ba Kgafela traditional community, whose land is also richly endowed with platinum ore, almost 40 kilometres north of Phokeng. This community is also located on the western limb of the Bushveld Igneous Complex. The Bakgatla community in North West Province has 32 villages in all. In this community, the study took place in two villages: Moruleng and Lesetlheng. Moruleng, formerly known as Saulspoort, is the main administrative centre of Bakgatla Ba Kgafela. It is obviously the biggest village of Bakgatla, with overt sparks of modernity as Bakgatla Ba Kgafela Traditional Administration is rapidly investing in infrastructure. Such infrastructure includes roads, new tribal offices, a post office, the 20,000 seater Moruleng Sports Stadium, and other community development projects. Although Lesethleng is situated very close to Moruleng, it is much smaller and projects a more rural physical character than Moruleng.

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37 See more information about the western limb in Chapter One.

38 Local people also use the term “Moruleng” when referring to the entire area (of 32 villages) occupied by the Bakgatla Baga Kgafela below the Pilanesburg mountains.
It should be cautioned, however, that although the Bakgatla have a larger population (350,000), the Royal Bafokeng community had a higher representation in the study due to its relative economic visibility, especially in terms of the size of its economic investments. Moreover, the sample of villages selected (3 out of 29 villages of Bafokeng, and 2 out of 32 villages of Bakgatla) is quite small. Thus, it is crucial to warn that the empirical data reported in this study do not serve the purposes of generalisation beyond the villages and participants selected in this study. Therefore, the findings generated from these modest samples may not necessarily give an overall picture of community perceptions about the character of participation or of patterns of community conflict associated with platinum royalty utilisation in the study communities. Nonetheless, the qualitative methods employed during the

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39 The reader should note that the study villages are pointed with the red arrows. (Source: http://www.bbkta.co.za)
fieldwork provided an in-depth and broader understanding of the contemporary narratives about the character of participation in mineral wealth distribution within the selected villages.

4.3 Empirical evidence and an interpretive paradigm: Ensuring data trustworthiness

Qualitative researchers should … strive to eliminate or control sources of subjective bias in the same way as quantitative researchers do (Terre Blanche, Kelly & Durrheim 2006:273).

Ever since qualitative research emerged in the world of science, it has not been without uncertainties, sceptics and criticisms, especially from ardent proponents of the alternative methodology – the quantitative research tradition. Concerns and uncertainties with regard to naturalistic research arise primarily with debates on validity of research findings and the possibility of qualitative researchers maintaining an objective stance during data analysis and interpretation (LeCompte & Goetz 1982:31; Riege 2003:75; Bashir, Tanveer Afzal & Azeem 2008:35). It is mainly these reservations that particularly epitomise the disagreements around the ontological and epistemological distinctions between qualitative and quantitative research traditions.

The researcher carried out this study being fully conscious that such an undertaking is no ‘walk in the park’ since qualitative research has a broad ‘multiparadigmatic’ world view with special emphasis on a naturalistic perspective towards “interpretive understanding of human experience” (Denzin & Lincoln 2000:7). Of course, if this study were of quantitative nature there would be fewer challenges in achieving a greater degree of reliability and replicability of findings since quantitative researchers work with controllable, known and manipulated sets of variables and numerical data representation (Golafshani 2003:597). To maintain a reasonable balance, it is necessary to avoid “methodological idolatry” – an obsession and preoccupation with seeking to establish the validity of qualitative research and sadly jeopardising opportunities of “creativity” (Whittemore, Chase & Mandle 2001:526).

Perhaps the following simple definitions of the two concepts (validity and reliability) will help shed light on how they were employed in this research. Bashir, Tanveer Afzal and Azeem (2008:35) define qualitative research validity as “the extent to which the data is plausible, credible and trustworthy; and thus can be defended when challenged”. Reliability when applied to qualitative research is in essence about testing the quality of the study (Golafshani 2003:601). Simply put, reliability refers to scientific concerns about the
replicability of the findings and validity is mainly concerned with the accuracy of data and the findings thereof. Therefore, validity and reliability afford the necessary quality which produces trustworthy findings. Conversely, the testing of trustworthiness is vital in ensuring reliability and validity in qualitative research (Golafshani 2003:601). Despite the general waning of scholarly support for replicability of the findings in qualitative inquiry for some obvious reasons, there should always be legitimate concerns about the trustworthiness (Marshall & Rossman 1999:24; Shenton 2004:63) of every scientifically or empirically produced piece of knowledge. Trustworthiness was considered carefully during the design and implementation stages of this study. Qualitative research design requires carefully planned strategic choices to be carried out. Guba and Lincoln (in Guba 1981:79-80) suggest that the key questions about trustworthiness in qualitative research design should be asked in connection with four critical concerns: truth value, applicability, consistency and neutrality.

To enhance trustworthiness of the findings presented in the current study, a set of activities were carefully executed. These included, among others, the pilot study, record keeping and peer validation.

**4.3.1 The pilot study**

In an endeavour to ensure that the empirical measurements employed in this study sufficiently portray the actual meaning of the phenomenon under examination (Babbie & Mouton 2011:122), a pilot study was conducted in May 2008 in three Bafokeng villages: Phokeng, Luka and Photsaneng. As already stated, the research context was not known to the researcher prior to the fieldwork. This pilot visit, therefore, was to enable the researcher to familiarise himself with the area and to gain further insight for purposes of validating the questions guiding the broader study. Chiefly, the aim was also to pilot the methods of research employed in this study so that weaknesses could be mitigated. Preliminary interviews were conducted with a small sample of Bafokeng community residents. These

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40 Qualitative research generates data mainly through “in-depth, field research measurements” (Babbie 2007:314) that are subjective and heavily based on an individual’s personal judgments about the particular phenomenon, therefore such subjective accounts cannot be replicable exactly as they have been produced in the previous research encounters as the concept of reliability requires. Hence, more emphasis is laid upon validity rather than reliability in the current study.

41 As already mentioned, the study was primarily planned to take place in the Bafokeng community. A decision to include Bakgatla was reached later during fieldwork (see explanation under section 4.1 in this chapter).
were semi-structured interviews conducted with 13 respondents purposively selected mainly on the basis of their socio-economic status and their social standing in the community. One of the respondents, for example, was a kgosana (local chief) of about age 50. Another was a local businessman. One school teacher (a deputy principal in one of the local primary schools) was also interviewed. Three women (aged between 50 and 63), four young women of between 18 and 27 years of age, and three young men aged between 21 and 32 made up the sample for the pilot interviews. Other categories of data collected during this visit were in the form of non-participant observation and a review of community bulletins. The preliminary results based on this pilot visit were analysed and a manuscript was published in 2009.\(^{42}\)

4.3.2 Records and peer validation
As will surface in the subsequent sections, data was collected mainly through in-depth ethnographic interviews and observations. Extensive field notes were taken during the fieldwork, interview sessions were recorded on a digital tape recorder and full transcripts were produced afterwards. These measures enabled the researcher to adequately keep track of the fieldwork proceedings. Care was taken to ensure that the analysis and interpretative techniques adhered to the accepted sociological norms for dealing with qualitative data (see section 4.5 below). To the best of the researcher’s ability, there was post-fieldwork involvement of respondents in the validation of the interview transcripts.\(^{43}\) These steps, among others, ensured that the data, analysis and the resultant conclusions of the study are trustworthy.

4.4 Data collection

Regardless of the discipline or the methods used for data collection and analysis, all scientific ways of knowing strive for authentic results (LeCompte & Goetz 1982:31).

In line with the qualitative account adopted in this study, the researcher used mainly in-depth interviews and ethnography as the main methods of data collection during fieldwork.

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\(^{42}\) See Mnwana and Akpan (2009).

\(^{43}\) However, it was not possible to do this with all the respondents due to time and financial limitations.
4.4.1 In-depth interview

To examine the narratives about the character of participation, semi-structured interviews were conducted with 97 respondents from both study communities (60 from Bafokeng and 37 from Bakgatla). Respondents were purposively selected mainly on the basis of their socio-economic status and their social standing in the community. Respondents included, among others, local small business owners, youth leaders, members of community forums, school educators, local youth, residents who occupy or own the plots of land, ordinary local men and women with whom the researcher interacted informally during sporting activities, weddings, cultural activities, community meetings (*kgotha kgothes*, *lekgtlas*, meetings of business and environmental forums), funerals and other informal ways of interactions.

Among these were in-depth interviews conducted with key informants who have significant roles in the study communities, including local administrators, traditional councillors (retired and active), officials from the mining companies, youth leaders, leaders of village forums, officials from community-owned corporate entities, and *dikgosana* from the selected villages. These key informant interviews were mainly aimed at investigating the main attributes of community participation in platinum wealth distribution and how these intersected with the traditional institutional systems of participation. Leaders of local civil groups, local municipal officials (including municipal councillors) and mine officials also formed part of the key informant interviews. These interviews were instrumental in producing data on community participation in the mining economy and how it has shaped local relationships between the community, the mine and the state. Definitions of the term “key informant” differ depending on how this concept has been applied in particular social research contexts. In this study, the definition that guided the researcher in selecting key informants is the one presented by Babbie (2007:186), who suggests that a key informant is

\[
\text{[s]omeone who is well versed in the social phenomenon you wish to study and who is willing to tell you what he or she knows about it. (Babbie 2006:186)}
\]

Key informants were included in this study mainly because of their leadership roles, nature of involvement with and knowledge about the study communities. Careful selection of key informants was undertaken through purposive and snowball sampling procedures. For instance, one significant snowball procedural practice occurred when the head of the research unit of the Royal Bafokeng Administration gave the researcher a detailed list of names and

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44 Hereditary headmen who inherit this position from their fathers. Kgosana – singular.
contacts of all Bafokeng dikgosana. With this, the researcher was able to secure interviews with the dikgosana who were willing to participate in the study. However, as will be discussed later in this chapter, securing interviews with some dikgosana proved difficult due to tensions in the study communities. Although the Bakgatla are said to have a larger population (350,000), the Royal Bafokeng had a higher representation in the study due to its relative economic visibility, especially in terms of the size of its economic investments. Figure 4.3 provides a numerical breakdown of respondents.

<table>
<thead>
<tr>
<th>VILLAGE</th>
<th>COMMUNITY</th>
<th>GENDER DISTRIBUTION</th>
<th>TOTAL</th>
</tr>
</thead>
</table>
| Phokeng   | RBN       | M = 17
                 F = 13 | 30    |
| Luka      | RBN       | M = 9
                 F = 6  | 15    |
| Kanana    | RBN       | M = 8
                 F = 7  | 15    |
| Moruleng  | BBK       | M = 14
                 F = 7  | 21    |
| Lesethleng| BBK       | M = 9
                 F = 7  | 16    |
| Total #   |           |                     | 97    |

Table 1. The numerical distribution of interview respondents: Royal Bafokeng (RBN) and Bakgatla Ba Kgafela (BBK). M = Male respondents. F = Female respondents.

Deciding on qualitative sample sizes can be a daunting exercise. It must be cautioned that the researcher’s main goal with this modest sample size (97 respondents) was not to derive empirical accuracy through representative sample procedures, but rather to interview enough respondents to produce sufficient data for generating rigorous empirical knowledge about the attributes, patterns, trajectories and dimensions (Thomson 2004:4) of the character of participation in the study communities. Such a goal is premised at the centre of grounded theory’s empirical strategy of “theoretical saturation” (Thomson 2004:4), alternatively termed “data saturation” (Marshall 1996:523). The concept of data saturation, as Marshall (1996:523) has pointed out, unravels as the researcher continues interviewing respondents, “as new categories themes or explanations stop emerging from the data”. Thus the selected sample for the in-depth interviews served provided sufficiently detailed data to cover the objectives of the thesis. Such a phenomenon is confirmed by Marshall’s (1996:523) assertion that in a qualitative study “an appropriate sample size … is the one that adequately answers the research question”.

86
The age distribution of the respondents was between 18 and 77\textsuperscript{45}. Some information on demographic distribution of respondents will, where necessary, be outlined in Chapters Eight and Nine – the chapters where the fieldwork results are presented. It will be apparent that male respondents dominated in numbers. This can be attributed to the common disposition of male dominance prevalent within traditional institutions of leadership in South Africa and elsewhere. For instance, all dikgasana are male and males seem to dominate even the leadership positions of corporate entities in the study communities. Moreover, the leadership of traditional administration in the study communities was male-dominated. It is against this background that male respondents were in the majority in in-depth interviews.

A relevant definition of in-depth interviewing in the current context is provided by Minichiello et al. (in MacDougall & Fudge 2001:119): they define in-depth interviews as:

repeated face-to-face encounters between the researcher and informants directed toward understanding informants’ perspectives on their lives, experiences or situations as expressed in their own words (Minichiello, Aroni, Timewell & Alexander in MacDougall & Fudge 2001:119).

In-depth interviewing, like any other qualitative research method, is subject to diverse epistemological perspectives such as realism, constructivism, positivism and other positions. Such perspectives are significantly important to be taken into consideration, more especially in a study of this nature where the researcher himself was in many respects not familiar with the research sites before the fieldwork except for the pilot visit undertaken in 2008\textsuperscript{46}. As such, during planning and execution of interviews the researcher derived schema from Kvale’s (1996:3-4) two “contrasting” metaphoric positions that influence the thinking of qualitative researchers as they plan and conduct in-depth interviews – the interviewer “as a miner or as a traveller”. The miner metaphor is roughly a semi-positivist position which “sees knowledge as given” (Legard, Keegan & Ward 2003:139) or which envisages the interviewer as a “miner” and knowledge as a “precious metal” that is waiting to be dug out of the interviewee, “pure” and undefiled as it is produced by the miner (Kvale 1996:3). The researcher did assume this metaphoric position from time to time. For instance, during in-

\textsuperscript{45} It should be noted that 34 out of 97 respondents did not feel comfortable disclosing their exact ages to the researcher so the researcher had to estimate in such cases.

\textsuperscript{46} See the discussion on this issue under section 4.2 “Trustworthiness of data” earlier in this chapter.
depth interviews with local leaders and administrators, where a need arose, the researcher probed with questions that mainly targeted detailed content knowledge. Such questions were, in particular, questions that sought to obtain detailed information about the social organisation of the study communities or the structure of traditional system of governance. For instance, the researcher asked local leaders to list the community development and infrastructural projects that their community was engaging in and to specify the amount of money (cost) spent on each of those projects. Knowledgeable key informants were also asked specific questions about the representation of women and youth (numbers and percentages) in decision making, particularly on issues concerning platinum wealth utilisation. The factual-oriented character of such questions demanded careful application of the mine metaphor in order to ‘mine’ rich content of facts.

Kvale’s (1996:4) “traveler metaphor” proved to be the more appropriate position to adopt. This author imagines this theoretical stance as follows:

The interviewer-traveler wanders through the landscape and enters into conversations with the people encountered. The traveler explores the many domains of the country … The interviewer wanders along with the local inhabitants, asks questions that lead the subjects to tell their own stories of their lived world … What the travelling reporter hears and sees is described qualitatively and is reconstructed as to be told to people of the interviewer’s own country” (Kvale 1996:4).

The traveller metaphor became the dominant position that the researcher adopted when conducting in-depth interviews during the field research. When interviewing respondents in the study who are not equal in social or cultural status, wealth, education and otherwise, it became a fruitful data-generating exercise as the researcher ‘travelled’ with respondents at an equal footing during the interviews as he curiously explored the paradoxes that underlie the utilisation of mining revenues in the study communities through the narratives of the respondents about the character of participation. Legard, Keegan and Ward (2003:139) describe such a perspective as an interviewing position whereby:

knowledge is not given but created and negotiated. The interviewer is seen as a traveler who journeys with the interviewee. The meanings of the interviewee’s ‘stories’ are developed as the traveler interprets them. Through conversations, the interviewer leads the subject to newer insights (Legard, Keegan & Ward 2003:139).

It is through this ‘wandering’ interview position that the researcher was able to get the respondents to share their opinions (formally and informally) about, among others; their
participation in decisions about mineral wealth mobilisation, how platinum wealth was being utilised, the extent to which platinum wealth utilisation reflected collective local priorities, the relationships between local communities and the mines, feelings about participation and traditional systems of governance, how local relationships were influenced and affected by platinum wealth mobilisation models adopted the leaders of the study communities et cetera (see Appendix A). Such an approach to in-depth interviewing assisted the researcher to obtain rich interview data from most interviews because the interviewees saw themselves as significant role-players in this study – not mere informants or subjects. A position of this nature enabled the researcher not only to be concerned about the “content of conversation” but also to focus on “the process by which the content of the conversation has come into being” (Babbie & Mouton 2011:291).

The ‘traveller’ position also challenged the researcher to pay more caution to avoiding his own biases to tamper with validity and trustworthiness of data. Such an in-depth interviewing position allowed the researcher to be on an equal level with the interviewees and fostered a meaningful endeavour of collaborative knowledge construction. This became a strong feature through which the researcher was able to establish sufficient rapport and gain trust of respondents – both of which became invaluable pillars that kept the study in motion in the midst of immense challenges with which the data gathering phase of this study was fraught.

Conducting in-depth interviews was not smooth sailing. This was mainly due to two primary challenges that had to be taken into consideration during the planning and execution of the fieldwork. The first challenge that the researcher encountered was the issue of the language. The respondents in the study communities were Setswana speakers – a language in which the researcher is not proficient, either in communicating or in writing. Although some respondents agreed and were quite comfortable to communicate in English during the interviews, there were some respondents who were simply not competent in English. The researcher made use of the services of two Setswana interpreters: an unemployed 32-year-old (he was 32 in 2009) Mofokeng man from Luka village who helped interpret interviews.

47 The challenges that were mainly fuelled by local tensions are detailed later in this chapter.

48 Mofokeng – singular for Bafokeng.

49 Due to the tensions that existed in the study communities (as will appear later in the empirical chapters – Chapter Eight and Nine) the interpreters asked to remain anonymous and the researcher honoured this request.
conducted with Bafokeng community members, and a man in his late forties from Lesetlheng village who worked in Rustenburg at the time the fieldwork was conducted.

The choice of male interpreters should not appear as a form of bias. The interview venues and times were not determined by the researcher himself, but by the respondents. The male interpreters were flexible and had no problem with conducting the interviews with the researcher during inconvenient hours, such as late in the evenings. Such a gesture was not intended to undermine the significance of gender when conducting qualitative interviews. It should also be acknowledged that establishing rapport with female respondents was, at times, not as spontaneous as it was with some male respondents. This phenomenon is confirmed by Williams and Heikes’s (1993:281) observation that the majority of researchers who rely on “same-sex interviews” do this based “on the intuitive notion that rapport is more easily achieved in these contexts”. Although the topic of this study and the general content of the in-depth interview questions were not necessarily gender sensitive, it must be noted that sporadic elements of gender did surface at times during analysis of results, though not significantly (see Chapters Eight and Nine). This is no surprise considering that both the mining industry and the traditional institution of governance in South Africa are historically male dominated ‘terrains’.

The interview venues were subject to availability of space and time and convenience of respondents, and the interviews took place in different venues, including traditional administration offices, municipal offices and offices of the mining houses, homes, shopping malls, school buildings, local social, cultural and school functions, car parks, and sporting tournament venues. However, a few respondents agreed to be interviewed at the researcher’s residence in Phokeng, where the researcher rented a traditionally-built, one-roomed rondavel in the backyard of a plot owned by a local Mofokeng.

The interviews were all of a semi-structured nature. As already indicated, throughout the interview journey the researcher sought to understand narratives about the character of participation in platinum wealth distribution and the modes in which such narratives were expressed. Thus, the researcher made use of a flexible interview guide (see Appendix A) with a summary of topics and questions that were discussed during each interview (Arksey & Knight 1999:32; Kvale 1996:129). From these topics the researcher derived questions which served to guide the ‘conversation’ during the interviews. These interviews were driven
through what Babbie (2007:306) terms a “general plan of inquiry” with topics to be discussed rather than a pre-planned rigid interview schedule. The flexibility of the interview guide allowed the researcher ample liberty to probe the responses of individual respondents and to track any novel trajectoires of interests as they emerged during the interviews.

Nonetheless, this did not mean that there was no distinction of roles between the researcher and the interviewees as a result of this flexibility. The researcher had to constantly check on his role as the facilitator and also to ensure that the respondents did most of the talking. The interviews generally lasted for about 25–90 minutes each. Probing for more information came in naturally with this type of interviewing. As already mentioned, the help of a local Setswana-speaking interpreter was critical in overcoming the problem of the language barrier since the researcher was not competent in Setswana.

It also happened that some dikgosana respondents who participated as interviewees brought the secretaries or chairmen of their makgotla\textsuperscript{50} with them and had them assist with interpreting during the interviews since the former could not communicate well in English. Two dikgosana brought their personal interpreters during the interviews in the Bafokeng community. The presence of these interpreters, although beneficial, also posed another challenge. Quite often, the interpreters who came with the dikgosana to the interview sessions had a tendency to respond on their own on behalf of the kgosana instead of interpreting what was communicated. This had to be corrected before it had an impact on the data. Without dampening the spirits of the interpreter, the researcher simply allowed the interpreter to finish answering and then redirected the question again to the kgosana with a welcoming smile followed by words like ‘I see … that’s interesting indeed … perhaps Rhe\textsuperscript{51} … (mentioning the surname of the kgosana) would like to help clarify that issue for us? Let’s hear your take on this Rhe … before we go further with this discussion.’ Another way of discouraging interpreters from responding on behalf of the key respondents was simply to avoid constant eye contact with the interpreter when posing the question. The researcher would fix his eyes on the main respondent (the kgosana) and mention his name as the question was still being posed. This technique functioned well in minimising the problem without demoralising the interpreter.

\textsuperscript{50} Makgotla are the village councils headed by dikgosana. Kgotla – the singular.

\textsuperscript{51} Setswana for “Mr” or “Sir”.

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Of course, it should be acknowledged that the first instrument of data collection was the researcher himself. As is a widely accepted convention in interpretive paradigm, the researcher had to immerse himself in the data collection process and keep on par with the emerging themes and dimensions of data as the process of data collection progressed (Terre Blanche, Durrheim & Kelly 2006:322).

A digital tape recorder was used as the main recording tool during the interviews. The challenge of interviewee nervousness with the use of tape recorder was something that the researcher came prepared to handle with an optimal degree of professionalism. In very subtle ways some respondents displayed some degree of nervousness when the tape recorder was used. This did not come as a surprise, as tape recorders do stimulate some kind of nervousness in participants, especially those who are not used to being recorded (Arksey & Knight 1999:32). Hence, whenever possible, a considerable amount of time was invested before each interview in establishing good rapport and giving space for development of relationships and trust between the researcher and the respondents. The researcher had used the tape recorder before in several research projects, and this capital of experience became a priceless resource when it came to recording of interviews. Therefore, no major challenges were encountered when interviews were recorded. For some non-verbal cues and other relevant observations during interviews, the researcher made use of a notebook as an additional recording instrument. The constant recording of extra field notes using a field notebook and a pen was critical and very much in line with Jones & Somekh’s 2005 (2005:140) assertion that:

> Neither audio- nor video-recording replaces the need to make field notes, since technology only keeps a partial record and cannot replace the sensitivity of researcher’s ‘self’, open to nuances of meaning and interpretation. (Jones & Somekh 2005:140)

All recorded interviews were downloaded to a computer immediately after the interview sessions to open up new space for more recordings. They were then transcribed and stored as electronic copies. A backup electronic folder was stored in a separate external hard drive to prevent tragic loss of data. This prompt and constant interaction with the data allowed the
researcher to maintain close contact with the new accumulating data and to monitor the themes as they emerged.

4.3.2 Ethnography

Ethnography enabled the researcher to obtain a more in-depth understanding on the central questions of the study. As indicated earlier, the researcher stayed in the study communities for a total of four months between July and November 2009. During this period the researcher conducted unstructured participant and non-participant observations. A notebook was used to make daily records of observations. These strategies allowed the researcher to record relevant and accurate observations and interactions with interview respondents and other community members on a daily basis. This immersion in the study communities allowed the researcher to conduct well-informed qualitative analysis and descriptions of the study phenomena. This approach is well articulated in the words of Babbie (2007:393) who defines ethnography as

a study that focuses on detailed and accurate description rather than explanation. (Babbie 2007:393).

One could view the four-month stay and immersion in the study communities as motivated perhaps by an urge to fulfil the three fundamental attributes of ethnography initially demonstrated by Bronisław Malinowski52, one of pioneers of modern ethnography, which, Roldán (2002) lists as follows:

[H]e [Malinowski] spent ten months in the field; he lived with the indigenous; and he learnt the vernacular. (Roldán 2002:385)

Beyond achieving the above-listed “three … main traits” (Roldán 2002:385) of ethnography, a qualitative enquiry of this nature that sought primarily to produce rigorous empirical findings that elucidate the understanding of the contemporary paradoxes in participation and utilisation of platinum wealth required well-planned ethnographic procedures. Such a prerequisite impelled the researcher to keep in mind some of the vital features of ethnography identified by Atkinson and Hammersley (1994:248). According to these authors an ethnographic study must exhibit, among others, the following fundamental characteristics:

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52 Malinowski, (1884-1942) an anthropologist, contributed enormously to theory and practice of ethnography through his ten-months (1915-1918) fieldwork in the Trobriands or Kiriwina Islands of New Guinea.
An ethnographic study should focus upon examining the character of a particular social phenomena and not merely aiming at testing a certain hypothesis.

Ethnography tends to introduce a researcher into a culture of working with unstructured data – a data that was not systematically gathered by means of planned and structured categories of analysis.

Data analysis is more concerned with producing descriptions and explanations, verbally through researcher’s interpretations of human behavior. This kind of analysis renders statistical analysis and data quantification ineffective and at most grants the latter very minimal role. (Atkinson & Hammersley 1994:248).

Access to the research site had to be carefully planned and executed.53 A friend who is also a researcher and who lived in Johannesburg introduced the researcher to local trade union leaders, officials in the offices of National Union of Mine Workers (NUM) in Rustenburg who worked closely with both communities and mines that operate in the study communities. It was through the help of these informant networks that the researcher was able to establish contacts with Setswana-speaking members of the Bafokeng and Bakgatla communities. Within two days of arrival in North West Province the researcher was able to move out from the bed and breakfast accommodation in the city of Rustenburg into a back yard rondavel owned by a Mofokeng54 in Phokeng village. The researcher stayed there for the entire duration of the fieldwork, although he moved quite often between Phokeng and Moruleng.

Living less than 500 metres from the Royal Bafokeng Stadium, a Bafokeng-owned sporting facility that was being prepared to host six matches during the 2010 FIFA World Cup, the researcher coincidentally found himself in a historic location, at a historic moment. This was, indeed a moment of intensified activities in the study communities – from the upgrading of the stadiums and beautification and expansion of main roads et cetera. With Royal Bafokeng and Moruleng Stadiums selected as hosting grounds for the FIFA Soccer World Cup, the preparations for this historic moment presented an aura of urgency and novelty in the two study communities. Travelling from Phokeng to Moruleng by road was slower because the road was being widened and revamped all the way from Rustenburg to Pilanesburg area, via Sun City.

53 There were some challenges in gaining formal access in the Bafokeng community in particular, due to lengthy bureaucratic gatekeeping procedures. This is covered in detail later in this chapter (see section 4.6).

54 Singular for Bafokeng or a Fokeng person – literally referring to a member of Bafokeng people.
Ostensibly, there was no other moment where the advantages of platinum wealth were more evident in the study communities. Without their platinum wealth it would have been impossible for the study communities to construct the world class sporting facilities, hotels, traditional administration offices and road infrastructure.

Plate 3: Moruleng Stadium under construction in September 2009

It was also clear that the traditional leaders in the study communities were determined to capture the attention of the World Cup visitors and place their ‘traditional’ identities (‘Bafokeng’, ‘Bakgatla’) at the centre of global attention. Travelling on the main road that

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55 It is during this very period that the Royal Bafokeng Sports Campus and a five star hotel were under construction in Phokeng.
connects the Bakgatla villages of Lerome, Moruleng and Lesetleng the researcher was greeted by billboards welcoming visitors to Bakgatla villages, in Setswana and in English, with a smiling face of Kgosi Nyalala Pilane. The wording on the billboards varied: some read “Molao – tolamo le kagiso” (meaning: “law, peace and order”), others “Bakgatla ba a le amogela” (meaning “Bakgatla welcome you”). It was no surprise that Bakgatla leaders were promoting peace and order – tensions (see Chapter Nine) about platinum wealth distribution were heightened in this community. Perhaps it was due to these tensions that some of the billboards were vandalised (see Plate 4). When travelling in a minibus commercial vehicle (taxi) from Moruleng Taxi Rank to Lesetlheng, without being asked, a research assistant (here called Moses) commented: “look, [pointing at the billboard] this is the guy who calls himself our chief … people want him removed … he misuses the finances of the tribe [sic]”.

Plate 4: Welcoming billboards in Moruleng
Beside the afore-stated ‘World Cup splendour’, contradictions prevailed. In the researcher’s mind, the beauty of Phokeng along the main road incited sporadic amnesia about the poverty and inequality evidenced by repulsive images of dilapidated houses and numerous shack
dwellings visible in the study communities (see Plates 12, 14 and 15 in Chapter Nine). Nonetheless, some Bafokeng and Bakgatla people have built beautiful homes on their plots. One truly has to wonder: why such vivid disparities in communities that own platinum royalties? Some people live in decent modern houses while others can barely afford to build proper shacks. As the researcher enquired concerning this irony, he found several explanations. The most dominant explanation was that many Tswana people from the Rustenburg area worked in Johannesburg and came back home to build houses. Such an account is also confirmed by Bozzoli’s (1991) detailed empirical analysis of oral histories of 22 women from Phokeng. Bozzoli (1991) found that these women, although they were subject to the harsh realities of radical social and economic shifts marked by the decline of African peasantry, massive proletarianisation and racial oppression of African population in South Africa, their “life strategy” (Bozzoli 1991:237) was never to sever the ties and identities with Phokeng, their home ‘town’. In fact, Bozzoli (1991) found that most of her respondents went to work in the cities so that they could later return to build beautiful houses in Phokeng where they spent their years of retirement.

It must be noted, however, that although Bozzoli’s (1991) research was conducted before the Bafokeng community started receiving significant mining royalties, its findings could still be useful in explaining the current housing disparities since, as indicated in Chapters One and Seven, the Bafokeng’s platinum wealth is currently distributed towards infrastructural development – no royalties or dividends are distributed to individual households. Beside the fact that there are some newly constructed roads, clinics, tap water in every household, schools, et cetera, some may still struggle to have proper housing if they do not have means to build – just like in any other rural community in South Africa.

Some accounts were more subtle but still revealing. On Wednesday, 26 August 2009, the researcher had just finished an interview with a respondent next to Ramotse Primary School in Luka village and was having an informal conversation with the same respondent (a woman around 37 years old). When the researcher commented about some well-built modern houses in this village, the respondent, with a confiding tone, explained:

Don’t tell anyone it was me who disclosed this to you. It is a big secret among older women in our villages. [Laughing] Bafokeng women are clever. We are told that, back then when the mines started operating in our villages, unmarried Bafokeng women used to seduce miners from Mozambique, Lesotho, Eastern Cape and other places and convinced them to leave the hostels and come and
build houses in the village. It is said that once a miner finished building a house, the woman would chase him away. So, that is why you can find some old women living alone in big houses. Many of these poor miners left Rustenburg and returned back where they came from, penniless after building mansions for their mistresses.

The latter account may be difficult to ascertain but it does support the point that women have been docile in their response to their historical exclusion from the mining industry. In fact, it is through such narratives that one can deduce the active role of women in negotiating their concealed parts into the mining economy.

During the first week of the researcher’s stay in Phokeng he established close relations with two assistants who were also willing to get involved as research assistants in the study. One (he will be called Max here) was an unemployed active member of Luka Environmental Forum from Luka village\textsuperscript{56} (he was 32 in 2009) who was also a former employee of Bafokeng Rasimone Platinum Mine (BRPM). However, due to the “the disgusting sickness of racism of white supervisors in the mine”, as he put it, he decided to leave his job. The second assistant was a 37-year-old male youth activist from Kanana (he will be called Thomas here) who worked as an organiser of a Christian youth organisation based in Tlhabane\textsuperscript{57}. Occasionally, he used his car to transport the researcher all over the study villages and even to Moruleng. Both men were proficient and fluent in English and Setswana and they were well informed about community activities. They provided the researcher with a vast amount of information about the community and some detailed cultural and historical background of the community involvement in the mining economy. It was through these two research assistants that the researcher was able to penetrate deeper in the Bafokeng villages of Phokeng, Luka and Kanana, making unstructured observations and conducting in-depth interviews. The researcher also managed to get occasional assistance from a middle-aged man from Lesetlheng (he will be called Moses here) whom he met in the city of Rustenburg. Moses worked for an NGO that provided healthcare and counselling to a number of rural and peri-urban areas under Rustenburg and was a Mokgatla\textsuperscript{58} who was fluent in both English and Setswana. The three research assistants assisted the researcher

\textsuperscript{56} This gentleman is one of the interpreters mentioned earlier.

\textsuperscript{57} A suburb near Rustenburg.

\textsuperscript{58} Singular for Bakgatla – an individual member of the Bakgatla Bakgafela tribe.
with helpful information about the study communities and occasionally interpreted during interviews. Their involvement with the youth organisations, NGOs and community forums also provided an opportunity for the researcher to select them as key informants in the study. Moses is intelligent and knowledgeable, albeit short-tempered at times.

Moses’s anger flared on one occasion when the researcher was ‘asked to leave’ from a meeting in Lesetlheng. This incident occurred when the researcher was invited by some friends (including Moses) to a meeting of local forum called Bakgatla Land Committee (BLC) in Lesetlheng. At first the researcher was warmly welcomed and was asked to stay and be part of the meeting. The deliberations were mainly in Setswana. As more and more people were arriving, a disagreement arose because some felt uncomfortable about the researcher’s presence lest he was “a spy”. Things took a drastic turn when the chairperson, a young man in the early thirties, started reading minutes of the previous meeting in English, a gesture which was ostensibly considered disrespectful by the elders, particularly those who could not understand English. The researcher also learned that part of the chairperson’s reason for reading minutes in English was to accommodate “those who cannot understand Setswana” (referring to the researcher). This may have been the point where suspicions towards the researcher intensified. It was finally agreed that the researcher should be “excused” from the meeting (as the chairperson put it in English) “so that he can carry on with his interviews in the village [Lesetlheng] and take some pictures … we do not want to delay him, he has a lot of work to do”. This was a polite way to send the researcher away from this gathering. So angry was Moses as a result of this incident that he also stormed out of the meeting. The researcher tried in vain to convince Moses that it was best for him to stay and continue with the meeting.

On most occasions, the researcher used public transport when travelling between villages. When conducting interviews and observing within the villages, he tracked on foot. Public transport in the form of minibus commercial vehicles is abundant in the study communities. Platinum mining has significantly boosted the transport industry. Through the influx of job seekers the minibus taxi transport is a thriving business in North West. Though convenient, minibus taxi transportation posed a financial challenge. Travelling from Phokeng to

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59 So the researcher could not understand everything that was said. He relied on occasional interpretation from Moses.
Moruleng via Rustenburg cost the researcher more than R70 per return trip – a strenuous figure to a student whose finances were challenged\textsuperscript{60}. So, whenever possible, the researcher walked instead of riding a minibus taxi so that money could be saved. Another money-saving strategy that the researcher adopted was to invite interviewees to a central venue so that the cost of transport could be minimised. For instance, some interviews with Bakgatla respondents, those who agreed, were held in Mogwase\textsuperscript{61} Shopping Centre. In such instances, the researcher was spared from paying for transportation to different villages. Noise (of people and vehicles) proved to be a challenge when the interviews were held outside in the open space – it made tape recording difficult. So, the researcher was offered an unused office space inside the shopping mall to hold interviews by a friend (a woman from Moruleng) who worked in the office of a political organisation in Mogwase.

\textsuperscript{60} Except for the modest “Dean’s Discretionary Fund” of R8, 000 (approx. $995) obtained from Govan Mbeki Research and Development Centre (GMRDC), the researcher had no other sources of income during fieldwork. A situation compelled him to exercise prudence when it came to spending.

\textsuperscript{61} A suburb between Sun City and Moruleng.
While walking with the assistants and at times alone in the study villages and interacting with local people, the researcher obtained an opportunity to establish friendships and networks and to obtain information during informal conversations. Due to their vast knowledge of the study communities, the three research assistants mentioned earlier contributed significantly in the observation of the socio-physical and environmental phenomena. However, the selection of interview respondents was neither dependent on nor dictated by these informants. The researcher avoided this by all means so as to keep away from bias of the results since informants themselves cannot be neutral\textsuperscript{62}.

It is also crucial to caution that the data generated through the ethnographic technique did not come without complexities. Certainly, ambiguities are likely to manifest when an ethnographic investigation is conducted by a “stranger” (Maso 2007:136) who is not familiar with the language and culture of the communities being studied.

\textsuperscript{62} The selection of respondents is detailed in the above discussion under section 4.2.
a) Observation

One critical dilemma that confronted the researcher as soon as he entered the field was deciding precisely which participant actions he should involve himself in. The researcher alternated between participant and non-participant observation positions. The study communities overflowed with activities. Eventually, the researcher found himself absorbed with interacting with respondents while taking part in several activities. Among other activities, the researcher was invited to personal intimate gatherings such as weddings and funerals. He attended customary meetings (*makgotlas* and *kgotha-kgothes*), meetings of community forums and other local structures. Attending soccer (football) matches played in the modern-built community stadiums in Phokeng and Moruleng provided productive opportunities to gather observation data and establish relations and rapport with potential interview respondents. Unplanned and spontaneous interactions with local people took place while sharing some moments and conversing with respondents at church gatherings, shopping malls and other places (post offices, banks, and other places) and at local taverns and braai places.

Through these interactions, the researcher learned that beside the growing popular discontent about platinum wealth distribution (see Chapter Nine) and the fact that royalties were not distributed to individuals, community members in the study communities actively seized every opportunity of benefiting from the platinum mining development. For instance, during big football (soccer) and rugby matches at Royal Bafokeng Stadium, the youth in Phokeng (those who lived next to the stadium) directed visiting motorists to their homes and offered them secure parking spaces at a rate between R20 (approx. $2.53) and R30 (approx. $3.79) per hour. This was done with great enthusiasm. Sporting activities occur in the evenings, and the researcher witnessed many young men in Phokeng jumping, whistling in a line and directing cars from the main road to their homes.

The researcher also attended entertainment functions organised by local schools. One such event was an inter-schools cultural dance competition which took place at Mphebatho Museum in Moruleng. In the researcher’s opinion, very few South African cultural dancers can outclass Batswana dancers, especially Bakgatla Ba Kgafela youth. Moreover, it was easy

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63 Annual AGM-style meeting held in both communities where the Kgosi (king) and the managers of community entities reported on the utilisation of community resources and the status of community business asserts.
to notice that platinum mining has not destroyed the strong cultural identity in the Bafokeng and Bakgatla Ba Kgafela traditional communities. Bakgatla’s Mphebatho Museum in Moruleng stands as an epitome of this community’s strong connection to their culture and history.

Plate 6: An Inter-schools Cultural Dance competition at Mphebatho Museum in Moruleng
Plate 7: Music at a wedding in Luka village

Brief notes about any salient features were scribbled in a notebook during observations. These skeletal notes were used later when the researcher typed detailed observation notes at on a laptop at the end of each observation day. Observation notes were saved in MSWord files and stored in a particular electronic folder, a backup of which was stored on an external electronic storage device (a 16 gigabyte memory stick). This folder was constantly updated as the data were accumulating.

Observation was not always a smooth process. To avoid high levels of reactivity among participants, the researcher on most occasions adopted a non-participation position. It was this stance that assisted the researcher to observe accurately with minimal obstructions caused by change of behaviour. Hence the researcher had to think carefully before and after a long day of extensive fieldwork, therefore observation data was not coded before and during the fieldwork. Observations were conducted in an unstructured fashion.
Deciding upon the degree of participation while observing became another critical dilemma. The researcher had to make important decisions from time to time as opportunities to observe surfaced. This is the challenge to which Hong and Duff (2002:190) refer as “the dilemma of distance”. Such an impasse emanated from the fact that, quite often, the researcher could not maintain the distance or remain a complete observer all the time. Opportunities and circumstances presented themselves where it would be more rewarding to be involved than to remain a complete observer. Although this shift of roles from a complete observer to a participant observer may have compromised the objectivity stance, it granted the researcher opportunities to generate data from detailed observations (Hong & Duff 2002:190). For instance, observations at the soccer stadiums and some of the community forum meetings in both Phokeng and Moruleng afforded the researcher ideal opportunities to participate partially while observing. This was different to moments when the researcher spent most of his time observing, recording and taking still photos of the human, social and environmental conditions in the study communities. Local social and cultural activities such as funerals (although photography could not be used during funerals for obvious cultural reasons), weddings and other events organised by local schools provided more opportunities for the researcher to partake in local activities with less concern about participant reactivity (see Plates 6 and 7).

Of course, ethnographic researchers do not always have to participate in the phenomenon they are studying. Such a mixed role of observation is further elaborated by Marshall and Rossman (in Babbie 2007:289) who affirm that

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\text{The researcher may plan a role that entails varying degrees of “participantness” } \ldots \text{ the degree of actual participation in daily life. At one extreme is the full participant, who goes about ordinary life in a role or set of roles constructed in the setting. At the other extreme is a complete observer, who engages not at all in social interaction and may even shun involvement in the world being studied. And, of course, all possible complementary mixes along the continuum are available to the researcher (Marshall & Rossman in Babbie 2007:289).}
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The discussion above epitomises the very predicament at the heart of what Hong and Duff 2002:190 regard as the “dilemma of distance” during observation. Hong and Duff (2002:191) posit that due to this dilemma of distance, qualitative researchers end up assuming the role of either a “participant-as-observer” or an “observer-as-participant” during fieldwork. They describe a participant-as-observer as a researcher who focuses more on participation than on observation, while an observer-as-participant places more attention on observation than on
participation (Hong & Duff 2002:191). The latter approach is the one which best describes
the current researcher’s position during the fieldwork and observations. Babbie (2007:289)
alternatively terms this phenomenon as the researcher’s “varying degrees of participantness”.

Observations focused beyond the socio-environmental and human conditions but also sought
to gauge the convergence and divergence in narratives and practice of community
participation in platinum wealth utilisation. Thus, as suggested by Cohen, Manion &
Morrison (2000:305), observations were conducted mainly in three types of settings: the
physical, human and interaction settings. The physical setting is the general socio-
environmental outlook, including living conditions, while the human settings refer to the
local cultural formations, organisations and structures that underpin platinum revenue
mobilisation and utilisation. Interaction settings are the formal and informal interactions
among various individuals and segments of social strata in the study communities.

b) Photography
As mentioned earlier, photography was used as an observational tool. Still images were taken
mainly to bring into more visible focus the socio-environmental and human conditions in the
study communities. It should be cautioned that the use of photography in this study was
mainly to provide complementary data to supplement the recorded observational notes and
not as a distinct method of data collection. Photographs have gained much popularity among
qualitative researchers over the past decade due to their ability to produce indisputably
expressive data which can be analysed inductively (Bogdan & Biklen 2003). The researcher
captured and used photographic materials in this study being fully aware that the phrase ‘the
camera cannot lie’ can be misleading and is therefore not the ideal premise behind the use of
still images in this study. Photographs can be either misinterpreted or deliberately used to
mislead. This also includes the potential dangers in selecting which pictures to take. Such shortfalls
were kept in mind when pictures were captured and used in this study. Hence, the
researcher’s self-examination against his own bias became a crucial aspect for constant
monitoring. Beside the records provided by still images, detailed notes were made during and
after observations.
c) Informal conversations, documents and community bulletins

The flexible participant-nonparticipant role presented numerous course field researches for the researcher to listen to and engage in informal debates among local people, especially discussions about community relations with the mines, utilisation of mining royalties, community relations with the traditional elite and other relevant issues. Most of the time the researcher listened and, where it was convenient, he asked probing questions. At the end of each day of research the researcher recorded these conversations in the field notebook with the names of the participants (if they were known), the date, the topic of the discussion and the place at which the discussion occurred. These informal discussions proved to be invaluable complementary materials to the interviews and other research methods. Other vital complementary materials were the community bulletins, memorandums, newsletters, petitions, reports and a host of other documents that the researcher collected during the course of the field research.

4.5 Data analysis

Data analysis was carried out following themes that emerged from the research questions. It is crucial to point out that interpretive analysis of data does not necessarily follow a step-by-step sequence as often suggested by some qualitative researchers (Terre Blanche, Durrheim & Kelly 2006:322). The following themes were identified:

- Tradition, tokenistic participation and ‘disguised exclusion’.
- Community development: Elite vision versus “imagined” participation from below.
- Platinum: Natural endowment, social mirage;
- Mining, lopsided benefits and mediated participation: Narratives of discontent
- “We want all of them outside the borders of Phokeng”: Platinum wealth mobilisation and elite-targeted grassroots anger; and
- Platinum wealth, local politics and community development – ‘a tug of war’?

Nonetheless, the steps suggested by Terre Blanche, Durrheim and Kelly (2006:322) were adopted as a guide in analysing the data and generating the findings.

The first step was familiarisation and immersion. As already stated in the data collection section above, the researcher had to keep immersed and up-to-date with the data as they were collected, processed and evaluated. Therefore by the time the researcher began with data analysis, he already had some general preliminary understanding of the data. As soon as there
was sufficient data to generate trustworthy findings and it was no longer possible to produce completely new data, the researcher read through the interview transcripts and field notes at least three times. This enabled him to gain a thorough understanding of the overall raw data as well as the kinds of interpretations that could be generated from it.

Inducing themes was the second step. Terre Blanche, Durrheim and Kelly (2006:323) label the process of introducing themes through a constructivist paradigm as a “bottom-up approach”. This is mainly due to the apparent flexibility of this qualitative approach of analysis which allows a researcher to generate themes by looking carefully for meanings that underlie the data itself. This is opposed to the traditional ‘top-down’ approach where one would use a set of pre-coded themes and simply search for matching categories. This bottom-up approach of generating themes assisted the researcher to gain an even closer and more detailed understanding of the data at hand.

As the process of developing themes continued, codes also emerged and this was the third step of coding. Codes are sentences, concepts, or phrases (Terre Blanche, Durrheim & Kelly 2006:323) which were found to be relevant to or to support the different themes. These codes were not fixed because sub-codes developed the main codes and at times even the themes themselves had to be slightly restructured.

Step four was the one of elaboration. At this level of analysis the researcher had to take a closer look at the themes, codes and sub-codes that were developed in the previous steps and try to establish if there were any further sub-codes to be developed from the already coded data.

The last step was the interpretation and checking stage. This was the most ‘refined’ stage of analysis whereby the researcher had to write a detailed account of the study phenomenon. The detailed account summarised the character of community participation in platinum wealth utilisation. The themes that emerged during analysis were at this stage used as topics with evidence and theory-based discussion below them to support the current thesis. Although objectivity is not the main priority in qualitative research, it is important to point out that the researcher was cautious throughout the process of data collection and analysis not to allow his subjectivity and personal involvement with participants and the research setting to influence or compromise the level of objectivity expected from a qualitative researcher.
4.6 Ethical considerations and some challenges

Like the words “sex” and “snake”, “ethics” is emotionally charged and surrounded with evocative and hidden meanings. Nothing is more indicting to a professional than to be charged with unethical practices. (Bogdan & Biklen 2003:42)

As the study began, no major ethical problems were envisaged. Standard ethical guidelines concerning voluntary participation in interviews, informed consent, respondent anonymity, confidentiality and respect for the cultural practices and norms of the study communities were upheld throughout the data collection and analysis processes. In addition to these, the researcher carried a letter outlining the purpose of the study from the university (see Appendix B). This letter was produced every time the researcher solicited participation of an individual or access from a particular local authority in the study communities. The researcher also prepared a consent letter for individual participants in English, and as was required by the Head of RBA Research and Planning Unit, the form was translated to Setswana with the assistance of one of the interpreters from Luka village (see Appendix D).

As indicated earlier, conducting fieldwork in the two platinum-rich study communities was not without challenges. It became quite obvious from the very early stages of the fieldwork that the issues around utilisation and distribution of mineral royalties had become very political in these communities. Decisiveness on the side of the researcher was therefore crucial, especially when making necessary adjustments in the face of some challenges during fieldwork for the purpose of ensuring that the objectives of the study were achieved without neglecting the ethics of field research. For instance, although some interview respondents did not have a problem with being at a venue suggested by the researcher, respondents were granted priority to decide on the venue and time of the interviews. This was mainly to enhance free interaction and to avoid conducting interviews in venues where participants may feel coerced (Bogdan & Biklen 2003:44). The local tensions and prolonged bureaucratic gate-keeping procedures were the main challenges that surfaced during field work. These are discussed in the following subsections.
4.6.1 Local tensions

The challenges that the researcher had to overcome during this fieldwork were much deeper than complying to standard ethical concerns such as free and voluntary participation of participants, and posed a threat to the ethical standpoint of the researcher. Such a predicament was reminiscent of Fouché’s (2002:275) caution that a researcher should be acutely aware of the fact that ethnographic fieldwork is not a straightforward, unproblematic procedure whereby the researcher enters the field, collects data and leaves the field unscathed. In fact, this type of fieldwork should rather be compared to a journey into a minefield riddled with potential moral and ethical pitfalls. (Fouché 2002:275)

Like a typical minefield indeed, gaining research access from the traditional authorities and establishing relations with research participants was fraught with potential dangers. These dangers had to be carefully avoided during fieldwork without compromising the accumulating data. As mentioned earlier in this chapter, the issue of platinum wealth distribution had become a highly political and contentious terrain in the study communities. This was, in the researcher’s view, the mother of all the problems encountered during the fieldwork. The tensions and conflict that epitomised the grassroots narratives about participation in mineral wealth are detailed in Chapters Eight and Nine. So commanding was the influence of these tensions that it proved quite challenging to establish trust and sufficient rapport with respondents. At the height of such tensions, the researcher was ‘asked to leave’ during community meetings (as discussed earlier), constantly made to explain that he was not hired by local leaders, and at times denied access to information. The tensions between the traditional leaders and community members were so acute that the latter would generally refuse to take part in the study until they were certain that the research was not to be used against them by the ruling elite in these communities. The researcher had to constantly explain the purpose of the study, his intentions about the data, where he was staying during fieldwork and the duration of his stay. One particular afternoon, after a long interview a respondent at the Royal Bafokeng Shopping Complex in Phokeng (a woman in the early 40s) wanted to know among other things where the researcher was staying during the fieldwork. When he told her, she expressed with evident disappointment that:

If I knew before this interview that you are staying in Mr Kolm’s [pseudonym] place I would not have spoken to you at all. I cannot trust that man at all. He is too close to Kgosi [Leruo]. (Female approx. 42 years old in Phokeng)

64 Mr Kolm was a former traditional councilor who served for years in the Council – as such, many ordinary community members felt that he was close to the senior leadership of Bafokeng and should not be trusted by
Nonetheless, this respondent eventually allowed the researcher to use the information that she gave during the interviews after the researcher explained the purpose for which the information would be used.

The flexibility and decisiveness of the researcher mentioned earlier were crucial to minimising the threat of the said tensions and distrust surrounding the study. As already mentioned, at the very early stages of the fieldwork the researcher established good relations with some key informants, some of whom later volunteered to assist him as research assistants. This made it easier to know what activities were taking place in the study communities. As the researcher used this opportunity to partake in local social cultural, religious and educational activities he was able to build many good relationships with community members and to establish trust with some local people.

It should also be noted that, due to the tensions that surfaced during fieldwork, anonymity of respondents was promised both in written and verbal format (see Appendix D), and therefore no actual names are mentioned in this thesis.

4.6.2 Bureaucracy and gate-keeping – a panoptic gaze?

Bureaucratic procedures also posed another challenge as the researcher sought to obtain permission to conduct research in the study communities. Particularly in the Bafokeng community, this phenomenon was most prevalent. Getting permission to conduct research in the Bafokeng was a very challenging experience which required incisive decision making and professionalism from the researcher. The Royal Bafokeng Administration’s (RBA) Research and Planning Unit subjected the researcher to a lengthy vetting process – a procedure which according to RBA officials was standard to all independent researchers seeking to do research in the RBN.

To a great extent the RBA’s vetting procedure was a daunting process. The researcher was given a detailed research permission application form which was to be filled and submitted with a research outline to the Head of Research and Planning Unit (HRPU) – an American those who felt marginalised when it came to distribution of platinum wealth. As a result, the researcher had to exercise caution and explain that he was just renting a backyard room at Mr Kolm’s and he would not discuss with Mr Kolm anything that was discussed during the interviews.
Anthropologist. In the application for the researcher was required to detail among other things the aims, research objectives, sampling strategies, methods, and other important details. To the great dismay of the researcher, he was told he might have to wait for at least a month before continuing with the study because the application was to be sent to at least eleven offices of the RBA, including the Office of Kgosi, the Office of Mmemogolo (mother of Kgosi Leruo), the Office of the Head of Traditional Council and others. Research permission was only to be granted when all the required offices had given their approval for the study to continue.

Another significant requirement of the vetting process was to have an interview with the HRPD. It was in this interview that the HRPD told the researcher to go back and refocus his research problem because it was, among other things, apparently, ‘too broad’. The researcher had to politely turn down this suggestion of the HRPD, chiefly because the research project proposal had already been defended successfully in a University Research Faculty Board Meeting. It had also gone through a number of expert opinions and was found to be appropriate and to accurately capture the politics of mineral wealth utilisation in the study communities. Moreover, the researcher had no doubt about the rigour of the research proposal. Permission was finally granted and a formal letter written in Setswana was issued which ‘authorised’ the research in the study in the selected villages (see Appendix C)

One cannot say that the firm bureaucratic gate-keeping mechanisms implemented by RBA and the comments of the HRPD were deliberate attempts to control the fieldwork and its outcomes. The bureaucratic gate-keeping mechanisms are often meant to safeguard the respondents against violation of research ethics by researchers. However, one can argue that when these procedures are intensified by the experts hired by traditional authorities, gate-keeping can impose another unexpected threat to independent inquiry – that of unintentionally or deliberately entrenching and solidifying elite surveillance over the actions of the researcher and other research participants during the fieldwork.

To elucidate on this observation, the researcher borrows from Foucault’s (1977) description of a seventeenth century “lock-up” operation – the “measures” city authorities used against an invading plague of a killer disease:
Inspection functions ceaselessly. The gaze is alert everywhere … This surveillance is based on a system of permanent registration: reports from the syndics to the intendants to the magistrates or mayor. At the beginning of the ‘lock up’, the role of each of the inhabitants present in the town is laid down, one by one; this document bears ‘the name, age, sex of everyone, notwithstanding his condition’: a copy is sent to the intendant of the quarter, another to the office of the town hall, another to enable the syndic to make his daily roll call. Everything that may be observed during the course of the visits – deaths, illnesses, complaints, irregularities is noted down and transmitted to the intendants and magistrates. The magistrates have complete control over medical treatment; they have appointed a physician in charge; no other practitioner may treat, no apothecary prepare medicine, no confessor visit a sick person without having received from him a written note ‘to prevent anyone from concealing and dealing with those sick of the contagion, unknown to the magistrates’. The registration of the pathological must be constantly centralised. The relation of each individual to his disease and to his death passes through the representatives of power, the registration they make of it, the decisions they take on it (Foucault 1977:195-196).

The ubiquitous gaze by 17th century city officials during a “lock-up” bears much resemblance to the politico-bureaucratic milieu to which the researcher was exposed in the Bafokeng community. This phenomenon could also be explained through Foucault’s (1977) concept of panopticism. In his seminal thesis on “Discipline and Punish”, Foucault (1977) employs Jeremy Bentham’s famous 17th century architectural structure of a prison – a panopticon – to theorise how modern institutional structures (prisons, schools, hospitals, bureaucratic institutions and others) exercise their power of surveillance as a mechanism to discipline their subjects (patients, prisoners, learners etc.). A panopticon was a prison structure with a particular building in the middle that enabled optimum monitoring and surveillance by a supervisor over all the inmates. Such a prison structure operated to ensure that the subjects of surveillance end up internalising the conduct expected by the authorities (Danaher, Schirato & Webb 2000:53-57). Therefore, surveillance was to ensure automatic functioning of power and dominance of the superstructure (the government, the prison officials, the bureaucrats).

The bureaucratic procedures that the researcher had to go through in the RBN to gain access for this research unexpectedly posed a threat to the study. The fact that the progress of the fieldwork in the Bafokeng community was subject to approval from several different offices of RBA epitomised this danger. Although the fieldwork continued successfully without major hindrances, the fact that the study was subject to rigorous bureaucratic scrutiny by the Bafokeng leaders, including suggestions for a shift of focus, challenged the confidence and
The researcher was not subjected to an intense bureaucratic scrutiny by the leaders of Bakgatla. The attributes of the power of surveillance were not as poignant in the Bakgatla community as was the case in the Bafokeng community. The senior administrators at Bakgatla Ba Kgafela Traditional Administration (BBKTA) who participated in the key-informant interviews displayed interest towards the study and allowed the researcher to conduct fieldwork. The researcher was exposed to no bureaucratic procedures in this community. However, this does not mean that the fieldwork in this community was totally free of bureaucratic challenges. For instance, the Youth Organiser of BBKTA in Moruleng insisted that he would be interviewed only when he was granted permission to do so by BBKTA Director of Protocol. After several phone calls and emails it became clear that the interview was not going to materialise.

Undoubtedly, field researchers working with human participants must first spell out the risks and benefits that participant may encounter before they are granted access to go ahead with

65 A Bafokeng newsletter that is published by RBA.
their fieldwork (Bosk & De Vries 2004:252). For this reason many universities and research institutions in South Africa and the world over have research ethics boards/committees or what Americans term Institutional Review Boards (IRB) to minimise the potential risks of the study to research participants (Babbie 2007:69). However, these bureaucratic gatekeeping protocols have been reported to pose hindrances to field researchers particularly in research sites with individuals that are classified as vulnerable including: the health care institutions and health and medical related conditions and topics (Bruni 2006; Hull 2008; Molyneux & Geissler 2008; Molyneux, Goudge, Russell, Chuma, Gumede & Gilson 2009; Allbutt & Masters 2010); “primary care settings” (Murphy, Spiegel & Kinmonth 1992); refugee camps (Harrell-Bond, & Voutira 2007; Vogler 2007); in business “corporations” that are facing “crisis” (Laurila 1997); and when dealing with sex offenders in correction institutions (Reeves 2010). Understandably, the prospect of risk and harm to participants in the highlighted settings can be high and qualitative researchers need to exercise the highest degree of professionalism since exposure to sensitive and highly classified information could be eminent. In the same light, the rigorous bureaucratic procedures excersised by the Bafokeng leaders presented a dilemma, since the possibilities of risks that the study could have exposed participants to, were minimal. Moreover, both study communities are part of more than 800 traditional comunities that are clearly established under South African Constitution whose members are also citizens in South Africa and are entitled to enjoy their freedom of expression (also granted by the country’s constitution).

In the researcher’s view, the panoptic element posed no major threat to the study despite the fact that at times it took longer to establish rapport. The relationships that the researcher established as he took part in local activities were crucial and very beneficial in establishing trust with the respondents.

The actual negative impact of tensions and the panoptic gaze was felt more when the researcher attempted to organise focus group discussions (FDG) – a key limitation which the following section also discusses.
4.7 Study limitations
Despite the challenges highlighted above, the limitations experienced in this study did not have a seriously negative impact upon data collection, nor do they threaten the validity of the current findings. Before the fieldwork began the researcher planned to conduct at least two focus group discussions (FGDs) with the youth and women groups in both communities. The tensions between the local leaders and various groupings of community members made it difficult for the researcher to establish trust with the respondents, particularly when organising FGDs. Many respondents generally felt more secure to be interviewed as individuals and were reluctant to speak if interviewed among other community members. As Babbie (2007:309) points out, group differences can be problematic when organising and conducting FGDs, so assembling groups of individuals from different villages proved challenging due to local tensions that triggered distrust toward an ‘outsider’ researcher. In both study communities most respondents felt reluctant and kept dishonouring appointments. For instance, FGDs were organised twice with the youth from Moruleng and Lesetlheng and had to be cancelled because only three out of twelve participants turned up the first time and only two the second time.

The researcher ended up putting this method aside and focusing on data that was collected through the in-depth interviews and observations. In some instances, when this occurred the researcher conducted in-depth interviews instead of FGDs. However, this was only done with the informed consent of the participants.

4.8 Conclusion
In this chapter the qualitative research approach adopted in this study has been discussed. This includes the use of ethnography and in-depth interviews which were the main techniques in this study. The author has opened the discussion in this chapter with a debate on some of the key philosophical dilemmas and technical challenges that arise in qualitative research - especially when one is involved in a process of generating trustworthy, empirical evidence using an interpretive paradigm. Guided by this design, the instruments adopted for data collection were mainly semi-structured interviews and both participant and non-observations (although the non-participant type dominated). Still images were taken with a small digital camera and were quite useful as an observational tool, to further bring into focus the socio-environmental and human conditions in the study communities. In this chapter the researcher
has also elucidated on how the potential flaws of using a camera as a data collection tool were mitigated during fieldwork.

However, the fieldwork was greatly challenged by the panoptic element which existed in the study communities, more especially in the RBN. Such an unpleasant phenomenon compelled the researcher to exercise a great deal of flexibility, professionalism and decisiveness to prevent any potential harm to the study which could limit the scope and outputs of this fieldwork.
PART 2: MINERAL RESOURCES AND THE STATE:
‘INVISIBLE COMMUNITIES’ REVISITED
CHAPTER FIVE
MINING AND LOCAL COMMUNITIES: SOCIO-ECOLOGICAL PARTNERSHIPS

5.1 Introduction
This chapter marks the beginning of Part 2 – a section which seeks to build upon the empirical foundation laid in the four chapters that constitute Part 1. It presents a broader overview of contemporary debates around the socio-ecological and benefit-sharing partnerships and relationships between multilateral mining corporations and traditional communities. This discussion is guided and driven by broader conceptual debates on the land-use dilemmas between mines and indigenous communities, the socio-environmental impact of mining and corporate social responsibility and the role of the state. Furthermore, the discussion in this chapter culminates in a brief analysis of debates around participation of indigenous communities in decisions that pertain to their well-being, benefit-sharing and mine operations on their ancestral lands.

5.2 Mine-community relationships
Mining is an enormously dynamic and lucrative industry which employs more than 40 million people globally (Azapagic 2004:641a). The mines often locate their activities on land occupied by poor, rural communities or the so-called indigenous peoples66 (Warden-Fernandez 2001:4). These local communities become one of the key stakeholders of the mining industry and have considerable interest on their social, environmental and economic well-being (Azapagic 2004:641). In the new economic milieu ushered in by the mining operation that the local communities find themselves in, they eventually acquire a status –of a “mining community” (Viega, Scoble & McAllister 2001). Viega, Scoble and McAllister (2001:190:191), define a mining community as a community whose people are seriously affected by a mining operation located close to it.

Despite the global prominence of the mining industry, its operations are fraught with serious dilemmas. One of the most complex paradoxes that has historically confronted the mining industry is that of establishing and maintaining congenial relations between the mining companies and local communities who occupy or/and own the land on which the mines operate. Notwithstanding the huge profits of mining and its substantial contribution towards

66 See the explanation in Chapter One, section 1.7 (‘setting the house in order’).
the state fisc, mineral extraction has also become known for rapid deterioration of relationships at local level, (especially between the mines, state and local communities), generally “characterised by conflict ranging from ideological opposition and dispute to armed conflict and the extensive loss of lives, livelihoods, and environments” (Ballard & Banks 2003:289). It is against the backdrop of such tensions at local level that the following section highlights some key issues around the developmental contribution and impact of the mining industry in general.

5.2.1 Socio-economic benefits and ecological impact of mining

The negative impact of mining operations on the environmental and social well-being of local communities is widely reported among the root causes of local mine-community tensions and conflict (Clark & Clark 1999; Hilson 2002; Kapelus 2002; MMSD 2002; Ballard & Banks 2003; Azapagic 2004; Jenkins 2004; Akpan 2009). However, before exploring this ‘dark side’ (the mining impact), it is vital to acknowledge the fact that the mining industry has been an important economic driver for generations in many parts of the world. This is confirmed by a recent empirical thesis presented by Parra (2009), who presents an analysis of the impact of the mining industry “in the main mining zone of Chile (Antofagasta) during the period between 1990-2007” (Parra 2009:291). The contribution of mining in this study is measured on three indices: i) poverty reduction, ii) overall “socio-economic progress”, iii) and “the human development” index (Parra 2009:291). Among others, the study draws four notable conclusions:

- Large scale mining investments can positively change the socio-economic reality of a locality;
- Mining can reduce poverty and improve the income distribution;
- Mining activities can improve the human level development and the social capital of a locality or zone; and
- In Antofagasta, Chile, during the period of 1990-2007, no evidence of resource curse was found (Parra 2009:298).

Empirical literature on positive contribution of the mining industry is gradually mounting. For instance, a recent study by Hajkowicz, Heyenga and Moffat (2011:29) on “the

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67 The general tendency of resource-rich regions of the world to yield poor economic growth and local conflicts instead of economic development and poverty reduction.
relationship between quality of life indicators and the gross value of minerals production from Australian regions” supports this claim. Among their findings, Hajkowicz, Heyenga & Moffat (2011:29-35) reported that they found no evidence of resource curse in all 71 Australian regions where their study was conducted and that mining was responsible for significantly positive outcomes such as affordable housing, access to communication, employment opportunities for local people, improved access to education and several other local benefits.

The economic significance of the mining industry is undermined by the afore-stated challenges which include local tensions with state organs and local communities. Such tensions emerge from local discontent about the distribution of mine benefits and negative social and environmental impacts of mining (Kapelus 2002; Jenkins 2004). Such a phenomenon leaves much to be desired, particularly for local communities whose livelihoods depend solely on land and other natural resources (Bury 2004:90-91).

Compounding the common challenge of disruption of rural livelihoods by mining operations, disruption of cultures and ways of life of indigenous communities (Hilson & Murck 2000:236; Kitula 2006:495), other problems include the proliferation of HIV/AIDS infections and other mining-induced diseases, gender bias, escalation of informal settlements and poor living standards, influx of migrant labourers, deterioration of health standards and many more (Hilson 2001; MMSD 2002; Mtegha, Cawood & Minnitt, 2006).

Environmental consequences of mining cannot be over-emphasised. As mentioned earlier, there is copious empirical evidence on the adverse impact of the mine on the physical environment of the local people or communities who live adjacent to mine operations (Hilson 2002; Kapelus 2002; MMSD 2002; Azapagic 2003; Jenkins 2004; Bench Marks Foundation 2007). It is also said that mining removes and depletes mineral resources while severely altering landscapes and environmental socio-economic patterns of local communities (Fonseca 2010).

It should be cautioned, however, that the socio-cultural, environmental and economic impacts of mining are vast and much too complex to be exhaustively covered within the limited scope of the current discussion. Therefore it is more appropriate to highlight a much broader description of socio-economic and environmental negative impacts as outlined by Clark and
Clark (1999:193). These analysts provide a condensed list of key socio-economic damages resulting from large scale mining operations which include, among others:

- disruption of the physical environment and environmental degradation;
- disruption of societal organisation and cultural values;
- inequitable revenue distribution;
- high inflation;
- increased and unresolved issues of land access/loss of compensation;
- adjustment problems of relocation and migration;
- increased costs to government of providing services; and
- loss of control by local people over major decisions. (Clark & Clark 1999:193).

It is also argued that what makes the highlighted undesirable impacts of mining more severe are the conflicting interests between the mining companies, who solely pursue profit, and local communities, who usually have more interest in their social, cultural and environmental well-being and their indigenous land tenure rights (Warden-Fernandez 2001:4; Azapagic 2004:642; Holden 2005:417).

At global and national levels, the mining industry has also not been immune to the impact of the theoretical notions which threaten natural resource economies: the ‘resource curse’ and the ‘Dutch disease’. The curse of natural resources (the ‘resource curse’), generally defined as the tendency of naturally resource-rich countries to experience slow economic growth and to be troubled by local conflict while resource-poor countries experience better economic growth and relatively peaceful regimes, has reportedly threatened development in many mineral resource-endowed states (Auty 1998; Le Billon 2001:827; Ross 2004:237; Ross 2006:3; Banks 2008). Although this claim is mostly represented statistically, the paradox of resource-driven local conflicts and stunted economic growth are widely reported in many parts of the globe including Sub-Saharan Africa, the Middle East and North Africa, the former Soviet Union and Latin America (Ross 2006:4).

Despite the attention that the resource curse discourse has gained, there is still uncertainty among scholars and analysts about this phenomenon. Challenging claims about the ubiquity of the resource curse in mineral resource economies, Davis (1995:1776) argues that the resource curse should be perceived as an “exception” instead of being adopted as a norm. The question of how and why this phenomenon occurs is still a contentious one (Ross 1999:297).
Some analysts even question whether there is such a thing as the resource curse paradox and if its existence is inevitable or not (Sachs & Warner 2001).

The “Dutch Disease” is generally described (in economic terms) as a negative economic growth phenomenon resulting from the rise of the “state’s real exchange rate” due to good exports and the tendency of the flourishing mineral resource sector to draw labour and capital away from the manufacturing, agriculture and other production sectors into the booming mining sector (Ross 1999:306). As suggested by its name, the term Dutch disease originated from a particular phenomenon in the Netherlands in the 1960s, with the adverse effects on Dutch manufacturing of natural gas discoveries essentially through the subsequent appreciation of the Dutch real exchange rate (Corden 1984:359). Dutch disease is thus connected to the resource curse dilemma – resource-rich nations can experience poor economic growth for years merely because other sectors of economy are dominated by mining and are therefore performing poorly.

It bears highlighting once more that the afore-stated arguments are yet to receive sufficient empirical tests at local community levels. The question still needs to be asked: Do mining communities thrive better compared to non-mining communities in terms of socio-economic development? Perhaps even the contemporary debates on the socio-economic and environmental impact of mining to local communities need to broaden their scope and accommodate the broader international and national mineral resource-economy debates that are championed by these theoretical arguments (the resource curse and the Dutch disease). It is possible that such a local-global nexus in approach and empirical analysis could break new ground in the fields of mining sociology and development economics.

Evidently the analytical scope of the two concepts (resource curse and Dutch disease) cannot fully explain the tensions between the mines and local communities. It is against the background of this conceptual and empirical gap that the economic benefits of mining at local community levels remain less explicit.
5.2.2 The land use dilemma

Land is often used without consent of indigenous peoples (MMSD 2002: xviiib).

The use of land occupied by indigenous communities for mining is one of the root causes of afore-stated conflict which characterises mine-community relationships. It should also be noted that the mining operations occur globally in rural areas on land owned and occupied by indigenous communities, who often depend greatly on the land for their daily survival – food and shelter (Warden-Fernandez 2001:4; Hilson 2002:68). It has almost become a standard phenomenon that when a mine secures a piece of land local communities suffer loss of that land and livelihoods (MMSD 2002: xviiib). Such a phenomenon undermines the positive benefits of mining at a local level while much of the negative impact is felt there (Campbell & Roberts 2010:210). The issue of land-use disputes between the mines and local communities is also central to the above-mentioned discourse on negative environmental impact of mining, since the land is primarily a cultural resource to indigenous communities (Azapagic 2004:642; Holden 2005:417).

The meaning and the value of land according to local communities often contradicts the meaning and value that the mining corporations place on the same land. The significance of land to members of local communities is cultural, and such a value is unfortunately, often overlooked by mining corporations, whose interest in land is often defined solely in economic terms (Hilson 2002:68). This paradox is well-captured in Holden’s (2005:422) assertion based on the case of the Philippines, where (according to the author) most land designated for mining is claimed by indigenous communities. This author posits that:

If the mining industry requires as much land as possible, any possible denial of land coming from an intransigent indigenous community … becomes a serious impediment to the activity of that industry in the Philippines (Holden 2005:422).

Apparently, the attachment of indigenous peoples to their ancestral lands repels the monetary value standards often adopted by the mining industry. The relentless pursuit of profit by mining companies tends to relegate and violate the spiritual and cultural connections that indigenous peoples have to their ancestral lands (Lockie et al. 2009:336). Mining companies still take or use the land belonging to traditional communities without informed consent (MMSD 2002: xviiib; Whitmore 2006:309). It goes without saying that loss of control over one’s ancestral land and natural resources could mean a devastating loss of history and cultural identity. The strong connection of local communities to their land is well articulated
in the following quote from an empirical case of Bougainville reported by Dove et al. (in Banks 2008:25) which succinctly summarises indigenous people’s perceptions and attachment to their land:

Land is our life. And is our physical life – food and sustenance. Land is our social life; it is marriage; it is status; it is security; it is politics; in fact it is our only world. (Banks 2008:25)

From such narratives, one can deduce that land is inextricably tied to the socio-cultural, historical and economic survival of the people who occupy and own it. Therefore the consequences of any contradictions and imbalances in the manner in which land is conceptualised (by the mines and local people) could be disastrous and cause irreparable damage to local ecological survival.

It is against the backdrop of the conflicting socio-cultural and corporate interests that some scholars have suggested monetary compensation of indigenous communities for loss of their ancestral lands due to mining operations (McLeod 2000; Frynas & Wood 2001; Hilson 2002; Akpan 2005). Drawing examples from countries with high customary tenure such as Papua New Guinea and Fiji, where land ownership by indigenous people is over 95% and 84% respectively, McLeod (2000:116,121-122), proposes four compensation categories that national states can take into consideration when developing mine compensation policy: compensation i) for “loss, damage or alteration to the natural state of land”; ii) “for damage to natural environment”; iii) for “social and cultural disruptions”; and iv) for “loss of recreation and conservation values” (McLeod 2000:121-122).

This list of categories of compensation is not exhaustive. Forms of compensation vary, and can be in the form of employment opportunities for members of local communities, infrastructural development, monetary payments in the form of royalties and/or any other form of compensation (Imbun 2007:188).

But how successful is monetary compensation in avoiding or addressing the land-use conflicts between multilateral mining companies and indigenous communities? Despite much advocacy for monetary compensation, there is also an emerging counter-argument against monetary compensation for indigenous land for mine use which is gaining a considerable amount of scholarly attention.
Some tend to disagree with monetary compensation to communities for loss of their land on the basis that people have bonded with their ancestral lands and natural environments for centuries, thus they cannot simple be “paid off” to relocate and be detached from these historic-cultural connections that have existed from time immemorial. For instance, Warden-Fernandez (2001:4) asserts that mining on indigenous lands often generate conflict because:

> [t]he indigenous communities do not consider land as a commodity to provide any material profits. The land, for these communities has a spiritual connotation. The land for the indigenous communities is the “mother earth”, therefore they do not own it but conversely it owns them (Warden-Fernandez 2001:4).

Hilson (2002:68) provides the following argument which confirms that the salience of cultural and spiritual connections to land surpasses the monetary value that is often attached to land:

> Groups such as the Iroquois and Huron Indians, which have resided in certain parts of North America for over 20,000 years, and the Aborigines of Australia, who are arguably the first humans to occupy Oceania, it is unrealistic to assume that any sum of money could compensate entirely for the disruptions in lifestyle caused by local mining activity (Hilson 2002:68).

Evidently, there exists a profound “cultural [and spiritual] significance of land” for traditional communities which economic, scientific and ecological analysts of mining impact on indigenous lands tend to ignore (Pickerill 2009:72). It is with this background that mining the world over has commonly been troubled by community resistance. Such a conflict renders community-mine partnerships ineffective and less beneficial for all stakeholders. Nonetheless, it has yet to be empirically proven whether such spiritual attachments to land remain unbroken and firm even after indigenous communities have gained significant control of mineral wealth as compensation in the form of royalties and shares – as is the case with the Bafokeng and Bakgatla traditional communities in South Africa.

Compensation is only one in a legion of intervention strategies by state agents and multinational corporations to mitigate the impact of mining operations on communities that coexist with the mining operations. Some of these are explored in the discussion below.
5.3 Partnerships and commitments

It is behind the backdrop of the said negative mine impact and conflict that partnerships between the mines and local communities have gained some leverage. Warden-Fernandez (2001:11) highlights some of the key commitments that should characterise a partnership relationship between a mine and a local community as suggested by the Indigenous Communities/Mining Industry Regional Partnerships Programme. Generally, the partnerships between local communities and multilateral industries are manifold and diverse. According to Warden-Fernandez (2001:11), the mining companies who participate in the afore-mentioned programme commit themselves to fulfill the following commitments to local communities: to create employment opportunities; to provide pre-employment training; to provide skills and career development; to create business opportunities; and to promote investment opportunities for local businesses. However, the extent to which these commitments promote agency and effective participation of local communities is one which has yet to receive sufficient scholarly examination.

Besides the mining industry, such partnerships also occur in many other resource-based sectors such as agriculture, tourism and forestry (Ojwang 2000; Sisitka, 2000). Ojwang (2000:1-5) presents at least four models of “community–company partnerships” in natural resource industries which are relevant and worth highlighting in this discussion. These are briefly outlined in Table 2 below.

<table>
<thead>
<tr>
<th>PARTNERSHIP MODEL</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Joint ventures</strong></td>
<td>The private company enters into an equity share-relationship with the local community. The profits of the joint venture are shared according to the value of input that each party has.</td>
</tr>
<tr>
<td><strong>Contracts</strong></td>
<td>The company enters into a contract with local community and provides financial assistance and assistance in skills development while the community provides land and labour. The contract also compels the community to sell the product to the company.</td>
</tr>
<tr>
<td><strong>Leases</strong></td>
<td>The company signs a lease agreement with the community to use community land for its activities and pays a lease fee to the community.</td>
</tr>
<tr>
<td><strong>Co-Management</strong></td>
<td>This is a joint management of natural resources by the company or an agency and the local community. Such a model is common in the management of game reserves and parks – not in the mining industry.</td>
</tr>
</tbody>
</table>

Table 2: The four models of community-company partnerships (adapted from Ojwang, 2000:1-5)
It is worth noting, however, that partnerships between South African traditional communities and multilateral mining companies have recently gained popularity for various reasons\textsuperscript{68}. However, the question of whether these partnerships promote benefit-sharing and participation of these communities is yet to receive sufficient empirical evaluation.

5.3.1 Sustainable development and corporate social responsibility

As highlighted above, the mining industry ostensibly needs to make a critical contribution in reducing its much reported negative environmental and social impact on local communities. There are several relevant concepts which describe a plethora of ways in which a mine endeavours to make a contribution for its business impact on communities. However, the two main concepts which relate well to this discussion are corporate social responsibility (CSR) and sustainable development. The partnerships between communities and mining companies cannot be fully understood without assessing the latter’s commitment to sustainable development and corporate social responsibility. Therefore the much reported destructive impact of mining operations on local environments has compelled transnational mining corporations to adhere to global standards of sustainable development and CSR (Kapelus 2002:275).

These two concepts, sustainable development and CSR, are not new and have acquired many definitions. One definition of sustainable development that is widely recognised and applied, according to MMSD (2002:21), was first suggested in 1987 by the World Commission on Environment and Development or the Brundtland Commission and describes sustainable development as:

\begin{quote}
  development that meets the needs of the present without compromising the ability of future generations to meet their own needs (MMSD 2002:21).
\end{quote}

CSR carries several overlapping, interconnected and sometimes slightly diverse definitions. One of the popular definitions of CSR is provided by the World Business Council for Sustainable Development (WBCSD 2011) CSR as

\begin{quote}
  the continuing commitment by business to contribute to economic development while improving the quality of life of the workforce and their families as well as of the community and society at large (http://www.wbcsd.org/).
\end{quote}

\textsuperscript{68} These are discussed at length later on in this section.
In line with this concept, mining companies globally have taken up the responsibility of social provisioning and infrastructural and human development in host communities.

CSR and sustainable development principles are increasingly occupying the centre stage of international and national mineral policy regulations. For instance, the Mining, Minerals and Sustainable Development Project (MMSD) point out Sustainable Development Principles for the global mining and minerals corporations segmented into four broad areas: economic, social, environmental and governance “spheres” (MMSD 2002:24). In line with these principles, mining and minerals corporations are expected to make annual sustainability reports available to their stakeholders, who include among others local communities and state agents (Azapagic 2004:639).

CSR has emerged as a globally normative corporate and economic development framework. For instance, the Department of Corporate Affairs in India recently developed a comprehensive policy guideline on CSR titled “Corporate social responsibility voluntary guidelines” (India: 2009). Such significant governance strides are essential, especially for regulating mining – an industry that is known worldwide for violating human rights of local communities, destroying the local environment and causing major disruptions to the social and cultural lives of the local people.

The partnerships between local communities and mining companies cannot be fully understood without the analysis of the underlying relationships between the mine, local community and the state. The “tri-sector” relationships can only be fully analysed when one understands how the three major actors (the mine, the state and the local community) participate in key decisions that pertain to mine operations, benefit-sharing and distribution of wealth. Hence the concept of participation of indigenous communities in mining industry and mineral wealth distribution is revisited in the next section.

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69 This view is also confirmed by the discussion of South African mining policy framework in Chapter Six.

70 This document can be accessed from: http://www.mca.gov.in/Ministry/latestnews/CSR_Voluntary_Guidelines_24dec2009.pdf

71 See the discussion earlier in this chapter for more discussion of the negative impact of the mining industry.
5.4 Mining communities and self-determination

There is limited empirical literature that directly addresses the issue of participation of local communities in the mining economy in general. Participation of local communities in the mining industry is primarily premised upon the universal right of indigenous peoples to their ancestral lands, resources, territories and self-determination (Whiteman & Mamen 2002:2). However, in a detailed analysis, the World Bank Group’s Mining Department (WBGMD) and the International Development Research Center (IDRC) summarise at least three other crucial factors which also serve as motivation for the participation of local communities in mineral development (World Bank 2002:iv-v). The first factor lays emphasis on the salience of ‘social licenses to operate’ that the mining companies need to have before and to maintain during their operations. National legislation on social licenses provide local communities leverage to participate in evaluating the performance of the mines against sustainability standards and in influencing the decisions about renewal of these licences and continuation of mining operations (Azapagic 2004:639). Nonetheless, maintaining such a licence has been challenging many mining corporations due to mounting allegations of lack of transparency, poor communication and corruption made against the mines by local communities (Jenkins & Yakovleva 2006:272; Nelsen & Scoble 2006) A social licence should be a product of a broader participatory platform between the mining company, the local community and government bureaucratic structures (at local, regional/provincial and national levels).

Secondly, the need for mines to engage local communities arises out of both economic reasons and moral obligation. For the benefits of mining to be sustainable at a local level, the mining company needs to involve local communities in providing goods and services needed by the mine. The mine should also provide financial support to make sure this happens. The third motivating factor for involvement of local communities as expressed by the World Bank (2002) emanates from the desire for mining companies to establish good relations and trust (social capital) with local communities. This dream becomes a reality when mining companies facilitate economic and community development programmes (World Bank 2002: iv-v).

These factors contain some significance in portraying the need for community participation in mineral development. Moreover, it is a democratic necessity for communities to participate for the sake of equity and a wider distribution of economic benefits (Mtegha, Cawood & Minnitt 2006:231).
In Canada and Australia and other mining regions of the world community participation, benefit-sharing and mine accountability are formalised through Impact Benefit Agreements (IBAs) (O’Faircheallaigh 1999; Sosa & Keenan 2001; Knotsch & Warda 2009). IBA are legally binding, negotiated contractual agreements between indigenous communities and mining corporations about the distribution of benefits and impacts of proposed extraction activities on traditional lands (Sosa & Keenan 2001:1). Caine and Krogman (2010:77) define IBAs as:

privately negotiated agreements, typically between extractive industries and community organisations, in which government is relegated to an external observational role (Caine & Krogman 2010:77).

Knotsch & Warda (2009) provide a more summarised definition:

An IBA establishes the terms under which indigenous people will benefit from a development project (Knotsch & Warda 2009:7).

Effective and optimal legal enforceability of mining benefits at local level IBAs proves elusive. Sosa and Keenan (2001:1) confirm that there is limited analysis on the enforceability of IBAs due to their nature of being largely “treated as confidential”. In South Africa, community participation in decisions about the benefits and impacts of mining corporations is through Social Labour Plans (SLP). The country’s mining legislation requires extraction corporations to produce detailed SLPs that show how they plan to engage with local communities, including an explicit role in looking after the social, environmental and economic impact on local communities, before a licence to mine is granted. Further discussion on this issue is provided in the next chapter (Chapter Six).

In their empirical report aimed at reviewing the “consultation and participation of indigenous peoples within the international mining sector”, Whiteman & Mamen (2002:6) observe, among other things, that there is ambivalence and confusion when it comes to differentiating between consultation and participation. The mining companies tend to view consultation as a “one-way”, “top-down” platform for channelling their corporate plans, while local communities view consultation as a “two-way participatory process” where they can participate in crucial decisions about mining operations and development (Whiteman & Mamen 2002:6). According to these authors, since the literature mentions several levels of
consultation is a low level of form of participation, but it is also a key requirement for effective participation (Whiteman & Mamen 2002:6). Furthermore, Whiteman & Mamen (2002) also highlight several barriers to effective participation of local communities in mineral development activities taking place on or close to their ancestral lands. Such barriers as pointed out by the afore-stated include “political, financial, technical, cultural, and motivational constraints” (Whiteman & Mamen 2002:6).

It would not be correct to assume that local communities are without power to initiate action at all. As Kapelus (2002:276) attests, the ability of local community to mobilise and militate against negative mine impact puts them in a strong position to impose costs on the mine. However, not every mining community has sufficient power to mobilise. Communities in developed countries command more resources for mobilisation while communities in developing countries still lack such mobilisation capability (Kapelus 2002:276). As a result, argues Kapelus (2002:276), mining corporations tend to focus most of their attention on communities in developed countries rather than those in developing nations, since the former have more “resources” to put the mines under pressure to take responsibility for their activities.

5.5 Conclusion

The general purpose of this chapter has been to highlight some of the prominent scholarly debates around the socio-ecological partnerships and relationships between multilateral mining corporations and local communities. Relationships between mines and local communities are one of the key challenges facing the mining industry. This chapter highlights this as one of the complex paradoxes facing mining, despite the fact that the latter remains a dynamic and lucrative industry. In light of the economically rewarding character of the mining industry, the author, with the help of broader literature, has highlighted the positive socio-economic gains of mining and mirrored the latter against the reported negative ecological impact of mining. Through an exploration of broader significant issues such as local land use conflicts between mines and indigenous communities, partnerships and commitments between mining companies and local communities, corporate social responsibility and sustainable development, this chapter has also made an attempt to revisit

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72 See Chapters Two and Three for a detailed discussion on levels and typologies of participation.
these arrangements, particularly, since the latter are also seen as appropriate modes that can be utilised for effective participation of local communities in the mining industry.

In this chapter, it has also been hinted that indigenous communities have strong cultural and spiritual connections to their lands and natural resources that contradict the economic value that the mining companies often attach to land and mineral resources. As such, it is yet to be empirically tested whether such spiritual attachments to land remain unbroken and firm even after indigenous communities have gained significant control of mineral wealth as compensation for loss of their land – as is the case for the Bafokeng and Bakgatla traditional communities.

Apparently, despite the above-mentioned legislative and policy measures to ameliorate sour relationships and strengthen partnerships between extractive companies and local communities, challenges still pervade mine-community partnerships.
CHAPTER SIX
SOUTH AFRICAN MINERALS POLICY REFORM AND INDIGENOUS COMMUNITIES

6.1 Introduction
In Chapter Five, the necessity of an effective policy framework with which mines should comply and the need to demonstrate accountability for impact of their activities was highlighted. Chapter Six provides a condensed overview of South Africa’s minerals policy and legislation. Central to this discussion is the question of ownership and control of mineral rights by indigenous communities on whose ancestral lands mining operations occur. This discussion begins with a brief historical outline of the mining legislation and then covers post-apartheid policy reforms. Other key issues in this debate include resource ownership of land minerals, royalty payments, compensation, social labour plans (SLP), remediation of environmental damage and corporate social responsibility. The current (as of 2011) debate on ‘nationalisation’ of mines is also explored and the discussion also reflects on some models of state control elsewhere.

6.2 Minerals policy in South Africa: A historical overview
South Africa is known all over the world for its high ore reserves of diamond, platinum group metals (PGMs), gold and coal (DME, RSA 2008:1). The country has historically gained a reputation for possessing the world’s largest reserves of gold, platinum and titanium (Hamann 2004:279). The generous mineral endowments and development has made South Africa a mining-based economy. Indeed, mining has been a significant driving force in the country’s development and industrialisation (Hamann 2004; MMSD 2002). Mining is still a leading employment sector in South Africa with its employment figure estimated at 450,000 in May 2007 (Bridge 2008). In that same year (2007), 53 minerals “were produced from 1,414 mines and quarries, 50 of which produced gold, 31 platinum-group minerals, 96 coal and 344 diamonds” (DME, RSA 2008:1). The GDP contribution of the mining sector in South Africa is substantial. Roger Baxter (2011:7) in a presentation to the Mining Industry Growth, Development and Employment Task Team (MIGDETT) in April 2011 summarised the economic contribution of mining to South Africa’s economy as follows:

73 The current author also refers to these as ‘local communities’.
The mining sector in South Africa

- creates 1 million jobs (500,000 direct and 500,000 indirect);
- accounts for about 18% of GDP (8% direct, 10% indirect and induced);
- has foreign exchange earnings of more than 50%;
- accounts for 18% of investment (9% direct);
- attracts significant foreign savings (more than 30% of the value of the JSE);
- brings in 18.5% of corporate tax receipts (2007 R22 billion, 2008 R33 billion);
- contributes 50% by volume of Transnet’s rail and ports;
- generates 93% of electricity from coal;
- creates 15% of electricity demand; and
- produces about 37% of the country’s liquid fuels via coal (R30 billion worth). (Baxter 2011:774).

However, the benefits of these mineral riches are yet to be realised in the lives of the South African majority, whose lives are ravaged by chronic poverty, illness, unemployment and other social ills (Carter & May 2001; Aliber 2003; du Toit & Neves 2007). These challenges are not unique to South Africa. Mineral rich states of the Southern African region such as Mozambique, Namibia, Tanzania, Zambia, Zimbabwe and Botswana experience similar ills (MMSD 2002). In this region the average income per day is estimated at US$ 2 – a shameful figure when compared to the United States of America, with about US$ 90 per capita per day (MMSD 2002:19). Like all other SADC (Southern African Development Community) countries, the South African economy is heavily dependent on mineral resources. Therefore, it should not come as a surprise that the poverty-related problems experienced in SADC states are also prevalent in South Africa. Moreover, the issue of poor government regulation of mineral rights and mineral wealth distribution has been highlighted as the key factor behind the “paradox of plenty” in Southern Africa.

It would be a mistake, however, to simply assume that the above-stated poverty and other social ills are observable in South Africa simply because the country falls within the SADC region – a region where significant mineral endowment does not produce economic benefits for ordinary citizens (Kabemba 2010:13). South Africa as a country has a unique history of mineral policy which contains some crucial answers to the questions on the afore-stated

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inequality and other challenges that arise from the activities of the mining industry in the country.

As mentioned earlier, changes in South Africa’s minerals policy in the post-apartheid era are notable. Mineral policy development during the period before 1994 must first be seen in light of the various political changes which took place in South Africa from the start of Dutch colonisation in 1652 until the inception of democracy in 1994. Here, this era will also be called the pre-1994 period/era.

It is worth noting that all early legislation during the pre-1994 period totally disregarded the rights of indigenous communities (Cawood & Minnitt 1998:370). The early mineral extraction industry, which was mainly the “gold-economy”, was focused on maximising profits with very little regard for sustainability or the adverse impacts of mining operations (Adler, Godfrey & Turtun 2007:34). Such behaviour was supported by a long period of weak, ambivalent and biased mining regulations which spanned decades of problematic political ideologies (DME, RSA 2010). The pre-1994 era was characterised by a “dual system” of both state and private ownership of mineral rights (DME, RSA 2010). Cawood & Minnitt (1998) divide the pre-1994 era in South African mining policy into five historical phases: the Dutch era, the British era, the era of independent provincial states, the Union era, and the era of South Africa as a republic.

During the Dutch era – the period between 1652 and the early 19\textsuperscript{th} century – the Cape was a colony of the Dutch and accordingly fell under Roman Dutch law which provided no reservation of mineral rights to the State: the rights to land and other resources in and underneath it belonged to the private owner (Dale 1997:15-16). It should be noted, however, that the Dutch law that operated at the time took no interest in developing mining law since mining did not play a significant role in the Dutch economy at the time (Cawood & Minnitt 1998:370). This was also due to the fact that during the Dutch era of colonisation of the Cape no European was aware of the rich minerals beneath the South African soil. The British era began in 1806 when the Cape came under the rule of the British Empire, which also made no significant policy strides towards developing a detailed policy for mining and mineral rights, except for the Cradock Proclamation of 1813 which became a celebrated policy directive of that period (Cawood & Minnitt 1998:370; Cawood & Macfarlane 2003:216). This Proclamation instituted an English law custom which reserved the “right to mine” precious
stones, silver and gold to the state (Cawood & Minnitt 1998:370). However, it is crucial to note that this proclamation also did not have much impact in regulating mineral rights since mining did not play a significant role in South African economy at that time – it was almost eight decades before the ‘gold rush’ would begin. The Native Land Act of 1913 was the first piece of legislation to formally cede away the rights of indigenous communities to mineral resources beneath their ancestral lands.

The mass exodus of disgruntled Dutch (Boer) farmers (the Voortrekkers) from the Cape Colony into the interior of the country (the Great Trek) in 1835 led to the formation of independent provincial Republics with independent systems of government: the Orange Free State, the Transvaal and Natal (the latter under British Crown). This was, indeed, the era of independent provincial states (Cawood & Minnitt 1998). It meant that these independent provincial states would vary in, among others, their regulation of mineral rights and natural resources (including land and minerals). When the “gold rush” began in the last quarter of the 19th century following the discovery of enormous gold reserves in the Witwatersrand in 1886, challenges also surfaced in these independent state provinces. The challenges related to lack of capacity and experience of governance and regulation of immense mining development (Cawood & Minnitt 1998).

When the Cape Colony, Transvaal, Orange Free State and Natal unified in 1910 to form the Union of South Africa, the state, through the Land Settlement Act of 1912, reserved ownership not only of the “right to mine” but of the minerals themselves. However, this step was soon reversed in 1917 when the state privatised mineral rights once again (Cawood & Minnitt 1998:371).

The coming to power of the national party government in 1948 and the subsequent declaration of South Africa as a Republic in 1961 pushed a long way further towards private ownership of mineral rights, although the state still had some control. Perhaps the most significant stride towards privatisation of mining during the apartheid era was the passing of the Minerals Act 50 of 1991 which relinquished the state’s “right to mine” principle and further transferred the mineral rights that were previously reserved exclusively for the state as the owner (Cawood & Minnitt, 1998).
As already stated, the pre-1994 period of mining development in South Africa was characterised and driven by an exclusive “white” biased policy framework. Many reported injustices associated with the history of South African mining industry include unfair and discriminatory labour practices, expropriation of land belonging to indigenous communities, overcrowded single sex hostels (exclusively for black males), and lack of resource control and participation of local communities (Kabemba 2010:20). Such atrocities were formally entrenched by the racially divisive policy of apartheid which was formulated and implemented immediately after the National Party took control of power in 1948. In essence, the National Party government under Dr D.F. Malan\textsuperscript{75} sought, through its apartheid policy, to elevate the status and socio-economic “standard” of the “white” European descendents and to perpetually downgrade the black South Africans (the African, Coloured and Indian races) to the levels of mere servants to the former. This policy was vigorously applied in all economic, social and government institutions and sectors and was even harsher on Africans than for Coloureds and Indians.

The question of traditional communities is also a critical one. Primarily, contemporary discourse on control and ownership of mineral resources by indigenous peoples should be seen in light of, among others, Appendix 2.4 of the 2007 United Nations Draft Declaration of Principles for Indigenous Rights (UNDRIP) which posits that:

> Indigenous nations and peoples are entitled to the permanent control and enjoyment of their aboriginal ancestral-historical territories. This includes surface and subsurface rights, inland and coastal waters, renewable and non-renewable resources, and the economies based on these resources\textsuperscript{76} (UN 2011:Numeral 4).

Although this “most comprehensive expression” (Wiessner 2009:1) of the rights of indigenous peoples only came into being in 2007, a great realisation of gross violations and negations of these rights by the state had long surfaced in South Africa. In South Africa, debates on control of mineral resources and land ownership are so intertwined that it would be impossible to avoid this connection in any justifiable, analytic, scholarly endeavour in this regard. Historically, legislation in the country largely ignored the issue of indigenous mineral

\textsuperscript{75} As he was popularly known – his full name was Daniel François Malan. The Prime Minister of South Africa from 1948 till 1954.

rights and ownership of land (Cawood & Minnitt 1998). For instance, the repulsive *Native Land Act of 1913* effectively allocated 87% of all the land in South Africa to the white population (mainly utilised for commercial farming) and confined the African majority of the population to the remaining 13% which mainly consisted of the so called “homelands” or Bantustans. It is through this early legislation and the much resented apartheid policy of separate development that virtually all Africans (Blacks) in South Africa were left landless, with no access rights to land tenure or to the minerals beneath the soil. During the apartheid regime, the issues around mineral rights ownership were as complicated as the systems and debates around land tenure in South Africa. Cawood and Minnitt (1998) allude to at least four classes of land ownership that influenced mineral rights ownership and were largely “biased towards the whites” in South Africa. These were Private, State, Alienated State, and Trust land (Cawood & Minnitt, 1998:372). Box 6.1 illustrates and briefly outlines these land ownership classes.

**Categories of land and mineral rights ownership pre-1994**

- **Private land** was land that was owned privately and both the surface and mineral rights in it were owned privately. The mineral rights could be owned by more than one person or even by a mining company.

- **State land** was land in respect of which both the surface and minerals were owned by the State. This system of ownership was simple and the State was the one that issued permission to utilise the land and the minerals beneath it.

- **Alienated State land** was land where the surface rights were privately owned, while all or some of the mineral rights were owned by the State.

- **Trust land or Tribal land** was land where the land and, quite commonly, the minerals rights were set aside for certain communities who were under the former homelands and other “independent” territories.

(Cawood & Minnitt 1998:372 - 373)

**Figure 6.1: Categories of land and mineral rights ownership pre-1994**

Perhaps it is crucial to note that the Bafokeng and Bakgatla communities were subject at the most to Trust Land Ownership, hence the Bophuthatswana Bantustan government assumed

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77 Bantustans or homelands were the territories that were set apart by the apartheid regime as land on the peripheries of South Africa for exclusive occupation by Africans (Black South Africans). These were also called the TBVC states (Transkei, Bophuthatswana, Venda and Ciskei) and were said to be “independent”. Other homelands such as KwaZulu, Lebowa and QwaQwa were did not get this “independence” until the final collapse of the apartheid regime.

78 The land ownership and some political challenges in this regard are discussed at length in Chapter Seven.
a trusteeship responsibility over mineral rights on behalf of these communities, amid much resentment and resistance by the latter (Coertze 1987; Breautz 1989; Jones 1999; Manson & Mbenga 2003; Bergh 2005; Morton 2005; Makgala 2009; Capps 2010). The trust land or tribal land was quite a complicated type of ownership because African communities were prohibited by the colonial legislation from negotiating mineral lease agreements with the mining companies on their own since their rights were held in trust for them by the state (Dale 1997:24).

It is against this background that the post-apartheid government which was inaugurated in 1994 felt there was an overwhelming need to transform the extraction industry in South Africa to a more inclusive and equitable mineral resource policy paradigm.

**6.3 Post-apartheid developments in the minerals policy terrain**

Through a critical reflection on the history and the dramatic development of the mining industry during the 20\textsuperscript{th} century (after mineral discoveries), this section will explore post-apartheid developments of the mineral policy framework in South Africa. The topics covered here include changes in ownership of mineral resources, royalty payments, corporate social responsibility (CSR) and accountability and socio-environmental impact discourses.

**6.3.1 Legislation and mineral rights**

Since 1994, South African mineral legislation has undergone several radical changes especially with regard to mineral rights ownership. South Africa’s Constitution (Act 108, of 1996) as the supreme law of the country seeks to establish a liberal democratic legal platform from which all legislation and policy frameworks (including mineral policy framework) can be derived – with the overarching urge of redressing the past damages.

For instance, the Bill of Rights plainly outlines under Section 25, sub-section 4(a) that:

\[ \text{T}he \ public \ interest \ includes \ the \ nation’s \ commitment \ to \ land \ reform, \ and \ to \ reforms \ to \ bring \ about \ equitable \ access \ to \ all \ South \ Africa’s \ natural \ resources. \]

(Constitution, RSA 1996)

However, as early as 1994, nearly two years before the promulgation of the country’s first democratic constitution, the post-apartheid government was already making significant strides towards the new paradigm shift in South African mineral legislation. These strides included, among others, the commissioning of the Minerals and Energy Policy Centre (MEPC) by the ANC to conduct a research into the pragmatic ways in which South African
mineral policy could be revised towards achieving a more equitable and racially inclusive mineral rights regime. The results of this investigation were presented in November 1994 (Cawood & Minnitt 1998:374). The fundamental vision of the ANC in transforming the mineral legislation and policy, as pointed out in most discussion documents, is premised upon one of the fundamental clauses of the 1955 Freedom Charter drafted by the parties and South Africa’s oppressed people which posits that:

The people shall share in the country’s wealth ... and … The mineral wealth beneath the soil … shall be transferred to the people as a whole (Freedom Charter 1955).

On 3rd February, 1998, the then Minister of Minerals and Energy, Dr Penuell Maduna, launched The Green Paper on Minerals and Mining Policy for South Africa. The Paper sought to usher in a major paradigm shift in mineral legislation, much in line with the recommendations of the MEPC Report. Such a shift was unequivocally affirmed by Ms Susan Shabangu79 in Parliament, when she mentioned the Green Paper’s proposed mineral policy changes which sought, to accomplish among other things:

facilitation of access to opportunities in the minerals industry to those previously excluded and ensuring security of tenure of mining rights; creation and maintenance of a stable macro-environment that supports economic growth in accordance with the GEAR80 strategy and in which the minerals industry will operate profitably; upholding high standards of health and safety in and around mines (Shabangu 1998:1).

It became obvious from very early developments that the new mineral rights policy was, among other things, mainly focused in creating an equitable and a balanced mineral rights ownership regime with much emphasis being laid upon the inclusion of the previously excluded and impoverished African (Black) society into the core of the mining economy. Hence the Green paper pointed out, among other things that:

The South African mining industry is heavily dominated by a small number of mining houses, all of which are white owned. Business ownership and control in the country in general, and particularly in the mining industry given its complexion should be deracialised. The mining industry needs to demonstrate

79 Ms Shabangu announced these developments in a media briefing in parliament on 9th February 1998. At the time she was the Deputy Minister of the Department of Minerals and Energy Affairs (DMEA). At the time of the study she held the position of the Minister of Minerals. This speech was accessed from http://www.info.gov.za/speeches/1998/98210_minera9811064.htm, on 5th January 2011.

80 Growth, Employment and Redistribution (GEAR) is the former economic policy programme that associated macroeconomic strategy applied in South Africa in line with the Reconstruction and Development Programme (RDP) – the fundamental policy framework.
rapid, visible and significant transformation in line with the rest of South African society (RSA, 1998).

As Cawood & Minnitt (1998:376) highlight, the Green Paper in many ways demonstrated government’s commitment to introduce an inclusive “dynamic mineral resource management system combined with efficient administration of mineral rights”. In line with the consultative, democratic government practice, the submissions made on the Green Paper by various role players and other sectors of South African public were considered in the development of the White Paper on a Minerals and Mining Policy which was approved by Parliament on 23rd September 1998. The first Draft Minerals Development Bill (2000) was then released in December 2000. Since the release of this Draft was done unilaterally by government without any consultation with the key role players in the mining industry it was confronted with much criticism and rejection (Cawood 2004:56). Subsequently, after a considerable effort had been spent in consultations, government released a revised draft of the Bill renamed the Draft Minerals and Petroleum Resources Development Bill (2002). Apparently the first draft bill raised tensions and uncertainties as Zhuwakinyu (2002:1) observes that the contradictory interests of the ANC-led government which was determined and “impatient to see the entry of previously-disadvantaged people into the R500-billion industry – and somewhat nervous mining barons”, appeared to be irreconcilable. The South African Chamber of Mines, which represents mining industries, displayed much uneasiness with several mineral policy changes proposed in the first Draft Minerals Development Bill, which then became the main force behind the revision of the draft. Hence, reflecting upon the “positive” outcomes of the much celebrated meeting at Mbulwa, Zhuwakinyu (2002:1) states:

The chamber also wanted the government to ensure that the new regulatory regime for mineral rights follows internationally-accepted standards, while recognising the State’s custodianship of South Africa’s mineral resources (Zhuwakinyu 2002:1).

The Bill effectively placed all mineral rights under state ownership. The owners of mineral rights according to the old order were required to convert their rights. Despite successful negotiations which led to successful and historical policy formulation, much skepticism and ambivalence still pervade South African mineral policy reform. Attorney Hulme Scholes, cited in an interview with the Mining Weekly magazine, warns that “the devil is in the detail” of the new minerals policy (Zhuwakinyu 2002:1). Moreover, Cawood (2004:53) also cautions that as South Africa is “essentially, a minerals-based economy” it would be dangerous to trade in long-term, stable and workable decisions, for radical decisions which had short-term
appeal to the electorate. Certainly, the strong and globally dominant capitalist interests of international investors in one way or another soon overrode the national interests of radically improving the lives of historically disadvantaged South Africans (HDSA) through equitable distribution of the country’s mineral wealth. The government, perhaps out of concern that the radical stance would violate trust between itself and potential international investors, retracted a great deal from its original position. Hence the Bill was revised and later accepted by most stakeholders, especially the mining companies.

It should therefore not come as a surprise to learn that not much mention was made of host communities or the so-called indigenous or traditional communities on whose land mining activities have gone on for generations with very little or no compensation. Prominent pieces of legislation in South Africa have repeated this error of not prioritising the rights of indigenous communities. For instance, it has been argued that the *Mineral and Petroleum Resources Development (Act 28 of 2002)* (MPRDA) did not adequately cater for the needs of the host communities and indigenous communities who share their lands with mining corporations (Nthai 2009:129). Section 108 of MPRDA provides, among other things, that:

1. Any community who wishes to obtain the preferent right to prospect or mine in respect of any mineral and land which is registered in the name of the community, must lodge such application to the Minister.

This “preferent right to mine” phrase has potential to generate confusion and even despair to traditional communities, most of whom have limited capacity and resources to participate effectively in the mining economy. Among a plethora of changes introduced by the MPRDA, the fundamental change in minerals policy under this Act was that it placed all mineral rights under the national government, rather than under private owners.

Although not very clear on details, the post-apartheid Minerals Policy in South Africa also introduced a new royalty regime with a major influence on the collection and distribution of mineral rents (Cawood & Minnitt 2001:91). Mining royalties as a form of compensation to the owners of mineral rights are paid by all holders of mineral rights. The royalties are mainly paid for the “benefit of the National Revenue Fund” (RSA 2008). The royalty payment is legislated through the *Mineral and Petroleum Resources Royalty Act, 2008* (MPRA, also known as the *Royalty Act*) in line with the MPRDA. Under Section 4 of the *Royalty Act*, the formula for calculating royalty payment is explained as follows:
• 0.5 + 1 earnings before interest and taxes/ (gross sales in respect of refined mineral resources x 12.5)) x 100.
• The percentage mentioned in section 3(2) is 0.5 + earnings before interest and taxes/ (gross sales in respect of unrefined mineral resources x 9) x 100. (RSA 2008:4)

Put differently, the formula for calculating royalties is “a percentage (Y) of the gross earnings” (Sorensen 2011:179). This is expressed as follows:

\[ Y (u) = 0.5 + \frac{X}{9.0} \text{ (Max = 7.0)} \]
\[ Y(r) = 0.5 + \frac{X}{12.5} \text{ (Max = 5.0)} \]

(Sorensen 2011:179).

Even with these reforms the Minerals Policy is quite oblivious when it comes to resource control by traditional communities. MPRADA’s provision to place all mineral rights under state ownership took a dramatic twist when, it granted right to traditional communities who have historically received royalties from mining companies operating on their land (such as the Bafokeng), to continue receiving royalties whether they are paid with regard to “old order” or “new order” mining rights (MPRADA, RSA, 2002). Subsequently, this move was met with much opposition from mining corporations and corporate bodies. The key contention by the latter was that the MPRDA was imposing “a double royalty” payment. The Minerals and Petroleum Resources Royalty Bill of 2007 set out to deal with this challenge in the following manner, as declared in a media statement81 released by the National Treasury:

Government will encourage communities and mining companies to enter into negotiations to, where appropriate, convert the financial interest of communities into equity stakes in the operating companies. These negotiations will require that role-players make some concessions in order to ensure lasting and sustainable arrangements (RSA, 2007).

It is this very recommendation that led to the conversion of several royalties that the mines had previously paid to communities into equity share partnerships with the mining companies, with the most notable example being the Royal Bafokeng community which has gained significant recognition as “Africa’s richest tribe” (Manson & Mbenga, 2003) owing to these policy decisions.

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81 This statement is accessible online from:
6.3.2 The Mining Charter and the Social Labour Plan (SLP)

One of the measures of realising the transformation envisaged by the MPRDA was the introduction of the Broad-Based Socio-Economic Empowerment Charter for the South African Mining Industry (the BBEE Charter), alternatively referred to as “The Mining Charter”, passed by Parliament in 2002. This charter sought mainly to create opportunities for effective participation of historically disadvantaged South Africans (HDSA) in the mining industry and can be regarded as one of the key measures mandated under Section 100, 2(a) of the MPRDA. Among other things the Act commissions the Minister of Minerals and Energy, within five years of its promulgation:

\[
100(b) \ [t]o \ ensure \ the \ attainment \ of \ Government’s \ objectives \ of \ redressing \ the \\
\text{historical, social and economic inequalities as stated in the Constitution. The} \\
\text{Minister must within six months from the date on which the Act takes effect} \\
\text{develop a broad-based socio-economic empowerment Charter that will set the} \\
\text{framework, targets and time-table for effecting the entry of historically} \\
\text{disadvantaged South Africans into the mining industry, and allow such South} \\
\text{Africans to benefit from the exploitation of mining and mineral resources} \\
\text{(MPRDA, RSA 2002).}
\]

The key areas of redress that were targeted by the Mining Charter from the onset were mainly the ownership of mines, management of projects in the mining industry, employment, community participation in South African mining industry, and beneficiation from the industry (Cawood 2004:56).

The Mining Charter became another noteworthy piece of South African legislation which has not been without criticism and gaps ever since its promulgation. The first version of the Mining Charter, which became very controversial, was “accidentally” released to the media and the public by being “leaked through Miniweb” in July 2002 (Cawood 2004:56). The leaked Charter aroused much tension and opposition from the local business and the international markets, especially with regard to its key proposition – of shifting control of new mines to black ownerships up to 51% within a time frame of only ten years. This proposal created so much negative response and uncertainty about the future of the country’s mining industry that many investors disinvested from South African mining shares within a very short space of time (Cawood 2004:56; Leon 2010:1). However, after much consultation with mining stakeholders and society structures, the Department of Minerals and Energy (DME) made an urgent revision and an improved version of the Mining Charter which enjoyed broader support was released in October 2002 (Cawood 2004:56).
 Nonetheless, this final document was much compromised as a result of international pressure and criticism. The target of black ownership of mines was dropped from 51% in the original document to 26% by 2014 (Leon 2010:1). Figure 6.2 displays the nine priority areas in the much publicised BEE Scorecard for the South African Mining Industry. The key objectives of the Mining Charter are:

a) To promote equitable access to the nation’s mineral resources to all the people of South Africa;

b) To substantially and meaningfully expand opportunities for HDSA to enter the mining and minerals industry and to benefit from the exploitation of the nation’s mineral resources;

c) To utilise and expand the existing skills base for the empowerment of HDSA and to serve the community;

d) To promote employment and advance the social and economic welfare of mine communities and major labour sending areas;

e) To promote beneficiation of South Africa’s mineral commodities; and

f) To promote sustainable development and growth of the mining industry. (DMR, RSA 2010:1)

It is against the background of these objectives that the South African Mining Charter derives nine key elements. In direct response to and in ensuring the implementation of the above-stated Section 100 of MPRDA, the Department of Minerals and Energy announced the BEE Scorecard for the Broad Based Socio-economic Empowerment Charter for the South African mining industry in 2004. This scorecard was mainly intended to monitor transformation progress in the mining sector. The key elements of the Mining Charter feature as main target fields/areas on which the state monitors compliance to the new minerals legislation. These are briefly presented in Table 3 below.
<table>
<thead>
<tr>
<th>Target Fields</th>
<th>Summarised Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. <em>Ownership</em></td>
<td>Mining companies are to achieve a minimum target of 26% ownership to enable meaningful economic participation of HDSA by 2014.</td>
</tr>
<tr>
<td>2. <em>Procurement and Enterprise Development</em></td>
<td>Mines should procure 40% minimum of capital goods from BEE owned entities by 2014. Multinational suppliers of capital goods must contribute 0.5% of their annual income raised from local mining companies towards socio-economic development of local communities, and mines are to procure 70% of services and 50% of consumer goods from BEE entities by 2014.</td>
</tr>
<tr>
<td>3. <em>Employment Equity:</em></td>
<td>Mining companies are to achieve a minimum target of 40% HDSA demographic representation by 2014 at the levels of junior, middle, senior and executive management, including representations in the core and critical skills positions.</td>
</tr>
<tr>
<td>4. <em>Beneficiation</em></td>
<td>Mining companies are to enhance and facilitate local beneficiation in line with Section 26 of MPRDA and the mineral beneficiation strategy.</td>
</tr>
<tr>
<td>5. <em>Human Resource Development</em></td>
<td>The mining companies are to invest a percentage of annual budgets in essential skills development activities reflective of the demographics of the country.</td>
</tr>
<tr>
<td>6. <em>Mine Community Development</em></td>
<td>Mines and other stakeholders involved in the mining industry must adhere to international best practices of engaging with communities, invest in ethnographic community consultative and collaborative processes prior to the implementation/development of mining, conduct assessments to determine the developmental needs in collaboration with mining communities and identify projects within the needs analysis for their contribution to community development.</td>
</tr>
<tr>
<td>7. <em>Housing and Living Conditions</em></td>
<td>Mining companies must implement measures to improve the standards of housing and living conditions for mineworkers. This will be realised through implementing the following measures by 2014: Convert or upgrading hostels into family units, achieve the occupancy rate of one person per room, and facilitate home ownership options for all mine employees in consultation with organised labour.</td>
</tr>
<tr>
<td>8. <em>Sustainable Development and Growth of the Mining Industry</em></td>
<td>Every mining company must implement elements of sustainable development commitments included in the “Stakeholders’ Declaration on Strategy for the sustainable growth and meaningful transformation of South Africa’s Mining Industry of 30 June 2010 and in compliance with all relevant legislation”.</td>
</tr>
<tr>
<td>9. <em>Reporting (Monitoring and Evaluation)</em></td>
<td>Every mining company must report its level of compliance with the Mining Charter annually, as provided for by Section 28(2)(c) of the MPRDA. The Department shall monitor and evaluate, taking into account the impact of material constraints which may result in not achieving set targets.</td>
</tr>
</tbody>
</table>

Table 3: The nine key elements of the Mining Charter (Source: DMR\textsuperscript{82}, RSA 2010:1-6)

There has been continuous criticism directed against the BEE Mining Charter as it seemed fraught with controversy and quite complicated to apply, hence it had to undergo a further extensive process of consultation and review. Among the most vociferous critics of the South Africa’s BEE Policy is Moeletsi Mbeki, a South African author, who argues in his book “Architects of Poverty” that this policy is responsible for producing an unproductive minority wealthy class of black politically connected capitalists who are all members of the ruling ANC (Mbeki 2009). Leon (2010:1) also identifies the following major limitations embedded in the final document of the Mining Charter which, he believes led to its second review: 1) the linguistic vagueness of the document, which does not obligate the mines to push towards direct beneficiation of communities directly from mining operations; 2) the much debated and finally dropped 26% 2014 black ownership target put no pressure on mining companies to shift equity to local communities. This analyst further argues that the case of Royal Bafokeng community’s significant equity stake in Impala Platinum (Implats) and Anglo Platinum (Aplats) should not be considered a success brought about by South Africa’s new mining policy shift but rather a unique case – an “exception rather than the norm” (Leon 2010:1). Mining policy in South Africa has also been criticised for being “draconian in nature” and for producing a small cluster of wealthy black elites instead of distributing the wealth for effective inclusion of all black South Africans (Montgomery 2010).

In order to address the shortcomings mentioned above, in September 2010 the Department of Minerals and Energy (DMR) released the Amendment of the Broad Based Socio-Economic Empowerment Charter for the South African mining industry\(^3\) (ABBEE). In this comprehensive document, there is no much deviation from the original 2002 Mining Charter. Just like the original version, this amendment lays much focus and emphasis on redressing past inequalities, and enacting Section 9 (equality clause) of the Constitution of the Republic of South Africa Act 108 of 1996, and MPRDA regulations (DMR, RSA, 2010). The revised Mining Charter also seems to focus more on creating a sustainable mining industry through its overwhelming vision which is specifically “to facilitate sustainable transformation, growth and development of the mining industry” (DMR, RSA 2010).

\(^3\) A copy of this amendment document can be accessed from: [http://us-cdn.creamermedia.co.za/assets/articles/attachments/29578_100908policy.pdf](http://us-cdn.creamermedia.co.za/assets/articles/attachments/29578_100908policy.pdf) (Accessed: 20/11/2010).
In tandem with the Mining Charter, another strategic move by the South African government towards implementation of the new reforms in the minerals policy was the introduction of the Social Labour Plan (SLP) in April 2004 as a prerequisite for obtaining mining rights. The SLP is legislated in terms of MPRDA provisions in tabulated regulations 40, 41, 42, 43, 44, 45, and 46. The key objectives of the SLP are:

i) to promote employment and advance the social and economic welfare of all South Africans; ii) to contribute to transformation of the mining industry; iii) to ensure that holders of mineral rights contribute to socio economic development of the areas in which they are operating; iv) to utilise and expand the existing skills base for the empowerment of the HDSA (historically disadvantaged South Africans) (RSA 2004:23).

Thus, the SLP is a prerequisite for all mining companies wanting to obtain mining or production rights according to the new order. Regulation 46 of MPRDA details the requirements of the SLP. When applying for mining rights the mines are now compelled to provide detailed SLP comprising their:

Human Resource Development Programmes, Mine Community Development Plan, Housing and Living Conditions Plan, Employment Equity Plan, and Processes to save jobs and manage downscaling and/or closure (RSA 2010:4).

The holders of mineral rights (the mines who are currently operating) are required to submit annual reports on, among other things, their compliance with the Charter and the provisions of the SLP.

With these measures, it is evident that the reformed mining policy in South Africa which is epitomised by MPRDA is one of the most progressive globally. Undoubtedly, the mineral reform measures have been accompanied by tremendous optimism. Such hopefulness is evident in statements such as the following by the Minister of Mineral Resources:

The social and labour plan, read together with the Mining Charter, are radical measures that we have taken to give practical effect to government objectives (Shabangu 2011:1).

Therefore, despite the Mining Charter having undergone a rigorous review process for five years, it comes as no surprise that despite this radical shift in South Africa’s mineral legislation, very little transformation has occurred in reality, especially with regard to distribution of the country’s enormous mineral wealth. Black South Africans are still largely excluded. By 2010, only 8.9% of the industry has been transferred to Black ownership – 91% of the industry is still white-owned (Shabangu 2010; Swanepoel 2010; Montgomery 2010).
This comes 16 years after the democratic government was inaugurated and almost six years after the enactment of the 2004 Scorecard to the Mining Charter for the South African mining industry was released. Sadly, the goals set in the Scorecard (see Table 6.1) are so far nowhere close to realisation. Compliance to legislation has been very minimal. Hence senior officials and politicians from the Department of Minerals have sternly cautioned the mining companies to comply with the new revised Mining Charter or face “revoking of the Mining license” (Nogxina, cited in Derby 2010:1). Undoubtedly, noncompliance will render the mining company in contravention of MPRADA and subsequently have its mining license revoked (DMR RSA 2010). The challenge of non-compliance by mining companies has also been confirmed by the Minister of Mineral Resources, Mrs Susan Shabangu, who asked whether this “abject failure of some mining companies to implement even the most mundane requirements of the original and revised Mining Charter” is not the instigator behind the heightened debate on the nationalisation of mines (Shabangu 2011). This debate will be revisited later in this chapter.

It is yet to be empirically tested whether it is possible to transform South Africa’s racially predisposed history of the minerals industry only by enacting transformative and liberally progressive legislation and policy framework. Obviously, the challenge of redressing the injustice required much more than reliance on voluntary CSR interventions by the mining industry – it challenged the state to enforce change through legislation (Esser & Dekker 2008:166). By and large, the ANC-led government which has been in power in South Africa since 1994 has sought to transform the history of the country’s mining industry mainly through legislation. However, with evidently very slow progress in shifting of ownership and in improving the employment conditions of workers and with generally non-compliance of the industry with the new legislation, transformation in the South Africa mining industry is minimal or non-existent, especially when it comes to issues of transfer of ownership of mines from predominant white-male ownership to black South Africans including women.

Perhaps it is time to reflect on government interventions since 1994. Do these legislative reforms contribute towards poverty eradication and the alteration of South Africa’s history of inequality? To what extent do these post-apartheid mineral policy reforms contribute towards sustainable mineral resource-engendered development at local (community) level? Possibly, above and beyond expecting mining companies to comply with legislative reforms, it would be helpful also to consider the significance of the social and environmental impact of mining
and the extent to which South African mining companies take seriously their corporate social responsibility and environmental remediation for sustainability of the mining industry which is the backbone or the country’s economy. It is to these aspects that this discussion will now turn.

6.4 Mining impact, accountability and corporate social responsibility: A South African perspective

As already stated, the activities of the mining industry are inherently destructive to the natural environment and to the social well-being of the nearby communities. It is this very negative impact that the corporate social responsibility (CSR) agenda for the mining industry is attempting to address globally. The critical question that should now drive the current discussion is: to what extent does the mining industry in South Africa voluntarily adhere to all major aspects of CSR principles? Despite the generous application of the term CSR in scholarly literature and broadly by policy analysts and environmental advocates and practitioners, as Fig (2005:601) observes, the business community in South Africa generally prefers the concepts of “corporate citizenship” (CC) and “corporate social investment” (CSI) rather than CSR. Though also important, such concepts (CC and CSI) pose a challenge of power imbalance and superficial policy implementation, since, as Fig (2005:601) also asserts, they “ask no questions about legacy, memory, history, justice, or moral and ethical responsibilities” of the business. In fact, this very weakness in CSI and CC could be quite detrimental to indigenous communities who live close to the operations of the mining industry – an industry whose operations have largely earned a bad reputation for harmful impacts to historically disadvantaged communities in South Africa (Cronjé & Chenga 2009; Mtegha, Cawood & Minnitt, 2006:231). As such, community control as a relatively new mode of indigenous community participation in South Africa’s mining industry must also be viewed in light of the above-mentioned weaknesses and gaps.

The mining industry in South Africa greatly profited from the unjust corporate and political environment created by the National Party’s “Whites only” apartheid-driven policies. It is

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84 A good corporate citizen is defined as the company that has “comprehensive policies and practices in place throughout the business, that enable it to make decisions and conduct its operations ethically, meet legal requirements, and show consideration for society, communities and the environment” (Fig 2005:601).

85 CSI involves specifically the projects that the company undertakes “for the purpose of uplifting communities in general and those which have a strong developmental approach” (Fig 2005:601).
self-evident that the apartheid policy presented the South African mining industry with a favourable environment for accumulating a windfall in profits through unjust practices such as the division of labour, unequal income based on race, cheap migrant labour system, and poor health and accommodation facilities for black workers (Kapelus 2002). Moreover, the apartheid government issued operation licences to mining companies to ruthlessly execute enormous health and ecological damage to local communities and mine workers (Fig 2005:601). CSI and CC projects and undertakings are “top-down” in approach and ostensibly demonstrate an exclusive profit-driven character since they are mostly initiatives of the company alone without involvement of other stakeholders in important decision-making processes. Therefore such conceptualisations perpetuate philanthropic interventions which serve to deplete the already strained trust between corporations and communities.

But what does CSR hold for the role of the mining corporations who share land with indigenous communities in South Africa? To a great extent, CSR in South Africa is closely ‘tied up’ with the country’s institutional and historical debates. As already highlighted, the drive towards “responsibility” entails the taking of necessary steps by the mining companies to acknowledge and redress the unjust violations of human rights of which most victims were black people (Fig 2005). This new focus signifies a major transition from a historical business-orientated model of CSR which was driven in the form of “charitable donations” and other philanthropic gestures that had little or no impact towards mitigating the pervasive social problems caused by the mine on black communities (Hamman 2004:278).

It is crucial to mention that the universal character of the CSR conceptual framework could be responsible for creating a challenge of poor implementation, especially in the context of developing countries. South Africa is by no means immune to this challenge. Under its new democratic dispensation, South Africa, because of its dark history of socio-political and economic injustice has been fraught with serious challenges with regard to CSR implementation. Hamann et al. (2005:1-19) provide a detailed exploration of contemporary challenges that impede successful application of CSR. These analysts draw empirical evidence from the mining sector to support their thesis titled “Universalizing Corporate Social Responsibility? South African Challenges to the International Organization for Standardization’s New Social Responsibility Standard” to discuss at least five challenges that

86 The role of the State will be discussed further later in this section.
are directly responsible for difficulties in defining, monitoring and evaluating South African CSR practices in accordance with universal standards.

Challenge one: South Africa’s legacy of poverty and inequality: the history of unequal distribution of the country’s wealth, resources, employment opportunities have led to wide gaps between the rich and poor and left the majority of Black South Africans languishing in a vicious circle of chronic poverty, health challenges and other social ills (of which the HIV/AIDS epidemic is currently the leading challenge). Challenge two: Distrust and the “greenwash” critique: the irrevocable fact that the South African major business sectors, particularly the mining industry, perpetrated, supported and benefited from some of unjust rights violations of the apartheid system has left indelible scars of distrust among Black South Africans towards this industry in general, especially among the local communities whose livelihoods and cultural lives have been ravaged by the mines for decades without fair compensation. Challenge three: Homegrown and contrasting conceptions of CSR: the view of CSR is generally quite broad. This broader conceptualisation challenge is compounded mainly by expectations and scrutiny by international institutions and non-governmental organisations (NGOs), market-based incentives for good CSR performers at local level and the post-apartheid legislation/policy framework (e.g. BEE). These issues make it a serious challenge for South African mining companies, in particular to construct similar conceptions of the concept which can be evaluated and monitored based on unitary standards. Challenge four: Small business and economic development: the country’s small businesses, the small, medium and micro enterprises (SMEs) in particular, due to their limited resources and capacity, face a serious challenge in trying to reach and maintain the international CSR standards when compared to their larger counterparts. Challenge five: A crucial role for the state: Although there is still generally a gap between policy formulation and implementation in South Africa, the country has projected a commendable effort in transforming the unjust and exclusionary apartheid laws of the past and replacing them with progressive, democratic legislation passed by the country’s democratic legislation. The post-1994 democratic government of South Africa has done well in formulating various pieces of legislation to form the basis through which the CSR framework can be driven. Such legislation which forms the basic framework for standards of monitoring and evaluating the CSR performance of the mining industry in South Africa includes: National Black Economic Empowerment Act No. 53 of 2003, Mineral and Petroleum Resources Development Act No. 28 of 2002, Promotion of Access to Information Act No. 2 of 2000, National Environmental Management

The mine environmental disaster incident which occurred in South Africa’s Bafokeng traditional community is one which is still narrated by local villagers with a deep sense of loss and grief even today, nearly four decades since it occurred. Such an incident is well documented in Van Niekerk & Viljoen (2005: 202-203):

On 11 November 1974, a major failure of part of the south-eastern wall of the number four tailings dam of Impala Platinum Mines near Rustenburg, South Africa, (also known as the Bafokeng disaster) took place. The dam, 900m x 900m x 20m high, contained more than 13 million m3 of tailings. More than 3 000 000 tonnes of tailings escaped through the breach and engulfed the number four mineshaft, killing 12 men underground, and flowed on the surface for 25 kilometres down the Elands River. The dense fluid destroyed all surface installations in its path and dragged the shaft equipment to the bottom of the shaft. The Bafokeng tailings dam failure produced a tailings flood that was up to 800m wide and 10m deep, four kilometres away from the breached dam wall (Van Niekerk & Viljoen, 2005: 202-203).

Besides the severely damaged physical landscape in the disaster area, the unidentified graves that spread as an open field in Luka village remain reminiscent of this horrific environmental disaster which claimed so many lives (see Plate 8).
The challenges highlighted above are not unique to the South African mining industry – but post-apartheid South Africa is still hampered by poor policy implementation despite its progressive policy and legislative framework (UNDP 2003). The role of the state in regulating mine impact and social provisioning in communities that surround mining is crucial. National governments in many mineral resource-rich countries have projected very little volition and capacity to effectively carry out the afore-stated responsibilities. This occurs to the detriment of the social well-being of local communities. For instance Akpan (2009:105), through a detailed empirical analysis of three oil- and gas-producing communities in Nigeria, reports on how the phenomenon of a state abandoning of its “developmental obligations” to its citizens has led to detrimental socio-economic effects, especially towards the poor communities who share their land with mining corporations. The extent to which the South African government is able to carry out its responsibility to implement the policy framework which promotes CSR and other sustainability obligations of the mining industry is currently under severe duress. This is perhaps the fundamental reason

Plate 8: The graves of unidentified victims of the Bafokeng disaster, Luka village
behind MPRDA’s emphasis which is not only based on CSR but also on the Social Labour Plans as the basic requirement for the granting of mineral rights in South Africa. Hence there has recently emerged an audible and relentless cry from certain sections of the society – a call to nationalise the entire mining industry.

6.5 State control? The debate on nationalisation of mines

With the already discussed history of the mining industry in South Africa which epitomised racial bias (favouring mainly white males), the post-apartheid quest by the ANC government for radical transformation of the country’s Minerals Policy, and the plethora of inadequacies that continue to thwart this quest, and the growing calls for government to nationalise the mining industry have driven the entire discourse around mineral reform towards a new peak. Although the proposal to put South Africa’s mines under state control came as a surprise to some sectors of society, it is quite obvious that it will further complicate the ANC government’s mineral policy reform. Some sections within the ANC itself (mainly the African National Congress Youth League (ANCYL)) seem to be very dissatisfied with the slow manner in which transformation is taking place within the mining industry, hence the calls for an urgent and a more radical policy shift – nationalisation of the mining industry.

Interestingly, it was during the first half of 2009, when the ‘storm’ of global economic recession was ravaging major economic sectors in South Africa, that the ANCYL began making calls for the government of South Africa to consider transforming the country’s minerals policy towards nationalising the mines. Not long after that, the Congress of South African Trade Unions (COSATU), a powerful ANC alliance partner, joined in to support the call for nationalisation through the national media debates. From the very onset, the calls for nationalisation by some influential sectors and allies of South Africa’s ruling party (the ANC) paradoxically showed conflicting interests within the ANC. Senior members of the ANC have uttered statements that reflect strong opposition to the nationalisation proposal (if not a demand) by the ANCYL. For instance, Jessie Duarte, the former ANC spokeswoman, commented, "It is not ANC policy to nationalise mines, but the ANC does provide for people to question if they need to do so" (Prinsloo 2009:1). The Minister of Mineral Resources, Mrs Susan Shabangu, has also on numerous occasions made similar anti-nationalisation pronouncements. For instance, in February 2010, in what evidently surfaced as a move to grant assurance and mollify foreign capital investors, Mrs Shabangu reaffirmed government’s stance on nationalisation when she stated at the Mining Indaba in Cape Town that:
I can say in my lifetime there will be no nationalisation. Maybe when I’m dead. And rest assured, I’m not dying next week (Wood 2010:1).

The president of the Republic of South Africa, Mr Jacob Zuma, is no stranger to such anti-nationalisation comments. When asked in Parliament in Cape Town in May 2010 the President asserted that the views of Julius Malema (the ANC Youth League president) on the nationalisation of mines were his own and did not necessarily represent the ANC policy. Mr Zuma went on to say:

We don’t have a nationalisation policy as the ANC. If this issue causes such excitement, then debate it with Mr Malema. He is there (Pres. Zuma in Mining Weekly, 2010).

Apparently the ANC government finds itself in a quandary. On one hand, government sees the urgency to eradicate apartheid-induced racial and socio-economic inequality through transforming – hence the relentless drive towards transforming mineral policy in South Africa for the benefit of all citizens, especially the historically disadvantaged black majority. On the other hand, it is quite obvious that the South African post-apartheid administration, confined by its liberal economic policy, is mindful of not chasing foreign investors away – hence the anti-nationalisation stance projects somehow an acute determination by the state to keep foreign investors mollified. It is this quandary that breeds the contradiction of statements on the issue of nationalisation of mines between the governing ANC and its very vocal youth wing – the ANCYL. Wood (2010:1) aptly comments that,

[t]he whole issue of nationalisation of the mining industry is likely to remain a political hot potato for years to come (Wood 2010:1).

Undoubtedly, the call for nationalisation of mines came as a big threat to South Africa’s economy which is already vexed by the global economic recession which began in 2008. Moreover, the call by the ANCYL further complicated the already complex and ambivalent post-apartheid mineral policy reform. Hence, in an attempt to gain more insight into current paradoxes that evolved with the proposed radical trajectory of South Africa’s mineral policy reform, it is crucial, before looking at the merits and demerits of nationalisation proposal, to look at the relevant historical and political foundation on which such a call could be premised.

It is necessary to begin by questioning: is nationalisation really not a policy of the ANC? Although this question is critical, so far it appears not a simple one to answer. The vital point
of departure must be the much celebrated historical gathering or event, “The Congress of the People”87, which endorsed “The Freedom Charter” on the 25th and 26th June 1955 in Kliptown outside Johannesburg. The ‘Congress’ was a huge gathering of representatives of all the then oppressed peoples of South Africa. The Freedom Charter was a liberation proclamation document jointly drafted by the ANC, the South African Indian Congress, the South African Congress of Democrats and the South African Coloured People’s Congress.

For this discussion on the suggested nationalisation of the mining industry, the declaration under Section 4 of the Freedom Charter, which also forms the most critical political foundational statement on which the ANCYL’s call for nationalisation is premised, is a relevant point of departure. Under Section 4, the Charter states that:

The national wealth of our country, the heritage of South Africans, shall be restored to the people; the mineral wealth beneath the soil, the banks and monopoly industry shall be transferred to the ownership of the people as a whole; all other industry and trade shall be controlled to assist the wellbeing of the people. All people shall have equal rights to trade where they choose, to manufacture and to enter all trades, crafts and professions (The Freedom Charter 1955).

The Freedom Charter in many ways became the political guide for policy transformation in the post-apartheid era. The placing of all underground mineral resources under state ownership by MPRADA (conversion of ‘old order’ to ‘new order’ rights) emanated from this very clause (cited above).

The ANCYL’s discussion document titled: “Towards the transfer of mineral wealth to the ownership of the people as a whole: a perspective on nationalisation of mines” which was released in February 2010, details the Youth League’s position, political and conceptual foundation and some details of the implementation framework for the proposed nationalisation of South African mines. A brief analysis of this document will hopefully provide some understanding of contemporary dilemmas infused somewhere between the call for nationalisation (control of minerals by the state) and the prevailing discourse around mineral resource control by indigenous land owners (the traditional communities). As defined in Section 6 of the ANCYL discussion document, nationalisation of mines means:

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87 The Congress of the People was a huge gathering of more than 3,000 delegates (comprising workers, peasants, intellectuals, women, youth and students of all races and colours from different political, social and other groups) that gathered in Kliptown outside Johannesburg on 25th and 26th June 1955 to endorse the historical Freedom Charter – a document which became a national vision for the future of South Africa from which the country’s constitution was excavated.
the democratic government’s ownership and control of Mining activities, including exploration, extraction, production, processing, trading and beneficiation of Mineral Resources in South Africa. Minerals Resources refer to all the more than 50 non-renewable precious, industrial and chemical stones extracted from Mines in South Africa. This includes but is not limited to Gold, Platinum Group Metals, Chrome, Coal, Manganese, Diamond, Copper, Metals, Aluminium, etc. The democratic government’s ownership and control should happen through a democratic, open and decisive legislation of Parliament, which will ensure that all Mineral Wealth is used for the benefit of the people, development and growth of South Africa’s economic activities (ANCYL 2010).

The ANCYL unequivocally maintains that this ostensibly radical position driving the country’s policy towards nationalising the mining industry is indeed the policy of the ANC. Besides the historic Freedom Charter (the ANC’s main constitutional guide), the ANCYL also highlight some of the ANC’s key resolutions of the 52nd National Conference on Economic Transformation as part of the evidence which reaffirms their position. This resolution proposed that the:

use of natural resources of which the state is the custodian on behalf of the people, including our minerals, water, marine resources, in a manner that promotes the sustainability and development of local communities and also realises the economic and social needs of the whole nation (ANCYL 2010).

The ANCYL goes further to bring a legion of evidence from various sources to legitimise its nationalisation call. Such calls are mainly in the form of excerpts from speeches made by prominent leaders of the ANC. Some of these statements, which are conveniently used by the ANCYL to validate its nationalisation position, include among others, the following quotes from various statements made by historically significant figures of the ANC:

- The 1956 comment about the Freedom charter made by the then ANC leader Dr Nelson Mandela where he confirmed that:

  [it] is true that in demanding the nationalisation of the banks, the gold mines and the land the Charter strikes a fatal blow at the financial and gold-mining monopolies and farming interests that have for centuries plundered the country and condemned its people to servitude. But such a step is absolutely imperative and necessary because the realisation of the Charter is inconceivable, in fact impossible, unless and until these monopolies are first smashed up and the national wealth of the country turned over to the people (Mandela 1956, in ANCYL 2010).
The statements made by Chief Albert Luthuli\(^{88}\) against the critics of the economy clause in the Freedom Charter where he unequivocally stated:

In modern society, even amongst the so-called capitalistic countries, nationalisation of certain industries and commercial undertakings has become an accepted and established fact. Only the uninitiated and ignorant would suggest that the Union of South Africa is going to Moscow because its Railways, Broadcasting and Post Office services are nationalized (Chief Luthuli 1956, in ANCYL 2010).

The key dilemma in this debate lies exactly in the conflict of opinions on the call to nationalise the mines. More specifically, the main thrust can be found in the ambivalent position of the ANC-led South African government epitomised by “at least verbally” distancing the ANC from nationalisation, insisting that nationalisation is not the policy of the ANC, while not openly discouraging the ANCYL in pushing the debate forward. As a result, the nationalisation debate has captured more media attention than any other policy reform proposal.

Not only has the ANCYL’s campaign for the nationalisation of South African mines received dubious reactions from key political figures in the country, numerous critics from the business sector, media, economic institutions and the public sector have also given it a vociferous “thumbs down”. After some time of conspicuous silence over this issue, the South African Chamber of Mines\(^{89}\) finally joined the debate. During an annual general meeting in November 2010 Mr Sipho Nkosi, the President of the South African Chamber of Mines, cautioned that “nationalisation has never been an enduring, successful system anywhere in the world” and there are “indisputable facts” to prove that (Mail and Guardian Online 2010). As pressure mounts and the ANCYL is vigorously garnering support on this issue, some analysts have sternly warned that this debate should not be taken lightly as the proponents of nationalisation are not “stupid” (Booyzen 2010:3). Booyzen (2010:3) also argues that nationalisation is already under way in South Africa “under a more politically correct guise” – the one which began by placing all mineral rights under state control.

\(^{88}\) Chief Luthuli was the President of the ANC at the time he made these statements.

\(^{89}\) The Chamber of Mines is an organisation that represents the interests of South African employers in the mining industry especially with regard to issues of policy. The Chamber was established in 1889 (Chamber of Mines, 2009).
There is also growing concern from analysts over the possible immense damage that the nationalisation policy would have on the country’s economy if foreign investors decide to pull their capital from South Africa’s minerals sector and invest it elsewhere outside the country (Matiwane 2010). Clive Coetzee, an economist in the KwaZulu-Natal Treasury, has cautioned that nationalisation of the mines is likely to worsen the already heightened poverty and chronic unemployment instead of reducing them as nationalisation proponents believe (Mining Weekly 2010).

State control or nationalisation of key industrial sectors such as mining is nothing new. It has been practised in some parts of Africa and elsewhere for more than 60 years (Simutanyi 2010:27). In Venezuela, for instance, nationalisation of the oil industry by the government under former President Carlos Andres Perez in the 1980s yielded such disappointing consequences that one analyst commented:

> he [President Carlos Andres Perez] nationalised the oil industry and set up an extensive system of state companies which today more than ever are seen as responsible for wasting much of the ‘oil boom’ abundance. There were many allegations of corruption during that period (Phillip 1990:219).

Perhaps the SADC-based case of Zambia is the one that could be more relevant in this debate. Copper mining has dominated the Zambian economy since the late 1920s (Lungu 2008:404). The mining industry made a considerable contribution to Zambia’s economy until after 1968 when President Kenneth Kaunda, the first president after independence, declared the nationalisation of privately-owned businesses and placed all mineral rights under state ownership and control (Lungu 2008:404; Simutanyi 2010:28-29). The state-owned mining companies were consolidated under a state-owned company called Zambia Consolidated Copper Mines (ZCCM) (Lungu 2008:404). However, the nationalised businesses and the newly formed state-owned enterprises experienced severe losses between the 1970s and 80s when global commodity prices for copper collapsed. During this period copper production fell from “710 000 tonnes in 1974 to 463 000 tonnes in 1986” (Cheru 1989 in Simutanyi 2010:29). The ZCCM, as the chief employer in Zambia, suffered serious financial losses during this period and had to receive enormous financial bail-out from the state, to the value of US$1 million a month (Mwitwa & Kabemba 2007:7). With very limited revenue from copper mining and the subsequent GDP fall, the country’s infrastructure collapsed, poverty escalated and in 1990 privatisation was evidently the only ‘way out’ (Lungu 2008:404). Thus nationalisation had failed. Kainga 1994 in Simutanyi (2010:29) highlights among others that
“poor capitalisation”, mismanagement (appointment of political appointees) and “conflict between political and political or social” goals were among the key issues which led to the failure of nationalisation in Zambia.

Although failure of nationalisation is not unique to Zambia, the case of Zambia remains the key point of “referentialisation” (Akpan 2010) on which all those for and against the policy shift towards nationalisation should carefully reflect.

South Africa is faced with one of the most acute policy dilemmas ever since the inauguration of democratic government in 1994 – tottering between hope and fatalism. The hope of the realisation of the country’s long unfulfilled dream of ending apartheid-induced poverty and inequality by nationalising mines and distributing wealth to all South Africans stands in parallel contrast against the fear of a major economic collapse that is likely to occur when the foreign investors that dominate South Africa’s mining sector close down their local operations and leave many mine workers unemployed and the country in a much worse economic position. The possible benefits and losses that can be associated with the implementation of the nationalisation policy are too complex to be covered within the limited scope of this thesis. At best this discussion highlighted some of the prominent arguments around this issue and discussed how inaction from the state could lead to detrimental consequences to the country’s economy.

The revenue sharing partnerships between indigenous communities and mining corporations have not only brought wealth and recognition to the former but are also seen as possible alternatives instead of the ‘radical’ call for nationalisation of mines (Manson 2011:1). However, as it will be shown in Chapters Eight and Nine, the current empirical results reveal some paradoxes when traditional communities like Bafokeng and Bakgatla are faced with the challenge of distributing mineral wealth among community members – particularly at the interface of local development and community participation.

6.6 Conclusion
The discussion in this chapter provided a summarised overview of South Africa’s minerals policy and legislation in both the colonial and the post-colonial periods in South Africa. The historical outline of the minerals policy in South Africa was discussed under the Dutch era, the British era, the era of independent provincial states, the Union era, and the era of South
Africa as a republic. The post-apartheid minerals policy reforms that are backed by the country's constitution were also covered with some emphasis on MPRDA's regulations on resource ownership (minerals), royalty payments, compensation, Social Labour Plans, remediation of environmental damage and corporate social responsibility. The dilemma presented to the current administration by the ongoing debate on nationalisation of mines was also interrogated. Of particular significance is the fact that if nationalisation becomes a reality, the minerals policy in South Africa will have taken the most radical shift since 1994, but one in which the consequences cannot be correctly predicted at this stage.

It was also pointed out that the post-1994 minerals policy reform in South Africa does not adequately address some of the issues of effective participation of local communities in the mining industry. The next chapter (Chapter Seven) will look at the social and political organisation of the Bafokeng and Bakgatla communities.
CHAPTER SEVEN
THE BAFOKENG AND BAKGATLA: A PORTRAIT

7.1 Introduction
An overview of South African mining policy and legislation reform has been discussed in Chapter Six. In this chapter, the social and political organisation of the Royal Bafokeng and Bakgatla Ba Kgafela traditional communities are described in order to shed light on the unique combination of a supposedly antiquated institution of traditional leadership and the platinum mining industry – an unusual blending of custom and a dynamic capitalist enterprise.

As will be shown, traditional community control over mineral resources is inextricably linked to the collective identity and historical claims over land resources. Through participation in the mining economy, the powers of traditional leaders have now been elevated to a new level where they are not only custodians of custom and administrators of rural land, but they now control and distribute mineral wealth within the vibrant community development arena. This is a uniquely unusual terrain by all known standards, as the rest of this chapter will show.

7.2 Advancing on the “Platinum Highway”?
The name ‘North West Province’ in South Africa has almost become synonymous with the word “platinum”. This province has also acquired the euphoric tag, ‘The Platinum Province’ as a result of the rapid surge of platinum mining operations in it over the last few decades. It is in the North West Province that the much celebrated “Platinum Highway” – “a 150 km continuation of platinum group metals (PGM)-bearing reefs” (Havenstein 2004:1) is found. The Platinum Highway accounts for more than 70% of annual global platinum production (Platinum Group Metals 2010:1). As already indicated in Chapter One, a significant portion of this rich ore body runs underneath land owned and occupied by the Bafokeng and Bakgatla. Evidently, the two study communities are increasingly experimenting with new, ‘corporate’ modes of community and natural resource governance – a unique phenomenon by all standards. However, not much is understood, so far, about the influence of such a phenomenon on community-state relations, and particularly the interface of natural resource wealth and community development. Hence, to elucidate such a phenomenon, this thesis uses a schematic analysis borrowed from two seminal frameworks: Mamdani’s (1996) notion of “decentralised despotism” and Comaroff and Comaroffs’ (2009) Ethnicity, Inc.
The institution of traditional leadership in South Africa, as elsewhere, is an immensely elusive landscape fraught with ambiguities and contestations, mainly on the questions around struggles for legitimacy and power, especially at the interface of rights and culture (Oomen 1999:78-82), governance and land distribution (Ntsebeza 2006:58), control and utilisation of natural resources and community development (Kellert, Mehta, Ebin & Lichtenveld 2000:708-709; Platteau & Abraham 2002:111-118). The two frameworks help create a better understanding of historical and contemporary dynamics of power which shaped the institution of traditional leadership in South Africa – particularly, the less examined phenomena of power chieftaincy extended beyond the political arena to heightened economic levels of championing corporate ventures and platinum wealth-engendered community development. These frameworks are both seminal and classical. They provide theoretical, schematic guidelines for a nuanced analysis of the contemporary phenomenon of crystallisation of power and immense expansion of modern traditional authorities beyond land administration and regulation of custom to the heart of the platinum mining economy in South Africa.

It is appropriate to situate this discussion on traditional communities and mining economy within the notion of Ethnicity, Inc. – an influential framework suggested by Comaroff and Comaroff ’s (2009) recent essay: *Ethnicity, Inc*.* The Zulu Kingdom awaits you*. Such a concept is useful in the analysis and understanding of the current upsurge of ‘corporatising spirit’ in the landscape of traditional leadership in South Africa. Moreover, to adequately analyse the rapidly mounting wave of “ethnic corporatisation” (Cook 2005:129) all over the country, it is necessary to borrow some of the dialectical dimensions of the Ethnicity Inc. schematic framework which, according to Comaroff and Comaroff (2009:114), uncovers a great deal about the corporatising character of the Bafokeng community, in particular, as well as other “corporatising” (Cook 2005:128) ethnicities. Comaroff and Comaroff (2009:114) suggest that such communities must exhibit, among others, the following characteristics that reflect the “dialectic at the heart of Ethnicity, Inc.”:

i) Membership of individuals in each community is genealogically derived and local “boundaries are either evident or eminent”. It should be cautioned, however, that, as the discussion in the subsequent sections will reveal, the communal composition of Bafokeng and Bakgatla are far too complex to fit into with a singular, pure genealogical lineage.
ii) An ostensible role of commerce in “reproducing the sociological entities (“people”, “nation”, “community”) wherein “cultural identity” is vested. As it will be seen later in this chapter and subsequent empirical chapters (Chapters Eight and Nine), the mining economy brought significant changes to the socio-political position of the two study communities and in a way recharged exclusive trajectories of cultural and political identities. The sprouting of new distinct nomenclature such as “Royal”, “Nation”, and “Traditional Authority”, instead of erstwhile Tribal Authority epitomises the character of Ethnicity Inc.

iii) These communities’ drawing of legal expertise and capital from outside sources as crucial instruments towards “conjuring corporate existence into being”. The protracted legal battles fought by Bafokeng leaders against the former Bophuthatswana Bantustan government and mining companies (Lawrence & Manson 1994:451; Manson & Mbenga 2003; Comaroff & Comaroff 2009:98-116) demonstrate this characteristic.

iv) An explicit or implicit assertion of “sovereignty against the state” including actions or of litigation against the latter.

v) Unremitting efforts to “reclaim, possess, protect and control their territory” (land) – a vital step towards “establishing an identity economy, and … laying down its material, legal, political and affective foundations and in interpolating them into the past in order to assert the rights to a future” (Comaroff & Comaroff 2009:114). This latter attribute is dealt with later in this chapter, in a discussion on the question of land acquisition - (see section 7.5).

These are the major the characteristic-dimensions covered within the Ethnicity, Inc. schematic framework. However, as Comaroff and Comaroff (2009:114) affirm – the Bafokeng community, in particular, evinces the “dialectic at the heart of Ethnicity, Inc.”. The Bakgatla, despite their modest popularity when compared with their affluent Bafokeng neighbours, certainly exhibit, to a varying extent, most if not all of the five features mentioned above. As will surface in the following sections, in both communities the social, cultural and political identities have become robustly defined by a strong code of traditional governance. Such a code is responsible, in particular, for the current surge of community development activities, but one in which the main architects of community development and the key drivers appear to be those traditionally defined influential positions within the two study communities.
Does this mean the platinum mining industry has now partly become an ethnic enterprise in the new South Africa? Undoubtedly, as notable recipients of mining royalties (the Bafokeng in particular) and because of distinct major corporate strides in the mining industry, the two Tswana chiefdoms have now taken “the politics of ethnicity into the marketplace” (Business Day, in Comaroff & Comaroff 2009:7). Moreover, as will be seen later in this chapter, the ethnic or culturally derived territorial claims and control over land are inextricably linked to the emergence of the modern collective mode of production in these communities – the exchange of land for platinum mining royalties has now replaced the erstwhile individualised exchange of cheap labour for a meagre income.

Therefore, it is against this background that the distinct position of the Bafokeng and Bakgatla in the platinum mining economy projects the dialectics framed by the Ethnicity, Inc. discourse. Without a doubt, the social, cultural and political relations of the study communities are situated at the centre of this discourse. However, the Ethnicity, Inc. dialectical frame can also be very constraining and limiting, since it pays insufficient attention to the historical trajectories and events that conjured most if not all of what defines the contemporary institution of traditional leadership in South Africa. This is where Mamdani’s (1996) classical notion of “decentralised despotism” becomes relevant. Notwithstanding the possibility of some gaps within this concept, however, very few frameworks provide the retrospective historical analysis of contemporary political economies prevailing in South African traditional communities in as insightful a fashion as Mamdani’s (1996) conceptual framework.

Very concisely, Mamdani’s (1996:16-17) fundamental argument is that the contemporary nation state (the traditional authority model dominant in Africa, particularly in South Africa) is embodied in the erstwhile colonial rule carefully forged through colonial policies over centuries – the so called “bifurcated state”. Such a state enabled the colonial powers to efficiently operate an indirect mode of ruling which was, in fact, “a double-sided affair” – with democratic cities for European “citizens” on one hand and rural African “subjects” on the other hand under the control of chiefs. During the course of the 19th century, the actions

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90 The term new South Africa generally refers to the post-apartheid era – the new democratic dispensation which emerged in 1994.
of the colonial state in South Africa displayed the character of a bifurcated state with direct and indirect rule as the two dominant and distinct modes of control over citizens and subjects respectively. Mamdani (1996:18) further describes the phenomenon of a bifurcated colonial state’s direct and indirect rule as follows:

Direct rule was a form of urban civil power. It was about exclusion of natives from civil freedoms guaranteed to citizens in civil society. Direct rule was a form of urban power. Indirect rule, however, signified rural tribal authority. It was about incorporating natives into a state-enforced customary order (Mamdani 1996:18).

Drawing from this description, it should follow that there can be no anthropological, historical, sociological or even geographical/territorial definition of traditional community and traditional leadership in post-apartheid South African that can successfully elude the link to its historical and political engendering by the former colonial bifurcated state order. As shown presently, the Bofokeng and Bakgatla traditional communities are no exception to this rule. Mamdani (1996:18) goes on to assert that both forms of colonial rule (direct and indirect) would be better conceived “as variants of despotism: the former centralised and the latter decentralised”. Furthermore, in what emerges as an endeavour to drive his point home, Mamdani (1996:18) declares:

As they learned from experience – of both the ongoing resistance of the colonised and of earlier parallel colonial encounters – colonial powers generalised decentralised despotism as their principal answer to the native question (Mamdani 1996:18).

Evidently, the 19th century colonial agenda had an enormous impact on the manner in which the modern institution tradition (especially chieftaincy), its scope, power and function were framed. Mamdani’s (1996) concept of decentralised despotism unfolds through a historical analysis of the policies that produced the colonial appointed despotic administrative chiefs in rural Africa. These despots were effective agents of repression, empowered by the colonial state to exercise unrestrained powers over rural subjects. Mamdani (1996:40), however, concedes that the notion of administrative chiefs did not emerge for the first time during the colonial era – “just as conquest did not begin with colonialism, administrative chiefship was not confined to conquest states”. Unlike their pre-colonial counterparts whose powers were subject to test and monitoring by traditional leaders and community members at large, the colonial chiefs (the despots) had unconstrained powers at village level:
[it] was not until the colonial conquest that the administrative chief emerged as a full-blown village based despot shorn of rule-based restraint (Mamdani 1996:43).

With the colonial state having dissipated the powers and significance of traditional (genealogically or hereditary) chiefs, administrative chiefs exercised unlimited powers over their rural subjects, thus laying a firm foundation for decentralised despotism (Mamdani 1996:43). Moreover, the administrative chiefs were pillars of the colonial order under the Native Authority as the Native Authority (composed of white officials) which was indeed “the decentralised arm of a colonial state” (Mamdani 1996:52). The powers of the despotic chief were only subject to mentoring by white bureaucrats who took charge of Native Authority, otherwise the chief’s power was unlimited over his rural subjects. The colonial chiefs had powers to single-handedly make bylaws that governed the villages under their control, to value land property and decide how much peasant farmers should pay, to collect taxes, to arrest those who fail to pay taxes and to enforce unpaid labour – hence Mamdani (1996:54) aptly concludes that “[t]he chief is the petty legislator, administrator, judge, and policeman all in one”.

This unrestricted and ruthless exercise of power echoed the ideology at the heart of the colonial state’s indirect mode rule over the native subjects. No doubt, such indirect rule of the colonial powers over their African subjects – through a despotic chief as a “clenched fist” (Mamdani 1996:54) of the colonial state – can only operate effectively in a rural communal system. So, as Mamdani (1996:51) summarises, the colonial system of decentralised despotism envisioned the African peoples “not as individuals but as communities”. Subsequently, the land, “[e]verywhere … was defined as a customary and communal possession” (Mamdani 1996:51). Such a system constrained every individual African subject to be part of new sets of communal and customary relationships imposed by the colonial state (Mamdani 1996:51). This was undoubtedly, as Mamdani (1996:61) puts it, an “institutionalised legacy of colonialism” which also constituted “the basic form of apartheid state” in South Africa. Moreover, the apartheid policy of the Bantu Homelands91 was a prototype of the colonial mode of indirect rule. Such a legacy also produced the amorphous

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Homeland System – the apartheid segregationist policy which deprived Africans of full citizenship of the Republic of South Africa and restricted them to distinct ethnically defined “independent” “Homelands” or “Bantustans” under despotic paramount chiefs and a hierarchy of local despotic administrative chiefs under them. Of course, the Bantustan paramount chiefs and their legislative assemblies did not make laws that were in contravention of the National Party government. This pseudo “independence” of restricting the majority of African population in South Africa to less than 12% of the land while the white minority occupied and owned the rest is what Govan Mbeki appropriately labelled “the great deception” (Mbeki 1984:15). Despite the National Party government propagating that it was providing an opportunity for Africans to develop along their ethnic or tribal lines, the destruction caused by this policy was unmatched. The Homeland System destroyed the African peasantry (due to lack of agricultural land), entrenched poverty and forced many peasants into the exploitative centralised migrant labour market in South African mines (Mbeki 1984:95; Lucas 1987:314-321). It is therefore no overstatement to count such a policy among the major influences behind the contemporary ethnically defined rural land divisions and territorial demarcations in South Africa.

It is thus unavoidable to delve into the question of communal-private definition of land and its connection to the significant control over mineral resources by the two traditional communities: Bafokeng and Bakgatla. Before that, however, it is important to look at the socio-cultural organisation of the two communities.

### 7.3 Social organisation

In addition to their close geographic location in the area formerly called Western Transvaal (now forming part of North West Province), and significant possession of platinum resources, the two study communities, Bafokeng and Bakgatla, share some historical similarities. Both traditional communities trace their origins back to Bahurutshe – a more senior Tswana group which is widely acknowledged by all Batswana groups as the ancestral origin of all Setswana-speaking communities (Schapera & Comaroff 1953:9; Mbenga & Manson 1999:10; Makgala 2009:47). Like most Tswana chiefdoms, the Bafokeng and Bakgatla have cultural totems (*sereto* or *siboko*). A totem is a cultural “object of honour, veneration, avoidance, or praise”, (Schapera & Comaroff 1953:29).
The Bafokeng totem is a crocodile – a Kwena totem which then connects well their origins to the Bakwena-Hurutshe (Coertze 1990:17-18). Bakwena groups usually identify themselves with a crocodile as their sereto. So attached are the Bafokeng to their Bakwena origins that it is quite common to hear them say “Mokwena!” when they exchange greetings among themselves, especially during community meetings and other local events such as weddings and funerals. Many stories exist about the origin and meaning of the Bafokeng crocodile totem. Among Bafokeng elders, the dominant account of the totem is in connection with the nature of a crocodile – as “a ruthless creature”. Such a character is expressed in the popular aphorism: *ke Mofokeng ka tsalo, ka tlhago ke swele* – meaning: “I am a Mofokeng by birth, by nature I am ruthless” (Interview: 20/08/2009). The Bafokeng identify with the brutal nature of a crocodile, but as they say, such ruthlessness erupts only if provoked.

The Bakgatla’s dominant totem is a monkey – *kgabo* in Setswana. Some refer to this platinum-endowed traditional community as “The tribe of the vervet monkey” (Ringdahl 2003:18) because of its monkey totem. Of course, the history of the Bakgatla, like most Tswana traditional groups, is rich in oral history and imbued with folklore. The monkey totem is so popular among the Bakgatla that it is common among community members (especially those who regard themselves as members of royalty or related to the chief) to refer to each other as “kgabo”. There are at least two legendary accounts of the Bakgatla’s monkey totem – neither of which is confirmed by any well established empirical, historical, anthropological or ethnographic evidence. The first asserts that the Bakgatla’s monkey (*kgabo*) totem links the historical origin of the Bakgatla to the Bahurutshe people. It is believed that the Bakgatla people once formed part of the Bahurushe (Makgala 2009:47). Therefore, since the Bahurushe have a baboon (*tshwene*) as their totem, the Bakgatla adopted *kgabo* (the monkey) to acknowledge the seniority of the Bahurutshe since a monkey is generally smaller and perhaps has lesser physical prowess than a baboon (Lang, Thomas & Stow 1904; Makgala, 2009:47). The second legend about the monkey totem, which is more common among elders in Moruleng, posits that the Bakgatla adopted a monkey totem after a monkey warned them about an approaching enemy tribe that was coming to attack (Interview: 19/08/2009). As from that day, a monkey (*kgabo*) became an important animal among the Bakgatla people. Such legendary accounts form a crucial part Bakgatla’s culture.

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92 A Setswana word for monkey.

93 Interview with the village elder (Male, approx. 64 years) in Lesetlheng (19 August 2009).
and identity. However, some analysts, perhaps due to lack of appreciation for indigenous culture or propelled by ill-natured predispositions of their era of writing, have labelled such explanations as “savage myths” (Lang, Thomas & Stow 1904:203).

However, as will be seen in later, there is now a legion of totemic identities within these communities. Such a multi-totemic character portrays the incorporation of diverse ethnic and cultural groups - the unavoidable historical feature which characterised the socio-political development of these communities over the past two centuries.

Furthermore, the two study communities have both survived the vicissitudes of the Difaqane94, land dispossession by the Voortrekkers, Boer slave and cattle raids (the capture and enslavement of African male and female children and the raiding of cattle belonging to indigenous communities by the Boers), invasion by Mzilikazi’s AmaNdebele in the early 19th century, further dispossession under South Africa’s apartheid and Bophuthatswana Bantustan government and further community social, economic and political disruption by the mining companies (Coertze 1990; Breautz 1989; Jones 1999; ; Manson & Mbenga, 2003; Bergh 2005; Makgala 2009). Therefore, it should not come as a surprise that the two Tswana communities share similar (though barely equal) fortunes of their newly acquired socio-economic status as mineral rights owners and equity shareholders in the lucrative mining industry.

The Bafokeng community is also called the “Royal Bafokeng Nation” (RBN). So far, no traditional community in South Africa and perhaps elsewhere equals the Bafokeng when it comes to control over mineral wealth. In terms of South African Government demarcations, the RBN geographically fall under the Rustenburg local municipality which forms part or the greater Bojanala Municipality in North West. However, the RBN is ostensibly an independent politically functional entity on its own.

The Bakgatla Ba Kgafela (also called Bakgatla-baga-Kgafela) community is also a Setswana-speaking community with a vibrant history of strong traditional leadership. This community is under the geographical jurisdiction of Moses Kotane Local Municipality which is also

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94 A series of devastating tribal wars which left many South African indigenous communities dispersed and dispossessed during in the first half of the 19th century.
administered by the greater Bojanala Regional Municipality. With Moruleng (also called Saulspoort)\textsuperscript{95} as the administrative capital, the Bakgatla occupy a vast area of land richly endowed with platinum ore. Another group of Bakgatla-baga-Kgafela can be found in Botswana in Kgatleng District (Makgala 2009:46). Although perhaps the “most powerful”, most populous and richest Bakgatla people in South Africa (by virtue of platinum wealth), the Bakgatla ba Kgafela in North West (Pilanesburg) still submit to the leadership of their paramount chief in Botswana. For some historical-political cause, they still maintain strong links with their leadership and kinship in Botswana.

7.4 Governance and community investments

The traditional structure of governance in these two Tswana communities displays strong similarities. At the top echelon of power in both communities sits the Kgosi (Setswana term for king or a chief). The current Kgosi of Bafokeng is Kgosi XVI Leruo Tshekedi Molotëgi. Under Kgosi there are hereditary, male ‘headmen’ or sub-chiefs who automatically occupy the positions vacated by their fathers, dikgosana (singular: kgosana). The Bafokeng territory (RBN) is divided into 72 dikgoro (traditional/tribal wards, made up of various clans – singular: kgoro), each headed by a kgosana. The 72 dikgoro also make up the 29 villages of the Bafokeng. As shown presently, the constitution of these clans is complex. Coertze (1990:78), an academic anthropologist who carried out an in-depth empirical examination of Bafokeng polity in 1960, affirmed that out “of a total of 68 dikgoro, only 20 were of purely Bafokeng origin”. In the case of the Bakgatla ba Kgafela, 32 dikgosana preside over 32 villages, while the Bafokeng, the Bakgatla have only five dikgoro. The question of multi-composition of the Bafokeng and Bakgatla merafe will be discussed at length in subsequent sections.

The Supreme Council is the main judicial body and is made up of the kgosi, dikgosana and the traditional councillors. A decision-making body immediately below the Supreme Council is the Traditional Council, which is formulated in line with section 3 of the Traditional Leadership and Governance Framework Act 41of 2003 (TLGFA), and the North West Traditional Leadership and Governance Act 2 of 2005 (NWTLGA). Section 3 of TLGFA requires that at least a third of the members of the Traditional Council should be women and

\textsuperscript{95} “Moruleng” is also commonly used when collectively referring to all 32 villages of BaKgatla-Ba-Kgafela.
40% of the members should be democratically elected by the community members and should serve in this office for a period of five years. The remaining percentage (60%, in accordance with the TLGFA) is “selected by the senior traditional leader” (the kgosi in this case).

In accordance with the afore-stated provisions, the Bafokeng community has a Traditional Council of twelve members including Kgosi Leruo himself. One member is democratically elected from each of the five regions or geographical demarcations outlined in the Master Plan⁹⁶, and the other six members are appointed by Kgosi Leruo using his own discretion (and the guidance provided in the TLGFA). The Bakgatla have a Traditional Council of twenty-five members, fifteen of whom are elected by the community and ten chosen by Kgosi Nyalala. Therefore, Kgosi Nyalala becomes the chairperson and the 26th member. In both communities women constitute one third of the Traditional Council.

The kgosi, the Traditional Council and the House of Dikgosana (dikgosana from all the makgotla) constitute the quasi-parliamentary powerful decision-making body called the Supreme Council. The decisions taken by the Supreme Council on behalf of the entire morafe include issues such as approval of the budget, regulation of custom, community investments and others. In Tswana communities a bi-annual AGM-style mass meeting known as kgotha kgothe is regarded as the highest decision-making platform through which all community members can take part in key decisions.

The administrative entities of both communities (the Royal Bafokeng Administration (RBA) and the Bakgatla Ba Kgafela Tribal Administration (BBKTA) are dynamic and well resourced, both in human and infrastructure resources. The leader as of the beginning of 2010 (when this chapter was written) was Kgosi Nyalala Pilane. The RBA offices are located in Phokeng in the well-built, modern city-style edifice called the Civic Centre. During the period of the fieldwork the construction of new BBKTA offices was in progress.

⁹⁶ The Masterplan is the comprehensive outline of the Bafokeng community development plan which is to be implemented over a period of more than 30 years. The leaders of the Bafokeng leaders argue that this modernised plan is in line with this community’s Vision 2020 (see Chapter Eight for details of this vision). The Master Plan can be downloaded online from: http://www.Bafokeng.com/sites/default/files/Masterplan%20Factsheet.pdf
Figure 7.1: The basic Bafokeng political and bureaucratic structure
The Bafokeng and Bakgatla people are historically agro-pastoralists who survived mainly through farming (Schapera & Comaroff 1953:14-15, 72-73; Bozzoli 1991:39-54; Manson & Mbenga 2003:25; Makgala 2009:21-28). However, as already mentioned, the advent of platinum mining has distinguished these two among the rest of traditional communities in South Africa in terms of their positioning in the mineral wealth economy.
As already stated in Chapter Six, the enactment of the *Mining and Petroleum Resources Development Act (MPRDA) No 28 of 2002* changed the fortunes of the two communities. *MPRDA* grants a right to communities (such as the Bafokeng and Bakgatla) that received royalties directly from extractive corporations before the enactment of the law to continue doing so. They could convert their interests into equity shares with the mining corporations. The Mineral and Petroleum Resources Development Amendment Act, 49 of 2008 (*MPRADA*) was subsequently enacted as a direct amendment of the *MPRADA* 2002. It focuses attention on the recognition of the rights of indigenous communities and seeks to:

- substantially and meaningfully expand opportunities for historically disadvantaged persons, including women and communities, to enter into and actively participate in the mineral and petroleum industries and to benefit from the exploitation of the nation’s mineral and petroleum resources (*MPRADA RSA*, 2009).

As indicated earlier in Chapter One, the two study communities, the Bafokeng in particular, possess enormous wealth generated through mineral royalties. Both communities have adopted a more or less similar strategy of investing in communal infrastructure. Funds are not directly distributed to individual community members or households but invested in amenities such as schools, clinics, roads and sport stadia. Ostensibly, therefore, mineral wealth engendered—development is carried out “in the name of *morafe*” (Comaroff & Comaroff 2009:108). Such a phenomenon triggers the challenge of equity, or the lack of it, in the distribution of mineral wealth at community level (see the discussion in Chapters Eight and Nine).

This model of mineral wealth distribution allows the two traditional administrations (RBA and BBKTA) to budget their income according to certain priority areas. For instance, the Royal Bafokeng, with their asset portfolio at R32 billion (RBH, 2010) by the end of 2009 allocated a budget of R800 million for 2010 according to some priorities. Table 7.1 displays these priorities in percentage figures of the annual expenditure for the year 2009 and budget for 2010.

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97 This amendment was retrieved from: [http://www.dme.gov.za/pdfs/minerals/MPRD%20Amendm%20Act%20Apr%202009.pdf](http://www.dme.gov.za/pdfs/minerals/MPRD%20Amendm%20Act%20Apr%202009.pdf), Accessed: 16 March 2010

98 A Setswana word for “community”.
<table>
<thead>
<tr>
<th>BUDGET ITEM</th>
<th>RBN EXPENDITURE 2009: R1.355 billion</th>
<th>RBN BUDGET 2010: R800 million</th>
</tr>
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<tbody>
<tr>
<td>Sports and recreation</td>
<td>35%</td>
<td>9%</td>
</tr>
<tr>
<td>Education</td>
<td>23%</td>
<td>24%</td>
</tr>
<tr>
<td>Governance and administration</td>
<td>23%</td>
<td>24%</td>
</tr>
<tr>
<td>Public and community utilities</td>
<td>10%</td>
<td>13%</td>
</tr>
<tr>
<td>Safety and security</td>
<td>3%</td>
<td>1%</td>
</tr>
<tr>
<td>Health and social development</td>
<td>3%</td>
<td>14%</td>
</tr>
<tr>
<td>Environment and land use</td>
<td>2%</td>
<td>4%</td>
</tr>
<tr>
<td>Economic development</td>
<td>1%</td>
<td>4%</td>
</tr>
<tr>
<td>Food security</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td>Bafokeng history and heritage</td>
<td>1%</td>
<td>1%</td>
</tr>
</tbody>
</table>

Table 4: Royal Bafokeng expenditure for 2009 and Budget for 2010 (Source RBH, 2010)\(^{99}\)

<table>
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<tbody>
<tr>
<td>• Waste Water Treatment Works (R11.5m)</td>
<td>• Administration offices: Phase Two</td>
<td>• Schools - upliftment program</td>
</tr>
<tr>
<td>• Road D533 (Sefikile – Mononono) (R21m)</td>
<td>• Development of a public and private clinic</td>
<td>This projects aims at improving</td>
</tr>
<tr>
<td>• Administration Offices: Phase One (R26m)</td>
<td>• Development of a shopping complex</td>
<td>all the schools for the Bakgatla-</td>
</tr>
<tr>
<td>• Moruleng Stadium (R174m)</td>
<td>• Development of a five star hotel at the Bakgatla Gate</td>
<td>Ba-Kgafela traditional</td>
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<tr>
<td></td>
<td>• Development of Lekutung Township</td>
<td>community. The project is</td>
</tr>
<tr>
<td></td>
<td>• Development of a golf estate</td>
<td>expected to be completed by mid</td>
</tr>
<tr>
<td></td>
<td>• Development of a civic centre</td>
<td>2010.</td>
</tr>
<tr>
<td></td>
<td>• Development of an eco estate</td>
<td>• Health centres revitalisation</td>
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<tr>
<td></td>
<td>• Development of a residential complex next to the stadium</td>
<td>The primary objective of this</td>
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<tr>
<td></td>
<td>• Development of a multi- purpose sports centre</td>
<td>programme is to ensure that</td>
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<tr>
<td></td>
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<td>all the members of the Bakgatla-</td>
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<td>Ba-Kgafela traditional</td>
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<td></td>
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<td>community have access to health</td>
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<td>care. Members of the community</td>
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<td></td>
<td></td>
<td>will not be more than 15 from</td>
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<td></td>
<td></td>
<td>the health care centre</td>
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Table 5: Bakgatla Baga Kgafela platinum wealth distribution priorities for 2009/2010 period (Source BBKTA 2010)\(^{100}\)


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Evidently, the RBN spends a significant portion of its annual budget on infrastructural development and, rather strangely, very little on “food security” and “economic development”. The development priorities of Bakgatla administration also seem to adopt a similar mode - the one of fixating on physical infrastructure (see Figure 7.4). As will be shown in the empirical chapters (see Chapters Eight and Nine), this model of development prioritisation – or more correctly, priority identification – is a major issue in the study communities, according to the stories and narratives encountered in the field. Through the RBN’s administrative wing called the Royal Bafokeng Administration offices the leadership of this community provides municipal services including tap water, school nutrition and others. Such an economic position has elevated the status and scope of RBN far beyond being a custodian of custom to the level of an independent functional political polity with de facto decentralised local government powers and roles over its subjects and territory. So powerful is the position of RBN that Cook (2005:132) attests that the RBN gives limited regard to the municipal or local government authorities because municipal services in this community are provided by RBA. According to Thornhill and Selepe (2010):

Income generated by Royal Bafokeng Nation’s commercial interests has been invested in developing the infrastructure and people of the Rustenburg valley. In excess of R2 billion of the Royal Bafokeng nation’s funds have been spent on roads, utilities, schools, clinics, municipal services such as water and sanitation, electricity, emergency services, law enforcement, health services and other public amenities over the past decade (Thornhill & Selepe 2010:170).

The RBA, which is by far the largest employer in Phokeng, has 500 employees and operates among others the following departments: Planning and Infrastructure Development Department, Protective Services Department, Human Resource Department, Procurement Department, Information and Communications Technology and Knowledge Department, Legal and Corporate Affairs Department, Communications and Marketing Department, Transport Department, and Finance Department (RBN Kgotha Kgothe Report 2009).

As stated earlier, the RBN is geographically under the political jurisdiction of the Rustenburg Local Municipality, which is one of five local municipalities that form the Bojanala Platinum

District Municipality (BPDM). There are more than 35 municipal ward councillors who lead wards within the RBN territorial borders (Cook 2005:132).

In 2003, a Memorandum of Understanding (MOU) was signed between RBA, the RLM and the BPDM. The signing of this memorandum was chiefly aimed at opening a space for collaboration between the three parties in areas such as development of infrastructure, health services and tourism, and to enhance consultation and communication (Roelf 2003:1; Thornhill & Selepe 2010:173; Cannon, Thebyane & Cook 2010:4). The signing of this memorandum was a momentous occasion which attracted a significant measure of hopeful comments from the senior political leadership of North West Province and the country at large. As the then President Thabo Mbeki remarked during this occasion:

There is no excuse for anyone not to try and come together and unite strengths and possibilities to change the lives of people for the better (quoted in Roelf 2003:1).

The then Premier of North West Province, Mr PoPo Molefe, described the MOU between the three parties as “a success story that could have far reaching implications for the way traditional institutions and municipalities work” (Molefe, in Roelf 2003:1).

However, a decade after the signing of the MOU, there has been limited success, particularly with regard to the achievement of its objectives. A research report produced by Cannon, Thebyane and Cook (2010:4) describes the implementation of this MOU as a failure since it has produced no results but rather created confusion among the local people especially on issues of service delivery and governance at the village level. The reported failure of the MOU is just one among many paradoxes of resource control by powerful traditional elite. As has been indicated earlier, the influence of ‘resource control’ has received little examination, especially with regard to community-state relations, and the interface of natural resource wealth and community development. Such a phenomenon is captured in Cook’s (2005:132) argument that:

“Within the Bafokeng Nation, little regard is given to municipal authorities, a major reason being that many essential services are provided by the Bafokeng Administration.”

101 The BPDM is one of four district municipalities that form the North West Province. It is comprised of five local municipalities: Kgetleng Rivier, Madibeng, Moses Kotane, Moretele and Rustenburg local municipalities.
It is against the background of the reported failure of the MOU that the empirical findings presented in the next chapter will cover, among other things, how certain models and levels of control of mineral resources by a traditional community can be a recipe for tension at the grassroots.

7.5 Land: Colonial dispossession, ‘repurchase’ and platinum resources

To fully conceptualise the unique control of mineral wealth in Bafokeng and Bakgatla traditional communities, it is vital to provide a condensed historical account of the political economy of both communities, particularly the historical trajectory which intersects the land question with the institution of traditional customs in these communities. The conceptual framework provided earlier has described some schematic possibilities through which, one can capture the unique control of land and mineral royalties by traditional authorities. Therefore, following Mamdani’s (1996) analysis of African chieftaincy during the colonial period and the dynamics of power, the discussion now turns to how the institution of traditional leadership (mainly chieftaincy) in South Africa has managed to survive the post-apartheid dramatic shift and plunge into the centre stage of power and politics in the democratic era. As democracy dawned in 1994, the South African Traditional Authorities, like the apartheid state which produced them, had become quite repugnant due to their despotic and authoritarian disposition (Ntsebeza 2006:14). Therefore, it should follow that the survival of Traditional Authorities at the end of apartheid, and even their apparently influential position in the post-apartheid liberal democratic state, is viewed with disdain and concern by some analysts (Oomen 2005:27; Ntsebeza 2006:14; Hall 2007:97; Walker 2007:139).

Central to the concern is the dilemma that the Traditional Governance Framework Act 41 of 2003 and its more detailed revised version Traditional Leadership and Governance Framework Amendment Act, 23 of 2009, together with the Communal Land Rights Act, 11, 2004, not only legitimise the political status of traditional leaders in the current liberal democratic era but go even further to grant them significant control over all rural communal land tenure administration. Oomen (2005:28) highlights former Minister Valli Moosa’s statement that was made to parliament at the “introduction of the Council of Traditional Leaders Bill” in this regard:
[a]s long as people who live in ... mountainsides support traditional leaders, the Government ... will support and respect traditional leaders as they are custodians of people’s culture and we are a people’s government.

The concern for Oomen is:

How can these fairly unsophisticated positions continue to resound in spite of evidence of people embracing and reviving the ‘bureaucratic fallacies’ imposed on them by national governments? (Oomen 2005:28).

The main reason behind this paradox, Oomen (2005:28) argues, is “the lack of empirical research delving into people’s opinions on traditional leadership and on such views”. The current thesis, though not directly targeting this paradox, does pave the way in the direction of addressing the highlighted impasse by focusing on analysing grassroots narratives in examining the character of participation within the traditional institution of governance. Moreover, the promulgation of the pieces of legislation mentioned above was met with ambivalent responses. A great number of South Africans, especially those living in rural areas, have, judging from pre-1994 (pre-independence) land struggles in the country, perceived that the control over land and all other roles and powers that, during apartheid, belonged to traditional authorities would be moved from the latter at the advent of democracy and be granted to the democratically elected councillors (Ntsebeza 2006:15). Obviously, learning from the above discussion, it has now become common knowledge that traditional authorities are here to stay and their powers over land and other natural resources are ever more visible. However, this must be seen in the light of Ntsebeza’s (2006:15) caution that:

upholding a Constitution that enshrines democratic principles in the Bill of Rights, whilst acknowledging a political and developmental role, or roles, for unelected and unaccountable traditional authorities ... is inconsistent and contradictory (Ntsebeza 2006:15).

The story of Bafokeng and Bakgatla epitomises this paradox. The traditional elite have assumed significant political and developmental roles, especially with the advent of a lucrative platinum mining economy in these communities. Nonetheless, it must be cautioned that the political and cultural histories of Bafokeng and Bakgatla are largely intertwined and rather elusive at times. Therefore, it is not the primary intention of the current thesis to provide detailed and accurate historical accounts of these communities. Moreover, the
history of land disposition and accumulation in these communities is also fraught with disputations and contestations. As such, the scope of the current thesis is too limited to cover in depth the diverse trajectories of land and political historical accounts of the study communities.

To fully understand the land accumulation or occupation history and its connection to control of mineral resources in the Bafokeng and Bakgatla traditional communities, it is vital to locate this discussion within the political historical roots of both communities within the significant period in South African history – the 19th century, approximately between 1835 and the 1880s. This is the period known for “mercantile colonialism” (Capps 2010:141). The period of mercantile colonialism is very relevant because of its fundamental impact on the political, social and economic future of the two study communities. However, one should not conflate the historic encounters, as they were not the same in both communities. Following Capps (2010:141-186) the period of mercantile colonialism was marked mainly by three historical moments: the difaqane war, the period of European conquest and land alienation (colonisation), and the age of land buying by Africans in the Transvaal.

The first historical moment was the devastating difaqane war (Imfecane in IsiXhosa 1820s-1830s) which displaced and scattered many indigenous groups all over the interior of the country. So catastrophic was the period of difaqane war to the indigenous peoples of South Africa that Manson (1992:86-87) appropriately describes it as:

a period of cataclysmic, African-engendered displacement and depopulation of Natal and large areas of the central and western Transvaal, (Manson 1992:86-87).

Historical accounts of the settlement of Bafokeng people in the area around the Magaliesberg (now Rustenburg) point to their arrival long before the beginning of the 18th century (Manson & Mbenga 2003:25; Breutz 1989:281; Coertze 1990:24-25). The earliest recorded first settlement date of the Bakgatla in Moruleng (Saulpoort) area near the Pilanesburg mountains is estimated somewhere during the first half of the 18th century, under Kgosi V Kgwefane (Breutz 1989:597).

Apparently, during the mid 1820s, several small African communities who were displaced by the Difaqane wars came and settled in the Magaliesberg region, some as raiding fugitives
absorbed smaller and weaker groups into their polities while others sought safety and shelter (Capps 2010:141-142). These small groups of raiders and asylum seekers later became known as bafaladi (immigrants) (Schapera & Comaroff 1953:30). The weak among these were absorbed into or dominated by the more powerful groups. The most significant of these fugitives was Mzilikazi together with his Ndebele people – a secessionist group from the Zulu Kingdom of King Tshaka. Mzilikazi and his people went on raids to plunder smaller indigenous groups northwards until they arrived in the Pretoria region in 1825 (Coertze 1990:34). From his headquarters based in Pretoria, Mzilikazi “instituted a reign of terror” in the entire Western Transvaal region which devastated all African groups in the region including the Magaliesberg district (Coertze 1990:34).

It is also clear that the Bafokeng and Bakgatla, like most Tswana communities in the Highveld (especially the Western-Transvaal region), were among the small, vulnerable ethnic groups who dissipated almost entirely as operating polities during the vicissitudes of difaqane wars. Coertze (1990:34) points out that the Bafokeng people in Rustenburg were also weakened by the Bapedi raids even before the arrival of Ndebele with their crushing devastation that nearly destroyed them entirely. Makgala (2009:61-74) also details how the Bakgatla Ba Kgafela in Moruleng were ravaged by the “savage rule” of their ruthless leader Motlotle, hence they also could not offer any significant resistance to the destructive Ndebele attacks. Without a doubt, the Bakgatla Ba Kgafela and the Bafokeng (their neighbours) suffered “a crushing defeat at the hands of the Ndebele” (Coertze 1990:35). It thus became easy for Mzilikazi to consolidate power and control over most of the Western Transvaal, from Pretoria northwards to the Rustenburg region and beyond. It is also reported that the Bafokeng fled northwards, escaping Mzilikazi’s brutal raiding, until they reached the land of the Bakgatla in the Pilanesberg area where they stayed until the Ndebele started trekking westwards towards Zeerust (Coertze 1990:35). However, the fortunes of Mzilikazi and his Ndebele warriors were soon to diminish with the arrival of the Voortrekkers (Boers who trekked from the Cape Colony into the interior) under Hendrik Portgieter and Peter Uys in the Highveld in 1836 (Makgala 2009:67). In 1837, after a series of attacks by Boers in alliance with some Tswana regiments and another fierce attack by the Zulus under King Dingane, Mzilikazi’s Ndebele were forced to flee northwards and finally settled in the Motopo Hills in Zimbabwe (Coertze 1990:36; Makgala 2009:68).
The end of Mzilikazi’s brutal raids and plundering marked a new era in the history of the Bafokeng and Bakgatla – the period of the first white colonial rule and alienation of all land belonging to Africans. According to Capps’s (2010:141), this is the second historical moment in the era of mercantile colonialism. This period was characterised by patronage alliances between the prominent Tswana chiefs, mainly Mokgatle-Mokgatle (1834-1891) of Bafokeng and Kgosi Kgamanyane (1849-1875) of Bakgatla and the Boer (Afrikaner) leading figures of the Zuid-Afrikaansche Republiek (ZAR) – the then newly established Boer colony. Although the establishment of this white colony was founded on massive ruthless alienation of all land occupied by indigenous peoples in the ZAR (Transvaal), loyalty and obedience to the colonial masters would soon prove extremely rewarding for some loyal African chiefs such as Kgosi Mokgatle and Kgosi Kgamanyane. So ravaging were the exigencies of the colonial conquest of the Trekkers (Boers) to indigenous polities and their right tenure over their ancestral land that:

Almost overnight, the entire African population was converted into a tenantry living on formally demarcated farms and subject to the rentier demands of their new white landlords (Capps 2010:159).

The Boers, in a desperate quest to acquire more land and cheap labour to work on it, went on a rampage, raiding indigenous communities for slaves, most of whom were abducted from their parents and communities while still young children. These African slave children were called the inboekelinge (Morton 2005:201). The Boers in the Transvaal also demanded an ample supply of regimental labour (mephato in Setswana) from groups of indigenous men and women to perform unpaid work in white-owned farms, to irrigate, weed, harvest, build dams and perform many other arduous tasks. The African chiefs were at the command of this regimental labour supply to the neighbouring Boer farms whenever it was needed. Coertze (1990:40) points out that “there was no renumeration for the service rendered, but the labourers were given food, clothing and accommodation”. Kgosi Mokgatle and Kgosi Kgamanyane reportedly displayed extraordinary compliance to these demands through their collaborative allegiance to the Boer leaders like Paul Kruger, their consistence in proving mephato regiments, assisting the Boers in conducting horrific slave-raiding operations in other African communities, reinforcing hunting expeditions, and helping the Boers during battles with indigenous groups who tried to resist colonial domination (Morton 1998:83; Morton 2005:201). With much needed communal labour under their command, the two chiefs accumulated vast amounts of material wealth and enormous recognition from the Transvaal
colonial authorities in exchange for their loyalty – a phenomenon which Capps (2010:150) regards as “new forms of accumulation stimulated by accelerating mercantile penetration”. It is through these “patron-client relationships” with the ZAR colonial ‘masters’ (Capps 2010:150) that the afore-mentioned former leaders of the Bafokeng and Bakgatla were able to repurchase significant portions of land for their merafe (plural of morafe, a Tswana term for community or polity).

The most notable allegiance that the Bafokeng and Bakgatla leaders are known for during the post-difaqane period is the one with the Rustenburg Veldcornet, by the name of Paul Kruger, who later became the Commander and afterwards the President of the ZAR (Capps 2010:147; Bergh 2005:97). Kgosi Mokgatle of the Bafokeng community, who, as earlier indicated, is the progenitor of the current lineage of Bafokeng chieftancy, took tremendous strides to show allegiance and loyalty to the Boer leaders, even at times against the will of his own people. Consequently he reaped great material rewards for this. The first noteworthy example of Mokgatle’s ‘rewarding’ loyalty to the Boers was when he assisted Potgieter in the battle against the Ndebele – an alliance for which Potgieter awarded Mokgatle the farm Kookforntein 265 JQ (Breutz 1989:282; Coertze 1990:40; Capps 2010:147). This farm marked the first shrewdly acquired portion of land by Mokgatle, which would later prove very rewarding by elevating his descendants to the commanding heights of the platinum mining economy. However, the relations between Mokgatle and Paul Kruger eventually reached appalling levels.

As a politically powerful white figure in the Boer Republic, Kruger owned thirteen farms in the Transvaal (Morton 1992:109). He stayed on the farm Boekenhoutfontein which was adjacent to the farm Beerfontein (now Phokeng) where Kgosi Mokgatle and his Bafokeng people lived (Bergh 2005:97), and this proximity strengthened the relationship between Mokgatle and Kruger. As earlier stated, it was a standard practice in the Boer republic for farmers to demand labour from the neighbouring indigenous communities. As a neighbour to the Bafokeng, Kruger enjoyed their cheap labour coupled with unmatched loyalty from Kgosi Mokgatle. There is evidence, however, that Kruger’s response to this unpaid labour was not always with gratitude and the nature of work itself was exploitative and agonising. Bozzoli (1991:40), an anthropologist, depicts a narrative account of one of her study interview participants, Mmdiate Makgale, a Mofokeng woman who recalls her grandparents’
encounters with Paul Kruger, and responding to a question about weeding Kruger’s farm, she said:

Yes, they worked towards one end of the field and then turned weeding towards this end of the field...He [Kruger] will swear and beat up the slower workers. At times the slow worker is your mother and you will be crying helplessly at the edge of the field when he beats up your mother. (Bozzoli 1991:40)

Mmariate Makgale goes on to say:

he used to inspan people. My grandparents used to be inspanned in ox-wagons; they then physically pulled them. When the babies cried, Paul Kruger used to say “Let them keep quiet, they will suckle afterwards.” I mean, that is what they narrated to us … He used to persecute them, they drew those ox-wagons (Bozzoli 1991:40).

As indicated earlier, loyalty and obedience to Paul Kruger had significant rewards to some of the Tswana chiefs, especially to Kgosi Mokgatle of Bafokeng. Mouton (2005:203-204) describes Mokgatle’s acquired wealth and popularity as a result of pledging allegiance to Kruger as follows:

Kruger and Mokgatle were allies, an arrangement that gave Kruger access to Mokgatle’s male Bafokeng followers as military auxiliaries and their wives and daughters as seasonal agricultural labourers on Kruger’s farms. For their service to Kruger’s commandoes, Mokgatle’s men received cattle booty and possibly women captured in raids. They were allowed also to keep guns for hunting game, and were exempted from labour service to the Boers, while Mokgatle used the Kruger connection to concentrate his followers on Kruger’s farms, keep their loyalty through tribute, and build up his personal wealth ... Mokgatle achieved a much higher standard of living than most Boers in the Transvaal at the time. His rising material status and purchasing power enhanced his stature among white and black. He owned guns, carpentry and metal-working tools, ploughs, grindstones, wagons and wore European clothing. Standing near to his large house was a wagon house and an enormous stone cattle kraal. The white doctor from Rustenburg paid him house calls, often staying overnight in the guestroom featherbed, and a white tutor was employed to instruct his children in English (Mouton 2005:203-204).

As earlier indicated, Kgosi Kgamanyane of Bakgatla ba Kgafela also had his own share of benefits generated from the patron-client relations with Paul Kruger. Following in the footsteps of his father and predecessor, Kgosi Pilane of Bakgatla, Kgamanyane formed an allegiance with Voortrekker leaders such as Potgieter and together they successfully warded
off the devastating attacks by Mzilikazi’s Ndebele warriors and launched severe attacks on other African communities who were not willing to accept the colonial disposition in the Transvaal region (Morton 1992:107). Kgamanyane also played a key role in reinforcing Boer hunting expeditions, raiding other African indigenous communities for slaves and handing them (mostly children) to the Boers (mainly Paul Kruger) (Morton 1998:83). So prominent was the role played by Kgosi Kgamanyane in slave raiding that even local praise songs about him narrate this role:

*Rona kafantle retshaba Kgalemi, retshabile Kgalemi wagaPilane; ogapa dikgomo, ogapa legatho, ogapa leditantane, Tumisi, ogapa lebanyanab abaanyang banyana obagapa asabarue, obanaya banna babahubidu.*

We who are outside flee from the Rebuker, we've fled from the Rebuker, Pilane's son; he seizes cattle, he seizes people, too, the Famed One also seizes infants still at the breast; but the infants he seizes he does not keep, he gives them to the white men.

(Schapera, in Morton 1998:108)

This loyalty to the Boers earned Kgamanyane and his Bakgatla people many privileges, including that of being accommodated on President Paul Kruger’s own farm called Saulspoort (the present Moruleng) along the Pilanesberg Mountains (Manson & Mbenga 2009:90; Morton 1998:80). Moreover, as Morton (1992:108) puts it “[w]ealth and power belonged to dikgosi [plural for kgosi] who served the Boers” – the wealth of Kgosi Kgamanyane of Bakgatla rose in tandem with his political status, a situation similar to that of Kgosi Mokgatle of Bafokeng. Morton (1992:108) describes the wealth of the two Tswana dikgosi as follows:

In addition to wagons, houses, horses, cattle, and guns, Kgamanyane maintained 48 separate households, one for each of his wives. Part of the wealth accumulated by Tswana dikgosi and their subjects was derived from independent ventures. Kgamanyane’s traded in ivory north of the Limpopo, and some of Mokgatle’s men worked in the Cape Colony, where they purchased guns and manufactured goods (Morton 1992:108).

In addition to material wealth and privileged allocation of land as a reward for their loyalty to the white colonial ‘masters’ of the ZAR, Mokgatle and Kgamanyane also grew in power and influence by forcibly absorbing smaller and weaker ethnic groups to their polity during the
post-difaqane era (Morton 1992:108; Capps 2010:141-144). This was also made possible through the “politto-military” (Capps 2010:141) support and reinforcement from the powerful Boer authorities in the Rustenburg region – one of the most notable benefits of being in alliance with Paul Kruger. It is against this background of post-difaqane political power surge through multi-ethnic integration that the Bafokeng Bakgatla communities can no longer be accurately described as ‘pure’ ethnically distinct groups.

However, Kgamanyane’s relationship with the powerful ‘patron’ Paul Kruger was soon to take a drastic and depressing turn. It is quite clear that Kruger was never prepared to tolerate any form of disloyalty or noncompliance to his demands from any of the African people, including their chiefs. With virtually all their land alienated, the African communities in the newly established Afrikaner Republic (ZAR) could only live on Boer-owned farms as tenants who paid through their labour and loyalty and who at times gave a certain number of cattle to the white farm owners as a form of rent. So, Paul Kruger’s granting of space to Kgamanyane and his Bakgatla people in his own farm (Saulspoort) secured him easy access to unpaid labour.

The patron-client relations between Kgamanyane and Kruger went well, with benefits accruing to both parties (albeit unequal) until the latter started to instigate rather more (if not too much) labour demands than the former and his Bakgatla regiments were ready to provide. Kgamanyane’s resistance against Kruger led to his public humiliation by Kruger and the permanent geographical separation of Bakgatla people. Mbenga (1997) details and analyses this incident in a historical analysis titled: Forced Labour in the Pilanesberg: The Flogging of Chief Kgamanyane by Commandant Paul Kruger, Saulspoort, April 1870. Following Mbenga’s (1997:127-140) account, it was in 1870 that Paul Kruger, now elevated to the prominent position of Commandant of the entire Rustenburg district, demanded unusual “forced labour” of Bakgatla people to construct a dam for irrigation crops (wheat fields) in his ambitious agricultural expansion project in Saulspoort. Bakgatla men were forced to perform unbearably hard labour including “being inspanned to carts and wagons with loads of rocks, which they dragged to the construction site” (Makgala 2009:90). When the Bakgatla men could not bear this any longer, they resisted and forwarded their petition to Kgosi Kgamanyane who sympathised with them and instructed them not to report for work at the “dam-construction site” any further (Makgala 2009:90-91; Mbenga 1997:128). This failure on the part of Kgamanyane to provide Kruger with unpaid Bakgatla labour for his dam
construction led to him being tied against “a wheel of a wagon” and publicly flogged by Kruger in full view of his followers and other chiefs from the neighbouring Tswana groups (Makgala 2009: 91; Mbenga 1997:128). So unbearable was the humiliation caused by this flogging incident that Kgamanyane and approximately half his followers decided to leave the Pilanesburg area and tracked northwards until they finally settled in Mochudi in Bechuanaland (Botswana) (Mbenga & Morton 1997:157). This explains why Kgosi Kgafela Kgafela II, the great grandson of Kgosi Kgamanyane, is now the ruling Paramount Chief of Bakgatla ba Kgafela both in Botswana (Mochudi) and in South Africa (Moruleng).

The events highlighted above are a condensed summation of the “Boer-Tswana relations” (Mbenga 1997:128), or “patron-client” (Capps 2010:150) relations, epitomised by ruthless alienation of land from indigenous communities in the erstwhile Transvaal Republic during the period of “mercantile colonialism” (Capps 2010:141). A detailed historical account of the encounters of African communities in the face of the Boer colonial conquest is beyond the scope of the current thesis. However, it is important to bring into this narrative one fundamental aspect which entitles the two study communities to significant control of mineral wealth: the question of land ownership by Tswana dikgosi and other African groups – a phenomenon that epitomises Boer-Tswana allegiances and collaboration.

The question of land ownership by the two Tswana communities is highly ambiguous and elusive since historical details tend to be fraught with contradictions. Central and unique to this question is the phenomenon of land purchasing by indigenous people\(^\text{102}\) which was a dominant practice during the post-difaqane period. According to standard historiography, the involvement of the Bafokeng community in platinum mining is historically linked to a shrewd decision taken by Kgosi Mokgatle to secure ownership of land by sending young males to work in the Kimberley diamond mines and collecting some financial contributions from them on their return. This collection was used by Mokgatle to purchase farms for the Bafokeng community in partnership with Paul Kruger (1825-1904 – president of the then Transvaal) and Ernst Penzhorn (a Lutheran missionary of the Hermannsburg Missionary Society) by purchasing title deeds through a lengthy land acquisition process since Africans were forbidden to own land (Coertze 1990:40; Bozzoli 1991:291; Bergh 2005:106-107; Manson & Mbenga 2003:25; Comaroff & Comaroff 2009:98-108). Historical accounts have

\(^{102}\) See Appendix E for a map of ‘Native Land’ in the Rustenburg and Pilanesberg Districts, 1904.
mostly distinguished the Bafokeng from other traditional communities in South Africa for preserving their indigenous land rights for centuries and historically staving off competition from the Boers, the leaders of the former homelands (quasi-independent ‘republics’ created by the erstwhile apartheid regime) and the mining companies – the land in which Hans Merensky, a geologist, discovered in 1921, the world’s largest ore body with substantial reserves of platinum, rhodium and other mineral ores (Bozzoli 1991:291; Manson & Mbenga 2003; Bergh 2005). The discovery of platinum marked the beginning of the history of the Bafokeng as an indigenous mining community in South Africa. In 1999, after a protracted legal battle between the Bafokeng and the mining companies, the community won the right to receive mining royalties from Impala Platinum (Manson & Mbenga 2003). Moreover, the Bafokeng is one of the few communities in South Africa that vigorously and successfully opposed the reversing of rights to ownership of land and mineral resources in the state after the collapse of apartheid and the eventual enactment of the post-apartheid minerals legislation.

However, there are other empirical trajectories that seem to contrast this standard historical account. One such account, provided by Capps (2010), analyses the historical formation of the modern Bafokeng political economy. No recent or even erstwhile empirical account more rigorously engages the phenomenon of the Bafokeng community’s unique control over land and mineral resources than Capps’s (2010) doctoral thesis, titled *Tribal-Landed Property: The political economy of the Bafokeng chieftaincy, South Africa, 1837-1994*.

In a nutshell, the question of land purchase in the Bafokeng area must be seen in the light of Kgosi Mokgatle’s afore-mentioned patron-client relations with Paul Kruger. Mokgatle’s loyalty and steadfast supply of *mephato* regiments (unpaid farm labour) to Kruger proved greatly rewarding to the former, more than any other African chief in the Western Transvaal. Kruger used his political power to expedite and advocate the purchase of land by Kgosi Mokgatle for the Bafokeng people. For instance, Bergh (2005:106) describes how Kruger used his political status to “persuade the Transvaal Government to institute some kind of trusteeship system to accommodate African communities that wanted to buy land” and how he successfully convinced the Executive Council to grant Kgosi Mokgatle and his subjects the right to permanently occupy the farms Beerfontein No. 263 and Turffontein No. 262. So, it was the partnership between Kgosi Mokgatle and Kruger, coupled with the arrival of Rev. Penzhorn, Hermannsburg missionary in Phokeng in 1867, that paved the way for the
purchase of vast tracts of land by Bafokeng chiefs (Mokgatle and his successors) (Coertze 1990:43; Bergh 2005:105-106; Capps 2010:153-167).

Apparently, there were two phases of land purchasing arrangements under which African indigenous peoples in the Transvaal could buy back their ancestral lands which were ruthlessly alienated from them during colonial conquest, and in both phases land could only be registered under an intermediary trustee (Mbenga 1998:160-166; Bergh & Feinberg 2004; Capps 2010:156-158). Bergh & Feinberg (2004:170) outline the two forms of trusteeship (which marked the two phases) under which Africans could purchase land during the period after the Boer invasion (late 1860s) until the British occupation of the Transvaal in 1880:

Trusteeship meant that although Africans might have paid for land, they could register the transfer of the property from the previous owner in the name of a white person only, especially a missionary or, after 1880, a public official, who would hold it ‘in trust’ for the real buyers. Only registration could give legal validity to the transaction (Bergh & Feinberg 2004:170).

The imposition of the notion of trusteeship as the only form of African land tenure after colonial conquest was in a way, though extremely ambivalent, an early form of racially segregated land distribution pattern, long before the actual segregation and apartheid policies were enforced in South Africa. What makes Capps’s (2010) thesis uniquely robust is the comprehensive attention that it gives to the phenomenon of diversity of land-purchasing groups in the Bafokeng area during the post-difaqane period and afterwards. Capps’s (2010:237) found that in the Bafokeng area land was bought by a variety of discrete groupings of people with diverse interests. Like all South African indigenous communities, the Bafokeng were left landless after the ruthless alienation by Boers in the Western Transvaal during the post-difaqane period. So the presence of the white Hermannsburg missionaries in Phokeng expedited Kgosi Mokgatle’s purchasing of land through Rev. Penzhorn as a trustee since Africans could not hold title to land.

According to Capps’s (2010), the purchasing of land was far too complicated a process than the afore-stated, celebrated shrewd decision taken by Kgosi Mokgatle in buying land through remittance contributions of Bafokeng male migrant labourers from the Kimberley diamond mines. In contrast to this prevailing account, Capps (2010:159-168) found that most of the land in the Bafokeng area was historically purchased through missionary or other white
intermediaries by diverse group and syndicates, mostly completely independent of the Bafokeng chieftaincy. Capps (2010:163) also establishes that there were two dominant forms of land buying through which the Bafokeng land was acquired: “sub- and extra- tribal land acquisition”. Through the sub-tribal purchase, Kgosi Mokgatle and some of the dikgosana under him and other elite members in their respective dikgoro (wards under kgosana) collectively purchased farms through white missionaries for their private benefit. On the other hand some of the bafaladi clans (difaqane immigrants – see explanation above) together with their leadership purchased farms as distinct syndicates, also through white intermediaries (Capps 2010:163). To demonstrate the complexity of the extra-tribal mode of land purchase, Capps (2010:163-167) details, among others, the examples of Tweedepoort (JQ283 – Marakana Village) and Turffontein (JQ302 – Thekwane Village) that were bought by distinct bafaladi syndicates through intermediary trusteeship of white missionaries and white lay figures. This position certainly contrasts and rectifies the conventional literature sources that portray the said farms as having been purchased by the Bafokeng chief for the entire morafe (Mbenga & Manson 1999:80; Bergh & Feinberg 2004:177; Bergh 2005:106).

One remarkable attribute of the land purchase was that most African communities in the Rustenburg and Pretoria districts did not passively accept the massive alienation of their indigenous land by their colonisers which began informally during the 1830s with the arrival of the Dutch farmers from the Cape – the Voortrekkers. These indigenous communities responded actively by ‘buying back’ their ancestral lands on a remarkable scale through the institution of white trusteeship. The Bafokeng people deserve special acknowledgement in this regard (Bergh & Feinberg 2004:171). At the formation of Transvaal as an independent Boer Republic in 1852 all land that formerly belonged to Africans was effectively divided into white-owned farms and Africans were eventually forced into a demoted status of being landless subjects who had to offer their labour (Breutz 1989:341). This oppressive situation might have been the key motivation behind the ‘buying-back’ of land by Bakgatla and Bafokeng leaders.

The land question in Bakgatla Ba Kgafela community, though poorly examined and far less documented compared to that of the Bafokeng community, is also subject to more or less similar contestations and ambiguities. Like the Bafokeng leaders, the vigilance of Bakgatla leaders and their active engagement in land-buying was a direct benefit of earlier allegiances
with the Boer leaders. Makgala (2009:156-157) explains that the Bakgatla started buying land during Kgamanyane’s era, even before the latter left for Mochudi in 1870, after the souring of his erstwhile beneficial relationship with Commander Kruger. Although Makgala (2009) is quite conservative when it comes to providing evidence for this claim, it is clear that the Bakgatla did purchase several farms during the latter half of the 19th century and the beginning of the 20th century. Makgala (2009:157) goes on to detail how Kgosi Linchwe, Kgamanyane’s son and successor, purchased the farms Saulspoort, Holfontein, Witfontein, Modderkuil and Kruidfontein in the period between 1868 and 1898. These purchases were apparently made through the help of Henri Gonin, a missionary from the Dutch Reformed Church (DRC) whose station was based in Saulspoort (Mbenga & Morton 1997:159). Breutz (1989:339) also enumerates 27 “tribally owned farms” (owned by Bakgatla) of which four were privately owned.

Despite limited empirical historical examination on Bakgatla land purchase, the pattern of land buying in Bakgatla was not smooth – just like that of Bafokeng. Manson and Mbenga (2009:91-92) detail how the farm Welgeval (Madutle) in Pilanesburg was purchased by a collective syndicate of nine individuals for private use in 1912. The farm was initially bought in 1864 by the DRC missionary Gonin (Morton 1998:81). The Welgaval farm was initially a place where Gonin’s converts lived – these were mainly former inboekelinge (African children slaves abducted by Boers at a young age) and some Africans who were dislocated during either difaqane or the Boer raids for cattle and slaves (Morton 1998:81). These DRC converts later formed a small community of African converts, whom the Dutch chose to call the Oorlamse (civilised kaffirs) (Manson & Mbenga 2009:86-88). It was some elite members of the Oorlamse community who composed the nine-member syndicate that purchased the Welgaval farm together with Chief Ramono Pilane of Bakgatla (Manson & Mbenga 2009:92). After the death of some of the original members of the purchasing syndicate, it became difficult for the remaining members to meet the instalments. Ultimately Chief Ofentse Pilane, Ramono’s successor, contributed £1,000 towards the outstanding amount in December 1932 and the Welgeval farm subsequently became the property of the Bakgatla community (Manson & Mbenga 2009:91-92).

The multi-ethnic character of the two communities inherited through integration (at times by force) of the bafaladi (difadane immigrant-fugitives) and other African groups and individuals who were dislocated during the Boer slave raids, no doubt, further complicates this topic. It should be mentioned, however, that the institution of a land trustee for all farms
purchased by Africans is far more intricate than indicated here – it is better detailed elsewhere.\textsuperscript{103}

The establishment of the Bafokeng and Bakgatla as tribal authorities should be seen against the background of the afore-stated 19\textsuperscript{th} and 20\textsuperscript{th} century colonial engendering. Tribal authorities were established as part of the apartheid policy of racial separation formalised in the \textit{Bantu Administration Act} 68 of 1951. This form of decentralised power over rural subjects became an archetype of the widespread colonial architecture of indirect rule mentioned earlier in the discussion of Mamdani’s (1996) notion of decentralised despotism. The Bafokeng and Bakgatla Tribal Authorities were established in 1966 and 1953 respectively in line with the said colonial policy (Breutz 1989:278/339). Not surprisingly, the Bafokeng, perhaps due to historically ‘good’ relations between their leaders and colonial powers in the Transvaal, was also “conferred with powers, functions and duties of a Regional Authority” (Breutz 1989:278).

The unique control of the traditional authorities over vast mineral resources coupled with powers of operating as autonomous political polities (especially the Bafokeng) must be seen in light of this history. As highlighted (see Chapter One, subsection 1.1.1), the rich platinum resources beneath the land owned by these communities resulted in the latter receiving direct royalties from the platinum mining companies that operated on their land. Although the Bafokeng started receiving royalties in the 1960s, the amounts were negligible until 1999 when this community won a legal battle significant against Impala Platinum (Manson & Mbenga 2003). Bakgatla have also been receiving mining royalties from Anglo Platinum (Aplats-Union Section) since 1982 (Anglo Platinum 2006:1). The conversion of royalties into equity shares (in line with the BEE Mining Charter) in the wake of the post-1994 minerals policy shift in South Africa, have placed the Bafokeng and Bakgatla of the platinum mining industry in the country. Among the foremost corporate partnership ventures are: the 13% equity share that the Bafokeng have with Implats and the 15% share that Bakgatla have with Aplats. The corporate transations between the two traditional communites and mining companies are all listed in Chaper One (see subsection 1.1.1). The two traditional authorities have since “rebranded” (Capps 2010:14) themselves into the Royal Bafokeng Authority

\textsuperscript{103} Capps (2010:142-180) exceptionally details the missionary intermediary form of trusteeship, the state trusteeship and the least reported form of trusteeship – the tribal trusteeship in his doctoral thesis. See also Bergh, J.R. & Feinberg, H.M. (2004).
(RBA) and Bakgatla Ba Kgafela Traditional Authority (BBKTA). The Bafokeng community has even gone further to rebrand itself as the Royal Bafokeng Nation – a name that some members of this community resist being associated with (as will be shown in the Chapters Eight and Nine). Ostensibly, with this new nomenclature (‘Nation’, ‘Royal’) and with sizable economic and mineral resources coupled with private land ownership at its disposal, the Bafokeng chieftaincy is ostensibly disposed to operate as an autonomous polity – outside the control of the state of South Africa.

7.6 Conclusion

The main purpose of the argument in this chapter has primarily been to present a condensed historical review of political economies of the Bafokeng and Bakgatla traditional communities. It is through this summarised account that the author demonstrates that the two Tswana communities, Bafokeng and Bakgatla, not only share similar customs but that their control over mineral resources is directly connected to a collective identity and historical claims over ancestral land. Of critical significance are the patronage relationships between some Tswana chiefs and the Boer leaders of the former Transvaal Republic that enabled the Bafokeng and Bakgatla people to purchase some land through various forms of trusteeship during the latter half of the 19th century. The unique control over sizable mining royalties by these communities should be seen in light of this history.

The next chapter, Chapter Eight, marks the beginning of the final division of this thesis, Part 3, which deal with the empirical findings of the study.
PART 3: PARTICIPATION AND PARADOXES
8.1 Introduction
This chapter provides the first portion of the field results about the character of community participation in platinum wealth distribution. Through the analysis of local narratives, this chapter is primarily purposed to present empirical results about the attributes of community participation in platinum wealth utilisation and how such attributes connect with the institutional systems of traditional administration in the study communities. The field results are presented under six key themes. The first two of these will be covered in this chapter, and the last four are presented in Chapter Nine. The themes presented in this chapter are derived mainly from the first two questions which guided the collection and analysis of data, namely:

- What are the main attributes of community participation in platinum wealth distribution and how do such attributes intersect with the institutional systems of traditional administration in the study communities?
- What are the main narratives about participation in the study communities and how are such narratives mobilised by different segments of the local population?

In line with the objective of this chapter, the two themes covered in the current chapter are as follows:

- Tradition, tokenistic participation and ‘disguised exclusion’.
- Community development: Elite vision versus “imagined” participation from below.

8.2 Tradition, tokenistic participation and ‘disguised exclusion’
Participation and adequate grassroots involvement in development decisions is at the heart of South Africa’s liberal democratic framework laid down in the country’s Constitution. However, the highly popularised notion that “people’s participation will go a long way to distribute wealth more equitably [and do away with] inequalities and [provide] a more equitable base for a better system of social relations” (Heredero, in Mulwa 1998:51) remains only an ideal. So far, there is limited empirical evidence of communities where it has been actualised, particularly where resource wealth interfaces with traditional institutions of governance.
In the platinum-rich Royal Bafokeng and Bakgatla Ba Kgafela communities, the struggle to distribute wealth in an equitable manner seems palpable. From the field interview data, the researcher found that participation in distribution of mineral wealth was mainly through spaces or platforms created by virtue of custom – a phenomenon which according to many local residents was a hindrance to effective participation – as elaborated later.

Interview data to reveal how the kgotha kgothe and other customary platforms where the traditional leaders engaged with the community on crucial issues, including community development plans, mineral wealth distribution, et cetera, presented some paradoxes. In the Bafokeng community, for instance, there are traditional participatory platforms which include the makgotla (see description in Chapter Seven), the kgotha kgothe (the bi-annual mass meeting) and the fairly recent Dumela Phokeng platform (visits by Kgosi to different villages for occasional public address). The Bakgatla also have their makgotla in accordance with the 32 dikgoro. In both communities, the kgotha kgothe described in detail earlier in Chapter Seven is the most dominant decision-making platform. Indeed, the researcher established that the decisions taken by the Kgosi or the Supreme Council can be overruled by the kgotha kgothe meeting.

The kgotha kgothe meetings are popularised as a mass assembly, something of a modern-day Ecclesia, where decisions affecting the community are taken. The important decisions, according to custom, are supposed to be taken there. So prominent is the kgotha kgothe that the anthropologists John and Jean Comaroff describe it as:

a forum of public oversight: in the long-standing spirit of indigenous democracy, even the intricate financial maneuvers of the Bafokeng money managers – of whom more in a moment – are presented to this gathering for cross-questioning, comment, and critique. All of which makes kgotha kgothe, these days, appear for all the world like a corporate shareholder meeting. In a fairly literal manner of speaking, of course, it is (Comaroff & Comaroff 2009:106-107).

However, the researcher encountered local narratives that showed that the kgotha kgothe had its own contradictions as a participatory space.

The traditional leadership in the study communities expressed high regard for the kgotha kgothe. For instance, Bakgatla leaders regard the kgotha kgothe as an effective platform of
participation for all community members. This is how the key informants who were senior officials of Bakgatla Ba Kgafela Traditional Administration (BBKTA) viewed the situation:

The kgotha kgothe is the highest decision-making forum. If we have to pass a resolution that involves land, it has to go through a kgotha kgothe. We invite members of the community from all the villages. We send busses to collect people for free to the kgotha kgothe. Everybody is free to voice out his or her views in that kind of a meeting. We use hands to vote for the passing any resolution in a kgotha kgothe. Government officials are also invited to come and observe the whole process. Sometimes these processes are chaired by representatives from the department of land affairs, when there is a land issue on the table. (Response from a 44-year-old male respondent in Moruleng - 12/08/2009).

Such a view was quite close to the one expressed by another key informant – a director of one of the BBKTA entities:

The kgotha kgothe is above Kgosi in terms of power. Interesting enough, previously the Office of the Kgosi used to have the power to override the masses but things have changed after this wonderful Constitution that we have in this country. The Kgosi is also subject to the will of the people. The Constitution is very clear – you can only rule with the will of the people. [male, 55-59 years; 19/08/2009].

A kgasana in Luka village of the Bafokeng community commented:

All Bafokeng members attend the Kgotha kgothe – where our Kgosi calls the people and discuss with them everything … every decision is taken there. [22/10/2009]

The narratives suggested limited grassroots participation, particularly in the kgotha kgothes. For instance, in the Bafokeng community, although there was one kgotha kgothe meeting every semester (twice per year), community members did not view this as a platform for effective participation. Community members preferred to see the kgotha kgothe meetings as platforms to voice their concerns and to influence the decisions about the utilisation and distribution of platinum wealth - if such an opportunity could be provided.

Bafokeng respondents argued that the kgotha kgothe was just a platform to listen to reports from the leaders of Bafokeng corporate entities – not a space for open deliberation and decision-making as it was intended to be. This finding was echoed by 82% of the

104 49 out of 60 respondents.
interviewees in the Bafokeng villages. One key informant, a former youth leader in Luka village (a male respondent in his early thirties), explained:

In my view the decision making body should be the kgotha kgothe – in terms of giving mandate. That platform [the kgotha kgothe] doesn’t assist because it is huge and you get people from all over Bafokeng villages. What happens is that we are addressed by the people, who are hired by Royal Bafokeng Administration. We listen to what we are told, and then a few people who have understood what was said start asking questions. No decisions are made. People are concerned about how it [the kgotha kgothe] is conducted. It is not serving its purpose. It’s like going to a party, after being talked to, we eat. [07/08/2009]

Another respondent in Kanana (a 44-year-old man and an active member of SANCO105) concurred:

You do not get an opportunity to voice out your opinions in these kgotha khothes. When you have 3,000 people in one hall for four hours, you won’t have enough time to raise questions and concerns. It [the kgotha khothe] is mostly used as platform to report what has been done. It is no longer a kgotha kgothe as we know it. It is just a feedback session by the investing companies. [03/09/2009]

A woman in her late 40s in Luka village said:

It’s [the kgotha khothe] just like an Imbizo, people go there and complain about the administration, projects within the jurisdiction of the Royal Bafokeng and the processes and the admin functions. There are no decisions taken there. [10/08/2009]

A sense of displeasure was evident in the remarks of some Bafokeng respondents. Many (60% 106 of Bafokeng interviewees) voiced disapproval with the manner in which Kgosi Leruo conducted the kgotha kgothe meetings. For them, it was contrary to the way the King’s predecessor used to conduct the meetings. The general feeling was that Kgosi Leruo had shifted from the original meaning of a kgotha-kgothe. Many key informants conceded that under the reign of the former king (chief Leruo’s predecessor) Kgosi Mollwane Molotlegi (1995–2000), the kgotha-kgothe platform was used to take decisions, especially decisions

105 An abbreviation for South African National Civic Organisation – a civic organisation dominant in most parts of South Africa.

106 36 respondents out of 60.
about community development projects. An elderly woman, a retired teacher from Phokeng (Masosobane Section) recounted with concern and a feeling of hopelessness (in English):

There was a previous king before this one – the late king. He was a real king, not for himself but for the people. He carried a mandate from the people. Whenever there were projects to be initiated, he sat down with the people in a kgotha-kgothe after he had made his own research and things were happening. Good projects were implemented. Now it’s a different story – it is difficult. The king’s mother is everything, the overseer or the CEO or something of that manner. When it comes to youth or any other development, you have to contact her. So it is difficult to access information from Phokeng. We don’t even know how they utilise or determine their budget and they don’t advertise tenders. They simply approach a person and instruct them to do the tender and prescribe the amount. We don’t have power. We can scream and shout, but we don’t have power. [02/09/2009]

Another key pitfall of the kgotha-kgothe as a participatory platform was that it seemed to be elitist and exclusionary in the sense that it was detached from most grassroots members who are not educated enough to be able to read the highly technical reports of the leaders of Bafokeng corporate entities. Moreover, as the main participatory platform where most decisions were supposedly taken, the kgotha kgothe seemed to function in ways that defied the understanding of ordinary citizens. Many respondents felt agitated about being left out because of ‘White experts’ who dominated in the community’s decision-making processes. Such views were generally expressed with ostensible resentment towards the leaders of Bafokeng business entities, particularly those who were of the ‘White’ race. A female (43 years old) respondent from Luka gave voice to these sentiments:

To be honest with you, the Bafokeng wealth and businesses are being controlled by “White” people and not us. They decide on their own and then develop reports in English and then translate them into Setswana. However, the language they use is too technical and it needs experts who understand them. How can we expect a fair resolution? The majority of people who attend kgotha kgothe are illiterate. At some stage during a certain kgotha kgothe we spoke of creating servitude and the majority of the people did not understand what servitude was. Thus, they cannot make informed resolutions.[21/09/2009]

A similar view was expressed by a male respondent, also in Luka:

\[107\] According to this respondent, “creating servitude “was an expression which referred to the manner in which some community members described their role in the mining economy – as mere savants not as owners and direct beneficiaries of platinum royalties.
You wouldn’t make a decision on a document that is very technical if you don’t have the technical capacity. We don’t have authority to take decisions in Bafokeng … it is a mess. [04/10/2009]

Another young man, also from Luka, had a more specific view:

It is the ‘Whites’ people like Neill Carroll (the CEO of RBH) who are used to addressing the kgotha kgothe and taking decisions for us but they are not from here. [08/08/2009].

A local businessman in Phokeng (a Mofokeng) said:

It depends on the level of education. Given the community that we live in, I don’t think that the majority understands [the kgotha kgothe reports]. I understand the reports, but you still hear people who still complain about the very same thing that has been reported about. I am not sure that it [the reporting] is effective to the rest of the community. [02/09/2009]

Deep at the heart of these respondent narratives, one can excavate, among other issues, some elements of the ontological dilemmas around the term ‘community’ that were discussed earlier (see Chapter Three, Section 3.5). One such dilemma is found in the tendency of community development arena to solidify the powers of the local elites while entrenching the marginalisation at grassroots (Mohan & Stokke 2000:253; Gaventa 2006:264). As it will be shown when findings are discussed in Chapter Ten, the fact that local participation in the study communities was engendered through customary spaces empowered the local chiefs and their administrative officials whose powers were free from state monitoring and regulation.

Such paradoxes emerge despite some analysts applauding the Bafokeng’s kgotha kgothe meeting in particular as “democracy in action” and an archetype of democratic practice of accountability from which the ANC government in South Africa should learn a valuable lesson (Sikakhane 2009:1). After observing the kgotha kgothe proceedings in Phokeng in October 2009, Sikakhane (2009:1) described the event as:

a wonderful experience, where the stewards of the Bafokeng’s money and those whom the Bafokeng had hired to manage their affairs presented themselves before the community to tell them what they had been up to during the past year, as well as answer some of their concerns.
These community narratives contradict Sikakhane’s (2009) observation of the kgotha kgothe as an effective participatory space. Beyond the apparent lack of effective engagement by the local people during kgotha kgothe, the general sense of resentment towards the ‘Whites’, who seemed to be at the helm of power and ‘controlled’ decision-making in the Bafokeng community, is profound. As will be apparent in the next chapter, the reported domination of the community decision-making by ‘White’ outsiders also surfaced as one of the root causes of local tensions and conflict in the Bafokeng community.

Besides the fact that kgotha kgothe meetings, according to the Tswana, were generally inclusive, many respondents indicated that they had no interest in attending one again. This finding recurred in 73% of the interviewees in Bafokeng. The prevalence of self-exclusion from customarily-approved collective decision-making platforms such as the kgotha kgothe emanated mainly from the fact that respondents felt this customary platform of decision-making no longer served its purpose and so community members no longer saw the need to attend it.

This is how a male respondent (aged about 38) in Kanana expressed his view when asked to comment on the local participation in key decision-making platforms when important decisions about the distribution of platinum wealth within the community were taken, particularly the kgotha kgothe meetings:

Yes, I can say it [the kgotha kgothe] is often well attended, but by whom? They [the RBA] normally ferry people by buses. They go and fetch people who will be there only to sing praises to the king and afterward they pass decisions. Many of those people don’t have the capacity to be taking decisions. I doubt if I will ever go there again. What’s the point of attending? [07/10/2009]

Among the youth in Bafokeng villages, the interviews revealed that there was general dissatisfaction with the lack of credibility in the kgotha kgothe. Local youths were worried that key issues such as redundancy and crucial issues about their development and future in light of the mining economy were not being given sufficient consideration:

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108 44 out of 60 respondents. This figure includes those who never attended the kgotha kgothe but were also not interested in attending.
We believe the structure of *kgotša kgotše* is incorrect, in the sense that you will have a bunch [sic] of people and they are voting by a show of hands on critical issues that affect the nation [Bafokeng community]. This is done without looking at the age or the legitimacy of the people in the hall. There were issues of allocation of the stands [land/plots] and the development of young people in terms of skills, jobs and issues of the development of infrastructure. I looked at the memorandum that was submitted [during the *kgotša kgotše*] and I found out these were the same things we raised five years ago. If they [the leaders/elders] had listened to us, and addressed those issues, they would not be going through this today. We are also questioning the participation of the mining houses and their social responsibility of the mines and there is no one to lend us an ear. (Response from a 27-year-old female respondent from Phokeng – 21/08/2009).

Due to the apparent conflict and tensions between the traditional elite and some groups of community members in the Bakgatla community, *kgotša kgotšes* did not take place at regular intervals. Members of this community confirmed that during their last two *kgotša kgotšes* there were serious riots against Kgosi Nyalala and his supporters for alleged misappropriation of platinum wealth. Police had to intervene on both occasions, leading to the arrest of some community members. One female respondent in Moruleng, around 40 years of age, a community activist who also identified herself as a member of local forum Concerned Bakgatla Anti-Corruption Organisation (CBACO)\(^{109}\), explained:

> As I have told you before, we are led by dictators. During our last *kgotša kgotše* meeting we were arrested because we tried to prevent Kgosi Nyalala from taking decisions on our behalf. [20/10/2009]

Another interviewee in Lesethleng commented:

> Amazingly when our chief wanted the *kgotša kgotše* to approve [the operations of] these two new companies [Barrick Mine and Boynton Mine] he organised police so that people who protested should be arrested. People did get arrested during that time. The police were there to ensure that the deal must go on. (Male, around 47 years old – 14/09/2009).

Manson (2011) in a historical analytical account of *Mining and ‘Traditional Communities’ in South Africa’s North-West Province* also alludes to a similar incident whereby:

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\(^{109}\) The CBACO is a local forum that was formed by some members of Bakgatla who were disgruntled and suspicious about the manner the chief and his administration were utilising the mineral wealth. As it will surface in Chapter Nine, this forum was at the forefront in seeking the intervention of the North West Provincial Government when they suspected that Kgosi Nyalala was misusing the funds – a step which led to the formal (legal) prosecution of the kgosi.
[at] Sun City a meeting addressed by Pilane [Kgosi Nyalala] was disrupted by a crowd of enraged Bakgatla villagers, and sixteen people were arrested for public violence (Manson 2011:12).

Clearly, the views of the community leaders about the kgotha kgothe as an effective participatory space were different to those of a segment of ordinary community members. Of importance, participants in Bakgatla villages raised concerns and discontents quite similar to those of their Bafokeng neighbours. Responses (78%110 of interviewees) from the Bakgatla community also displayed some discontent and distrust towards the traditional administration and, in particular, perceived the exclusion of ordinary community members from important decision-making processes. The sentiments of one lady (in her late 20s) from Lesethleng captured the discontent:

I’ll be straightforward with you. Participation of Bakgatla in decision making about the mines and development projects is a ruse. Participation cannot be about members of the tribe being informed through a kgotha kgothe or assembling to witness the signing of a mining transaction about which made no prior knowledge [sic]. They were never part of any process leading to such a decision. Here, old people would be ‘bussed’ from all the villages to come and witness the signing of a contract of a mine they do not know and even what benefits will accrue to them as a result of such transaction. [04/09/2009]

Respondents in Bakgatla villages voiced similar a discontent about exclusive mineral wealth control and decision making by the local leaders – a phenomenon which mirrored an elitist character of community development. This is how one 47-year-old man, a teacher in Moruleng, framed his perception:

I believe that when a traditional community enters into any form of agreement with any mining company they must have consulted thoroughly, the conditions relating to the wealth in question, what their expectations will be in entering into such an agreement with any mining company. Even then, what is their mandate to the tribal authority when entering into such an agreement such that when the agreement is signed and sealed the tribal authority could act on the mandate given to them by the tribe? Here, the tribal authority negotiates without consulting us, agrees on the terms and conditions of such a transition and comes to convince a kgotha kgothe, informing the tribe that they are entering into a mining transaction and that we are all going to benefit without divulging how we are going to benefit. When you say fifty percent, what is fifty percent? And how does it translate into benefits for the community? [19/08/2009]

110 This percentage was drawn from a raw number of 29 out of 37 respondents.
Beside the pitfalls identified with the *kgotha kgothe*, community members at the grassroots level, especially in Bafokeng villages, displayed dissatisfaction with the manner in which they were represented in the Supreme Council by their *dikgosana*. The *dikgosana* were supposed to represent local needs and concerns and to help address the challenges of their respective *makgotla* (wards) at the meetings of the Supreme Council. However, there was a general feeling that, among other things, most *dikgosana* were generally too advanced in age and lacked education, so they could not effectively grapple with the demands and technicalities of the modern corporatising model adopted by these traditional communities. A young man in Kanana (31 years) confirmed this dilemma:

> Yes, a normal person like me cannot sit in that structure [the Supreme Council]. It is where the *dikgosana* sit and where decisions that need to be reviewed are taken. Most of the *dikgosana* are old, they still live in allegiance to the king [*Kgosi*] and have no idea how the modern democracy works. They know nothing about community benefits and impact of mining. If *Kgosi* has spoken, then they cannot dispute. He manipulates and intimidates the *dikgosana* by bringing lawyers, intellectual people [sic] and so forth. This leads us to end up saying that these old *dikgosana* are not assisting us.  [18/09/2009]

To ameliorate this challenge, some even advised that the *dikgosana* should have educated advisors, like *Kgosi* Leruo. A young woman (in her early thirties) from Luka (Mogono Section) explained:

> There has been an argument … that seeing that most of *dikgosana* are not conversant with modern issues about mining contracts, budgets and royalties [sic]. They cannot argue for us. In our *lekgotla* we have suggested that educated advisors should be elected who are well equipped to make decisions with the knowledge that they have. Things have to change. If *Kgosi* can hire many lawyers and have many advisors around him, why shouldn’t *dikgosana* have advisors?  [21/08/2009]

As highlighted in Chapter Seven (section 7.3), the Supreme Council in the study communities is constituted in line with the TLGFA (Traditional Leadership and Governance Framework Act). The fact that *dikgosana* who represent *morafe* are mainly elderly males makes the role of women and the youth rather insignificant. However, the leaders of these communities have tried to bridge this gap by making sure that the youth and women are represented among the democratically elected members of the Traditional Council. For instance, a senior leader in the Bakgatla Traditional Administration explained this issue as follows:
Fortunately we have a progressive kgosi. He has put together a Traditional Council which is 60% men and 40% women. The reason is that the voice of the women has to be heard and some of the most prominent councillors that we have are women councillors. So the role and the impact of women’s voice are taken very serious. We have a youth desk and we even have a Youth Department in the Management Services. In the Council there is what one calls the Youth Portfolio although they have joined into Youth and Gender Desk. There are about 4 councillors who deal with youth and women matters. [19/08/2009]

Despite the optimism of the leaders as demonstrated in the above response, 56\%\textsuperscript{111} of Bakgatla respondents felt that the youth in particular were not granted sufficient space to participate in the key decisions about utilisation of mineral wealth. Among other interviewees such a view was expressed by a young (24-year-old) female respondent as follows:

In my point of view, the youth in Moruleng, their views are marginalised. We are not allowed to play an active role in most important decisions. [27/10/2009]

This is how another male respondent recounted the way Bakgatla leaders engendered community participation during kgotha kgothes. This respondent also displayed frustration not only towards ineffective participation of the youth but also about the lethargic role of the state:

One of the tricks that this tribal [sic] authority does is that, they will use pensioners when they want a vote for important decisions. What do you expect from such old people? They will use times convenient to them where there are no young people who can challenge some of the most important issues relating to mining, land and the economy of our area. It is unfortunate. We had a meeting with the Department of Minerals and we were saying to them to what extent are these mining agreements legal. We got a very funny response from one of the deputy directors. He said “but the tribal administration has given us an attendance register confirming participation of the tribe [sic] and that a resolution was taken by the tribe in a kgotha kgothe”. We said to them, look that’s very interesting, because if the Department of Mineral Resources can authorise a mining transaction based on an attendance register something is very wrong. Because an attendance register is an attendance register, nothing more nothing less! It does not reflect nor represent any resolution by the tribe. What you need to produce and base your authorisation on are minutes of such a kgotha kgothe where the resolution was taken and state clearly the number of people who supported the resolution, those who were against it and those who refused to take part in the voting. You cannot just base your decision of issuing a mining licence on a kgotha kgothe attendance register. [12/09/2009]

\textsuperscript{111} 21 out of 37 interviewees.
In the Bafokeng community the two traditional councillors who participated as interview respondents in this study were youths (both males) – one was from Kanana and the other from Luka. Since, according to custom, a woman cannot be a kgosana, female membership of the Traditional Council is only possible through direct appointment by the kgosi\textsuperscript{112}. Nonetheless, this does not mean there were no concerns about representation of women and the youth in decision-making platforms of these traditional communities. The youth, for instance, were very vocal and agitated about the manner in which young people’s representation was not being ‘taken seriously’ by the ‘ruling elite’ in these traditional communities. Some youth in Phokeng and Luka, for instance, narrated with bitterness how they once had a vibrant youth structure called the Bafokeng Youth Organisation (BUYO) which enjoyed membership in all villages of Bafokeng during the reign of Kgosi Mollwane. After the passing away of Kgosi Mollwane, relationships between the current kgosi and the leaders of the BUYO soured to the extent that the organisation was “banned” (some said it was disbanded while others said it was suspended). A youth male activist in Luka lamented: “That organisation (BUYO) died a natural death”.

According to Bafokeng informants, it was through BUYO that the voices of the young people in RBN were heard. A male respondent in Phokeng explained:

> It [Buyo] was a platform for young people to make their issues, recommendations, dissatisfaction to be heard. It is one of the structures which fought for young people to be represented in the structures. I think Kgosi [Kgosi Leruo] was misled about the organisation by some of his advisors who said that it was getting too political, so they decided to suspend it since 2002. Young people were radical and vibrant; we called a spade a spade. When we were not happy about things, we come out with it. I think that they [RBA] felt that it [BUYO] threatened their administration. They thought that we would expose them to other forces. At that time, our elders were not supporting us and now they are raising the very same issues [that were raised by BUYO]. [17/08/2009]

A former leader of BUYO in Luka attested:

\textsuperscript{112} As already stated in Chapter Seven, senior traditional leaders are granted powers by the TLGFA to appoint about 60% of the members of the Traditional Council.
The way that the king sees it is that because he is young so he thinks he represents us [the youth]. Our argument is that we need to be represented there [in decision-making platforms]. He [kgosi] didn’t know much about politics before, but now he is being politically sharpened. We had a debate when they wanted to change the structure [BUYO]. I was chairing the meeting and I said that we are not going to change the structure because if a structure should exist, it should be this one. We should build it up and let it be revised. We went to another meeting where they wanted to revise the structure and Kgosi was there. When we got there, we were told that we cannot address the king without wearing jackets. Seeing that we had no jackets, we borrowed one jacket and we changed it amongst ourselves. Thomas\textsuperscript{113} was argued that the system does not provide for the youth and Kgosi did not understand what he meant by “system”. By then, we were more politically mature than him. [17/08/2009]

Apparently, one of the key issues which led to the downfall of BUYO and the subsequent diminished voice of the youth was some disagreements with the ruling elite. A former youth leader in Phokeng (33-year-old male) recounted the events which led to the ‘banning’ of their ‘once vibrant’ BUYO in the following manner:

It came to point where we [as BUYO leaders] were being censored and controlled. We were told what to say and what not to say by the Administration [RBA]. I felt that I could not lead an organisation where I would have to be censored. If I had to raise issues, I needed to be outspoken. We agreed as an organisation that our autonomy is essential because it is difficult to bite the hand that feeds you. I think that that is what happened when we said that we are not happy about the things that are happening in the administration. We were bold enough to say that we stand by our principles and that is that. Since then, there hasn’t been an organised youth structure. [11/10/2009]

A document that the researcher obtained which contained a press statement released by BUYO leaders in 2004 details the vision of this youth movement and the reason which led to its disbandment. This document outlines the vision of BUYO as follows:

The plan, as clearly stated by the late Kgosi Lebone II, was to ensure that young people participate in all areas of development, be it social, economic political or otherwise. In terms of this approach, a Youth Parliament was to be established as a platform for consultation and decision making on issues affecting young people (BUYO 2004:1).

The document goes on to highlight that it became difficult for the organisation to continue operating after the passing away of Kgosi Lebone II due to:

\textsuperscript{113} Not his real name.
lack of support from the RBA which was playing a patron role to this organization … since the death of Kgosi Lebone II no amount of funding has been allocated to the organisation except in form of contribution of some kind [sic] i.e. food, accommodation for conferences at Patlogo Training Centre (Old Police Station). The leadership [of BUYO] had to fundraise under extremely difficult circumstances … A response from fundraising has always been that the Royal Bafokeng has sufficient capital to fund its youth programmes (BUYO 2004:1).

The narratives and excerpts stated above point towards alienation of the youth from effective participating in decision making vis-à-vis the distribution of mineral wealth. Such a phenomenon also contributed towards local tensions and voluntary self-exclusion from customary spaces of participation such as kgotha kgothe meetings and makgotlas.

The poor representation of women in the Traditional Council did not seem to be a major cause for contention among female respondents. This could be attributed to the fact that women (especially elderly women) in these communities generally accept the role of traditional leadership of males. Out of 36\,\cite{14} female interviewees 22 (61\%) showed less interest in vigorously mobilising for more female representation in the Traditional Councils. An elderly woman who used to serve in the Traditional Council in Phokeng (and now lives in Tlhabane) explained why women preferred to be led by males – from her own experience:

> There is a problem with women. Once they see you working in such a position [as a traditional councillor] they say that you are running after men. The women say that they are not represented but they vote for men. They feel threatened by other women. They ask why their husbands talk about you. The very men that you serve with don’t want their wives to come up [to the positions of leadership]. We only had two married women in the council, the rest were divorced, widowed, single and some were of my age [old]. [27/08/2009]

Many are the logics of patriarchy, but let this pass!

The discussion presented in the above section covers some of the paradoxes of participation that arise at the interface of the institution of tradition and the modern community development arena bolstered by the platinum mining economy in the study communities. However, it is crucial to highlight that the hinted political impasse is inexorably connected to the socio-economic dilemmas. It is these paradoxes that this thesis discusses next.

\footnote{\cite{14} The researcher interviewed 14 Bakgatla women and 22 female respondents in Bafokeng (see Chapter Four).}
8.3 Community development: Elite vision versus “imagined” participation

The ruling traditional authorities in the study communities are committed towards developing a world class infrastructure and preparing for a post-mining economy through diversification (see Chapter Seven). Among others, the massive sporting infrastructure (the Royal Bafokeng Sporting Complex and the Moruleng Stadium) epitomises this dominant mode of mineral wealth distribution in the study communities. The commitment to development is expressed through vision documents and sophisticated plans for infrastructural development.

Plate 9: The Royal Bafokeng Stadium

The Bafokeng community, as a leading traditional community in corporate ventures, has what it calls Vision 2020, or the 2020 Vision. It states that:

115 The Royal Bafokeng Sports Palace and the Moruleng Stadium are among the popular sporting facilities that were used during the 2009 FIFA Confederations Cup and the 2010 World Cup. The Moruleng Stadium was used as a training venue in both tournaments. The Royal Bafokeng Sports Palace (Royal Bafokeng Stadium) was a hosting ground for matches during the 2009 FIFA Confederations Cup and the 2010 World Cup. The seating capacities of the Royal Bafokeng Sports Palace and the Moruleng Stadium are 44,000 and 20,000 respectively (RBN 2011; BBKA 2009).
We the Bafokeng Nation, the Supreme Council and Kgosi, are determined to develop ourselves to be a self sufficient Nation by the second decade of the 21st century (Segoago sa Bafokeng 2006:1).

In line with this vision the Bafokeng leaders have invested significantly in education, health, roads and world class sporting infrastructure. School buildings, water reticulation, roads, clinics, post offices, shopping malls, sporting facilities (the soccer stadium), and community halls are among the most visible infrastructure projects. There is an infrastructural development plan, called the Royal Bafokeng Nation Masterplan\textsuperscript{116}. Following the death of the former king of Bafokeng, Kgosi Mollwane Molotlegi (the older brother to the current Kgosi), Kgosi Leruo Molotlegi, his successor, introduced a comprehensive community infrastructural development called the 2035 Masterplan. It was launched in 2006 and is conceived, at least by the Bafokeng leaders, as the blueprint of the future of this community. Kgosi Leruo views the Masterplan as the “vehicle through which Vision 2020 will be achieved” (RBN 2007b:1). Though it focuses somewhat heavily on infrastructural development, the Masterplan also covers critical areas such as economic development, education, health, recreational and social services. At the time this study was conducted, the RBA provided some municipal services such as tap water and law enforcement. Just like many other rural communities in South Africa, electricity is provided by Eskom (the state-owned utility company) to the villages in both study communities. The Masterplan also serves as a guiding tool for land use within the land area owned and administered by RBN.

However, the researcher encountered what seemed like an impasse when it comes to community perceptions about the Royal Bafokeng 2020 Vision and the Masterplan. As indicated earlier, the top leaders of Bafokeng perceived the Masterplan as a tool to carry forward Vision 2020. Nonetheless, at the grassroots level the narratives revealed some contradictions. The in-depth interview responses exposed a conspicuous knowledge gap between the elite and the grassroots members in this community concerning what Vision 2020 and the Masterplan entailed.

One of the senior managers of RBH in Phokeng described the connection between the Masterplan and Vision 2020 as follows:

> Fortunately for us, we have the Masterplan which details the land use in this community. In fact, you cannot divorce the Masterplan from our Vision 2020.

\textsuperscript{116} In the RBN documents and publications ‘Master Plan’ is written as ‘Masterplan’, that is why the researcher has adopted the latter spelling.
The vision 2020 is our prediction that by 2020 we envisage that every Mofokeng should be self-sustainable [sic]. Through the Masterplan we will be able to achieve that. The Masterplan is also a guiding tool in terms of land use in general in all our five regions. [21/09/2009]

Responses of ordinary community members, on the other hand, revealed both a lack of understanding of the participatory process and a sense of distance from the community’s overarching 2020 Vision and the Masterplan. This finding was found recurrent in 85%\(^{117}\) of all interviewees in the Bafokeng community. The response of a male respondent in Phokeng displayed not only a lack of understanding of the Masterplan but also a sense of alienation:

This king [\textit{Kgosi Leruo}] has been around for six years but nothing has changed. He always says that he has a plan. Our former King [\textit{Kgosi Mollwane}] had a plan of how Bafokeng should be like by 2020. Then he died. Along comes this king and extended it to 2035. He added 15 more years. We asked him a question, where he would be in 15 years in order to make sure that it happens. He could not give us an answer. When you put a plan in motion you must see that something is happening. But now everything is still on paper. [27/10/2009]

Interestingly, there was a significant measure of hope coupled with support at the grassroots level for the 2020 Vision when it was formulated. Many respondents (52%)\(^{118}\) conceded that Vision 2020 was introduced by \textit{Kgosi Mollwane} and adopted in a \textit{Kgotha Kgothe}. However, the Masterplan was poorly understood at grassroots level – particularly its connection to Vision 2020. Moreover, 72%\(^{119}\) of respondents displayed considerable pessimism towards the 2020 Vision, especially when asked about their involvement in the creation of the Masterplan. When asked about what the vision meant to him, a male respondent in Kanana displayed lack of understanding and scepticism about its realisability:

That was just a dream. The Masterplan comes from the 2020 Vision. There was a huge rally behind the 2020 Vision. To me, it was just one person’s dreams and had nothing to do with the needs of the Bafokeng. If you asked somebody for more information then on what it meant they would not know. It is still the same today, nobody knows what it means. The 2020 Vision was about the state of Bafokeng in the year 2020. The master plan is how Bafokeng will be in 2035. Ten years down the line, the master plan will be something else. The master plan replaced the 2020 vision, so we don’t expect anything in 2020. [14/10/2009]

\(^{117}\) 51 out of 60 respondents.  

\(^{118}\) Some respondents were not sure when the vision originated and who pioneered it, which evidences lack of understanding of this vision.  

\(^{119}\) 43 out of 60 Bafokeng interviewees.
A key weakness of the Masterplan highlighted by many respondents was that it paid more attention to infrastructural development than to human capital development. This is how a young female respondent of Luka village expressed this view:

We had Vision 2020 which would see every Bafokeng being self-reliant [sic – self-sufficient]. But I don’t see that happening. I feel like that dream has been aborted. When you say that a person is self-reliant, it entails that that person must have the basics of life without depending on grants [state charity]. Being able to make a living and have proper shelter. Now, there is another plan, the 2035 Plan. The problem with it is that it focuses on infrastructure and not on human capital. Not much is being done to ensure that human resource is being developed. The majority of this community cannot afford formal education, so we cannot argue that human resource is being addressed by this plan. [12/10/2009]

At the very root of this impasse is the non-involvement of ordinary community members during the formulation of the Masterplan. Apparently, there was never meaningful participation at the grassroots when the Masterplan was ushered in by the Bafokeng elite. The following response from a male educator in Luka epitomises this paradox:

I personally did not participate in the planning. I don’t know who else participated in moulding that particular plan [the Masterplan]. I have never heard of anyone who participated. Models were put in front of the community [by the elite] to say “look this is what we have planned”. You cannot plan for people without involving them in that particular plan. You will find that your plan is not their area of priority. You might give them something whilst they are seeking something else. Generally I don’t think that the majority of the Bafokeng participated in it. [22/09/2009]

The majority of Bafokeng (77%120) respondents expressed concerns and objections about the Masterplan. Some described the latter as an “elitist version” of Vision 2020. One 63-odd-year-old woman, a former member of the Traditional Council, narrated with disdain how ordinary Bafokeng were excluded during the formulation of the Masterplan:

Things have changed. The Makgotlas [clan/ward meetings] in different villages used to come up with the list of their needs [village needs]. Now there is the Masterplan. A group of whites from Korea [sic – Singapore] came and they started drawing the Masterplan. They decided without involving us on which portion of our land will be used for farming, agriculture, industrial purposes and so forth. Of course, they were invited by our leaders. [13/09/2009]

120 46 out of 60 respondents.
A similar view was echoed by respondents including this response from a male respondent in Phokeng:

If the guy at the top just assumes that the people down here need one, two, three, and doesn’t consult them, he will have incorrect needs assessments. If people don’t buy the vision now, they will not buy it later. The council [the Traditional Council] that we voted into power have not come back to us and asked us what we want. The hotel in Rustenburg was bought without morafe knowing. Our views and opinions are being suppressed. [04/10/2009]

Beyond grassroots pessimism about the Bafokeng 2020 Vision and Masterplan arising from the lack of grassroots involvement in their conceptualisation, interview data also revealed that local leaders in the study communities were pursuing sizable community development goals which were ironically in stark contrast with grassroots aspirations and needs. The following discussion elucidates on this dilemma:

During his RBN Annual Review speech on 18th February 2010, Kgosi Leruo Molotlegi pointed out the need for the Bafokeng for what he called the “big five global crises”, namely, water, oxygen, food, energy, and waste, that are in line with the Millennium Development Goals (RBN 2010:18-19). He also outlined the key priorities the communities must face, such as education, health, economic development, food security, safety and security, public and community utilities, environmental management and land use, sports and recreation, and local history and heritage. Nonetheless, the fieldwork revealed that the development priorities resonated differently with many ordinary community members, whose narratives highlighted a yearning for accountability, transparency and a “different way of sharing the wealth”. However, interview responses from community members displayed contradictory grassroots development priorities. The following remarks by a woman in her 50s who lived in Kanana are illustrative of this:

We used to demand to know the value of our assets and royalties. We discovered that if we divided the amount of royalties, each Mofokeng household would receive R10,000. We suggested that in every four year period that amount be given to Bafokeng for as long as we still have mineral resources. We said that we can use the clans to account for every family. Each clan would come up with the number of households for administrative purposes. The clans can decide to buy farms, cattle or invest. We could also help manage families with irresponsible parents. We thought that if we used that method, we would reach everybody. Kgosi was not pleased with us. This money belongs to community but he [Kgosi]
and his family use it as they please. He hated us for that. In an interview on television last week, he was asked what the individual Mofokeng was gaining [from platinum wealth] and he did not answer that question. The world still considers us as the richest tribe but we have people among us who are very poor. [09/08/2009]

The question of polarised priorities runs throughout the empirical results presented in this thesis. The above response, in particular, resonates with the dilemma regarding the Bafokeng’s annual expenditure for 2009 and budget for 2010 (see Table 4, Chapter Seven). In 2009, a meagre 1% of the Bafokeng’s annual budget was spent on local economic development (see Table 4) while massive allocations of the total expenditure (which was over R1 billion) went towards ‘sports’ and ‘infrastructure’. The poverty encountered by the researcher in the Bafokeng villages and also expressed in the current interview responses, epitomises the contradictions in this mode of wealth utilisation. As the above response shows, the fixation of local leaders with physical infrastructural development did not resonate well with community members at the grassroots. For Sachs (2005:19-20), the challenge of clashing priorities in a community development arena does not only emanate from political struggles in structures of local governance, but also from the inability of, or lack of volition among, power holders or institutions of governance to prioritise the needs and rights of marginalised citizens. Indeed, such a finding demonstrates the possible imbalances and gaps between the powers possessed by local leaders and the level of accountability by the latter to ordinary community members (Banik 2010:36).

A different, but related imagining was voiced by a local business man who operated a small shop in Phokeng:

I am a Mofokeng community member, and I employ a lot of people in Bafokeng, yet I don’t get any support from the administration [RBA] despite the wealth that it has. I must compete with external companies. The reason that I am still here is because of my linkages with some of the external companies. They [RBA] would rather have them [outside companies] come from Johannesburg to establish offices in Rustenburg. To reduce unemployment, they should give me support because I am employing many Bafokeng people ... Not giving me exclusive rights but, I must be able to participate fairly in the distribution of wealth. I have seen many of these transactions happen and I never took part in them. If things are like

See footnote 136 on page 241.

This phenomenon is further discussed in Chapter Ten.
that, how do we expect the Vision 2020 to happen? Our relationship with Bafokeng [RBA] is far from what it should be. I feel excluded and unsupported, yet I am an important player in the economy of our community. I pay a very large amount of rent and I don’t even get a discount. If I fail to pay, I will be evicted … but as a Mofokeng I should be given preference. [21/08/2009]

The lack of voice in decision-making made the right of community members to self-determination not easy to realise. Community imaginings cannot be realised if local leaders are not held accountable and willing to create space for effective participation of marginalised citizens. Such discourses of “imagined” grassroots participation in mineral wealth-engendered development were also echoed by many (70%) of the Bakgatla respondents. The leaders of Bakgatla demonstrated a considerable amount of enthusiasm and determination as they unveiled the community’s detailed development plans and what they have achieved through rigorous participation in the mining economy. One of the key informants – a director in one of the units of Bakgatla Ba Kgafela Traditional Administration – when asked how the wealth of this community was being utilised to ensure effective involvement and equitable benefits for community members, explained as follows:

We are presently putting together what one can call a holding company for all our investments in the different mines. For the time being, in every mine, Bakgatla have a shelf company that is used as a vehicle to represent Bakgatla. The very people who are representing Bakgatla are Bakgatla themselves. There is also a move towards establishing one holding company that will absorb all these shelf companies and that will be called the Bakgatla Ba Kgafela Holding Company or the Bakgatla Ba Kgafela Investment Company. In order to enhance equal benefit for the rest of the community, we have now put together the Bakgatla Kgafela Management Services which is our administrative wing. The Management Services is like a local authority where the existing service backlogs are listed, prioritised and addressed, the same way as municipalities do their IDPs. As you can see outside there are a number of activities taking place. This is part of our Five Year Programme. All this is included in what we call BBKMS [Bakgatla Kgafela Management Services]. We have gone on a full swing to provide one of the most basic and needed commodities, that is water. If plans go our way we intend to establish a 12 Megalitre Reservoir in September, which is going to be a holding reservoir for all of our villages. The pipeline feeding this Megalitre Reservoir has already been constructed. We spent R22 million [approx. US$ 280734.17] on it. We have established waste water treatment works so that we can address issues of sanitation. There is a Bulk Sewer Line that is presently also under construction. The idea is that ultimately each and every house must connect to this sewer line so that we can do away with pit latrines. Before the end of three

123 26 out of 37 respondents.
years we shall have provided sufficient potable water to all residents of Bakgatla villages. [19/08/2009]

However, responses like that of one middle-aged male interviewee from Moruleng showed an acute discursive dissonance between the top leaders of the community and the people at the grassroots. Such a gap was at times expressed with an evident sense of frustration. This respondent believed that:

There is a sense of arrogance on the side of the tribal authorities; when they are doing a development project in a community they seem to think they are doing that community a favour. It is wrong for any authority whether it is a tribal or a local governmental authority to sit in a boardroom and determine what the needs of the communities are – it doesn’t work that way. Bakgatla have about 32 villages. When you undertake a project like building the stadium or building a tribal office you are doing a capital project. Such a project must have come as a result of the needs identified by the community in a public participation campaign. The projects that they are doing were never identified by Bakgatla Ba Kgafela community. They were initiated by them in their boardrooms. That is why I say to you don’t sit in a boardroom and decide what is best for the community because you are using their millions of Rand. It is this community that must determine what their needs are and what their priorities are. We have no say whatsoever over the projects that are taking place right now. [06/09/2009]

The responses of the leaders in both study communities on how the development visions and projects were being communicated to ordinary members converged upon a similar mode: kgotha kgothe reports and community newsletters. The Bafokeng have a monthly newsletter called Segoagoe\(^\text{124}\) sa Bafokeng while Bakgatla leadership has introduced a monthly newsletter called Bua Kgabo\(^\text{125}\). When asked how ordinary community members were kept informed about development projects and progress towards achievement of community vision, one of the top leaders in Bakgatla’s traditional administration explained:

We have an effective way of communicating with our people. I will provide you with our newsletter called Bua Kgabo. Twice a year we hold huge public meetings. We call them kgotha kgothes where everybody gets an opportunity to raise whatever issues to the Kgosi there. It is also an opportunity for the Kgosi to give feedback on developments that relate to improving the quality of life in our area. [19/092009]

\(^{124}\) Segoagoe is a Setswana word for a ‘frog’.

\(^{125}\) Bua is Setswana for ‘speak’, kgabo means ‘monkey’. This name is evidently derived from Bakgatlas monkey totem (see Chapter Seven).
Interview responses of community members exposed that the community newsletters were perceived to be ineffective as a mode of informing since they published what the leaders wanted to publish and some felt they were not accessible, especially to those who were illiterate. This is how these views were expressed:

Yes, I heard that there is a newspaper [newsletter] or a magazine called Bua Kgabo where they [Bakgatla Traditional Administration] advertise bursaries and everything, but I have not seen it. I don’t have time to go all the way to the tribal [sic] offices in Moruleng only to pick up a magazine. I am also worried how the magazine will inform those who cannot read in our villages. (Male respondent, 24 years old, in Lesetheng – 14/10/2009).

There is a newspaper, called Segoagoe sa Bafokeng. It only comes in once a month. It is also not very informative because it only tells you who what RBA wants people to hear. Most Bafokeng people don’t even know about the newspaper yet it is free. Perhaps if it was delivered at the door step of every household, it would make a difference. You only find it at the Civic Centre apart from that you cannot get it, not even at our malls. (Female respondent, approx. 50 years old, Phokeng – 17/09/2009).

Another form [of communication] is through the local newspaper [community newsletter]. However, there is no consistency in the issuing of that paper called Segoagoe sa Bafokeng. It’s too censored so you don’t always see information that you really want to see; like recent transactions, decisions that have been made, new undertakings and other projects. So it is mainly used to say what they [the leaders] want to say. It is not an interactive way of engaging. (Male interviewee in Luka village – 12/10/2009).

The responses presented above not only indicate weak participation of ordinary members in developmental decisions about platinum wealth utilisation, they also highlight a serious knowledge gap between the local leaders (top traditional leadership and senior administrators) and ordinary community members. With this impasse came also the anger of the community members at the grassroots level who felt excluded and marginalised by the current model of platinum wealth distribution which they see as elite-driven. Such grassroots anger is discussed in more detail in Chapter Nine.

8.4 Conclusion

This chapter has covered the first two themes of research findings and presented findings on local narratives about how the existing decentralised platinum wealth mobilisation model enhances, or stifles, community participation and equitable sharing of wealth in the study communities. Empirical findings (mainly from the interview narratives) about the manner in
which the ‘modernised’ institution of traditional leadership in the study communities promotes or hinders the community participation in key decision making processes have been presented.

The narratives specifically reveal the attributes of community participation in platinum wealth utilisation, and the dilemmas that emerge at the interface of these attributes and the institutional systems of traditional administration in the study communities. The interview findings presented in this chapter reflect several pitfalls of the kgotha-kgothe as a participatory platform, the key weakness of this platform being its elitist character which fostered tokenistic involvement of barely educated grassroots members. It is also evident that such tokenistic involvement of local people in development decisions culminated in a poignant gap in knowledge and expectations between the local leaders and ordinary community members. This gap manifests in frustration and disillusionment on the side of community members.

The tokenistic participation and information gap must have implications for social cohesion in a mineral wealth-induced community development context. The last four empirical themes of the field findings in Chapter Nine cohere around this subject.
CHAPTER NINE

PLATINUM WEALTH AND COMMUNITY CONFLICT

9.1 Introduction

This chapter is a continuation of the presentation of field results which began in Chapter Eight. The main purpose of this chapter is to provide an analysis of local narratives about participation in platinum wealth distribution and the relationships between the communities and the mining corporations operating in their midst and also among different segments of the two study communities. The following research questions guide the analysis:

- What are the main narratives about participation in the study communities and how are such narratives mobilised by different segments of the local population?

- What do the local narratives reveal about:
  a) local attitudes towards indigenous systems of community governance,
  b) the relationship between the communities and mining corporations, and
  c) the relationship among different segments of the two communities?

The findings in this chapter are presented under four themes. Although these themes were derived mainly from qualitative analysis of interview observational data, supporting empirical evidence was also drawn from informal conversations and documents, including letters, memoranda, petitions, reports and community newsletters. The following themes are presented in this chapter:

- Platinum: Natural endowment, social mirage;
- Mining, lopsided benefits and mediated participation: Narratives of discontent;
- “We want all of them outside the borders of Phokeng”: Platinum wealth mobilisation and elite-targeted grassroots anger; and
- Platinum wealth, local politics and community development – ‘a tug of war’?

9.2 Platinum: Natural endowment, social mirage

Nowhere else in South Africa is the word “platinum” more ubiquitous than in the North West Province. In this province the “platinum” tag is everywhere. As one moves from the fast-growing town of Rustenburg and travels north-westwards through the newly renovated Boshoek Road which connects to the world-famous Sun City resort, engulfed within the magnificently capering Pilanesburg mountain ranges, here almost every corporate identity,
street name, municipal property, community building, youth organisation and sports club bears the “platinum” tag. These include “Platinum Stars” (the football club of the RBN), “Platinum Municipality”, “Platinum School”, “Platinum Clinic”, “Platinum Furniture”, “Platinum Shoe Stores”, “Platinum Street”, “Platinum Youth Organisation”, “Platinum Tavern”, “Platinum Cash Loans” etc. There is hardly a street that does not have the “platinum” identity. The billboard along the Boshoek Road in Phokeng declaring “Platinum made the world our stage” exemplifies the phenomenon (see Plate 10).

Plate 10: Billboard advertising Anglo Platinum sponsor to Mafunya Middle School Band in Phokeng

This billboard shows a picture of one of Anglo Platinum’s (BRPM\textsuperscript{126}) donations to Mafunya Middle School. The eye-catching statement “Platinum made the world our stage” shows that

\textsuperscript{126} Bafokeng Rasemone Platinum Mine – a joint venture between RBN and Anglo Platinum. See details in Chapter One.
the mines were determined to promote a positive public image of platinum mining – that is, platinum as the ‘friend’ of the local community, not the ‘enemy’.

Notwithstanding the ubiquity of the ‘platinum’ tag in the North West Province, observations and local narratives exposed some contradictions. A single glance at the world-class 42,000-seater soccer stadium (Royal Bafokeng Sporting Palace, a 2010 FIFA World Cup venue) in Phokeng reveals the splendour of the economic benefits of platinum mining in the community. No other rural community in Africa has had the privilege of playing host to an event of the magnitude of a FIFA Soccer World Cup. The superb road infrastructure in Phokeng also distinguishes Bafokeng from other rural communities in the country (see Plate 11). No other rural village in South Africa has such modern road infrastructure.

**Plate 11: Boshoek Road, Phokeng**

The pervasive visibility of the ‘platinum’ tag in the Rustenburg region of North West is in some ways reminiscent of what some analysts could refer to as “ideological manipulation” by
the elite (Bell & York 2010:111). Drawing evidence from an empirical case of West Virginia coal industry, Bell and York (2010:111-140) adopt a “neo-Marxian theoretical tradition” to analyse how the “economic elite” (the West Virginia coal industry in this case) employed various strategies including fronting with a fake “grassroots group” called “Friends of Coal” in order to create a good image and to legitimise coal mining activities (though harmful to the environment) such that people at the grassroots would identify with coal and believe that their livelihoods would not exist were it not for the presence of coal mining in their area – so coal is essential for their survival. Based on their findings, these authors further argue that their analysis reveals how big companies around the globe can “work to maintain their power through ideological manipulation” (Bell & York 2010:111). As will be shown in this discussion, the pervasive ‘platinum’ tag and statements like “Platinum made the world our stage” are in many ways incongruent to ordinary people’s narratives about platinum mining.

Nonetheless the negative mining impact is evident in the study communities, especially in the Bafokeng villages closest to the mines, like Luka and Kanana. With open-cast mines, numerous shafts, tailings dams and several smelters, the Bafokeng are exposed to a harsh form of environmental threat. Many villagers attested to this. As highlighted earlier (see Chapter Two), the tragic incident of the collapse of the tailings dam wall owned by Impala Platinum Mine in 1974 leading to massive land and property damage and loss of human lives still resonates sharply in the collective memory of the elders in Luka village. Complaints about cracked houses (due to mine blasts) and air pollution (caused by smelters) in the study villages are not uncommon. Respondents in Luka were particularly vocal about the harmful impact of mining on their health and environment. A respondent in Luka lamented:

The environmental impacts [Environmental Impact Assessments] are never done before they [the leaders of Bafokeng] allow mines in our backyards. The mines still opt for cheap labour, hence we have a lot of people from Lesotho, Zimbabwe and Mozambique. [male 50-55 years – 13/09/2009]

When asked to comment on how the RBA and the mines were addressing the issue of negative mine impact, a female respondent in Luka village said:

They [RBA] are not dealing with it and I don’t think that they have any intention of doing so. Our houses are cracked and nothing is being done. There were tests that were commissioned and the person found that the cracks were a result of the impact of the mines. The mines hired the same person and the report that he produced was contrary to the first one. The report said that the cracks were a
result of the contractors who dug shallow foundations and the soil that we have. The report was technical and pathetic because some of these houses were built less than two years ago. We feel the trembling effect [caused by the mine blasting operations]. Objects in our houses fall, the windows shake and rattle. The number of prevalent illnesses like TB and sinusitis that are in line with the emissions from the smelters will never go away. Ever since I came back home from Klerksdorp, I have been suffering from sinusitis. [07/08/2009]

A former youth leader also expressed concern about the environmental problems in Luka village and a lack of confidence in the manner in which the mines and the traditional leaders are handling the complaints of local residents, especially the issue of cracked houses:

There has been a report by one professor on the issue of cracks. The first one was commissioned by Bafokeng. He said that the cracks are caused by the mines. Then he was commissioned by the mine and he changed his statement. He said that the foundation of our houses is poor and that is what is causing our houses to crack. When he came to justify he said that the first report was not based on substantial information. We are not an academic institution so we cannot argue with that. The community felt that the professor was biased because he had been paid by the mines. [01/11/2009]

Another respondent in Kanana drew the researcher’s attention to a recent protest march:

We marched because we felt that the mines were not listening to us. The environment is being ravished without our concern, there is no development. Poverty is escalating and people are not getting jobs in the mines. We still engage with the mines. Generally the community will tell you that the mines are cracking their houses. [06/08/2009]
When asked to describe the relationship between the Bafokeng people and the mines, a young businessman in Phokeng, remarked:

There is a poem that we studied many years ago when I was at school. It was about “The Pylons”. High voltage pylons that carried electricity passed over a rural village that didn’t have electricity. Yet those things [electric wires/pylons] were damaging the environment and were a threat to the lives of the poor villagers. Someone climbed on the pylons and he got electrocuted. Wasn’t it an ironic situation? They didn’t have electricity yet they could see the wires passing through their backyards going to exclusive suburbs and the cities. That is exactly what is happening in Bafokeng. Isn’t it ironic that we are surrounded by platinum mines yet we are still poor? People die from sickness caused by the mines, like TB, HIV, and so on and we don’t even have home-based care. [28/09/2009]

Plate 12: Cracked houses in Luka

When asked to describe the relationship between the Bafokeng people and the mines, a young businessman in Phokeng, remarked:

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127 Apparently, this respondent was referring to Stephen Spender’s poem titled: “The Pylons”.

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The attribution of HIV/AIDS prevalence to mining by this respondent might sound curious, even naïve. However, to South African researchers, this is not a surprising finding. The prevalence of HIV/AIDS infections in South Africa’s mining communities is mainly due to rapid influx of migrant miners, inadequate housing policies by the mines – as such, informal settlements around the mines become prostitution hubs since sex trade tends to flourish when brought closer to the male-dominant mining industry (BMF 2007:5; Capel 2007:1). Diseases like HIV/AIDS and TB were also identified among the key challenges facing the Royal Bafokeng Administration by the Royal Bafokeng Administration. This is how a *kgotha kgothe* Report alluded to this challenge:

HIV/AIDS and TB remain a serious problem, with the increased prevalence in our area due to mining. Our challenges include: Access to acceptable primary health services. The patient waiting-time, the sometimes bad treatment of our patients by staff, consistent and continuous supply of medication, and poor filing and retrieval of patient records have all become areas of serious concern. (RBN 2009:41).

Plate 13: Mining competing for space with stock farming in Kanana village
As depicted in Plate 13, in the study communities most of what was formerly land for communal farming has now become a mining terrain with shafts, open pits, smelters slimes, etcetera (especially in the Bafokeng villages of Luka and Kanana).

Respondents in Bakgatla’s village of Lesetlheng described with resentment how their chief gave their land for mining without consulting the community. According to one respondent, a member of a community forum called Bakgatla Land Committee (BLC):

What is happening here, it’s a crisis. We have a farming land. The chief has decided to make a mine on our farming land (sic). We have decided to engage the chief and the government so that we can be the beneficiaries. So far we are not getting any good response. Our land is being taken from us and we get nothing in return. [Male, approximately 59 years in Lesetlheng – 10/09/2009].

As it was noted in Chapter One, mining activities are far less intense in Bakgatla villages in comparison to Bafokeng villages. The closest mine to Moruleng and Lesetleng is the Boynton Mine (Pilanesberg Platinum Mine). Therefore, it is understandable that only less than 1% of respondents in the Bafokeng community directly expressed concerns about the negative environmental impact of mining. However, this does not mean the mines are not impacting on the environment in this community. One of the directors in the Bakgatla Ba Kgafela Traditional Administration in Moruleng explained:

Currently we don’t experience any environmental harm since there are no smelters, maybe in future. Environmental assessment is done thoroughly every time before a new mine obtains a licence to operate. But the mines have a negative impact on the underground water. When the mining process intensifies, the underground water is removed far deep down. The water pumps in the nearby farming land along the Swartklip Mine area have dried up because of the mine operations in that area. In order to rescue the situation the mine had to provide a water channel pipe that will supply the farmers [19/08/2009].

One of the dikgosana in Kanana village lamented on the issue of land use:

We no longer keep cattle and we can no longer plough our land because of these mines. We used to harvest a lot. Now our people suffer from unbearable hunger because we only depend on jobs from the mines. Even those who still have farming land have no money to hire tractors. [27/10/2009]

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128 A subsidiary of Platmin Limited. Platmin is a Canadian multinational PGM mining company.

129 3 out of 37 respondents.
The interview narratives and observations suggested a prevalence of social impact of mining in all the villages studied during fieldwork, in both study communities.

Compounding the concerns about land use by the mines were concerns about mining impact on the local environment. A female respondent in Kanana, who was also an active member of a local environmental forum, provided a fairly detailed explanation on issues of environmental concerns in the Bafokeng villages:

We don’t have good environmental specialists in South Africa because they are all denying the fact that there is a problem in our community. We have mining related environmental issues here which our local environmental specialists are denying. We have health problems. There are toxic gases that come from the mines. There are a number of plants that you should observe at night, there are huge flames blowing from the pipes. During the extraction of those metals, there are gases that are being released. They [the mines] claim that there are acid plants that trap those gases, but I still have questions about those acid plants. The flame on its own is depositing gases. Naturally any flame has gases. What about the gases from the toxins. The environmental specialists are not saying anything about it. I grew up suffering from headaches and sinusitis. My sister suffers from asthma. My child suffers the same. Many people around here suffer. Another negative mine impact is upon the land and the houses that we live in. There was a huge crack in my mother’s house, the same cracks were found in Luka. A land surveyor confirmed that it was due to the mines. When they blast, you can hear the houses shaking. They [the mines] are still denying it. Somebody’s pocket is happy to cover this up. [Female, 41 years, an entrepreneur, a graduate with a commercial degree 13/08/2009].

Despite the fact that Bakgatla interviewees generally did not reveal an existing problem of pollution and other negative environmental impacts of mining this does not mean that there is no negative mining impact in this community. It should also be noted, however, that 64% of Bakgatla respondents expressed some concerns about how the environment will be affected in future as platinum mining operations continue. Interview responses revealed frustrations about the fact that the mines and traditional administration were not transparent in this regard. This is how a male respondent (38 years old) in Lesetlheng explained this dilemma:

130 24 out of 37 respondents.
It’s [the environmental impact] a challenge. It is a matter that has been raised with the Department of Land Affairs\(^{131}\) [DLA] and also with the Department of Mineral Resources [DMR] to say that these guys [the mines] claim that they have conducted environmental impact assessments (EIA), but where? For instance, Pilanesburg Platinum Mine cannot come forward and produce any evidence of their environmental assessment to say this is how a study was conducted, these are the villages that were consulted, these are the communities who previously used this land for farming, and these are alternatives available for them and so forth. We are not saying there shouldn’t be mines but the issue of the environment is critical. The mines need to conduct proper studies and give back the results of such studies to the community. That has not happened. Look the tribal authority [sic] will claim it has happened, it has not; we know that it has not! [10/08/2009]

Inequalities were rife in the study communities. Most people lived in poorly built, dilapidated houses, even though some lived very close to the beautiful road infrastructure and to the world-class football stadium. Except for the modern houses along the Boshoek Road which passes through Phokeng and goes all the way to Sun City, shacks and poorly-built houses are dominant, especially in villages like Kanana and other villages further away from the capital (Phokeng). Out of the three Bafokeng villages studied, Kanana was the one with the most shacks (see Plate 15). Such poor housing conditions reflect the irrefutable existence of poverty in the Bafokeng community despite considerable platinum wealth. In many ways, Luka resembles Phokeng: the beautiful and well-built, modern housing visible as one moves along the main road gives way to corrugated iron sheet-built shacks, and dilapidated old houses scattered all over the village.

Overcrowding was one of the most common problems in Bafokeng villages. Almost every yard had a row of small one-roomed flats (mostly shacks) in the backyard.

\(^{131}\) The Department of Land Affairs (DLA) has since 2009 been renamed and it is now called Department of Rural Development and Land Reform (DRDLR).
These were rented out to migrant mine workers amounts ranging between R80 and R150 (approx. US$11-$20) for a shack and R350 and R600 (US$47-$80) for a single-roomed brick flat monthly. For many ethnic Bafokeng, rental income was the only form of income. Indeed, there was an unwritten law in the area that only ethnic Bafokeng could own plots and thus could be “landlords”. Bafokeng respondents generally referred to this type of economic advantage as the “hanging fruits” or the “Jabulisa Specials”. This term also referred to other small business opportunities, such as cleaning, catering, painting, etc., that the mining companies (Impala Platinum, Anglo Platinum, Bafokeng Rasimone Platinum Mine), sporadically offered to members of the community. Another dominant form of “hanging fruit” benefits prevalent in all villages selected in this study (including the two Bakgatla villages) was the liquor business. Apparently, platinum mining still attracted predominantly male migrant workers. This feature proved very rewarding for the local tavern owners, where
alcohol abuse was reported to be rife (Kgosi Leruo 2010:12). The profitability of the liquor business in these platinum-rich villages was epitomised by modern-built, city-style taverns that were located almost everywhere, especially along the busy main roads. Not only did the male migrant labour force prove beneficial to local tavern owners, unemployed women who were Bafokeng and those who were job-seekers from outside also benefited through various forms of prostitution – hence the concerns, discussed earlier in this section, about the prevalence of HIV/AIDS infection in the area.

Backyard dwelling (another “hanging fruit” benefit) came at a price, namely overcrowding. Villages such as Luka, Kanana, Phokeng, Robega, Macharora and Lefaragatle looked overcrowded. The renting out of backyards seemed lucrative to ethnic-Bafokeng stand owners, so much so that, despite reported objections to the practice by Kgosi Leruo, the practice seemed entrenched. Fuelling this activity was the incentive popularly known as ‘sleep-out allowance’ which the mines offered to their workers who did not reside in mine hostels. Most mines were phasing out hostels to meet the requirements of the Mining Charter (see Chapter Six). An elderly woman (a pensioner and a shack landlady) in Kanana warned:

If he (Kgosi Leruo) wants to have a riot in his hands, let him dare to remove our tenants from our backyards. We do not have income; our children are not employed by the mines. This [backyard dwelling] is the only way we can raise an income for ourselves from these mines. [27/08/2009]

The researcher found that Kgosi and Royal Bafokeng Administration (RBA) were concerned that the influx of migrant miners into Bafokeng villages was creating a population crisis. The infrastructure and services (electricity, water, education, health) seemed overstretched due to the influx of migrant mine workers. The inclusive character of the mine and the exclusionist character of local communities seemed like an unmanageable dilemma. While mines, by their nature, tend to attract labour from all over South Africa and beyond, local communities such as Bafokeng and Bakgatla are saddled with the huge social burdens of inbound migration. According to a survey conducted in the area, the percentage of non-Bafokeng migrants in RBN is likely to escalate from 49% in 2008 to 55% in 2035 (RBN SEA Status Quo Report 2009).

This problem of influx in Bafokeng villages is highlighted by Kriel (2007), who conducted research in Kanana village and was puzzled by the fact that despite Kgosi Leruo’s overt
disapproval of backyard renting and ‘squatting’ there was neither an indication of the practice abating nor a decisive action by the leaders to quell it. Eventually, Kriel (2007:9) found that:

the majority know that their king and his management team do not want them to take in tenants or to sell stands to non-Bafokeng people and they understand their reasons. But many said they have no real alternative. They have to use their land as a resource to generate an income…

The local narratives on the social, economic and environmental impact of platinum mining in the study communities also confirm the findings released by the Bench Marks Foundation (BMF) in July 2007. In a study of “the platinum mining industry in the North West Province”, the BMF found that:

The gradual phasing out of the migrant labour system, the outsourcing of hostels, subcontracting and the “living out” allowance for mine workers has resulted in large numbers of ‘single’ men moving into surrounding communities. These men are often from other countries, or from other provinces. This has led to vigilantism, mob-justice, xenophobia, increased sex trade, the undermining of traditional authority, increased alcoholism and the rapid growth of the sex-trade [sic] and consequently the spread of sexually transmitted diseases and HIV and AIDS. (BMF 2007:23)
It is worth noting, however, that the Bafokeng leadership have not been completely passive. In fact, the leadership in this community have historically displayed a less tolerant attitude when dealing with the impact of the influx non-Bafokeng miners and job seekers. It is reported that Kgosi Lebone, the father to the current kgosi, had during his rule “instituted a reign of terror on the non-Tswana groups”, particularly Xhosas and Sotho migrant mine labourers who were backyard tenants to Bafokeng plot owners (Khunou 2009:96). The non-Tswanas, including their wives, were often tried and given fines by Lebone’s tribal court in Phokeng and when they failed to pay they were “sjambokked” (flogged) by the “Bafokeng tribal [sic] police force” (Khunou 2009:96). In September 2010 Kgosi Leruo reportedly gave orders for the demolition of tuck shops in Luka village and after seven tuck shops were effectively destroyed, the RBA-hired “demolishers allegedly also threatened to stop water supplies to the village and to demolish backyard rooms because villagers rented them out to foreigners” (Kotlolo 2010:1).

The influx of mine workers from within and outside South Africa also featured poignantly in the interview responses in Bakgatla villages. Such a finding surfaced recurrently in 62% of Bakgatla interviewees. This is how this view was expressed by one respondent:

Yha… there are many challenges. The influx of people from outside is the main challenge. It goes without saying that, things like criminality, prostitution and alcohol abuse are common because people know that people this side have money, they would then come and conduct to acts here. (Male respondent, 43 year-old teacher in Moruleng – 28/10/2009).

The leadership of Bakgatla perceived this as a major social problem brought by mining. However, Bakgatla leaders seemed to adopt a more tolerant approach towards the incoming migrant miners when compared to the leadership of their neighbouring Bafokeng community. This is how one of the senior administrators at the Bakgatla Ba Kgafela Traditional Administration articulated their plan in dealing with this challenge:

Yes, we do have a clear plan. We are going to develop Lekutung Residential Area [Township for mine workers]. We don’t want these mines to have hostels, because we know that in the hostels there will be lots of problems and we don’t want squatting in our area. Our plan is to fence all the areas that are not occupied and we build up this township so that people can have houses. This township is not for Bakgatla, it is for migrant workers [19/10/2009].

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132 23 out of 37 respondents.
The above statement by a senior administrator in the Bakgatla Traditional Administration displays a typical example of a situation whereby the mine abdicates its responsibility to house its employees as required by the Mining Charter (see the discussion in Chapter Six). The leadership of this traditional community takes up such a burden under a more ‘formal’ guise of being ‘partners’ with the mines. It is no surprise that this study found much discontent at grassroots in the study communities – the priorities seemed to be clashing.

Bakgatla villages were also profoundly rural with some patches of modernity\(^{133}\) and, in many ways, resembled those in the Royal Bafokeng community, except that there was no village among the five selected in this study that was anywhere comparable to Phokeng in terms of road and sporting infrastructure. In Moruleng well-built modern brick houses along the main road disguised the profound dilapidation of corrugated iron shacks. The construction of the 20,000-seater Moruleng stadium and the Bakgatla Ba Kgafela Traditional Administration (BBKTA) offices was almost complete when this study was conducted in 2009, and made Moruleng look like another Phokeng in the making.

Poverty was visible everywhere. Driving along the main road, which passes through Moruleng and Lesetlheng, one was confronted with throngs of unemployed young men waving old rags and buckets at passing motorists. Every young man was a mobile car wash: this was the principal mode of survival for local youth. It seemed as if platinum mines liaised with corrupt community coordinators when recruiting local labour. Sex (for female) and money (for male job seekers) were allegedly part of the popular bribe demanded by these village employment coordinators before they would organise a job in the mine. The Setswana slang for this practice is Tjotjo. A young female respondent in her late 20s in Moruleng who worked in Mogwase (a suburb near Sun City and also close to Moruleng) explained with disgust how these village coordinators used their power to demand money and sexual favours from young women in exchange for a job in the mine:

I’ve really come to understand that poverty corrupts people. The village coordinator told me “if you don’t have money, then come and sleep with me or I am not going to have your name on this list”. I was very angry. That is why I chose to work for peanuts in Mogwase [as a till operator in a retail store]. I won’t sell my body for a job in the mine. [27/08/2009]

\(^{133}\) The sports infrastructure and new administration offices in Moruleng epitomised this modernity.
The community narratives of respondents in the villages of Bakgatla also displayed some feelings of deprivation and the detachment from platinum wealth. The following were some of the interview responses in Lesetlheng village:

They [the traditional leaders] are doing what they like with our land, our names and our money. This thing [what the leaders are doing] does not suit us at all. We remain poor and our children are without jobs. (Male respondent\textsuperscript{134}, around 70 years old in Lesetlheng – 15/08/2009).

Our situation is the same like that of Phokeng. Have you ever been to Phokeng? When you look at the beautiful houses along the main road you will say “hey, these people are rich”. But you must get inside our villages, as you have done, now you will see the poorest of the poor. I assure in this village [Lesetlheng] there are families who cannot even buy one loaf of bread. Look at what we call a health centre, [pointing at Lesetlheng Clinic – see Plate 16]. Does is portray riches to you? How can this guy [Kgosi Nyalala] build a R100 million\textsuperscript{135} stadium while the people [sic] do not even have a proper health centre? (Male respondent in Lesetlheng, 44 years old – 15/09/2009).

\textsuperscript{134} This respondent, though he was Tswana, he was also fairly well conversant in IsiXhosa (the researcher’s home language). He was a retired mine worker who confirmed that his knowledge of IsiXhosa was accumulated through many years of working with Xhosa migrant miners from the Eastern Cape (South Africa). There was no need for interpreting services – the interview was conducted in IsiXhosa.

\textsuperscript{135} In fact, the money spent on constructing the Moruleng stadium is approximately R174 million (BBK 2009).
Plate 16: Lesetlheng Clinic

Interview results also indicated that ordinary community members in the study communities eschewed the “richest tribe” aphorism. Commentators who associate the phrase ‘Africa’s richest tribe’ with the Bafokeng community (Manson & Mbenga 2003) would be interested to know how this phrase resonates with people in the community. Despite the infrastructural development, that is, roads, clinics, schools, and so on, many respondents felt that they were still poor and that their lives had not been improved by platinum mining. Instead it was benefiting the ruling elite and their associates and cronies. A man (in his mid-40s) who lived in Phokeng but worked in Rustenburg for the local municipality explained:

The question of distribution of the wealth and how it filters down to the ordinary man on the street is a challenging one. There are some people who have benefitted, for instance, in the form of bursaries and infrastructure. It [platinum wealth] should translate [sic] to benefiting each and every person. When you drive around this place, you will see that ‘wealthy’ is not the term that should be used to describe the standard of living in our villages when you compare it to the [mineral] resources we have. So, a lot still has to be done. [12/08/2009]
A young business woman in Phokeng who is also an active member of local business forum which is mainly constituted by, and represents needs of, small entrepreneurs noted thus:

Yes people say we are the richest tribe, but as individuals, unfortunately no. We still see some of people staying in shacks and clay and mud huts. People are being misled about Sun City Road [Boshoe Road – see Plate 11]. Houses and the infrastructures around there are beautiful, particularly in the area around the stadium. We call it the capital region. Those are misleading and that is why some people think that we are rich. We still have long queues for social grants. We still have a lot of poverty related crimes like house breaking and pickpocketing. We still have families who sleep without a plate of food. I personally did a survey at a local school called Tumagole Primary. I had 320 kids who come from either underprivileged or child-headed families. I stay in a section called Kgale, there is a primary school by the same name and the women said that there are 230 children with the same problem. Almost all the schools around Phokeng had the very same cases – and you are telling me that we are rich? [26/08/2009]

An elderly woman (67-70 years of age) in Bakgatla’s Lesetlheng village expressed a similar sentiment:

It has been said to us that Bakgatla are very rich but there is nothing we getting out these mines. It’s only for the chief, that’s all … finish. Our wealth is being distributed among the chief and his friends. [15/08/2009]

A male respondent in Luka expressed some concern about how the lack of financial resources was hindering the majority of the local people from enrolling with Lebone II Independent School136 – a well-resourced, modern-built, multiracial private school in Phokeng built by the community out of income generated from the mining royalties. He explained:

Many people cannot afford it [Lebone II Independent School]. It is funny that we have an educational institution that would exclude Bafokeng tribe [sic] because of lack of finance given that we are the richest tribe. It is quite ironic. [07/10/2009]

Such responses confirm the views of respondents who were interviewed during the researcher’s pilot visit to the Bafokeng community in 2008. One such view was expressed by a deputy principal at one of the local schools who, when she was asked if she was proud to be practising her profession in ‘Africa’s richest tribe’, responded incredulously:

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136 Lebone II Independent School is named after the late Kgosi Moliwane Molotlegi (1995-2000).
I don’t teach children of the ‘richest tribe in Africa’. I teach in a ‘No-Fee School’\textsuperscript{137}. Ninety per cent of the children here are ethnic Bafokeng. Most of them come from very poor communities with lots of violence and crime. They often come to school without food, hence we depend on government feeding schemes to feed them and that is often not enough. The learners are too many.

[23/05/2008]

In light of the poverty expressed in these responses, it is crucial, once more, to bring to the reader’s attention the fugures presented in the RBN’s budget/expenditure in Chapter Seven (see Table 4). In the overall expenditure which exceeded a billion rand in 2009 only 1\% was spent on food security. Even the in 2010 budget of this community, the allocation for food security did not exceed the 1\% margin. Indeed, the poverty situation whereby some members of the platinum rich Bafokeng community “sleep without a plate of food” reiterates the dilemma of divergent interests and polarised priorities between the local leaders and community members at grassroots metioned earlier (see Chapter Eight, Section 8.3).

9.3 Mining, lopsided benefits and mediated participation: Narratives of discontent

It has been highlighted in the previous chapter that the traditional participation platforms such as the \textit{kgotha kgothe} present a tokenistic form of participation through which the ruling elite in the study communities tend to dominate participatory spaces and processes. Community members at the grassroots had strong misgivings about this disguised exclusion. Observations and in-depth interviews revealed a peculiar phenomenon in which community members channelled their grievances and concerns through forums and other associations that they formed specifically to deal with issues that pertain to mineral wealth distribution and the impact of mining. The interests and focus of these participatory spaces are diverse – they can be created specifically to mobilise for broader access to benefits in terms of business opportunities, to rally against negative environmental impact or even to launch group claims over land.

The formation of new participatory spaces demonstrated chiefly a twofold phenomenon. First, it was an act which indicated a general loss of hope towards the elite-dominated

\textsuperscript{137} These are schools where no fees are charged, because the parents of the children are too poor to afford school fees. Several schools in South Africa’s rural communities and urban settlements have been so designated by the Department of Education.
traditional platforms (such as the *kgotha kgothe* and the *makgotlas*). As a female respondent from Phokeng (44 years old) pointed out:

> We have lost our voices at *kgothe kgothe*, so the only way to be heard is to form our own forums and join organisations like SANCO\(^\text{138}\). They [traditional leaders] only listen to us when we go through these structures. [03/09/2009]

To ordinary community members the forums, such as the Phokeng Business Forum (PBF), Luka Environmental Forum (LEF), Kanana Environmental Forum (KEM) or even Bakgatla’s Land Committee (BLC) in Lesetlheng village, were regarded as open spaces for people at the grassroots to voice their concerns, aspirations and discontent. The presence of these scattered grassroots-owned participatory spaces meant not only dissatisfaction with the ineffective traditional platforms of participation but also vigorous resistance against the latter. An insurgent tone was not uncommon among respondents as they narrated how they resorted to forming forums through which they could challenge decisions taken by the traditional leaders. This response by a female respondent in Luka portrays displeasure at what she perceived as poor representation of their needs by the traditional leaders:

> Bafokeng people are shareholders. So we feel that they are unable to articulate our issues. The formation of the Business Forum came after we realised that the business people in our community were not benefitting. I was offended by a statement that *Kgosi* made on national television. He said that our people do not have the capacity. As a leader you cannot go on TV and tell the whole world that that you cannot give your people tenders because they lack capacity\(^\text{139}\). There are no programs to help give these people capacity. I think he stooped very low and should have never uttered that statement. The whole system needs to be looked into. That is what *Kgosi* should have said instead. [24/10/2009]

Secondly, for other respondents, village forums provided an opportunity to voice their dissatisfaction over the manner in which the ruling elite distributed the mineral wealth. The response of a young male respondent (29 years old) in Kanana who was an active member of both SANCO and the village environmental forum was among many who showed an active grassroots agency with a common theme – equitable distribution of mineral wealth:

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\(^{138}\) South African National Civic Organisation – a nationwide civil movement in South Africa. This organisation, together with village-based forums, provides a ‘voice’ for ordinary members in Bafokeng community to channel their grievances.

\(^{139}\) This respondent was referring to statements made by Kgosi Leruo during a television interview with a journalist, Nikiwe Bikitsha, on Tuesday on SABC3 on Tuesday 30\(^\text{th}\) July 2009.
I think that you came to the right place at the right time. Right now as the Bafokeng people we are currently planning a strike [protest march] on Saturday, just as we did last month. The reason for this strike is that we want to know what happens to our money. This is not a rich nation [sic] because the people are still living in poverty. We don’t look like rich nation [sic – community]. So we confronted the king and demanded to know what is happening to the money. All the money that he is using belongs to us as the nation, but what is he doing for the nation? Nothing. That is why we are marching. The march is going to be held in Kanana Stadium and we are going to get answers for the memorandum that we will give to the king. They say that they are investing the money in some of the mines. Then we ask: How can you invest the money yet we see nothing in front of us. [20/08/2009]

Responses of members of local business forum in Phokeng (Phokeng Business Forum [PBF]) displayed a discontent similar to the one above albeit with more specific demands. A female respondent (in her late 30s) described a march that was organised by members of the PBF against the RBA (as members of the forum) as a:

result of the arrogance of our authority. We tried to engage them in this. We have lots of R’s in Bafokeng. We have RB this and RB that. We wanted to engage all the entities to say that Bafokeng people have been excluded from participation in the economy. We were questioning exploitations of our resources by managers of these entities and their associates, as well as the exclusion of our business people from participation during the Confederations Cup[^10]. [07/10/2009]

To ordinary members in the Bafokeng community, especially those actively involved in the activities of the PBF and other community forums, the main cause of conflict was the manner in which they felt marginalised when it came to benefiting directly from the opportunities of the mining economy. Many accused the leadership of RBN of prioritising the interests of the mines over the welfare of community members. A male respondent in Phokeng (47 years old) described the situation thus:

The mines were made superior to the community, and they don’t entertain issues addressed directly to them. The doors that go straight to the mines are closed. If I want to go to the mines it must be via our administration (RBA). But they always block everything. Even when the mines want to do something as their CSR, they have to give the money to the administration. The mines don’t see us as the investors and owners of the land. They see us as workers and slaves to the royal family. They cannot account to us, they account to one man

[^10]: A soccer (football) tournament organised by FIFA which occurs every four years. The Royal Bafokeng Stadium hosted some of the matches in 2009.
Its only now through the forums, that we are challenging that kind of a relationship. If they are mining in our area, then we must benefit directly from the mine. Employment, job creation, poverty alleviation, infrastructure development – those things should be evident. [12/10/2009]

In all the villages selected for this study, respondents felt their demands were appropriate and in line with the South African mining policy framework. For instance, the prevailing grievance, particularly among members of Phokeng Business Forum (PBF), was that local people were not prioritised when the mines procured businesses – a demand which they argued was in line with the Social Labour Plan requirements of MPRDA. A female respondent (36 years old) in Luka (an active member of PBF) expressed disgust at how “people from outside” procured businesses in the mines while the locals were overlooked – an issue, among several, that led to a protest march in June 2009:

We are excluded from our economy. People are exploiting our wealth. All opportunities are being procured by people from outside – people who are from mainly far away from North West. This doesn’t comply with the Government procurement policy. Other than the fact that we are Bafokeng, and that these are Bafokeng resources. Business procurements should be secured first for the local companies [owned by Bafokeng people]. If we don’t have a particular skill needed, they [the mines] should procure from the nearby villages, Thlabane, Rustenburg and even further northwards [sic]. Again if the skill is not found in the borders of North West, then they can go and look elsewhere. But the contrary is happening. We tried to engage with our administration [RBA], but they were arrogant. The RBA and all the other entities are arrogant. I think that it is the power of having money. They were showing less interest in responding to our concerns. That is what resulted in a protest march. [16/08/2009]

The general feeling among community members who were members of the forums was that the traditional administration was not putting enough effort in developing local human capital, especially in empowering local entrepreneurs. Their sentiments went along the lines of the following assertion by a male entrepreneur in Luka village:

My view is that the administration is not doing enough to nurture confidence in developing local business people around here and making sure that they participate in the local economic mainstream. We all know that it takes a lot of capital to start a business, so someone must be willing to take that extra mile to ensure that these businesses are on the standard. Decisions are made for the sake of making them without looking at the interest of the community especially in business. There were times when the administration was pressured to use local

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141 See Chapter Six for a background discussion on MPRDA and Social Labour Plans.
content [sic] and I hope that they will continue to develop them. There has been pressure from the community in the form of strikes and marches. It was just to say to the authorities that they [the community] are not benefiting from this wealth. I understand the frustrations. Somebody has to come and say: “look I have a plan; this is how I will solve these disparities”. [19/09/2009]

To the leaders of Bafokeng entities the exclusion of local entrepreneurs was not deliberate, but rather a result of a lack among locals of expertise and skills required by the mines, who were therefore compelled to look elsewhere. One of the senior officials of Royal Bafokeng Enterprise Development (RBED) – an entity that mainly focuses on developing local Bafokeng SMMEs – when asked about the success or otherwise of efforts at linking local Bafokeng SMMEs to business opportunities in the main stream mining economy, said:

It has been a challenge. However, I must acknowledge that there have been some efforts done by Bafokeng Rasimone Platinum Mine (BRPM142) to make business opportunities available for local people – albeit most of these opportunities are not of strategic value. For instance, they are mainly peripheral businesses like fencing, maintenance, cleaning services and other peripheral jobs like supplying the mines with consumables. The procurement of capital goods is done at Anglo Platinum Head Office. It has been a great challenge securing major business opportunities for local businesses. We have to acknowledge that we are challenged by lack of skills. But right now in this new Stylidrift Project that we are starting, we have ten of our local SMMEs tendering to do civil works. We will have to wait and see how many of those will be considered for the actual tenders. [08/10/2009]

The Stylidrift Project is an extension of BRPM. With the commencement of this new project RBH’s shares in the joint venture have risen to 67% (RBH 2011:1). These shares are held by Royal Bafokeng Platinum (RBPlat), a JSE listed subsidiary of RBH (Seccombe 2010:1).

Apparently, skills shortage was not the only basis for the reported exclusion of local SMMEs in major business opportunities in the mines, as this response by the senior official of RBED shows:

It has been a bit of a struggle … We do have one or two of our SMMEs in the underground mining businesses on issues like stooping, vamping, underground railway et cetera. But the majority of the businesses have been on peripheral issues, as I have indicated. The reports that we get from Anglo (Aplats) come from the local BRPM Buying Office which only deals with small business

142 A joint venture between Bafokeng and Anglo Platinum (50-50 equal share ownership – RBH now owns 67% of its shares) – see details in Chapter Seven.
opportunities. The major businesses are procured at Anglo’s Head Office. We don’t get informed about these opportunities. If you look at Anglo’s Social Labour Plan, you will see a list of noble promises on how they plan to engage with local communities, like the preference of procurement, local enterprise development and all that. These are noble strategies but the implementation thereof has not been what we would like it to be. When I enquired from the local SMMEs if they have participated in the drafting of that Social Labour Plan, I found out that none of them were invited to be part of it whereas the law says that the community needs to be extensively engaged. Up to now I have not found a local SMME that has taken part in drafting of any of the Social Labour Plans nor in the implementation thereof. The mines keep on emphasising the issue of skill. Yes I also acknowledge that our SMMEs do lack skills, but where did the big companies obtain their skills? They were not born with them – they acquired their skills through practice. So, my argument is that – the mines should ring-fence some of the major tenders for local business. Then as RBED we’ll assist them in partnering with big companies so that they can acquire the skills needed. The mines have operated in the Bafokeng land for a very long time. If our people were given business opportunities in the beginning, skills would be long developed by now. [08/10/2009]

Besides the issue of skills shortage and alleged lack of transparency on the part of the mines there were other challenges that hindered active and aspiring entrepreneurs in the study communities. According to a female interviewee (between 40 and 45 years old), who owns a small company in Phokeng:

The big companies want us to buy equity before they can partner with us and we do not have cash. We can’t even take bank loans … we are not eligible because the Bafokeng land is a communal land. So we do not have security against which we can raise loans. [15/09/2009]

The response of a local entrepreneur (male, 36 years old) who operated a small business at the Royal Bafokeng Shopping Complex in Phokeng not only provided some detail to the above challenge but also displayed dissatisfaction with the role of the RBED:

The local businesses that are here [in RBN] are not supported, not marketed, nor even given exposure. We have to pay exorbitant rent [for space at Bafokeng Complex]. There are communities that the government provides free space to do business. They do not pay rent, they only pay for electricity because the government is concerned about community development. We don’t see that happening here. They [RBN and the mines] say we don’t have skills, but they don’t even provide workshops or ensure that we will obtain those skills in the next five years. [27/10/2009]
A woman in Kanana provided some illustrations on the mode of support extended to SMME’s with particular regard to road construction projects:

The R50, 000 jobs are given to Bafokeng and the R50 million jobs to others [outsiders]. Then they say “we are developing SMME’s, they are paving”. At the end of the day we take home less than R25, 000. We take part in tenders and we only get R45, 000 – R50, 000 after three months. This is just like working for your boss who pays you R10, 000 per month. Small tenders are given to Bafokeng whilst the big ones are given to big businesses from cities like Johannesburg. [31/08/2009]

The Head of RBED gave a brief background on how they have tried to meet these challenges:

We proposed an incubation fund for the Bafokeng SMMEs which was subsequently implemented. It was a joint venture between ABSA [Bank] and RBN. ABSA pledged R75 million and RBN pledged R75 million. There were a couple of loan applications that we as RBED submitted for local SMMEs and maybe two or three were successful. However, the fund itself ceased to exist when the National Credit Act was introduced because it was not in compliance with the Act. The RBN has not yet opened any discussions about raising funds for funding local businesses. It has been about three to four years now since the incubation fund was discontinued. [08/10/2009]

Despite clear concerns by the forums that they were being disregarded as authentic platforms by the traditional administration and the mines, responses from the leaders of RBH business entities showed an admixture of openheartedness and disdain towards the forums, although there seemed to be more of disdain. While, for example, the head of RBED expressed congenial sentiments towards the forum, that was not the case with the RBH’s Stakeholder Engagement Unit in Bafokeng. The following contrasting responses illustrate this mixed attitude towards the forums:

As I am speaking to you now my colleagues are busy in a meeting with different community forums who represent diverse business interests. (RBED executive).

Look … the Luka Environmental Forum has been there for a very long time. I think it came about as a result of the frustration that Luka people experienced as the result of the impact of the mines on their environment, but we since had problem with that kind of arrangement. That is why I said what we are trying to do now is that … all these issues be it environment, be it economy, be it education, be it social should be taken care of within the traditional governance structures – the makgotla. We tried to reorganise our makgotla and capacitate them in order (for them) to be able to attend to these issues. We [as the Administration] are not really that much for forums but we rather prefer that things be raised and dealt with in the various makgotlas. We’ve got an
administration, which is the RBA, and the way things happen, even before the mines can get licences they need to get some kind of authority from the community through the RBA. So we believe that the Administration has got an interest in the well-being of the whole community. So if any community (village) has got an issue, be it environmental or otherwise, they need to inform the administration in a proper way that is through makgotlas or through the councillors. In that fashion the administration has got an obligation to try and look into the matter. So we believe the administration is the custodian of the community. (RBH’s Stakeholder Engagement Unit Manager). [07/10/2009]

The leadership of Bakgatla were similarly negative towards mobilisations that happened outside the traditional structures, although the remarks below by a senior traditional administration official (male between 50-55 years) in Moruleng were somewhat diplomatic:

We are partners with the mines. So there is no way that we can say we are not communicating with ourselves. We are owners of the mines, we sit in those boardrooms. We take the decisions. So basically, it is not a matter of they and us – we are one. [19/08/2009]

The fact that the leaders were “not really that much for [the] forums” has become another factor in the rift and tensions between the traditional administration and the community. To many respondents the protest marches that were organised by the forums were a dominant mode through which community members channelled their grievances. Therefore the rejection of these forums by the traditional leaders was generally perceived as arrogance on the side of the latter – hence the resistance at grassroots level. A female entrepreneur in Phokeng (a member of a business forum), when asked to describe the support she and other members of the business forum were receiving from the Bafokeng entities, said:

I don’t intend to seek assistance from our administration. Like I told you before, these people are arrogant. They don’t have welfare of the community at heart. [07/08/2009]

Not only were the community forums snubbed by the local leaders, some officials in the Rustenburg Local Municipality also challenged the legitimacy and role of these forums. A local municipal councillor who was in charge of a ward within the Bafokeng area saw the forums as having ‘contradictory’ interests that perhaps only serve the interests of the mines:

There are now forums from the community and they are simply delay tactics from the mines. The mines are simply operating their delay tactics by consulting these forums because the relevant and legitimate structures are the Municipality and the RBA. When these community forums are supposed to go and represent
Such views seemed to support a mediated form of participation whereby the mines would not have to deal directly with communities or impacted villages but instead they would consult with the traditional administration and with the local municipalities on behalf of the communities. Primarily, the mines supported and practised ‘elite mediated participation’ due to some concerns and reservations they possessed towards the mushrooming of community forums. Greed and personal interest were the key allegations that even the mining houses in the Bafokeng area levelled against the leaders of community forums, as the following comments by two senior officials of Impala Platinum Mine’s Stakeholder Engagement Department illustrate:

What I must also say about the forums in our communities is that there is a lot of personal interest. Instead of representing the community they claim to be representing they represent their own pockets. I’ve seen that happening time and time especially with the leaders of the forums in our local communities. Those people are after enriching themselves. They don’t care about what we are doing for the community. They come here to represent their small businesses and use the environmental impact issue as the blackmail … you know … they would say “I’m going to mobilise the community against you if you don’t give me the business” (a woman, in her late 40s – 22/09/2009).

They also use xenophobic attack threats to intimidate us saying “your mine has employed a lot of foreigners – we are going to chase them away from our villages if you don’t give us tenders”. That’s the challenge we are sitting with – a lot personal interest. That is why these forums don’t work. If we could get the real representatives who have the welfare of the community at heart, then I’m sure these forums would work better and we would be better suited as an organisation to be able to plough back to the local communities (a woman in her late 30s – 22/09/2009).

At Impala Platinum (Implats), two respondents who were community engagement officials conceded that the key role players in their partnerships with communities were the Local Rustenburg Municipality, the Royal Bafokeng Administration and Impala. However, in the Bafokeng area, Implats engaged the impacted local communities through a collective stakeholder forum called the Impala Joint Community Forum (IJCF). An Implat official explained:
Whilst the different villages have got their little environmental forums like, for instance, the Luka Environmental Forum, Kanana Environmental Forum, Chaneng Environmental Forum and others let’s have a forum at a higher level that represents all these communities so that we can address environmental issues. Not because we don’t want to speak to Luka Environmental Forum and other forums. We know what their concerns are. We need to address these issues in a holistic manner with Royal Bafokeng Administration at a higher level. It is their people, it’s their land and it is their area. Obviously they [RBA] would not love to see negative impact on their people and environment. So let us work together at a higher level and see how we can deal with the issues around negative impact – especially environmental issues. [22/09/2009]

The Impala official did acknowledge the negative impact of the mine on local communities and expressed some commitment to rectifying the problem:

Yes, the communities are talking about water pollution, air pollution, and mine blasting impact on their infrastructure. We know we are impacting on their environment … we want at least to do it better, we want to cure the environment so that we can all benefit from it. We need to ensure there is sustainability after the life of Impala. [22/09/2009]

The officials at Implats portrayed a positive image in terms of compliance to SLP (Social Labour Plan) requirements of prioritising local companies (from the host communities) when procuring businesses. The fact that Impala has been involved in projects such as the tomato and vegetable projects, piggery projects, a primary school in Freedom Park, roads, school library renovations, a water reservoir, multipurpose centres and others attest to this commitment. This is how one of the Stakeholder Engagement officials at Impala distinguished between the above-mentioned project and Corporate Social Responsibility.

We call them [the projects] Social Labour Plan Projects not Corporate Social Responsibility. The difference between the two is that the SLP projects must be sustainable after the life of the mine. So the projects that we make should create wealth even after the mine has closed. CSR was mainly about donations. They (the local communities) would want T-shirts and we would give T-shirts, the schools would want books and pens and we would give them. So that’s the distinction that is why we have done away with CSR. With the Department of Minerals and Energy we have agreed on which projects are sustainable. We identify those projects through the municipal IDPs and through our stakeholder engagement. We look at the IDPs, specifically on the communities that we impact in terms of health, security, education, environment. Then we engage with our stakeholder forum and say, guys these are the projects that are in the IDP. Is it a true reflection of what has been identified in the IDP through the Mayoral Outreaches? If they say yes it is a need and priority we can then prioritise that particular project. [22/09/2009]
However, one of the officials also uttered a word of caution:

But we are not the main market. The main market should be out there like Sun City, the supermarkets, the vegetable outlets out there, not Impala. [22/09/2009]

To some respondents in the Bafokeng villages, the mines have one and the same interest – that of making a profit. These SLP projects are merely to create a good name for the mine more than they are meant to help local communities. A male respondent in Luka who worked for Local Rustenburg Municipality explained in an incensed tone of voice:

The mining companies protect their own interests using this traditional administration. They do one or two things (projects) that portray them as angels. If you compare what they are giving to the destruction they are causing, you would see a huge imbalance. It is more financed, well organised and well-orchestrated. There are differences, the mining companies don’t feel comfortable talking to many people, and they just want to talk to one person [Kgosi]. If the mines would take responsibility, then Rustenburg would not be what it is. It would be one of the most advanced cities if there was accountability. It has actually gotten worse. [20/09/2009]

Narratives like the one above attest to grassroots anger towards the skewed mode of engagement with local communities in which the mines were bypassing local villagers and engaging directly with the traditional leaders. Such narratives also exposed depleted faith towards the mining houses. Community members voiced distrust towards the mines. In a meeting (a caucus) of the Impala Joint Community Forum (IJCF) that was held at the offices of Implats near Luka village, participants generally displayed a lack of trust towards Implats and RBN leadership, despite a letter of recognition by Implats being circulated at the meeting. This correspondence was headed “Recognition of Impala Joint Community Forum” (see Appendix E). In it Implats formally recognised the IJCF as the structure that represented all existing community structures that engaged with Impala Platinum on behalf of the communities in the Mine Lease area (i.e. the villages occupied by the Bafokeng people) on four critical issues: the environment, socio-economic development, business or procurement, and human resources. The meeting was attended by 13 representatives including the researcher. The representatives were mainly from village forums such as the Bafokeng Business Association (BBA), Luka Environmental forum (LEF), Kanana Business Forum (KBF) and others. Despite the correspondence being a promising gesture by the mine to participants in this meeting it was viewed with intense suspicion. The main complaint by
village forums against Implats was that the latter was not transparent about SLP to the communities.

The participants in the meeting generally expressed displeasure with the manner in which Impala at first refused to give the Social Labour Plan document to village forum representatives. A male participant, a resident in Kanana village, demanded:

We are partners with Impala, how can they deny us to have the SLP? [20/08/2009]

Another participant, a female respondent also from Kanana, supported this view, arguing:

First they have said we should request it [the SLP] from DME [Department of Minerals and Energy] afterwards they then relented and gave us the thick document … Impala still dictated the terms: why do they refuse to allow us to take the document away with us and read at leisure? How can they expect us to read that thick document at that meeting and return it? We took it as an insult … We will take this issue up with DME. [20/08/2009]

A male participant from one of the villages cautioned those (community representatives) who wanted to side with Impala hoping to acquire business tenders for themselves (or the so called ‘Jabulisa Specials’ or the Hanging Fruits) like this:

You can never trust these guys (the mine bosses). Impala’s strategy is one … whoever is playing goody-goody with them is their friend … I’m telling you … the mines are prostitutes, you may be sleeping with Impala today but tomorrow Impala will have another partner to sleep with. [20/08/2009]

When asked to comment on the relationship between the community and the mines the response by a young male entrepreneur (age 31 years) in Phokeng also confirmed loss of faith towards the promises of the mining houses to the local communities:

It [the relationship] is not fine because as members of this community we believe that the mining houses are not doing enough development in terms of social responsibility. They have to see to it that they contribute in the communities where they do their business. This is not happening because if you can go around the community where the mines are, you will see that the mining houses are not doing anything. There are billions of rands but none of it goes to these communities. The headquarters of all the mines are in Gauteng. So when decisions are made they favour Gauteng than the local people. The relationship in general, requires to be mended. There is no trust between the mines and the community. [24/08/2009]
Lack of trust towards the mines compound the challenge of the fragmented form of engagement between the community and the mine – a phenomenon which produced rifts and tensions. Within the two traditional communities, the lack of trust at the grassroots level towards the mines is eclipsed by elite-targeted grassroots anger – a phenomenon which is presented in the discussion below.

9.4 “We want all of them outside the borders of Phokeng!”: Platinum mobilisation and elite-targeted grassroots anger

As already mentioned, platinum mining has not only brought wealth and infrastructural development to the study communities, it has also brought some discontent at the grassroots level. The researcher encountered narratives that showed not only heightened grassroots discontent but also intensifying anger towards the leaders in the study communities.

In the Bafokeng community respondents felt that there was elite control of their platinum wealth and people from outside, mainly the “whites”\(^{143}\), who hold key positions in the community owned investment and development entities, are the major “power-holders” (Arnstein 1969) who take important decisions on behalf of the community. This is how a male respondent in Phokeng (in his early 40s) who worked as an officer in a government department in Rustenburg expounded on how local people were excluded from key jobs within the administration:

> Top jobs in the administration [RBA] are held by whites. The CEO of Royal Bafokeng Sport is a white man. Then we ask ourselves: Don’t we have the skill? Most of us educated black are relying on getting a job in government because it is difficult to break into the job market of Bafokeng. [14/09/2009]

A female respondent in Luka (between 50 and 55 years old) also explained:

> We only see “White empowerment” in Phokeng. The government in South Africa is coming up with strategies of reversing white empowerment in the country, but in Phokeng, it’s the opposite. The majority of beneficiaries to date are white. They see business opportunities and they bring their own people. We feel that some opportunities are created by those people in offices. [10/09/2009]

\(^{143}\) The term “whites” of “white people” in South Africa commonly refers generally to European descendants.
A response by another female respondent in Phokeng demonstrated not only anger towards the local elite but also frustration towards the invisible role of the state:

Our problem is the whites who are controlling everything that is owned by this community. I am sorry for sounding racist yet again, but we want all of them outside the borders of Phokeng. Ever since they came here, things have changed. Every chaos that you see here is a result of installing [sic] these white people’s systems. Our argument is that according to the Procurement Act, if we needed those skills, we should be searching for them here and if they are not found then we can look for them in our neighbouring community. The opposite is true. We find skills being imported from as far as US and Ireland. Some skills are quite common like clinical psychologist, anthropologists and others. These are very common in our country. We are asking what the government is doing about this. We want Nkosazana Zuma144 to explain this. For her to give such people visas, she should have made sure that such skill is not available in the country, thus she has to account. One frustrating factor is that Kgosi is very stereotyped. To him white skin means the embodiment of quality, skills and intelligence. That is very narrow thinking. [10/10/2009]

So agitated was a respondent from Luka (a young male, 33 years old) that he did not hesitate to mention the names of those ‘whites’ he felt were controlling the wealth of Bafokeng:

To be honest with you, the Royal Bafokeng wealth and resources is being controlled by the Carroll family. Niall Carroll who is in charge of RBH, Ron Carroll who oversees RBS, Sue Carroll who is doing the catering for all these events in Phokeng. During the Confederations Cup we saw little Carroll, who is the son. [21/10/2009]

This is again how a male respondent from Kanana condemned the control of Bafokeng wealth by the whites – he referred strongly to the issue of education bursaries that he argued were also controlled by the whites:

This is purely a white mentality. When White people go to a community with potential, they come with their racist and barbaric attitudes and strategies. What was the reason for limiting the number of bursaries to 80? It was to deprive Bafokeng children from accessing education. There was no proper consultation to morafe. Council did not know about it. They became aware of it through their fact finding after the march. They found this out through the Phokeng Business Forum. That was purely ‘white’ man mentality. All key and strategic passions are occupied by whites. I am confused, these Bafokeng are crazy. If you look at it in details; Phokeng is a Government on its own. Every department that the government has, we also have it. Royal Bafokeng institute is a duplicate of what

144 The Minister in charge of the Department of Home Affairs in South Africa.
should be Department of Education. That department is pure breed white [sic].

[27/08/2009]

The concern about the ‘Whites’ occupying strategic positions and taking decisions for the community was among the key demands that were listed in a memorandum/petition in a protest march by local forums which took place in July 2009. The issues or demands that were listed in the memorandum epitomised heightened levels of anger by local people towards the traditional elite. The Bafokeng protesters handed the memorandum to senior officials of RBA on 8th July 2009 which contained, among others, the following demands:

- We demand the word Royal be removed as it only concerns certain people/clan not the Bafokeng nation.
- We demand that Royal Bafokeng Holdings Offices be relocated to Phokeng.
- We demand that the Bafokeng Nation be given opportunities pertaining to executive positions within the jurisdiction of the Bafokeng Administration (procurement opportunities)
- We demand that CEO, Neill Carroll, be relieved of his duties and Prince Bothata Molotlegi replace him with immediate effect.
- We demand that salaries of Dikgosana be improved to suit their standard ...
- We demand that transparency and efficiency within all the entities that are adjudicated by Bafokeng Nation be implemented.
- We demand a Forensic Audit of all Bafokeng Entities and its assets.
- We demand that tendering processes that were awarded be screened for verification on nepotism, corruption and illegal dealings.
- We demand that the Memorandum of Understanding between the Government and Bafokeng Nation be a public document.
- We demand that Kgosi be in control of his Dikgosana and Tribal Affairs and stay out of Procurement and Administrative.

These demands reveal grassroots anger towards the local leaders and a perceived dysfunctional mode of distribution of platinum wealth. The allegations of corruption, lack of transparency, nepotism, ‘White domination’ and patronage which recurrently surfaced from the interviews were also among the root causes of local insurgency.
Respondant’s narratives in Bakgatla villages, especially in Lesetlheng village, indicated similar insurgent demands. The issues at the root of discontent in Bakgatla villages were twofold: mainly the poor consultation of community members about utilisation of platinum wealth and the widespread allegations of corruption against Kgosi Nyalala Pilane and his Traditional Administration. When responding to a question about how the community participated in the distribution of mineral wealth, a male respondent in Lesetlheng (40–45 years old) explained:

You know, I just want to make you aware of one thing. Issues of tribe [sic] are not only concerning one individual, once you are a chief you are not supposed to decide alone, you’ve got the tribe and there are councillors that you are dealing with. Before you can enter into any agreement or anything that will affect the rights of the tribe, you need to get authority from the tribe. You are not going to decide by yourself and wake up and say tomorrow morning “I am going to enter into that contract”. Those decisions are not yours, those are the tribal issues. So you need to sit down with the tribe – the tribe must give you a resolution. [10/08/2009]

As already indicated, conflict driven by lack of trust towards the traditional elite based on alleged corruption of a Bakgatla leader had reached heightened levels whereby even kgotha kgothe meetings had become targets of disruptive protests so that it was no longer easy for Kgosi Nyalala to convene kgotha khothes. This is how a male respondent in Moruleng commented on this issue:

The tribe [sic] now wants him [Kgosi Nyalala] to go. Therefore, he does not want to convene kgotha kgothes. He can no longer co-opt the tribe into taking decisions. He is afraid of calling kgotha-kgothes. Are you aware that he has not given audited financial statements for the past 13 years? He establishes companies in the name of the tribe and no one knows anything about them but there is a string of companies that he has established through which royalties are channelled. One of these companies is the one called Bakgatla Ba Kgafela Itereleng Mineral Resources. That company is said to be representing the tribe. It has been in operation for the past five years. They [Bakgatla leaders] have never presented any financial statements to the tribe. How does the tribe hold him [Kgosi] to account when these things happen? The only way the tribe can hold him to account is for him to convene the meetings of the tribe. Currently what he is doing is that every time members of the community convene their own meetings to address these issues there are court interdicts to prevent such meetings. The wealth that accrues from these royalties means nothing to Bakgatla Ba Kgafela. It’s a question of water everywhere and not a single drop to use. [15/08/2009]

Another male respondent added:
Our wealth is being invested to individuals and friends. If I am a friend to the chief I will be rich. We even heard rumours that there are some accounts in America, in Israel etc. I also saw in the media that he [Kgosi Nyalala] is listing in the Stock Exchange. Who gave him the mandate to do that? Who gave him such a right? We are the people who are supposed to give him the mandate to do. [15/08/2009]

The response of a female respondent (aged 51–55 years) in Lesetlheng epitomises resentment towards the alleged collusion between the traditional leaders and state officials:

There is a lot of anger, which you can also smell. If the government doesn’t take this thing seriously, because we have engaged several times with the government for many, many years, but purely due to the fact that some of the government officials have got business interests in our area so, they are unable to solve the clear issue in front of them, because they have got purely business interests. People who witness can see that we are unable to get this guy [Kgosi Nyalala] out of his office. Yes, we are unable because it is difficult to penetrate through these politicians. But we are saying; their day will come, their day will come and their days are numbered! [10/09/2009]

At the climax of grassroots anger in the Bakgatla Ba Kgafela community is the legal action taken by some members of the community against Kgosi Nyalala and his administration for misappropriation of platinum mining royalties belonging to this community. This issue was narrated by several respondents in Bakgatla villages, including one female respondent in Moruleng, who said:

Our case has been taken to court because after so many years the community requested a full report of how the royalties were used from the chief and his tribal administration. We suggested that the books must be audited. When the books were audited they [the auditors] just found cans of worms there. We found out that there was vast misappropriation of funds – amounting to millions of Rand, more than forty-something million. That is when we opened a case with the help of the Scorpions145. I don’t have all the information but I know that Kgosi and some of his councillors were found guilty with about eight counts of corruption and he [Kgosi Nyalala] was ordered by the court to pay a certain amount back to the community. We also discovered that Kgosi was running his businesses through the funds of the community. They created ghost projects like the Lebatlana Project which they claimed was for the community while they were using the funds for their personal benefit. What is even more puzzling is that after he [Kgosi] was charged he has never come to the community to explain his position. [15/08/2009]

145 A state-owned corruption and fraud investigation entity in South Africa which was disbanded and replaced by a similar entity called the Hawks after the change of political leadership in the country in 2009.
A response by a young Mokgatla male respondent was one of antagonism towards lack of transparency on the side of the traditional leaders:

I say our royalties are in the wrong hands, and as Bakgatla tribe [sic] we are fully aware of that. We need to have an elected committee that will deal with the funds of this community transparently and report back to the community. We need to be constantly informed about the use of our wealth. Look, I don’t care even if Nyalala continues to rule as a chief after that, but he together with his administration must leave our royalties alone. There is no proper communication and transparency there [at the BBKTA]. [12/08/2009]

Popular discontent was exacerbarated by the question of Kgosi Nyalala’s legitimacy as a rightful chief of Bakgatla in North West, particularly the fact that by virtue of his position Kgosi Nyalala is at the fore of mineral wealth distribution. At the very pinnacle of this discontent were the submissions made by some of Bakgatla community members to the Rural Development Portfolio Committee on the Repeal of the Black Authorities Act Bill\(^\text{146}\) in July 2010. According to the submission:

Nyalala uses his powers that he got from government via a chief in Botswana to control the mineral wealth of great platinum deposits that rightfully belonging to the Bakgatla people, and not to him. Despite having been found guilty of corruption in 2008 he somehow still manages to control the mining revenue, of which our community has never seen a penny (Pilane 2010:1).

The struggle against and contentions over Kgosi Nyalala Pilane’s chieftaincy is far too complex to be covered in this analysis – it deserves its own unique and detailed investigation. It should be noted however, that out of 37 Bakgatla respondents 21 (57%) indicated either low levels of confidence and trust towards Kgosi Nyalala’s control over mineral wealth or total disapproval of the Kgosi’s custodianship over platinum wealth.

\(^{146}\) The Repeal of the Black Authorities Act Bill (RBAAB) was introduced by the Parliamentary committee on Rural Development and Land Reform with the aim of abolishing the Back Authorities Act of 1951 (BAA). This step was necessary since as stated in this Bill “The Act [Back Authorities Act] was a legislative cornerstone of apartheid by means of which Black people were controlled and dehumanised, and is reminiscent of past division and discrimination. The provisions of the Bill are both obsolete and repugnant to the values and human rights enshrined in the Constitution of the Republic of South Africa, 1996” (RBAAB 2010). Public hearings were conducted on the BAA which was finally repealed in December 2010.
At its climax, the conflict over mining royalties in the Bakgatla community has been characterised by allegations of fraud and corruption against the leaders leading to arrests and lengthy court battles. In 2006, a group called Concerned Bakgatla Anti-Corruption Organisation (CBACO) together with some members of ‘Royal Family’ brought allegations of fraud and misappropriation funds against Kgosi Nyalala Pilane, and three other members of his traditional administration. It was alleged that in 1998 Kgosi Nyalala acquired a loan from Land Bank to the tune of R40 million (US$ 5.1404 million) with an intention to repay it through the annual R6.2 million (approx.US$796,762) mining royalties that Bakgatla were getting from mining companies that operated in their land at the time\textsuperscript{147}. According to the Concerned Bakgatla Anti-Corruption Organisation and the ‘Royal Family’,\textsuperscript{148} this loan was acquired without the knowledge and consent of the community and Nyalala was not able to repay (Ndaba 2006:1). Other allegations levelled against the kgosi included R50,000 that he obtained from the North West Premier’s Office for a trip to Australia and R70,000 which he reportedly obtained “for the purchase of land for his tribe” and utilised for his personal own needs (Ndaba 2006:1). The North West government under the then Premier Edna Molewa instituted an investigation into this matter and legal charges were then instituted against the kgosi (Nyalala) and the other three senior members of the traditional administration. Kgosi Nyalala was charged with “two counts of fraud, 43 of theft and one of corruption” (Ndaba 2006:1). In 2008 Kgosi Nyalala was found guilty on charges involving 18 counts of theft, fraud and corruption by the Regional Court in Mogwase and he and one of his co-accused, Mr Koos Shimane Motshegwa, were released on R2,000 bail each (Dibakwane 2008:1; Manson 2011:12). It was subsequently reported that Kgosi Nyalala’s personal assets including 14 farms, livestock and vehicles were attached by the Asset Forfeiture Unit in the North West and his bank accounts were frozen (Dibakwane 2008:1).

So far, the charges of fraud laid against the chief (Kgosi Nyalala) have not yet deterred control over Bakgatla’s vast mineral wealth nor his involvement in community development projects – much to the dismay of many community members including his political ‘enemies’ who have long called for the North West provincial government to remove him from power. Out of 37 Bakgatla interviewees 22 (62%) indicated lack of trust towards the chief and

\textsuperscript{147} Bakgatla have been receiving mining royalties since 1982. See the discussion in Chapter Seven.

\textsuperscript{148} The other segment of Bakgatla royal family who are feel that Nyalala is not the legitimate chief and are taking steps to oppose his rulership.
particular disapproval of his active role in platinum-wealth engendered community development despite the criminal charges against him. This is how one of the members of a group called Concerned Bakgatla Anti-Corruption Organisation expressed her frustration about the matter:

Ever since we took him [Kgosi Nyalala] to court and he was charged with several counts of fraud and corruption he has never called a kgotla kgothe meeting to discuss the outcome of the court with us as morafe … never! Nyalala was ordered by the court to leave the finances of the tribe [sic]. While we were waiting for him to come and report the outcome of the court to us so that we can then decide what to do about him, he never did that. Instead they called this chief Botswana who is calling himself our Paramount Chief, this guy, Kgafela Kgafela. In that meeting Kgafela Kgafela said “I am reinstating Nyalala, there is nobody who will remove Nyalala”. How can Nyalala continue to administrate our finances when he was found guilty of corruption? This chief in Botswana is violating our democratic rights to decide what to do with our money. (Female, in Moruleng, about 40 years old). [10/09/2009]

These responses not only expose anger at grassroots, they also reflect polarisation of opinions between community leaders and the ordinary community members. The leaders (those in the top echelons of the traditional leadership structure) in the study communities have become targets of grassroots anger, conflict and discontent at grassroots levels, for allegedly displaying attributes of selfish interests masquerading as legitimate community concerns. In actual fact, these concerns (according to the leaders) were rooted in the greed of certain individuals for power and money. When asked to comment on the level of satisfaction of community members with the mode of platinum wealth distribution, a senior official of Bakagatla Ba Kgafela Traditional Administration in Moruleng explained:

Just like in any community in South Africa, especially in black communities, the moment the term “mining” is mentioned everybody suddenly starts thinking of money. They don’t want the money to be used for the benefit of the entire community. They would like the ruling authority to be removed so that they can come in. They think that by coming into power they will have an opportunity to grab that money quickly. We have even among the Bakgatla one or two groupings who for that reason will obviously go around spreading certain lies trying to discredit the activities that are presently being done by Kgosi. But it is a minority who are of such a view. There were instances where because of misinformation through the kgotla kgothes the true facts were spelt out to the community and the falsehoods that were spread were squashed. Now people have a better understanding of what is happening. Because of some of the projects that we have embarked on, people have started gaining confidence on what we say to them because we stick to our word. [19/08/2009]
Another BBKTA official also saw local grievances as the ‘bellyaching’ of only a few disgruntled individuals:

Generally, the people are happy about this wealth. It’s just the few disgruntled individuals who will have different views about the ways we distribute our wealth. But generally people are happy because now they can get employment and small business opportunities in the mines. [10/09/2009]

Community leaders were not only accused of enriching themselves and their close associates, they were also blamed for favouring certain villages and neglecting other villages, particularly in terms of infrastructural development. Discontent about inequitable development of villages was common among respondents in Kanana village in the Bafokeng community and Lesetlheng village of Bakgatla. This is how a female respondent in Kanana (age 45–49 years) expressed her discontent with the neglect of her village:

You must come to where I stay and you will be shocked to see the state of our village [Kanana]. There are people who work at the stadium but we are still the poorest community. There are certain villages that have benefited, but others did not. Development is mainly in Phokeng which is the headquarters. Luka has now a small capital city of Phokeng. Not all the villages are developed. [26/09/2009]

Another respondent also in Kanana said:

We see most of the development projects in Phokeng. Except for the schools and Love Life centres [youth centres] that are being built in all the 29 villages, we do not see development in our villages. (Male 34 years). [26/09/2009]

This view was also held by a young man in Kanana village:

This is where we live. You can see for yourself. Do you see any development here? There has been no development here at all. We requested them [the traditional administration] to build some sport facilities to keep us young people away from drugs and to protect young girls from promiscuity. So far nothing has happened. There were funds from Impala. There is money but we cannot access it. [28/08/2009]

Bakgatla residents of Lesetlheng village raised similar concerns. Resentment was common among respondents in Lesetlheng towards what they regarded as massive development of Moruleng and deliberate neglect of other villages by the traditional elite. A young male
respondent in Lesetlheng, who earned his income through a roadside pail-and-rag car wash business, raised this concern with evident bitterness:

As you can see all the development projects are based in Moruleng – the tribal [sic] offices, the stadium, schools and everything. When you go to the administration offices at Moruleng to request for anything and if you tell them you are from Lesetlheng they will never help you because they say we are against the chief. [15/08/2009]

Evidently, the challenge of heightened of grassroots discontent and anger towards the local elite presented one of the dilemmas central to platinum wealth utilisation in the context of traditional communities in South Africa. Such a paradox of wealth and inequality cannot effectively exhaust the modes in which tensions are expressed at the local level. Hence the final section of the current chapter presents a unique form of power struggles at local state-traditional leadership level.

9.5 Platinum wealth, local politics and community development – ‘a tug of war’?

As already mentioned, the enormous wealth generated through platinum mining has placed the Bafokeng community at a significant economic advantage – a unique one when compared to other traditional communities in South Africa, even Bakgatla – due to sizable mining royalties from a significant portion of the much celebrated “Platinum Highway” (Havenstein 2004:1). Hence, platinum wealth has granted the leadership of this traditional community significant power to venture into new, ‘corporate’ modes of community and natural resource governance. However, the researcher found that the influence of the RBN’s enormous ‘resource control’ on community-state relations, and particularly the interface of natural resource wealth and community development, was fraught with ambiguities.

The incorporation of traditional institutions into the post-apartheid demarcations of local governance and redefining the role former has been identified as one of the critical dilemmas facing the new democratic dispensation in South Africa, particularly when it comes to the question of community development (Butler 2002; Cook 2005; Beall & Ngonyama 2009). Beall and Ngonyama (2009:1), drawing from an empirical case of KwaZulu Natal’s city of Durban, argue that “inclusive elite coalitions” between local chiefs and political leaders at local and national levels can help in bringing community development “to hard-to-reach areas”. But can a similar deduction be drawn from the relationships between platinum-rich
traditional communities (like Bafokeng and Bakgatla) and the local governance structures under whose demarcations they fall?

The traditional leadership in both Bafokeng and Bakgatla communities was actively conducting substantial infrastructural development, as pointed out earlier. This unique economic advantage, coupled with private ownership of land, especially in the Bafokeng community, produced paradoxes in community-state relations, and particularly at the interface of natural resource wealth and community development.

In Chapter Seven, the thesis showed that the RBN through its corporate entity, the RBA, provides some municipal services for its morafe. Tap water, building and maintenance of roads and other infrastructure are among the major indices of social provisioning. However, the empirical material below shows that lack of communication and power struggles produce tensions between local government officials and the traditional administration—a dilemma which rendered the MoU between the RBA and RLM ineffective. Many respondents pointed to the polarisation of vision and lack of cooperation in planning as two phenomena at the root of power struggles between RLM and RBA officials. Such phenomena dominated the responses of the interview participants, especially with regard to issues of decision-making about community development projects and service delivery. One of the senior managers in the IDP (Integrated Development Plan) section made the following comment which epitomises the power struggles between RBN and RBA:

The Bafokeng area is very vast. They are unable to cater for all the needs of the people that are under their traditional authority. So, when we do public participation, we visit all the areas including villages. Most villages that are within the RBN boarders are poverty-stricken. While the traditional authority has got billions of rand, they are unable to cater for their people. When you travel through RBN you will see beauty along the main roads, but as you go deeper you will be confronted by severe poverty. For instance, the community will be saying we want RDP houses. We plan as a municipality, to apply for subsidies for community members who are in need of low-cost housing. At a stage whereby we are suppose to commence with the construction of the houses in the RBN they [RBA] will tell us they don’t want such structures on their

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149 See a detailed discussion of Bafokeng’s private ownership of land in Chapter Seven.

150 The RDP (Reconstruction and Development Programme) is a socio-economic policy framework that was introduced by South Africa’s first democratic government in 1994. It was through this policy framework that a national programme of providing free houses for the poor was instituted, although it is hampered by many challenges. Even today the state-sponsored low-cost houses are generally referred to as ‘RDP houses’. 
land. So it’s some sort of a tug of war where the community has very serious needs, basic needs really, that we want to meet but the traditional community does not allow us. [19/10/2009]

The key priorities identified through the IDP public participation process in villages under Bafokeng jurisdiction cannot be executed due to the tension between local government and the traditional authorities. Power struggles between the RLM and RBA take different forms. One such, which dominated local narratives during fieldwork, exposed efforts by RBA to rebrand itself (at least on some occasions) as an independent corporate entity in a manner which sought to undermine and threaten the role and scope of RLM in the RBN. One female municipal official, an IDP specialist in RLM, narrated thus:

I was surprised during a certain workshop that was organised by the Department of Labour. The RBA officials, when they introduced themselves they said they are from the Bafokeng Municipality. You know … [chuckled] we all raised eyebrows and asked, so are you a municipality on your own and they said “yes”. I then said, okay can we have a formal proclamation that grants you such a status so that if in future we exclude your area in our IDPs we should be in a position to prove why we have taken such a decision? They could not produce anything. The workshop was brought to a standstill because we kept on probing who gave the Bafokeng such a status. At last the organisers of the workshop had to apologise and stated that they [the RBA] are a tribal [sic] administration not a municipality. [19/10/2009]

Polarised planning and contradictions in development priorities ostensibly indicated poor communication and lack of a common vision. The following response by a senior municipal official demonstrated both inadequate understanding of the Bafokeng 2035 Masterplan and its development priorities and the communication gap between the two local power centres (the RLM and RBN).

I know that the RBN has a 2035 Vision [sic – the 2035 Masterplan]. We do not have that document as a municipality. I have tried on a number of occasions to access the document but up to now I still cannot access the document. So it becomes impossible for us to incorporate their Plan to the IDP. [19/10/2009]

The story of Luka village’s high mast lights is the one which epitomises RBA-RLM power struggles. The residents of Luka village apparently marched and opposed RBA’s actions to prevent RLM from installing high mast lights in this village. It is also a story of triumph at the grassroots level:
There is a village in the RBN; they call it Luka. The Luka community at one time identified high mast lights as their priority. We planned for the project but at the stage where we were about to commence with the project, the Bafokeng [RBA] wanted to stop it. The community was up in arms to finally have that project continuing. That is why Luka is the only village in Bafokeng with high mast lights. They had to fight hard. (Account of a key informant, an RLM official). [19/10/2009]

Respondents from all villages narrated the story with great reverence for Luka residents. An elderly woman in Phokeng (65-70 years old) particularly admired the ‘nonconformist’ character of Luka residents:

The Luka people [sic] are radicals. They are the only ones with high mast lights. These lights were from the municipality. People were complaining about darkness and the RBA said “according to our plan [Masterplan] we want street lights, not mast lights”. The local municipal councillor and the concerned group from that community [Luka] marched until those lights were erected. There is still that rift when it comes to service delivery between the RBA and the Municipality. [27/08/2009]

Plate 17: A high mast light\footnote{Pointed by the yellow arrow.} in Luka Village

Sonwabile Mnwana 2009
The project of providing proper toilets in the Bafokeng community by RLM had also proven contentious. The polarisation of planning between RLM and RBA, and the incongruences between the Masterplan and the IDP, had left community members at grassroots without proper toilets – even hope of having them seemed to have diminished. Municipal ward councillors in the Bafokeng community and local development officials at RLM recounted how they were being hindered by the RBA in their efforts to provide toilets for the RBN community. The local development arena seemed fraught with despondency, as the following remark by a female municipal official illustrates:

Since the villages under RBN have no proper toilets [using pit latrines] and there is no sewer system, we want to replace the pit latrines with VIP toilets. These toilets are much better than the pit latrine though they also do not flush. They could also be upgraded into flushing toilets at a later stage. But the RBN rejects this project. I think they have promised their people that they will construct a fully-fledged sewer system. We don’t know when that will happen. We’ve been waiting for a long time now. [26/08/2009]

A municipal councillor in Kanana, when asked about the extent to which the Bafokeng development plans (Masterplan) were in agreement with the municipal IDPs in terms of infrastructural development and service, said:

They [the plans] don’t connect. Recently, we requested the Office of the Whip to arrange a meeting with Bafokeng [RBA] to discuss how best we can have a relationship with them and that they may adhere to the IDP. Bafokeng [RBA] is scared that the municipality we will take those projects and make them our own. [19/10/2009]

Municipal councillors who operated in wards within the Bafokeng land area felt excluded in RBN development plans and vision. A municipal ward councillor in Phokeng, when asked to describe the involvement of municipal councillors in the formation and implementation of the Masterplan, expressed a strong sense of being excluded and undermined:

We are not part of those visions [Vision 2020 and the Master Plan]. The reason I say this is because during the Confederations Cup, there was a lot of discrimination. The RBA admin and the people from RLM were treated differently. As councillors we were treated differently. Their councillors [traditional councillors] were preferred above us. We were treated just like ordinary people. There is a project that was supposed to be started already. The project is to install proper toilets. They [the RBN] have been speaking about installing sewerage systems, but till today, I don’t think that you would even use the toilets that are there [in RBN]. As a municipality, we decided to help them
temporarily, until such time that they are ready to provide the people with the sewer system because it can’t happen within a month or a week. The problem is that they [RBA] are trying to stop us. The people in RBN want the toilets. [02/09/2009]

In Luka, one of the local councillors narrated how she was being ignored by RBA employees – a phenomenon which resulted in escalated tensions and difficulties:

It is difficult. The social worker who is employed by Bafokeng always treats me differently. She feels that there are certain things that she cannot report to me and she does not take instructions from me because I am a Rustenburg councillor. I recently had a case where I needed assessment for one family in Luka so that I could apply for social distress grant. That social worker refused to do it. She wanted me to write her a letter, but it is part of her job. [26/08/2009]

The hosting of the 2010 FIFA World Cup in Rustenburg, particularly the use of the Royal Bafokeng Stadium as one of the hosting grounds for this tournament, may have appeared as an excellent demonstration of collaboration between RBA and RLM. However, according to some respondents, tensions eclipsed this collaboration. The process of preparation for the 2010 FIFA World Cup in Rustenburg was another example of power struggles between the two governance structures. A response by an RBA official in Phokeng who represented the RBA in the local community that was organising this event attested to this paradox:

I went to Finland recently with the local team that is organising the World Cup. I proudly told the people there that I am from the RBN – the only village in the world to ever host a World Cup. We [as RBA] had our plans about this tournament as a community that enjoys the pride of owning this stadium. Our plans are in line with FIFA. But I am sorry I’m going to say this: We are part of RLM but when it came to the greening and beautification of the main road, were divorced by RLM. Even when it came to waste management they also divorced us. We have paid a lot of money to build and renovate this stadium. We are not going to bend. [07/10/2009]

The power struggles between RBA and RLM were also acknowledged by the mine officials:

I know you may have heard that sometimes there are disagreement between the Royal Bafokeng Admininstration and the Local Rustenburg Municipality. We are managing it for our own benefit and for the benefit of the communities we are impacting on. (Official of Implats Stakeholder Engagement Unit - 22/09/2009)
At the grassroots level, tensions between the two centres of power in local governance produce frustrations and confusion, as the following comments by a female interviewee in Phokeng suggest:

There is a monarchy in KwaZulu Natal and they are doing well working with government. Why should we be an island to the government whilst it is servicing 90% of our needs [sic]? We pay tax in this country yet we don’t benefit anything from the country. Being a Mofokeng puts you at a disadvantage. Every time the local government wants to do their IDPs in “our” community Kgosi says “no”. Government gives free water, electricity and houses to people who live below the poverty line, yet we don’t have those things. Kgosi says that those things are below the standards of Bafokeng, yet he gives us no alternative. [09/10/2009]

From the interview responses, the researcher could find no evidence of tensions between the Bakgatla Ba Kgafela Traditional Administration (BBKTA) and Moses Kotane Local Municipality (MKLM) – at least not as overt as in the case of Royal Bafokeng Administration and Local Rustenburg Municipality. This is how the one of senior officials of BBKTA community demonstrated their collaboration with MKLM:

We build road roads together [with the municipality]. Each and every development that we are doing we involve them, like for instance, the Sewer Treatment Plant that we are building. They have to give us the specifications even though we have our consultants. We are building a 10KM road from Mononono to Sefikile we were supposed to build it together with the Municipality, but they have told us that their coffers are running dry so we have to build this road alone – which will cost us more than R25 Million. Together with the municipality and Swartklip Mine we are building another tarred road from Sefikile to Swartklip. Therefore, in most things we are working together with the Municipality. We have our own strategic planning in which we look at our plan and at the IDP. Even when they design their IDP they have our plan so our plans with the municipality are integrated. They even include some of our own developments in their IDP which we built ourselves with our own money; there is no problem with that. (Male, respondent at BBKTA offices in Moruleng). [10/09/2009]

A senior official at MKLM attested:

We don’t have challenges so far with regards to how we relate with traditional communities like Bakgatla. All traditional authorities in our area are represented in the Municipal Council. They integrate their plans with our IDPs. If, for instance, Bakgatla Ba Kgafela decide to build their own sewer line, we integrate those plans into our IDP. In fact this assists us as the municipality to focus our resources to communities where there is a need. [19/10/2009]
9.6 Conclusion

One cannot deny the significance of the work undertaken by Bafokeng and Bakgatla traditional authorities in diversifying their mining share-holding interests into non-mining investments and by using mineral wealth to develop infrastructure for the entire community instead of issuing cash benefits to individual citizens. Such shrewdness and determination to the development of the entire community has been widely applauded as the best means to achieve sustainable development since mining, by its very nature, is finite (Cook 2005; Makgala 2009). Nonetheless, the afore-stated responses by community members and ethnographic observations demonstrate acute inequalities, discontent and anger among the poor in these communities. Undoubtedly, mineral wealth-engendered development that is elitist and exclusive is prone to hinder genuine participation and can lead to a build-up of anger that may in time explode into violent community conflict.

Obviously, the questions of rights and human development surface strongly in these findings: whose rights are prioritised when community development is driven according to priorities of traditional leaders and their administration officers? Does infrastructural development (health, sporting, educational amenities etc.) mean the development and realisation of rights to ordinary community members, even when they do not effectively participate in resource-engendered mineral wealth utilisation?

In the discussion chapter which comes next, the researcher tries to make sense of these findings, relating them to the literature on mining, participation and development reviewed earlier, as well as to some of the theoretical concerns highlighted earlier in the thesis. Attempt is also made to tease out some policy implications.
CHAPTER TEN

DISCUSSION OF THE FINDINGS AND CONCLUSION

10.1 Introduction

The fundamental purpose of this thesis has been to examine the character of community participation in platinum wealth utilisation and the conditions under which community participation in natural resource utilisation promotes or hinders sustainable community development in the Bafokeng and Bakgatla traditional communities in South Africa. Such a goal has been made possible through a detailed empirical analysis of local respondent narratives on community participation in mineral wealth engendered community development. Of critical importance to the researcher was: how such narratives intersected with the institutional systems of traditional leadership in the Bafokeng and Bakgatla communities; the manner in which such narratives were expressed by the local people in the study communities; what the narratives could reveal about existing relationships at local level between the community and the mines and various segments of the population; and what the narratives show about local participation and the indigenous (traditional) systems of governance, particularly when community participation in platinum wealth utilisation is channelled through the latter.

Against this backdrop, this chapter discusses the field findings that were presented in Chapters Eight and Nine. It begins with a brief overview of some of the salient scholarly arguments and empirical choices covered in this thesis and thereafter the findings will be discussed and some policy recommendations proffered.

10.2 Summary of the findings

The main aim of this section is to recap the key empirical findings that are detailed in Chapters Eight and Nine so as to refresh the reader’s memory before the major findings are discussed. The empirical foundation and scholarly justifications for this study were stated in Chapter One and detailed in the subsequent chapters. As argued in Chapter One, resource control as a form of community participation has not been much examined in South Africa’s platinum mining industry, the twofold argument that prevails in scholarly literature (as mentioned in Chapter One) is:
Resource control by local communities promotes equity in resource distribution utilisation of the natural resource wealth and peace.

Absence of resource control by local communities triggers local insurgency. The author argues that the twofold argument stated above is yet to receive sufficient scholar examination at community level. For instance, does community control necessarily translate to equity? How does local involvement in the mobilisation of mining royalties benefit different segments of the community? Indeed, how do different segments of the community “control” the wealth? These questions that were stated in Chapter One were crucial in establishing the theoretical and practical relevance of this thesis. As such, the notion of ‘resource control’ is examined against the backdrop of the afore-stated empirical impasse.

The literature examined in Chapter Two explores some broader perspectives on resource control as a motivation for conflict. Among others, the following broader perspectives on natural resources and conflict are explored:

a) Violent conflicts that pervade resource endowed regions are not merely about the issues of access to limited mineral resources, but they arise out of “concerns over the power and politics of resource use and control” (Banks 2008:30);

b) Both scarcity and abundance of natural resources can cause conflict (Le Billon 2001:572).

c) ‘Lootable resources’ play a significant role in financing local insurgents. Therefore such a phenomenon fuels conflict and wars in resource endowed regions (Herbst 2000; Snyder 2006).

d) A desire to control natural resource wealth can be rooted in two notions: local “grievance” and “greed” (Murshed 2002).

e) The quest for resource control can also be linked to ethnically-based demands. Local groups who feel excluded from mining benefits can pursue insurgent claims based on their ethnic identity (Banks 2008).

Community control as a form of community participation is anchored in the inalienable right of indigenous communities to participate in development decisions and benefit from the wealth that accrues from minerals extracted from their ancestral lands (UN 1986; Zongwe 2008:8). Therefore the study also adopted a definition by Mulwa (1998:52) to illuminate this phenomenon. This author defines community participation as:
a process whereby the marginalised groups in a community take the initiative to shape their own future and better their lives by taking full responsibility for their needs and asserting themselves as subjects of their own history (Mulwa 1998:52).

To provide a rigorous analysis of community participation this thesis adopted the three-dimensional ladder of community participation. As detailed in Chapter Three, this scheme was constructed from Arnstein’s (1969) conceptual ladder of citizen participation and other subsequent participation typologies.

The empirical part of this work is grounded in a detailed elucidation of data collection methods and strategies adopted of keeping data that are covered in Chapter Four. Some challenges, including the bureaucratic obstacles posed by traditional authorities, are also detailed in Chapter Four.

The findings drawn from qualitative analysis of ethnographic (mainly interviews and observational) data collected in 2008 and 2009 in the study communities are presented in Chapters Eight and Nine. The findings presented in the said chapters were drawn through an in-depth analysis of qualitative data which was guided by three research questions.

The first question sought to uncover the main attributes of community participation in platinum wealth distribution and how such attributes intersect with the institutional systems of traditional administration in the study communities. The analysis of community narratives as directed by this question produced the following findings:

- Community participation in key decisions about distribution of platinum wealth in the study communities is mainly through customary-engendered spaces. The bi-annual, AGM-style *kgotha kgothe* meeting is the most popular platform of community engagement. As stated in Chapter Eight, the *kgotha kgothe* as a key participatory platform presented some dilemmas. Among the key paradoxes presented by this form of engagement was the ostensible sense of frustration mainly because in these meetings, although they are inclusive platforms, there is very limited room for grassroots ‘voices’. This form of engagement also encourages elite dominance through highly technical language used in the *kgotha-kgothe* reports and lopsided deliberations – mainly in the form of expert reporting by the leaders of community-owned business entities. With regard to the customary forms of representation, the
youth expressed conspicuous displeasure with the manner in which they were excluded from governance and platinum wealth benefits. Moreover, representation by dikgosana in the Supreme Council and other key decision-making platforms made effective participation in community development decisions impossible since most dikgosana lacked sufficient education to fully comprehend the highly sophisticated, technical and intellectually demanding decisions that pertain to mine-community partnership benefits and costs coupled with the enormous challenge of platinum wealth-engendered community development. Such a dilemma of a weak grassroots ‘voice’ and lethargic representation rendered community participation in platinum wealth utilisation at best ‘tokenistic’. Compounding this dilemma was the frustration expressed by community members, particularly in the Bafokeng community, about the domination of the kgotha kgothe by the hired “White” experts who are in charge of community business investments.

From the second question, which mainly sought to examine the dominant grassroots narratives about participation and the modes of expression of such narratives, the researcher found, in essence, that:

- Distribution of mineral wealth has created an information gap between the traditional leaders and the local people. Narratives by community members at the grassroots exposed lack of understanding on matters concerning community visions, corporate transactions with mining companies and platinum wealth-engendered community development. The leaders in the Bafokeng and Bakgatla traditional communities expressed notable confidence in sharing information through kgotha kgothe reports and community newsletters as dominant modes of keeping their people informed about how platinum wealth was utilised and up to date about the development projects. However, ordinary community members felt that kgotha kgothe reports were not easily comprehensible, especially to the illiterate community members, due to highly technical language, and the newsletters were “too censored” (male respondent, in Phokeng, 33 years old).

- Interview responses also revealed polarisation of visions – what ordinary community members envisioned as ideal community development contrasted sharply with the ‘vision’ and development priorities of the elite. Such a phenomenon was expressed
through common pessimism at grassroots and general eschewal from the development priorities and visions pursued by the local leaders – a general mode of displaying popular discontent among community members with platinum wealth distribution in the study communities.

- The interview and observational data also exposed sharp inequalities and poverty in the study communities notwithstanding the Bafokeng community being widely celebrated as an epitome of a ‘platinum-rich’ traditional community – the “richest tribe in Africa” (Manson & Mbenga 2003). As such, ordinary people in both study communities generally shun being associated with the ‘rich’ description.

The third question set out to examine what the narratives reveal about: a) community attitudes towards indigenous systems of community governance, b) the relationship between the communities and the mining corporations operating in their midst, and c) the relationship among different segments of the two communities.

- The elements of wealth, modernity and poverty not only exposed disparities but also illuminated the contrasting perceptions about the benefits and the impact of platinum mining. Platinum mines in the Rustenburg area (where the study communities are located) appeared to be at the forefront of publicising the positive benefits of platinum – a phenomenon which has made ‘platinum’ the most prevalent tag in the Northwest Province. The ‘platinum euphoria’ was also met with acute contradictions. Local narratives and observations in the study communities exposed that the negative social and environmental impact of platinum mining was severe while the benefits of platinum were not yet actualised according to narratives of community members at grassroots.

- Despite notable investments by the traditional leaders of the study communities in road, educational, sporting and health infrastructure for the collective benefit of the entire morafe, the adverse impact of platinum mining and poor consultation by the mining companies have strained relations between the local communities and the mining companies. As such, community narratives displayed distrust towards the latter.
• The study also found that not only were local relationships between the communities and the mining companies sour but the afore-stated inequalities in the distribution of platinum wealth and lack of grassroots participation had also contributed towards local tensions and conflict between the traditional leaders and community members. Such conflict was also propelled by the inaction of the local ruling traditional leaders when it comes to ameliorating adverse social health and environmental impact caused by mine operations. The mining companies also did not prioritise local communities when recruiting labour and procuring businesses. This phenomenon has led to proliferation of community forums as grassroots-created platforms through which the community chose to engage with the mines and with the traditional leaders. Most of these community-mine participation platforms were not always recognised by the mines and were accused of being predisposed to narrow selfish interests.

• Effective monitoring of the adverse impact of mining and prevention thereof had also proven difficult to accomplish for the traditional leaders in the study communities since the latter are also co-owners with the mining companies. Mining companies chose to engage with the traditional authorities about their community development plans (Social Labour Plans) and not directly with people at village level who are experiencing negative impact. This mediated mode of engagement (mine – traditional leadership – affected community) exacerbated the tensions between the mine and the local community and between the community members and the local leaders. The local narratives also displayed that the mines were not transparent about their written plans with regard to economic development of local communities (Social Labour Plans) – a phenomenon which showed lack of compliance with the South African Mining Charter.

• The analysis of dominant narratives also revealed heightened popular discontent with the manner in which the traditional leaders handled platinum wealth-engendered community development in the study communities. Community agitations about lack of broader consultation, arrogance and corruption of the ruling elite are rife. Such discontents are marked by sporadic outbreaks of local conflicts in the form of protest marches, disruption of community meetings (kgotha kgothes) leading to arrests and court interdicts against certain groups and even litigation against traditional leaders for alleged corruption. The struggle for equitable distribution of platinum wealth is
also compounded by leadership disputes and land claims by certain groupings of the study communities.

- The final empirical finding presented in Chapter Nine showed that the powerful economic position of the Bafokeng community, in particular, and the ability of its traditional administration (RBA) to render certain services and to use platinum wealth to foster community development has produced tensions with the local municipality. This is due to polarised development and service delivery plans and power struggles between the two local power centres – a phenomenon which has hindered community development and service delivery by the Rustenburg Municipality in the Bafokeng villages. Such a finding epitomises the less examined influence of community control of resource wealth on traditional elite-state relations, and particularly the interface of natural resource wealth and community development.

The researcher now makes some key deductions based on the findings summarised above.

10.3 Discussion and key deductions from the findings

Primarily, the fundamental argument confirmed by the findings of this study is highlighted in Chapter Five (see Section 5.1.1): that the economic benefits of the mining industry are undermined by local tensions with state organs and local communities which arise out of dissatisfaction about the distribution of mine benefits and the negative social and environmental impacts of mining (Kapelus 2002; Jenkins 2004). Of critical importance here is the question of conflicting interests between the mining corporations whose purpose is to maximise the pursuit of profit and communities who strive to protect their ancestral lands and natural resources on which their livelihoods and future depend (Bury 2004). However, the empirical findings in this study demonstrate an anomalous shift when the above-mentioned hypothesis is tested in the context of community control, where the traditional leaders are the champions and architects of mineral resource-engendered community development.

As already highlighted in Chapter Seven, the period of post-colonial conquest in the former Transvaal region was fundamentally marked by complex struggles of African indigenous communities to regain their land, mainly through various forms of intermediary land purchases and trusteeship. The current author has also emphasised that process of land ‘purchase’ which was modelled through patronage relationships between local chiefs and
Transvaal colonial luminaries not only expanded the territorial occupations but also enhanced the political prominence of ‘compliant’ chiefs, the Bafokeng chiefs in particular. Owing to this history of ‘land purchase’, coupled with the discovery of platinum bearing reefs in the early 1920s, traditional communities such as Bakgatla, Bafokeng and other landed indigenous polities in the North West have found the centre of the platinum mining economy. Again, the post-apartheid policy regime that promotes a decentralised form of mineral revenue sharing agreements between “local communities” (Manson 2011:1) and mining corporations has also entrenched the control of platinum wealth by traditional communities in South Africa’s North West Province.

Therefore, given the fact that tradition has historically been a collective form of identity through which land was historically alienated, ‘purchased’ and occupied, it comes as no surprise that it is through this very institution that platinum mining revenues and royalties are controlled and utilised in the study communities. Analysing this growing trend of tradition-corporate identities in South Africa, the anthropologists Comaroff and Comaroff (2009:7) argue that the traditional leaders in South Africa have now found it crucial to “‘empower their people’ by venturing out from their traditional capitals into the realm of venture capital”.

However, in view of the current findings, the afore-stated venturing of traditional leaders presents paradoxes, particularly at the very interface of tradition, corporatisation and community development. Such paradoxes were earlier hinted by a researcher Kriel (2007) whose empirical account based on the Bafokeng community found, among others, that:

Many ordinary Bafokeng people do not understand the leadership’s emphasis on investments in order to maximise their profits and to achieve the goal of the so-called ‘Vision 2020’... The majority just know very well that the windfall is not trickling down (Kriel 2007:89).

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152 Other indigenous communities involved in platinum mining in North West include Bakubung ba Rutheo, Bapo ba Mogale and baKwena ba Mogopa. It should be noted that none of the communities can be compared to the Bafokeng community in terms of corporate strides in the mining industry and infrastructural development, not even the neighbouring Bakgatla ba Kgafela who seem to be following after Bafokeng.

153 There is a raging contestation about the issue of the land purchase during the 19th and the 20th century and historical accounts seem to differ. In fact, it is becoming clearer that African land purchases in former Transvaal were mainly executed through independent syndicates more than they were on ‘tribal’ (sic) bases (see the detailed discussion in Chapter Seven).
Ostensibly, Kriel’s (2007) finding is confirmed by the findings presented in this study. In fact, although Kriel’s (2007) analysis could indicate a knowledge gap between the local leaders and ordinary people, it touches little on local tensions, popular discontent and conflict highlighted by the current thesis. Moreover, the extent to which the traditional systems of governance in South Africa and elsewhere are suitable to engender broader community participation in natural resource wealth distribution remains less examined – as such little is known about intra-community relationships in decentralised mineral resource wealth-engendered development arena – such as the one epitomised by, for example, Bafokeng and Bakgatla. For Manson (2011:1), local conflicts within platinum-rich communities in the North West Province mainly arise out of “three specific issues”, namely: land ownership, traditional leadership and control, and financial control and irregularity”. These issues are confirmed in the findings presented in this thesis. As such, this study indicates a shift towards a new empirical focus beyond the known conflict drivers in mineral resource regions which include, among others, negative environmental impact (Jike 2010: 131), “inequitable distributions of risks, impacts, and benefits” (Kemp, Owen, Gotzmann & Bond 2010:1), disputes over use of land and forced relocation of communities, disregard for local culture and traditions (Hilson 2002:66), and overall socio-economic exclusion of local communities.

As shown in this study, community participation that is mediated through traditional systems of governance can yield conflict, inequality, poverty and discontent at the grassroots even when such participation otherwise denotes collective ‘inclusion’. As shown by the local narratives in Bafokeng and Bakgatla communities, feelings of being “poor”, excluded and marginalised still are likely to persist in spite of mineral riches as long as ordinary community members do not adequately participate in key decisions about utilisation of mineral wealth. To this conjecture Platteau and Abraham (2002) suggest that:

In order to be effective engines of decentralised rural development, communities must therefore evolve: rules for decision-making must lay more emphasis on majority voting at the expense of erstwhile consensual procedures; rank-based hierarchy must give way to more democratic modes of governance; sharing norms must be relaxed; the importance of knowledge based on formal training and work experiences outside the native village must be increasingly recognised; and so on (Platteau & Abraham 2002:128).
To what extent can platinum-rich traditional communities like Bakgatla and Bafokeng be, as Platteau and Abraham (2002) put it, “effective engines of decentralised rural development”? The advantages of community driven resource-engendered development are well reported. Blaikie (2006) argues that a decentralised form of resource ownership, particularly in the context of community-based natural resource management (CBNRM), is advantageous, due to the fact

...that communities, defined by their tight spatial boundaries of jurisdiction and responsibilities, by their distinct and integrated social structure and common interests, can manage their natural resources in an efficient, equitable, and sustainable way (Blaikie 2006:1942).

Some analysts have also argued that a ‘community’ as a mode of social organisation is more effective for channelling local development than alternative modes of local organisation because it is easy to circulate information within a relatively small, culturally defined space (Platteau & Abraham 2002:111). However, the findings of the present study reveal the contrary.

There are gaps in traditionally derived participatory spaces (lekgotlas and kgotha kgothes). The latter not only limits the voices of the ordinary community members in decision-making but also denies their right of self-determination through the locally owned platinum wealth. At the very heart of this argument, this study indicates lack of proper internal and external instruments of monitoring accountability of local leaders, and lack of adequate means to regulate their power – both from within the study communities and from outside (the local and national state bureaucracies and policies). Apparently, the fact that the traditional leaders in the study communities exhibited limited accountability both to the state organs and to their internal constituencies epitomises the discourse at the heart of Mamdani’s (1996) “decentralised despotism”. Such a powerful position enjoyed by unelected traditional leaders presents a dilemma in the post-apartheid democratic dispensation (Oomen 2005:27; Ntsebeza 2006:14; Hall 2007:97; Walker 2007:139;) As such, Ntsebeza (2006:15) finds it paradoxical of the post–apartheid governement in South African governace to promote Constitutional rights and principles of democracy while on the other hand endorsing and revitalising the role of “unelected” traditional leaders over the country’s vast rural citizenry (Ntsebeza 2006:15).
There is no doubt that the rapid infrastructural developments in Phokeng and Moruleng highlight the benefits of platinum mining in the Bafokeng and Bakgatla communities – a feature which distinguishes both communities from the rest of more than 800 traditional communities recognised by the Constitution of the republic of South Africa. The local leaders herald this development through detailed infrastructural development plans (the Bafokeng’s Masterplan, for instance). However, as shown by the current findings, the ownership of mining interests and other corporate interests has triggered divisions, partly due to what may be termed ‘infrastructure fixation’: There is a clear neglect of the ‘softer’ developmental issues such as food security, and economic empowerment for the struggling majority, and community voice. Ordinary community members see their leaders as being more concerned with accumulation of wealth through advancing and diversifying community-owned business interests, hence the social well-being of local people and monitoring of environmental impact of mining are not receiving attention. As a result people in villages such as Luka village and Kanana that experience intense mining operations feel poorly represented by the traditional structure. Such a finding reveals a dilemma of conflicting interests, whereby the traditional leaders are tossed between being custodians of the welfare of their subordinates and maximising profits as mine owners. This phenomenon is what could be labelled as ‘the paradox of traditional elite-mediated participation’. Indeed, one has to ask whether the discourse of ‘community control’ produces ‘collective affluenza’ at local level instead of equitable wealth distribution and peace. This conjecture can be illuminated by O’Shaughnessy’s (2009:14) summarised definition of affluenza: a notion which describes:

Symptoms of a nation … that has abandoned many of the values ... and intimacy in relationships [and]... embraced more materialistic items, selfishness, and instant gratification, and less to do with self-restraint, good will, creating strong relationships and communities (O’Shaughnessy 2009:14).

Not only did the traditional elite-mediated participation weaken the monitoring of social and environmental damage caused by mining operation, it also endorsed inequalities and pockets of poverty. As such, this finding somewhat validates Kriel’s (2007:1) description of the Bafokeng community as “a rich nation of poor people”.

The key finding that community participation in the study communities at its best reflected symbolic or tokenistic forms of engagement amplifies the argument that power asymmetries
influence the creation and ownership of ‘spaces’ in community participation (Gaventa 2006; Cornwall 2008). This discussion is detailed in Chapter Three (see Section 3.8.1). For Cornwall (2008:274) “public forms of participation” such as the *kgotha kgothe* can provide space “for airing of grievances that may become more difficult for those in power within and beyond the community to ignore”. Such an argument proves effective in the case of the study communities where the powerful traditional elite and their hired experts control the customary derived spaces of consultation – a practice which has become a recipe for local tensions and discontent. It is hoped that commentators who praise customary spaces would at least be interested to learn, from the findings generated in this study, what the popular narratives reveal about community participation and traditional systems of governance. Indeed, this analytical impasse is reminiscent of Oomen’s (2005:28) argument that there is a “lack of empirical research delving into people’s opinions on traditional leadership”.

The study also shows a limited role of the state when it comes to regulating the corporate partnership relationships between the mines and traditional communities. This is a visible gap in South Africa’s Minerals Policy. Despite the state advocating conversion of mining royalties that were formerly paid directly to traditional communities (see discussion in Chapter Six) into equity shares (between traditional communities and the mines), the policy paradoxically remains completely silent about how these relationships are to be effected for the benefit of all parties including community members at grassroots whose livelihoods and environment are likely to experience more damage due to mining operations. Therefore, it comes as no surprise that the state is unable to bring the traditional leaders to account for how the profits generated from mining are being used for the equitable benefit of all members of these communities. The reported weak capacity of the South African State to implement and enforce the regulatory norms in *National Environmental Management Act* No. 107 of 1998 (NEMA) and MPRDA (Hönke, Kranz, Börzel & Hérictier 2008:12; Kabemba 2010:15) is established in this finding. For Hönke, Kranz, Börzel & Hérictier (2008:12-13), there are two main factors that are responsible for the weak implementation, monitoring and enforcing of minerals and environmental state regulations in South Africa: the “vertical and horizontal fragmentation” of state bureaucratic and regulatory institutions, and the “limited administrative capacity” at provincial and national levels of government. The current thesis displays another factor contributing towards the afore-stated weak policy implementation – that of diminishing volition in local leaders of traditional communities to effectively monitor mining impact when they have assumed the role of being partners in the mining industry. As
such, the gap widens between the leaders and ordinary community members, since the latter feel their voices and concerns are poorly represented by the former. Moreover, this traditional elite-mediated participation makes direct engagement between impacted local communities and the mining companies extremely elusive and at times impossible.

The final important deduction that can be drawn from the current findings is that community control of mineral wealth does not necessarily guarantee local people their right of self-determination. In the context of the extractive industry, eradicating poverty and fostering local development within indigenous communities can be realised only if “indigenous peoples’ self-determination rights, in particular their rights to full and effective participation in decision-making” (Doyle 2009a:44) are enforced. Following this argument and juxtaposing it with the local narratives in the study communities, the local tensions about lack of participation in platinum wealth-engendered community development demonstrate that the right to self-determination has not yet been realised despite the abundance of mineral wealth. Such a conclusion may not bode well with the move by the mining companies in South Africa who, ostensibly in a bid to unseat the arguments raised by nationalisation protagonists (see Chapter Seven), have heeded the calls by the state to form joint corporate ventures and enter into BEE mining revenue sharing relationships with the local communities (Manson 2011:1).

10.4 Main contributions of the study and some recommendations
This study has made a contribution to theory and has shed new light on the little examined phenomenon of mineral resource control at the community level. The clamour for resource control by local communities whose claim to natural resources is based on indigenous ownership of land on which mineral resources are extracted is advocated as a panacea to local conflict (Banks 2008; Obi 2008a). This study has revealed the reverse side of the coin – the dilemmas that surface when local communities are exposed to the challenge of distributing mineral resource wealth. In fact, this thesis points out to conflict as resulting not so much from collective exclusion of mining communities from resource wealth and other benefits of mining as it is conventionally reported. Rather, the conflict and tensions that are exposed in this study arise out of popular discontent at the grassroots – a phenomenon rooted in tokenistic or symbolic participation of ordinary community members in key decisions about the distribution of mineral wealth. The advocates of resource control should at least be cautious of such paradoxes and appreciate that engendering broad-based community
participation in collective utilisation of resource wealth can expose resource rich communities to dilemmas that render the notion of resource control less fulfilling when held against its reported promises.

In essence, the local conflict that is revealed by this study in platinum mining communities where community development is channelled through traditional systems of governance points towards a new consideration, particularly within the broader literature that informs decentralised natural resource-engendered development down to the level of indigenous communities. The institution of tradition (culture) has long been identified as a defective channel of community development due to its male dominant disposition and its tendency to exclude women in decision making (Cleaver 1999:604). The current thesis reveals limited restraint in the powers of traditional leaders, while tokenistic participation and anger at the grassroots ensue.

Based on the paradoxes exposed in the analysis of respondent narratives about participation in platinum wealth utilisation the researcher recommends a shift of analytical focus from conflict as an epiphenomenon of collective community exclusion and deprivation, to conflict as also resulting from collective community inclusion (in natural resource utilisation). Such a shift is necessary fundamentally because reports on local conflict over platinum resources in South Africa, particularly in the study communities, have largely concentrated on elite struggles and barely provide empirical examination of ‘voices’ of ordinary community members. For instance, the battles over control of mining royalties that the Bafokeng chiefs fought against mining companies and the former Bophuthatswana Bantustan government, epitomised by prolonged legal actions, are well documented (see Lawrence & Manson 1994:451; Manson & Mbenga 2003; Comaroff & Comaroff 2009:98-116). Therefore, as the current study has shown, the ‘victories’ that led to community control and the benefits thereof cannot be adequately measured until the ‘voices’ of ordinary people are granted sufficient pre-eminence in empirical examination.

The highlighted lack of accountability and weak external and internal checks on powers of the traditional elite epitomises the absence of or limited role played by the state in South Africa to monitor and even regulate the manner in which the leaders of traditional communities who receive mining royalties utilise their collective mineral wealth. So far, the state mineral policy regulatory framework does not directly addresses the challenges that
arise from distribution of mineral wealth among indigenous communities on whose ancestral lands mining occurs and who as a result have become black economic empowerment (BEE) partners as encouraged by the post-apartheid neo-liberal policy reform in South Africa.

It is against the backdrop of the highlighted impasse that the researcher recommends some policy intervention – just as the municipalities are expected to facilitate broad-based participation before deciding on community development priorities, so should the traditional authorities who champion mineral wealth engendered community development. Power holders in the traditional arena cannot be allowed by law to become ‘loose canons’. The state should also develop a detailed guide with key areas on which resource endowed traditional authorities should report on how they utilise their collective resource wealth. In this light the researcher also recommends the formulation and adoption of a ‘Charter for Mining Communities’. The local communities, particularly those impacted upon by the mines should be extensively engaged in the formulation of such a charter. The key elements of the charter can include: community engagement, revenue-sharing partnerships with mining companies, ecological issues, mineral wealth utilisation, accountability checks and monitoring mechanisms for local leaders, etcetera.

10.5 Conclusion and suggestions for further research
Utilising ethnographic data collected in the study communities in 2008 and 2009, the researcher examined the character of community participation in platinum wealth utilisation, specifically, the conditions under which community participation promotes or hinders sustainable community development. Among the key findings of the thesis are that the interface of resource wealth and community development is fraught with tokenistic participation, elite-targeted grassroots anger, and local tensions – all linked to the contradictory nature of participation. The thesis further reveals that in some instances, the challenge of platinum wealth-engendered community development tends to undermine existing customary and democratic spaces for participation, and that this is exacerbated by such community-level issues as poverty and inequality. The relationships between the mines and local communities are characterised by tensions and distrust. The platinum mines in the study communities lack transparency and tend to engage with the traditional elite instead of the impacted villages.
The current findings have provided an impetus for the researcher to conduct a follow-up study in the form of a post-doctoral project where he will focus on ‘platinum mining, and sustainable community development’. As well as examining the social, environmental and human dimensions of the concept of sustainability (Cronjé & Chenga 2009:415-418) the researcher will also seek to understand the meaning of sustainable development as articulated by various stakeholders: local communities, traditional leaders, mining corporations and state bureaucracies, and the extent to which such collective or diverse meanings and interpretations enhance or hinder collective decision making, development, social capital, and social and environmental well-being at local community levels. Central to this empirical study will be an examination of how the platinum mines in South Africa, particularly in the Rustenburg area, involve local communities when planning and implementing their obligations in terms of their Social Labour Plans and the principles of the Mining Charter. Such a study will also elucidate on how the post-apartheid minerals policy reform has enhanced or hindered the realisation of benefits of platinum mining in local communities.
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APPENDICES

APPENDIX A

Semi-structured, in-depth interview guide

The list of questions below is generic. As already explained in Chapter Four the in-depth interviews were conducted with various key informants. Since the experience, roles, knowledge and expertise of key informants differed vastly (e.g. traditional leaders, mine managers, youth leaders, traditional councillors, municipal councillors, senior administrators in community-owned business entities etc.), the interview questions were amended regularly. The questions were taken from the list below:

- How can you describe the manner in which platinum mining has benefited your community in terms of social and economic development?
- Can you explain how the wealth generated through mining is being utilised in your community?
- What community development projects would you say are key indications of how the mineral wealth is utilised?
- To what extent would you say these projects are reflective of the collective priorities and needs of your community?
- Please describe the manner in which the traditional authorities engage with community members when these projects are planned and implemented.
- To what extent is platinum wealth utilised towards economic development of all community members?
- Which mechanisms (customary and otherwise) are used to engender participation in mineral wealth utilisation in your community? Please comment on the effectiveness of these mechanisms.
- How do traditional leaders demonstrate accountability and transparency about the manner in which mineral wealth is utilised?
• How can you describe the relationships between the mines and the communities?
• How do mines operating in your ancestral land involve the community on issues regarding local beneficiation and mining impact on people and the environment?
• How do mines seek to prioritise the social needs of your community in their community development and employment plans, policies and practices?
• To what extent would you say your community has been able to manage the balance between the exclusive character of an ethnic community and the inclusive requirements and obligations of the mining industry?
• Can you comment on how the presence of platinum wealth has impacted on local relationships in your community?
• Please comment on how you assess the impact of platinum mining on your local environment and well-being.
• To what extent are you satisfied with the manner in which you are involved in key decisions about distribution and utilisation of platinum wealth?
• Can you say wealth is equally distributed among community members? Please explain.
• How do you view the involvement of the youth and women in decisions about the utilisation of platinum wealth? To what extent can you say platinum mining has benefited your community? Please explain.
• Can you please express how you feel about being a member of a platinum-rich community?
APPENDIX B

Letter of credence from the University

Department of Sociology and Industrial Sociology
Block E
Office No 206
East London Campus

Ph: 043 704 7172 / Fax: 086 628 2209
Email: wakpan@ufs.ac.za

30 July, 2009

TO WHOM IT MAY CONCERN

Mr. Sonwabile Mxwana – Doctoral Candidate

I hereby certify that Mr. Sonwabile Mxwana is a doctoral student in the Department of Sociology, University of Fort Hare, East London Campus.

He is currently on fieldwork, collecting data on community participation dynamics vis-à-vis platinum mining and platinum wealth utilisation in selected mining communities in the North West Province.

As this is a vital part of his doctoral studies, I will greatly appreciate any assistance you can extend to him to enable him to successfully complete the data collection phase of his research. Please be assured that any data obtained will be used strictly for academic purposes.

Should you require any further information, please do not hesitate to contact me.

Yours sincerely,

\[Signature\]

Wilson Akpan, PhD
Head of Department
APPENDIX C

A research permission letter issued by the Royal Bafokeng Administration (issued in Setswana)

ROYAL BAFOKENG ADMINISTRATION
P O Box 1, Phokeng, 0335, Republic of South Africa
Telephone: +27 (14) 566 1200
Telefax: +27 (14) 566
Web site: www.bafokeng.com

06 October 2009
TO: Relevant Dikgosana
Royal Bafokeng Nation

Re: Sonwabile Mnwana ke mothutu wa dithuto tse di kgoloane tsa matlhale (Doctoral candidate) kwa Unibeseling ya Fort Hare. Matlhomo a porojeke ya gagwe ke go batlisisa boteng jwa go tsaya karolo ga morafe mo tšiseng ya maungo a a tswang mo mopeong ya go lolino. Gape, o batla go tšalaganya karolo e meepo e e tsayang go buisana le morafe mabapi le maikorabolo a meepo mo go tsa moruc, tšaololo, tšokolo le tsa loago. Re: Sonwabile Mnwana o tšophile Phokeng (setuto sa puso ya Bafokeng), Kanana, le Luka jaaka mafelo a o tla dirang dipatlisiso tsa gagwe kwa go ona.

Lefapha la Research and Planning, mo ofising ya Kgosi, e tšokometse dipatlisiso tsa ga Re: Sonwabile Mnwana. Lefapha la Research and Planning le mo letšetese go dira dipatlisiso ka go buisana le batlendi mo matapheng a a maleba a Royal Bafokeng, ga mmogo le maloiko a morafe mo Phokeng, kwa Kanana, le Luka. Re: go leboelega go thusa Re: Sonwabile Mnwana ka se ngwe le se ngwe se o ka 5e kgonang, se le mo molaong, go akaratsa le go mo fa tshedimosetso e e e kopang.

Re leboelega tšisano mmogo ya gago

Re: Magosi Tumagole
Head, Traditional Affairs
Office of Kgosi

Date

Greetings from the Royal Bafokeng Nation

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APPENDIX D

Letter of personal introduction by the researcher (consent letter) in English and in Setswana

University of Fort Hare
Together in Excellence
Department of sociology and Industrial Sociology, Block E, East London Campus; Tel: 043 704 7172/
Fax: 086 628 2209

Dear respondent

A Consent Letter in the English Language

My name is Sonwabile Mnwana. I am a Doctoral student at the University of Fort Hare. I work under the supervision of Dr. Wilson Akpan who is also a project leader of the African Resources & Comparative Sustainability Research group of which I am also a member. I hereby request your participation as an interview respondent in my research study. You are therefore, identified as a possible research participant because you fit the criteria set for selection. Your involvement in this study is voluntary, so you may choose to participate or not. This sheet will explain to you the study I am undertaking and please feel free to ask questions about the research if you have any. I will be happy to explain anything in greater detail if you wish.

Purpose of the Research Project
The purpose of my research is mainly to understand the dynamics of community participation in relation to platinum mining and wealth utilisation in the Bafokeng and Bakgatla communities. The study also seeks to understand the relationships between the community and the mining companies.

What to expect during the interview
I will begin the interview by requesting some general biographical information (age, nationality, ethnicity, education and skill levels, etc). This will be followed by an unstructured interview which should take at most 1½ hours. I also ask for your permission to tape-record the interview with you, which will be transcribed later. You will be given the opportunity to review the transcript and make corrections, and the tapes will be erased when the study is complete.

Benefits to participating: You may not personally benefit from participating in this research project. However, the information that you will provide will be vital in bringing about important findings that will assist governments, especially the South African government, in effectively dealing with the challenge of developing appropriate policy frameworks for regulating business and social partnerships between local communities and mining corporations.

Risks or discomforts to participating: You might feel a bit uncomfortable with the use of a tape recorder, however, please be assured that all information obtained from you will be used strictly for academic purposes. Therefore there are very minimal chances of harm on your side as a respondent. Should you feel any discomfort or uneasiness with sharing any information with me, ask me to move on to the next question. I will keep confidential all mentions of third parties in these interviews. When I contact a third party that you mention
Confidentiality of your responses: I also request to use your responses as a research source and may sometimes cite them as direct quotes in my report. In all publications or presentations resulting from this research, your individual privacy will be maintained. I shall maintain the principle of anonymity at all times when using the quotes from your interview, even if I may use other references to your identity such as job, education level, gender, nationality, etc. I will store the tapes, field notes and transcripts in a locked filing cabinet when not in use. I will then destroy all those that I finished using in such a way that no usable information can be extracted from them.

Voluntary participation & your rights: Your participation in this project is entirely voluntary, and you can choose to stop at any time without any negative consequences. You can also refuse to answer any question(s) for any reason. You can stop the interview at any time, or ask that the tape recorder be turned off for certain answers and then turned back on.

Yours truly

S.C. Mnwana (PhD Candidate, University of Fort Hare)

Contact information:

Should you require any information please do not hesitate to contact the following:

1. Sonwabile Mnwana
   Department of Sociology, University of Fort Hare
   East London Campus, 50 Church Street
   Tel: +27 43 704 7175; Fax: +27 86 628 2209
   Cell: +27 (0) 72 4077 123; Email: smnwana@ufh.ac.za

2. Dr Wilson Akpan
   Supervisor & Project Leader: African Resources & Comparative Sustainability Research (HoD) Department of Sociology, University of Fort Hare
   East London Campus, 50 Church Street
   Tel: +27 43 704 7172 (W), +27 82 462 3608 (Cell)
   Fax: +27 86 628 2209; +27 43 704 7153 E-mail: wakpan@ufh.ac.za

All of my questions have been answered and I wish to participate in this research study.

---

Signature of participant __________________________ Date __________________________

Print name of participant __________________________ Date __________________________

Name of investigator __________________________ Date __________________________

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Go Motsaya karolo

**Lekwalo la tetelelo**

Nna ke Sonwabile Mnwana. Ke moithuti wa thuto tse di kgoloane tsa matlhale (Doctoral student) kwa University of Fort Hare. Ke dira ka fa tlase ga bothathleledi baga Dr. Wilson Akpan yo eleng moetapele mo projekeng ya **African Resources & Comparative Sustainability Research group**, e keleng leloko. Ke kopa go re o nne motsaya karolo yo ola arabelang dingwe tsa dipatisiso tsi di thotu tsa me. Ke go tsaya jana jaka motho yo o amogelesegilleng go ka tsaya karolo mo dipatisisong tse. Go tsaya karolo gago ga se pateletso, o ka dumela kgotsa wa gana. Pampiri e etla tlhalosa, dithuto tse ke ikaelelang go di dira, mme wena o gololosegile go botsa potso ngwe le ngwe ka dipatisiso tse. Ke tl a itumelela go ka tlhalosa ka botlalo fa e le mo dikgatlegong tsa gago.

**Maitlhomo a poroje ke ya dipatisiso.**
Maitlhomo magolo ke go thalaganyo gole gontsi ka boteng jwa go tsaya karolo ga morafe, mo tirisong ya khumo e e tswang mo meepong yo polatiumo. Dithuto tse, di rata go thalaganyo karolo e meepo e tsaying mo buisine re le morafe, mabapi le maikarabelo a meepo mogo tsa moruo, tlhabololo, tikologo le tsa loago

**Tsholofelo ka nako ya potsolotso**
Ke tla simolola go batla go itse mabapi le botshelo bagago( Dingwga, bomorafe, lotso, dithuto le kitso, fe la jalo).Mme se se latelang etla nna dipotsos tse di senang tsetelone e kgetehileng, yona etla tsaya urala le metsotso ee masome e le mararo. Ke kopa gape le go gatisa mantswe a gago a atla dirisiwang mo dikwalamong. Morago ga tsothe tse ola fiwa dikwalo tse go di rulaganyo ka mokgwana wago, mme kgatle, tla phimolwa kwa bokhuthang ba dithuto tse.

**Maungo a go tsaya karolo**
Gongwe ga o kiti la ungwa sengwe mo go tseyeng karolo ga porojeke e ya dipatisiso. Mme fela kitso e ola e fang e, e ka nna ee botlhokwa, mogo thuseng go kereya ditlamorago, tse di ka thusan gormente, seglobogolo Aforika Borwa, mo goreng e dire melao ee maleba go loala dikgwengo le kutliwissi magareng ga morafe le meepo.

**Kotsi ya go tsaya karolo:**
Go ka kgonagala gore o ikutlwe o sa nnisega ga o gatisiwa mantswe, mme itse gore melaetsa kana kitso e tserweng e tla go dirisetswa dithuto fele.Mme ga gona kotsi ee tle go thaleng fa o le motsaya karolo. Ga o ikutlwa o sa kgotsofalele kgotsa o sa nisega ke go nelaana ka kitso, o mpolele go gatele pele kwa potsong e lelatang. Fa oka bua ka motho yo o seneng le rona ketla tsaya kitso eo jaaka sephiri, mme etla re ke kopana le motho yoo gankitla ke mmolela ka wena. Morago ga dikwalamong tsothe, maina a botsaya karolo go kitla a tlhagelela gope fela.

**Sephiri sa dikarabo kgotsa diphetolo:**
Ke le moothi ke kopa go ka dirisa dingwe tsa diphetolo tsa gago jaaka mong wa kitso, mme ka nako tse dingwe ke tle gago nopola mo dipelengol. Mo dikwolong, le ditlhago tsa dithuto tse, leina lagago ga le kitla letlhagelela. Ka nako tsothe leina lagago lela sireletseta, lefa ke ka go nopola ka nako dingwe, ke tla dirisa maemo a go tshwana le a tiro, a thuto. a bong le a bomerafe le jalo le jalo. Ke tla notelela dikgatiso, dikwalo mo rakeng ya difaele, ga die motirisong. Dikwalo le dikgatiso tsothe ditla senngwa, kwa phelotsong ya dithuto, gore go senne le ope yo ola di dirisaang gape.

**Go ithaopa go tsaya karolo le ditshwanelo:**
Go tsaya karolo mo porojekeng e le ka gorata ga gago, o ka tlhopha go emisa thulaganyo e, nako ngwe lengwe kwa ntle ga ditlamorago dipe le mabaka ape . O nale tshwanelo ya go gana go araba potso ngwe le ngwe kwa ntle ga lebaka. O nale tshwanelo ya go kgaoetsa potsolotso kgotsa go kopa segatisi se emisiwe, ga gonale potso e o ratang go e araba kwantle ga sona, mme morago oe busetse tirisong.
Wa gago

S.C. Mnwana (PhD Candidate, University of Fort Hare)

Tlhaeletso:

Fa o ka rata go itse gole gontsi, ka boikokobetso tlhaeletsa dinomore tse dilatelang:

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Dipotso tsotlhe tsa me di arabilwe, jaanong ke rata go tsenela dipatlisiso tse

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APPENDIX E

A letter of recognition of IJCF as a ‘legitimate’ forum through which Implats (Impala Platinum Mine) will engage with the impacted villages in the Bafokeng community.

25 June 2009

The Chairperson
Ronny Makgwe
Impala Joint Community Forum
Rustenburg
0300

Dear Sir,

RE: Recognition of Impala Joint Community Forum by Implats

The above subject matter refers.

Implats through their stakeholder Engagement Department is engaging with Communities on our Mine Lease area and with all other affected and interested stakeholders around our operation.

Over the years Implats has been engaging with various Stakeholders in a fragmented manner hence the need to establish a Stakeholder Forum was necessary. This then led to the formation of the Impala Joint Community Forum (IJCF) and its Sub Committees. As you are aware, the agenda of the IJCF relates to issues of the Mining Charter, that is, Human Resource Development, Safety, Health and Environment, Procurement and Socio-Economic Development.

Therefore, I wish to confirm that Implats acknowledges and recognises the existence of this Forum. The Forum comprises of legitimate community representatives elected by their respective communities and other affected and interested stakeholders also identified as participants in this Forum. We recognise that this Forum plays a significant role in ensuring sustainable development in this area. The Forum will also be responsible for discussing Future Forum issues in terms of the Minerals and Petroleum Resources Development Act.

It is for this reason that Implats designated a Management Team that will together with all identified stakeholders in the Impala Joint Community Forum ensure meaningful engagements.

We therefore are looking forward to having successful engagements with all stakeholders in the one forum.

Yours faithfully,

Johan Theron
Group Executive: PeopleCo.

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LJ Paton • M More • KP Steytler • J Theron
Secretary: A Roundhill

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APPENDIX F
‘Native Land’ in the Rustenburg and Pilanesberg Districts, 1904

(Source: Lagden 1904)