The Sustainability Reporting Practice of the South African Mining Industry – Community Perspectives

Nomathemba Melody Memela

Student No: 0113499G

A Thesis submitted in fulfilment of

the requirements for the degree of

Doctor of Philosophy (PhD)

at the University of the Witwatersrand

April 2020

DECLARATION

I, **Nomathemba Melody Memela**, hereby declare this thesis and the work contained in it to be my own original work. It has not been submitted before for any other degree purposes at any other university.

… …… Signature of Candidate

…20 April 2020……………… Date

ABSTRACT

Several studies have been conducted to understand the contribution of the private sector to the global mission of Sustainable Development through the examination of the Sustainability Reporting practice of these actors. However, the accuracy and effectiveness of this now prevalent business practice as a reflection of true company sustainability activities and performance on the ground is still in question globally.

Previous work has investigated this contribution and reporting practice through examining the secondary data of company sustainability reports as a basis, and has failed to look at it from the point of view of the external stakeholders on the ground, at whom the sustainability contribution as well as the reporting practice is normally targeted. Studies and literature in this area has also focused on the developed world, and less so on the developing world, mostly polarised, and most in need of sustainable development.

To close this gap, this study focused on the lived experiences of key community stakeholders in order to bring to light and investigate the primary evidence of sustainability on the ground. Anchoring the research enquiry in the socio-political Stakeholder and Legitimacy theories as the dominant theoretical underpinnings of the sustainability reporting (SR) practice, a qualitative inductive case study of two South African mining communities where two different mining company operations are located was carried out. Primary data was collected through semi-structured interviews as the basis of the analysis process, where the analytical strategy of grounded theory was employed. After which, relevant secondary data was collected from respective company sustainability reports to enable a counter analysis.

The findings of the study confirmed a lack of accuracy and consistency between the sustainability reporting of these mining companies and the sustainability reality experience of community stakeholders on the ground. The most basic impacts of mining still remained in the two study settings, disparities were found in how these were reported by the mining companies, and misalignment in the understanding of what constitutes mining impacts and therefore what informs the sustainability priorities of the settings.

The engagement of community stakeholders by the mine was found to be poor, with engagement dynamics described as lacking and ineffective. Stark power asymmetries were found in the relationships amongst various stakeholders with the mining companies. Furthermore, the construction and management of mining legitimacy in the two settings was not inclusive of community stakeholders. As a result, only some legal legitimacy existed, social legitimacy of mining was found to be glaringly absent.

The overall conclusion of the study was that the SR practice of these companies was found to be lacking. The applicability of the two dominant theories that generally underpin the practice of SR was found to be insufficient in describing the practice of these cases in a developing country setting. Unique structural conditions resulting from South Africa's apartheid and colonial past, its neo-liberal political economy contributes to this and undermines genuine commitment to sustainability. Evidence suggests an important applicability of institutional theory in this setting. There is also a need to look into indigenous theories for a more culturally-relevant and human-centred approach required in such a developing country setting.

Keywords: Sustainability Reporting, Corporate Sustainability, South African Mining Sector, Accuracy of Sustainability Reports, Community Stakeholders.

ACKNOWLEDGEMENTS

I would like to acknowledge my supervisor, Professor Bhekinkosi Moyo, whose dedication, constructive feedback and guidance enabled me to complete this journey in the short time that we worked together.

To my family, without whose support I would not have been able to embark on this journey. First and foremost, to my beloved grandmother, MaDuma Bathini Memela, with whom I first shared plans of pursuing this academic journey, and who wholehearted encouraged me to do it, and has held my hand all my life. Ngiyabonga Ntombi yakwaMthombeni. To my grandfather, Tata Mafukuzela Memela, thank you for being my number one fan, and brimming with so much pride at my every little achievement as a young girl, ngiyabonga Sdwab 'esimantwenguntwengana.

To my mother, Nombali Mpanza, who has supported and held me every step of the way. Thank you for inspiring me from when I was a little girl, that I can achieve anything I set out to, and thank you for your endless prayers and unconditional love. To Bab' Dumisani Mpanza, who has always supported my endeavours from the background, and whose special gift for my Master's graduation was an investment into this next journey, ngiyabonga Thabekhulu.

To the rest of my family, thank you for always giving me the space to pursue my dreams, even when it meant that I could not be there for you in many ways, Mamncane Thoko Memela, Mama Lungi Tantsi and the rest of the family, ngiyabonga boGambu. To Nondumiso Memela, thank you for being the best little sis in the world, always remember – black girl magic. To Bobbi, thank you for your gentle company, always by my feet, throughout this journey.

This work is dedicated to my son Luntu Luthando Memela. Thank you for choosing me. Thank you for giving my life purpose, and joy, beyond measure. And for asking me cheekily every weekend when 'this PhD' will be finished so we can spend more time doing other fun stuff together.

I would like to thank my friends who have stood by me throughout this journey, loved me, supported me and cheered me on, I would like to especially acknowledge Phumzile Gebashe, Mpho Makhobotloane, Zethu Matebeni, Ayanda Mngadi, Makhosazana Xaba, Percy Gumede, Oscar Mdletshe, Gugu Bhengu, Sandi Mackenzie, Dickson Eboru, Sello Ramashala, Nonkululeko Britton-Masekela, Zazi Shembe, thank you for being my chosen family.

Thanks be to uMvelinqangi with whom all things are possible, and to my Ancestors who walk with me, oNgwekazi noNdabezitha!

Table of Contents

LIST OF TABLES

LIST OF FIGURES

LIST OF ACRONYMS AND ABBREVIATIONS

AMCU	Association of Mineworkers and Construction Union
Amplats	Anglo American Platinum Corporation Limited
CALS	Centre for Applied Legal Studies
CSR	Corporate Social Responsibility
DMR	Department of Mineral Resources
GMI	Global Mining Initiative
GDP	Gross Domestic Product
GRI	Global Reporting Initiative
ICMM	International Council on Mining and Metals
Implats	Impala Platinum Holdings Limited
JSE	Johannesburg Stock Exchange
LARC	Land and Accountability Research Centre
MMSD	Mining, Minerals, and Sustainable Development
MPRDA	Mineral and Petroleum Resources Development Act 28 of 2002
NGO	Non-Governmental Organisation
NUM	National Union of Mineworkers
PhD	Doctor of Philosophy
PWC	PriceWaterhouseCooper
RBN	Royal Bafokeng Nation
RLM	Rustenburg Local Municipality
SA	South Africa
SADC	Southern African Development Community
SD	Sustainability Development
SLP	Social Labour Plan
SR	Sustainability Reporting
UN	United Nations
UNDP	United Nations Development Programme
WBCSD	World Business Council for Sustainable Development
WBS	Wits Business School
Wits	University of the Witswatersrand
WWW	World wide web or internet

CHAPTER 1: INTRODUCTION

This study is concerned with the contribution of the private sector towards the global mission of sustainable development, through an investigation of sustainability reporting, a global practice in which corporates report on their sustainability activities and sustainability performance. A case study of two mining companies is utilised for this purpose, to interrogate the accuracy and effectiveness of their sustainability reporting practice through the lived experiences of immediate stakeholders in the communities surrounding these mining operations.

In this chapter, the research problem under investigation and its background is introduced, both in the global and South African contexts. The South African mining context is outlined, as part of the global and regional mining environment. Also outlined is the specific purpose for which the study is proposed, its importance and relevance to the field. Lastly, the chapter looks at the scope, assumptions and limitations involved in fulfilling that purpose, as well as the organisation of the rest of the research.

1.1 OVERVIEW AND BACKGROUND

The reality of fast-depleting natural resources of the earth and the impending inadequacy and unavailability of the same resources for current and future generations is a global social problem. Multinational corporations, the biggest users of these natural resources, have faced increased pressure, and expectations from all spheres of society to show more responsibility in their utilisation of these resources, and to report on what they are doing to ensure their sustainability, not only for current but also for future generations who also need to benefit from these resources and the wealth created through their exploration (Brundtland, Khalid, Agnelli, Al-Athel & Chidzero 1987). Consequently, corporate strategies have needed to be expanded beyond the single economic objective of profit maximisation to incorporate the environmental as well as social objectives dictated by the sustainable development agenda globally (Primeaux & Le Veness, 2008; Soderstrom, 2013).

Sustainability reports are defined as "public reports by companies to provide internal and external stakeholders with a picture of the corporate position and activities on economic, environmental and social dimensions" (WBCSD, 2002, p. 7). Sustainability reporting is defined as "the practice of measuring, disclosing, and being accountable to internal and external stakeholders for organisation's performance towards the goal of sustainable development" (GRI, 2011, p.3). It has emerged as the primary medium through which these corporates report on and communicate their sustainability activities in line with this responsibility and has grown in practice to become a global trend (Kolk, 2003; Bebbington et al, 2008; Tenuta, 2010; KPMG, 2013). The prevalence of the business practice of sustainability reporting (SR) continues, despite persistent questions and scepticism from all quarters of society regarding the true sustainability performance of these companies (Hamann & Kapelus, 2004; Pennington & More, 2010; Hahn & Kuhnen, 2013). Through sustainability reporting, corporates continue to make claims of a positive contribution to society, and towards the bigger sustainability cause in general (Laufer, 2003; Laine 2010), making critical the need for the business practice be interrogated further, to understand its accuracy and effectiveness as a representation or proxy for the company's actual sustainability performance.

The mining sector, globally, has been criticised for having a high sustainability impact by default of its energy-intensive operations and the associated large environmental footprint and impacts on local populations (Kapelus, 2002; Jenkins, 2004; Campbell, 2012). While the sector has been applauded for their sustainability reporting (SR), their actual sustainability performance record has remained a subject of much scepticism globally (Jenkins & Yakovleva, 2006; Fonseca, 2010; Lauwo & Otusanya, 2014). The mining sector in South Africa (SA), pivotal for the country's economy, is no exception to this global trend. South African mining corporates are considered amongst the country's most sustainable and socially responsible of companies, that have significantly contributed to the development of the sustainability reporting movement in the country – which has resulted in the prevalence, as well as the evolution of the practice over the years (Hamann, 2006).

However, the sustainability reporting of these companies is still seen by some as a public relations and compliance exercise rather than true sustainability effort. This is also a finding of several South African studies conducted in this area so far, with many of them focusing on the growing quantity of sustainability-related content in corporate reporting, showing that content has evolved, and looking into what has driven and shaped that evolution (Lund-Thomsen, 2005; Sonnenberg & Hamann, 2006; Dawkins & Ngunjiri, 2008; KPMG, 2011; Van der Lugt & Malan, 2012; Vos & Reddy, 2014; Memela, 2015). The content reported is yet to be properly interrogated to establish its validity, accuracy and credibility concerning sustainability on the ground. The reports from corporates are only able to tell one side of the sustainability story, there is a pressing need to look at the story from the other side – that of the relevant stakeholders for whom sustainability is about in the first place. Especially the community stakeholders in the communities immediately surrounding mining operations.

Sustainability has become a global business imperative and if sustainability reporting is the primary means of visibility of the sustainability activities of corporates, then the practice and the motivations behind it need to be interrogated and better understood from all perspectives. While there is a general assumption that corporate reporting is intended to give a true and fair representation of the relevant company activities, and this much is assumed true of financial reporting, it seems that this has not been established or true for sustainability reporting.

Between the original motivations of traditional forms of corporate disclosure and sustainability reporting there seem to exist further motivations than just transparency and inclusiveness. The sustainability discourse has exerted additional demands, pressures and expectations on business so that business has had not only to justify its activities but to also create and maintain a positive perception within society to secure its legitimacy. This extension of motivations, the possibility of these motivations' contrast with the original motivations, and the kind of behaviour they may encourage is something that has not been explored much in the existing literature.

Boiral (2013) argues, as a result, that sustainability reporting can be used by companies as a form of 'simulacrum', defined as 'the accumulation of representations of reality as a substitute or proxy for reality itself', where sustainability reporting is one such construct through which companies may be creating perceptions about their sustainability performance (Boiral, 2013). Sustainability disclosures can be used as an active means to construct and re-construct reality to influence perceptions (Phillips & Hardy, 2002; Laine, 2009), as impression management rather than accurate disclosure (McGuire, Sundgren & Scheneeweis, 1998), and plain 'green-washing' (Laufer 2003). It would be invaluable to investigate the extent to which this may or may not be true in the South African mining context, and the extent to which society believes such reporting to be the reality on the ground.

To do this, experiences and viewpoints external to the mining companies involved need to also be incorporated into the investigations for a more accurate, objective and in-depth perspective of the sustainability reality. Utilising only company sustainability reports, used in the majority of studies so far, is insufficient and not only lacks the objectivity necessary but also the additional insight and depth that a combination of internal and external perspectives could bring into such an investigation.

The stakeholder and legitimacy theories are the main theories underpinning the practice of corporate disclosure in general, of which sustainability reporting is one example. Many other researchers in the field of sustainability have used these theories to understand and describe the sustainability reporting practice or some aspects thereof (Deegan, 2002; van der Laan, 2009; Lingenfelder & Thomas, 2011; Fifka, 2012; Dube & Maroun, 2013; Shehata, 2014; Loate et al., 2015). Similarly in this study, these theories will broadly enable an interrogation of how SA mining companies use their sustainability activities, and sustainability reporting, firstly, as a means of showing responsibility and accountability to the multiple stakeholders of the business, and secondly, as a tool to facilitate the legitimisation of the companies' operations in the environments in which they operate.

1.2 THE SOUTH AFRICAN MINING CONTEXT

Through globalisation and trade liberalisation, the South African mining environment is firmly entrenched as part of the global mining environment that embodies and promotes neo-liberal principles. Like many other sub-Saharan African countries, South Africa is well-endowed with natural resources, it is no surprise that mining has formed a significant part of these economies. However, it has been argued that investment-oriented mining reform across African countries has had a negative impact through the social and environmental costs associated with mining (Benkenstein, 2009). This underlies the need for understanding the sector's capacity for and commitment towards sustainable development.

The mining sector in South Africa inherited unique environmental and social challenges from the country's colonial past as well as its apartheid legacy, and most of these challenges still exist today (Bezuidenhout, 2008). Certain structural and regulatory risks became inherent to how the sector developed and was protected by the government of the time (Fig, 2005). Mostly privileged and unregulated by the state to a large extent, the strategic focus of the sector was for a long time purely about maximising its profits while externalising costs as much as possible (Adler, Claassen, Godfrey, & Turton, 2007).

Negative externalities to the environment and society resulting from the mine operations were made artificially low, and mostly not internalised by the mines to keep production costs as low as possible. This meant that the true environmental and social costs of the mine operations remained unaccounted for and hidden for a long time. This level of irresponsibility contributed to some of the environmental challenges that the country faces today, such as water scarcity, pollution, lack of sustainable energy - all resulting from the sector's abuse of water and power resources and other similar irresponsibility (Adler et al, 2007; Cavvadas & Mitchell, 2012; Bezuidenhout, 2015). It was not until the new democratic government that this was reviewed, rationalised and appropriate regulation put in place to regulate the sector.

In addition to this, the apartheid-driven social engineering and displacement of communities that were designed to ensure a constant supply of cheap labour for the mines impacted the social fabric, not only of the communities around mine operations, but also of the rural communities from whence the mineworkers immigrated (Collinson, Tollman, Kahn, Clark, & Garenne, 2006). To this day, some of the social issues resulting from this migrant labour system – the single-sex hostels, poor living and working conditions, prevalence of HIV/Aids, alcoholism, poor health and educational facilities – are still prevalent in the South African mining communities where mine operations are located (Campbell, 1997; Bezuidenhout & Buhlungu, 2011).

The South African mining sector continues to face a unique combination of environmental, and social, as well as political challenges, from the above-mentioned levels of irresponsibility that were inherently part of the design of the sector, as well as the legacy of the infamous apartheid system - whose impact inevitably affected every sector. The sustainability activities and the sustainability reporting of mining companies continue to be a question of much interest and scepticism, even after the local regulatory developments like the King III Report[1], the Mining Charter and the BEE Scorecard for Mining, that have mandated the importance of economic, social, environmental and governance responsibility, in addition to economic responsibility - a trend not dissimilar to that taking place at a global level.

Various empirical studies (Hamann & Kapelus, 2004; De Villiers & Van Staden, 2006; Coetzee & Van Staden, 2011; Carels, Maroun & Padia, 2013; Dube & Maroun, 2013; Loate et al, 2015) have looked at whether the companies in this sector report on the environmental, social and governance issues or not, and the extent of that reporting over time, but none have sought to validate or confirm the content of this reporting with reality on the ground to any great extent (Soobaroyen & Ntim, 2013), nor have they examined the underlying motives behind the sustainability reporting practice and the strategies employed for more insight. The reality of the sustainability practice of these mining companies, the credibility, and accuracy of their sustainability reporting remains largely uninterrogated.

1.3 PROBLEM STATEMENT

The recent unprecedented spate in labour strike action about working and living conditions (Chinguno, 2013), and community protests in the mining sector begs the question on the true sustainability of SA mining companies in light of the considerable amount of sustainability reporting currently practised by this sector, and the amount of sustainability content included therein.

Highlighted and brought to the forefront of public attention by the Marikana incident of 2012[2], and several other noteworthy strikes and protests that took place before it, and several others after that – have revealed the wide-ranging social and economic challenges in these mining settings (Chinguno, 2013, De Villiers & Alexander, 2014).

It seems that the reality evident on the ground may potentially be different from that which is reflected in the glossy, detailed and well-structured sustainability reports of the mining companies involved, and calls into question the effectiveness and accuracy of the sector's SR practice, and therefore their sustainability performance in general.

The main research problem investigated in this study is whether or not the sustainability activities of SA mining companies, reflected through their sustainability reporting practice, are matched and

[1] The King III Report became effective from 1 March 2010, and a follow-up King IV Report was subsequently released and became effective from 1 April 2017.

[2]The Marikana massacre refers to the 16 August 2012 strike at the Lonmin Plc's (Lonmin) platinum mine in Marikana where thirty-four striking mine workers were killed by the South African Police Service. (Dube & Maroun, 2017)

evidenced by a similar sustainability reality on the ground. Through the interrogation and linking of the theoretical and empirical components of sustainability, the accuracy of their SR practice can be investigated, as well as the effectiveness of SR as a business practice (in general).

The main sub-problem is the extent to which mining company SR is a true and accurate representation of the sustainability activities of companies and the sustainability experience of the different stakeholders on the ground. The second sub-problem is whether SR by SA mining companies is an effective business practice for the purposes for which such a practice is normally intended.

1.4 PURPOSE OF STUDY

The purpose of this study is to investigate the accuracy and effectiveness of the mining sector's sustainability reporting as a tool for communicating the true sustainability activities of companies, and their sustainability performance through the real-life experiences of those for whom SR is targeted. Through this, the study seeks to establish the veracity and effectiveness of this practice for the purposes for which it is generally intended, and thereby bridge potential gaps between its theory and practice in reality.

1.5 SIGNIFICANCE OF STUDY

Fulfilling the purpose of this study is important to both the fields of corporate disclosure in general, as well as sustainability, of which corporate sustainability performance and sustainability reporting are a large part.

The study will have utility beyond the immediate community of people directly involved with the sustainability reporting practice and will contribute to the growing body of knowledge on sustainability, the role and contribution of corporates towards it, the true performance of mining companies concerning this role, and the experience and expectations of society about it.

The interrogation of the sustainability reporting practice of the mining sector will bring value by creating a better and shared understanding of the actual sustainability reality which should enable a more honest, robust and effective dialogue and engagement for all stakeholders involved. Through that, a climate of understanding and trust may be fostered, and a better way of working and co-operation towards the pursuit of sustainability enabled, for the greater good of both business and society (as originally intended by SR).

This is vital for the sector's continuation of the sustainability practice, and most importantly its current and future potential for legitimacy in the environments within which it operates. This has been a topical issue in recent times, due to the prevailing negative political climate towards mining corporates in the country, and the practical implications of strike action to the economy. For instance, the 2014 strike in the platinum belt, which extended over five months resulted in a 1.3% reduction in the GDP figure of that year through lost earnings (Chamber of Mines of SA, 2015). This arguably contributed to a sluggish economic growth trajectory that has only worsened in recent times.

Hahn and Kunhen (2013), in their review of 178 articles dating from 1999 to 2011, on what determinants of sustainability reporting are examined in the literature, conclude that studies examining sustainability reporting as a means of providing a true and realistic view of the company's sustainability performance have not been plentiful (Hahn & Kunhen, 2013). While some studies have been conducted, there are still significant gaps in terms of the sources of data utilised, the specific elements of that data interrogated, and the methods used for the analysis. Plugging these gaps can provide greater insights into this phenomenon and contribute to the growing body of literature on sustainability reporting and its scholarship.

The following broad groups of people will find value in this study:

- the business community - those who are practising sustainability and use sustainability reporting for the communication of their sustainability activities and performance.
- the wider society and all other stakeholders like mining communities, governments, civil society, labour, NGOs, etc. who are impacted or affected by company activities, and for whom sustainability reporting is intended.
- policymakers who have the responsibility of developing and implementing policies relevant to sustainability and the reporting thereof.
- the community of academics, researchers, practitioners who are interested in the field and the scholarship of sustainability and its related practices.

1.6 RESEARCH QUESTIONS

The problem articulated in the problem statement translates into the following research question and sub-questions:

- Question 1: How accurate and effective is sustainability reporting a reflection of the sustainability activities and performance of SA Mining companies?
    - Sub-Question (a): How accurate and consistent is the sustainability reporting content of SA Mining companies with the reality on the ground?
    - Sub-Question (b): What is the broader sustainability experience of the relevant stakeholders who are affected by company operations and to whom SR is targeted?

1.7 SCOPE, LIMITATIONS AND ASSUMPTIONS

The scope of this study is focussed on the companies within the mining sector of South Africa. The subject of research is specifically the sustainability and the sustainability reporting practice of these companies, with a particular focus on the more recent dimensions of sustainability - social and environmental dimensions and to a lesser extent, the economic dimension which was always the focus of the corporate strategy.

The research design chosen is a Case Study, which is appropriate for its ability to enable an in-depth enquiry of the subject in its natural setting. However, the lack of sampling logic in its approach is a limitation as it means that the research results cannot be generalised to a broader population. Generalisability is, however, not a primary requirement of a qualitative enquiry of this design and does not impact on the validity and credibility of the research findings negatively. This is explained in more detail in the methodology chapter.

The South African large and high-performing mining companies were earmarked for the study and were assumed to represent a significant section of the mining sector[3], that also has more experience with the practice of SR, as well as more capacity and capability (financially and otherwise) for its implementation.

Upon execution of the study, access was gained only to communities and companies within the Platinum section of the mining sector, as is explained in detail in the later chapters of this thesis. This section of the mining sector has significance locally and globally, South Africa accounts for over 80% of the world platinum reserves globally (Cawthorn, 2010).

1.8 ORGANISATION OF THE THESIS

The rest of the thesis is organised into individual chapters that address different aspects of the research. The following chapter (Chapter 2) reviews existing literature on the subject of sustainability reporting (globally and in South Africa), it discusses the theoretical underpinnings of the practice, and based on that, suggests a theoretical framework and model within which the research enquiry is framed.

Chapter 3 discusses the different aspects of the research methodology that were used to execute the research, from the philosophical assumptions informing the study, to the actual plan, and

[3] The overall SA mining sector contributed 8% towards the country's GDP in 2019 (PWC SA Mine Report, 2019), 7,3% in 2016 (Chamber of Mines, 2016). Platinum Group Metals have become a significant part of this industry, accounting for 21% of the total mining commodity value in 2016, second only to Coal at 24% (Chamber of Mines, 2016). The top 3 mining commodities Coal, PGM and Gold made up 61% of the SA total mining commodity value. Mining companies Implats and Amplats are the top two PGM producers, together producing 37% and 25% of new platinum mined globally each year.

research design for the implementation of the study, the selection of cases to be included, the procedures for data collection, the techniques for data analysis, validity and reliability considerations in the research, known limitations of the study, ethical issues to be anticipated during the study, and finally, reflections on the research process in hindsight.

Chapter 4 describes the two cases from which data was mined and analysed. A contextual background of platinum mining villages in South Africa is presented, and the specific details of the two case study settings of Luka Village and Mapela Traditional Community are discussed, in preparation for the presentation of case data.

Chapters 5 to 8 are dedicated to the presentation and discussion of empirical findings, organised by the major themes of the study in each chapter. Chapter 5 is focussed on the community perceptions of the reporting sustainability practice of the mining companies. Chapter 6 investigates the community experience of sustainability through mining impacts and sustainability priorities of the settings. Chapter 7 looks into the stakeholder approach of the mining companies and how it is experienced by the community. Chapter 8 interrogates the notion of mining legitimacy as well as the concept of social license through the experiences of the community.

Chapter 9 makes broader conclusions for the study. It begins by summarising the findings and arguments of the study and then moves on to making broader assertions and generalisations using the theoretical model developed to frame the study, outlining the theoretical and methodological contributions of the study. Lastly, implications for practice, as well as recommendations for further study are offered in conclusion.

CHAPTER 2: THEORY AND CONCEPTS IN SUSTAINABILITY REPORTING

This chapter starts with an introduction and background to the topic of sustainability reporting, which is followed by a review and evaluation of existing literature on the articulated research problem of whether the mining sector's sustainability reporting practice is a true reflection of their sustainability activities and performance, and how this is matched and evidenced by reality on the ground, globally and in South Africa.

This is done through an interrogation of the theoretical underpinnings informing the practice, around which key themes emerge out of the different constructs; these are discussed in detail and are subsequently used to construct a theoretical framework and model within which the research enquiry into the specific problem of sustainability performance vs. reality is framed.

The chapter concludes with a depiction of how the theoretical model is applied to the SA mining scenario, outlining how the study's theoretical orientation juxtaposed with empirical findings in the enquiry process to bring the research into fruition, and make a contribution to SR literature and scholarship.

2.1 INTRODUCTION AND BACKGROUND OF PROBLEM

The practice of sustainability reporting has been a growing corporate phenomenon globally (Bebbington et al, 2008; Lozano & Huisingh, 2011), 95% of the world's largest multinational companies (Fortune Global 250 companies) report on their sustainability in one way or another (KPMG, 2011). As the global discourse on sustainability continues, corporate sustainability reports have become the primary source of content about company sustainability activities and have become the focal point in determining progress with sustainability worldwide (Kolk, 2004; Jenkins & Yakovleva, 2006). However, scepticism remains about this reporting practice, its accuracy and credibility, and the real purpose that it serves is constantly questioned and largely not appreciated (Laufer, 2003; Hamann, 2006; Laine, 2010; Pennington & More, 2010).

South Africa has been at the forefront of this practice (Sonnenberg & Hamann 2006; Van der Lugt & Malan 212) and has been ranked amongst the more developed countries in the world in terms of its adoption of the practice, a trend partly driven by the regulatory requirement of the King Code on Corporate Governance that mandated the integration of financial, social as well as environmental information in the corporate reports of the JSE listed companies (Unterlerchner & Malan, 2008; Maubane et al, 2014). Sustainability reports have become the norm in the corporate reporting landscape of South Africa (KPMG, 2011; Vos & Reddy, 2014), with a figure as high as 92% of the

Top 100 SA companies reporting on their sustainability in 2017[4], clearly showing the prevalence of the practice (KPMG, 2017).

The primary purpose of sustainability reporting is communicating the sustainability activities and performance to internal and external stakeholders (WBCSD, 2002; GRI, 2011). However, in addition to this primary purpose, sustainability reporting has also been used by the business for further purposes of public relations, stakeholder management and business legitimisation (Hamann & Kapelus, 2004; Golob & Bartlett, 2007). Unlike financial reporting, sustainability reporting is still largely voluntary and unregulated, and therefore remains at the discretion of the companies themselves (Ngunjiri & Dawkins, 2008) and thus lacks the quality assurance typically assumed of financial reporting, which may also be contributing to the growing scepticism.

As a result of this scepticism, sustainability literature globally has focused on interrogating the growing content of these reports, with many investigating and describing the evolution of the reporting trend over time (Kolk, 2003; Hamann, 2007; Dawkins & Ngunjiri, 2008; Memela, 2015) and others finding that the practice still has shortcomings in representing the true sustainability performance of companies (Laufer, 2003; Lingenfelder & Thomas, 2011; Stanny, 2013; Vos & Reddy, 2014). Despite the widespread adoption of the practice, and the noticeable evolution in terms of reporting content, there are still questions about whether or not these reports are a true and fair representation of company sustainability activities and sustainability outcomes for the stakeholders involved (Hamann & Kapelus, 2004; Pennington & More, 2010; Hahn & Kuhnen, 2013).

The mining sector globally has been at the centre of this debate, and while it has been commended for the general evolution of its sustainability reporting, the public perception of its corporate accountability has remained poor (Fonseca, 2010; Campbell, 2012). The sector continues to be the subject of ongoing criticism for their significant damage to the environment, threats to the livelihoods of communities, safety and health of employees and human rights violations (Perez & Sanchez, 2009; Bohling & Murguia, 2014).

This is despite that fact that the sector is seen to have had a significant contribution in progressing the sustainability agenda globally and being one of the first sectors to champion sustainability, and the reporting thereof, through the formation of the Global Mining Initiative (GMI), and the subsequent commissioning of the Mining, Minerals, and Sustainable Development (MMSD) Report to review industry sustainability practices. A Sustainable Development Framework was developed through the International Council on Mining and Metals (ICMM) in 2003, and the sector also had an instrumental contribution in developing the Mining Sector-specific supplement for the GRI guideline.

[4] KPMG has conducted this survey every two years since 1993, and the 2017 report is the most recent report available.

As a result of all this, it is seen as having indeed spearheaded the practice of sustainability reporting (Perez & Sanchez, 2009; Himley, 2010), however, the aforementioned public scrutiny and scepticism have remained (Jenkins & Yakovleva, 2006; Fonseca, 2010).

The South Africa mining sector is no exception to this global trend of spearheading sustainability reporting (Hamann & Kapelus, 2004; Sonnenberg & Hamann, 2006). The sector is important for its significant contribution towards the development of the South African economy and providing the impetus to the country's economic growth from the early 19th century. At one point, it comprised about an entire fifth of the country's GDP (National Treasury, 2010). Even with this picture changing in recent times, and a significantly smaller GDP contribution of 6% in 2015 (PWC, 2015), much of the sector activities still happen in the non-urban areas of the country, such as the North West, Limpopo and Mpumalanga Provinces, areas arguably most in need of sustainable development as they are often outside of the urban development radar.

Regardless of its significance to the South African economy and its pivotal role in progressing the sustainable reporting discourse locally, the sector has faced similar criticism as that at the global level (Hamann & Kapelus, 2004; Coetzee & Van Staden, 2011). In recent years, there have been multiple spates of unrests in the South African mining sector, all pointing arguably in the direction of the same poor sustainability record. Poor safety records, high fatalities, underpayment of workers, lack of investment in premises, are some of the sustainability issues often cited as still prevalent in this sector (Bezuidenhout, 2008; Buhlungu, 2011). One study concluded that poor environmental and social conditions are generally characteristic of the South African Development Community (SADC) Mining Region in the African continent (van Wyk, Cronje & van Wyk, 2009) of which SA is a large part.

In the recent past, there have been several incidents of strike action in the South African mining sector. In December 2007, the SA National Union of Mineworkers (NUM) workers went on strike against unsafe working conditions, in January 2012, Implats workers went on a strike for better wages, later in August 2012, there was a much-publicised strike at Lonmin Plc where workers were demanding what they deemed a minimum living wage. The last 2012 strike brought out into the public domain the sobering reality of the social issues still prevalent in the local mining communities where such mine operations are located (Chinguno, 2013; Dube, 2013). Again, in 2014, the platinum mining section of the sector went through an entire five-month-long strike, which became the longest and most expensive strike in the history of South Africa and cost the economy an estimated R34,7bn in lost earnings (Chamber of Mines of SA, 2015). And that is only the quantification of material economic cost, without looking at the less-obvious social costs associated with these.

In November 2018, there was a 45-day long strike at Gold Fields South Deep mine, over the mining company's plans of restructuring and retrenchment. At around the same time another strike took place at Sibanye-Stillwater Mine over a three-year wage agreement that not all labour unions agreed with (Khumalo, 2018). This strike lasted into mid-April 2019 and threatened to extend into other 11 other gold and platinum mining companies in solidarity for three-year wage negotiations imminent at the time.

During this time, South African mining companies continued publishing glossy sustainability reports that outline their alleged sustainability activities and describe their alleged progress and success with sustainability targets. Mining companies continued to be classified as best performers and received awards for their sustainability reports, leading to the common criticism that the sector has put too much emphasis on the reporting practice and much less on actual sustainability performance (Hamann, 2006).

This underlines a clear need to interrogate the accuracy and effectiveness of this practice at a deeper level, beyond the content of sustainability reports, to close what seems like a potential gap between the reporting practice and actual sustainability reality on the ground. Gaining insight into the motives behind it, and the functions for which it is used in reality would also be useful.

2.2 THEORETICAL FRAMEWORK

The theoretical basis for the practice of sustainability reporting is predominantly found in the socio-political group of theories such as the Stakeholder and Legitimacy theories, and much less in the traditional economic theories that are the basis for other conventional forms of corporate reporting (Gray, Kouhy & Lavers, 1995). While traditional economic theories provided the necessary impetus for the phenomenon of corporate reporting in general, entrenching the concepts of transparency and disclosure, they related specifically to the economic or wealth-maximisation principle of business (Shehata, 2014), and thereby remain predominantly within only the economic environment of business. Reporting on sustainability activities needed to look beyond the economic environment and incorporate the wider social and political environment within which business takes place.

Rooted in the political economy theory, the stakeholder and legitimacy theories emerged as two important branches of theory that have been crucial for understanding and describing the phenomenon of sustainability reporting, and have, as a result, both been covered extensively in sustainability reporting literature thus far (Gray, Owen, & Adams, 1996; Fouli, 2012; Hahn & Kuhnen, 2013).

Guthrie and Parker (1990) suggested that corporate disclosures are not only economic but are also political and social documents, whose disclosure 'serve as a tool for constructing, sustaining and legitimising economic and political arrangements, institutions, ideological themes which contribute to the corporation's private interests' (p.166). It is within this context that the practice of sustainability reporting is understood and can be explained by these two socio-political theories.

The stakeholder theory extended the political economy's concept of a wider business environment by highlighting the need for the recognition and management of the relationships and interactions between business and the different stakeholders in those environments, beyond the financial shareholders. Through the stakeholder theory, sustainability reporting can be seen as a business practice through which business communicates its sustainability activities with its stakeholders as a way of managing those relationships (Steurer, Langer, Konrad, & Martinuzzi, 2005). Various interpretations of this theory agree on its prescription that business exists as part of a social system and that this system has multiple stakeholders that are working together to achieve the collective goals of that system, and therefore business needs to take into account all stakeholder interests in its decision-making (Freeman, 1984; Deegan, 2002; Cotter, Lokman & Najah, 2011).

The legitimacy theory, on the other hand, advances the prescriptions of stakeholder theory and expands the construct of a social system further by proposing that a social contract exists between business and society and this contract ensures that the norms, standards, and values of society are shared by business for it to achieve and maintain the legitimacy it needs to operate in the environment (Deegan, 2002). Through the legitimacy theory, sustainability reporting is seen as a means not only of communicating business' sustainability activities to stakeholders but also, and most importantly, as a means of demonstrating the 'congruence between social values associated with or implied by organisation's activities and norms of acceptable behaviour in the larger social system' (Dowling & Pfeffer, 1975, p. 122).

This is in line with Suchman's (1995) definition of legitimacy as a 'generalized perception or assumption that the actions of the entity are desirable, proper and appropriate with some socially constructed system of norms, values, beliefs and definitions' (p. 574) and shows a clear emphasis on a social system that requires adherence to social norms and values. It is this emphasis on the existent social system, its attributes and expectations that distinguishes the legitimacy theory from the stakeholder theory and other socio-political theories. Some authors, as a result, have argued that the legitimacy theory is the pre-eminent of all the socio-political theories in terms of relevance to and explanation of the motivations of the practice of sustainability (van der Laan, 2009; Fuoli, 2012; Dube, 2013).

However, it is my proposition in this study that these socio-political theories have developed both in a progressive and symbiotic manner, and are therefore complementary (and not mutually exclusive) in their utility of explaining the evolving practice of sustainable reporting, in support of a view advocated by Gray, Kouhy and Lavers (1995).

Figure 1 is an illustration of this progressive, symbiotic and complementary relationship between these theories, and how they all contribute to the understanding of the subject of this study – the sustainability reporting practice in South Africa by mining companies.

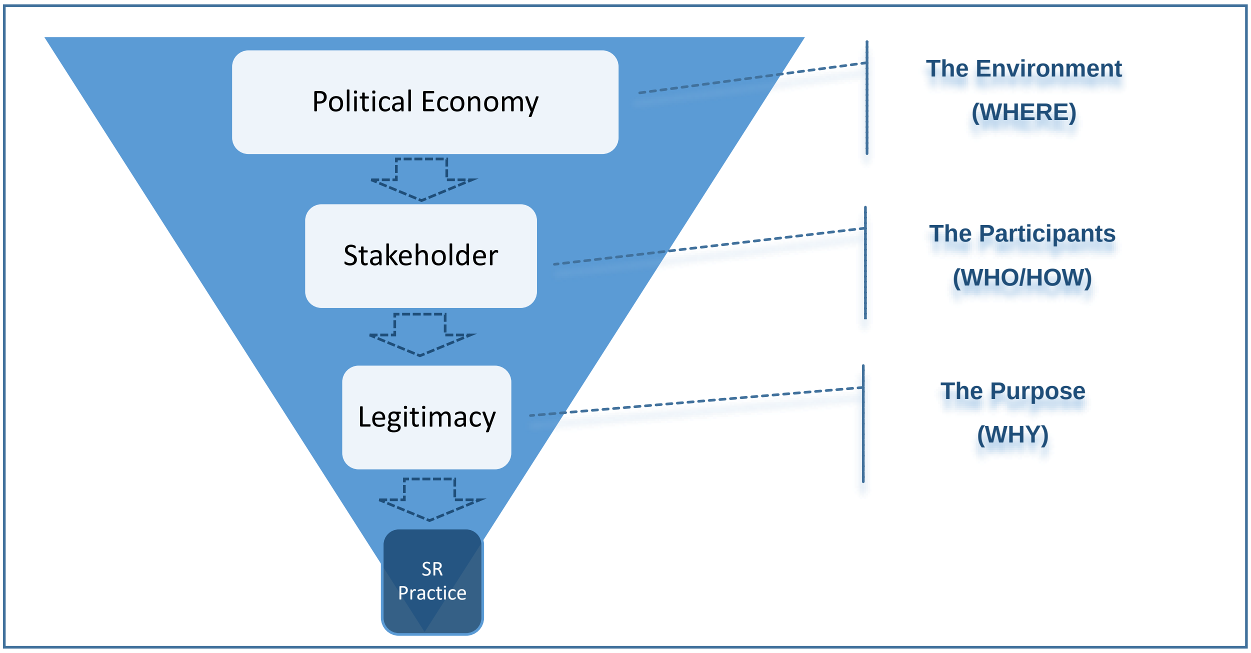


Figure 1: Theories underpinning the sustainability reporting practice

The political economy theory sets the context by describing the broader environment within which business takes place, described simply as the "the political, social and institutional framework within which the economic takes place" (Gray, Kouhy & Lavers, 1995, p. 52). The global political economy is the broader system environment within which the South African political economy functions. The subject of this study, the mining environment, is contextualised within this political economy locus. In this context it is important to highlight the neo-liberal character of the South Africa's political economy (Williams & Taylor, 2000; Desai, 2003; Bond, 2014), from which the SA mining sector takes its cue. The hallmarks of which are a free-market, capitalist structure, that promotes globalisation, deregulation, privatisation and export-led growth strategies (Williams & Taylor, 2000).

At the next level, the stakeholder theory focuses on the roles, interactions and relationships between the participants in that political economy environment. Followed by the legitimacy theory which explains the purpose and motivation for which all of this is done - all of which inform the sustainability reporting practice. Both the stakeholder and legitimacy theories are used concurrently in this study, as they focus on different but related aspects and dynamics of the broader concept of sustainability reporting. Jointly they form an overarching conceptual framework to guide the enquiry into the SR practice of mining companies in South Africa around the research problem. They allow an enquiry at a meso and micro level of analysis, but within the important macro context of the political economy.

The different concepts and constructs prescribed by the two theories are mapped out in figure 2 below. SR is investigated in this study as a practice that sits at the intersection of all these (shaded region).

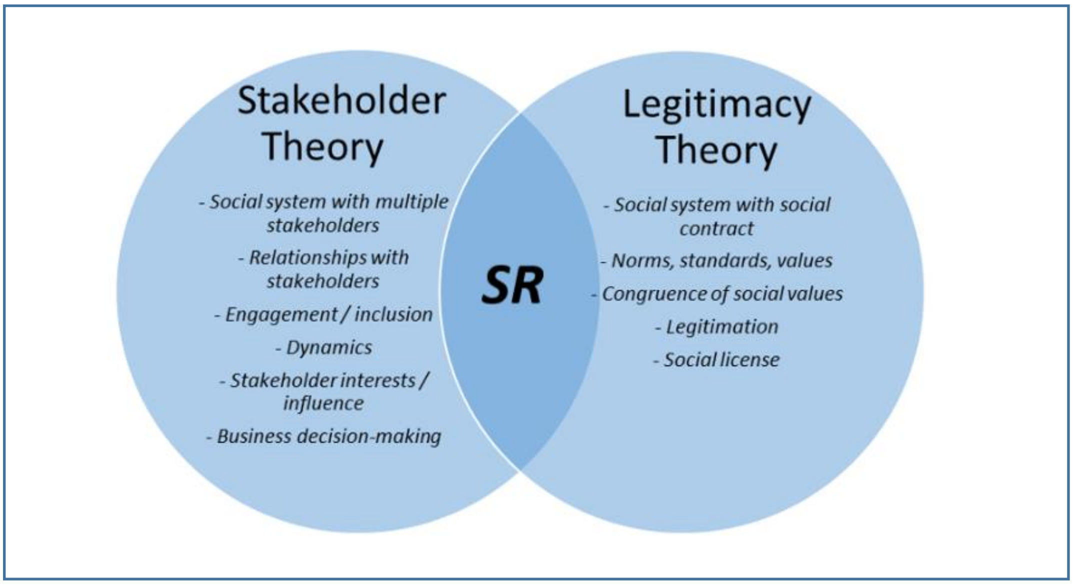


Figure 2: Emerging theoretical constructs

The next section in this chapter explores further some key themes from the theoretical constructs above, to understand their meaning and relevance as a frame through which the SR is investigated. Existing literature on these constructs is also reviewed, to identify gaps that the study can plug in order to resolve the study's research problem (the discord between SR and reality).

The following four key themes have emerged as most relevant from literature for both theories and are employed to guide the enquiry that ultimately leads to the answering of the main research question and sub-questions posed in Chapter 1.

- Stakeholder approach
- Stakeholder dynamics
- The process of legitimation
- The use of the term social licence

2.3 KEY THEMES FOR THE STUDY

2.3.1 Stakeholder Approach to Business

Freeman (1984) developed the 'Stakeholder Approach to Business' as part of his work in Strategic Management and advanced that stakeholders need to be the focal point of business strategic thinking (Freeman, 1984). With this, he was suggesting a fundamental shift away from the then traditional inward-focused managerial thinking to one that is also outwardly focused, by incorporating the external environment and its different players in a significant way. This entailed shifting the focus away from shareholders to stakeholders as a broader grouping.

The business practice of stakeholder management, or stakeholder relations management as it is sometimes called, then becomes an important part of managing the business-society relations in a strategic way (Steurer et al., 2005). Sustainability reporting is one example of such stakeholder management. Sustainability reports are used to actively engage these important stakeholders or to demonstrate that they have been engaged accordingly. Equally important is a demonstration that stakeholder inputs have been taken into business decision-making and there is some compliance with their requirements and expectations.

Stakeholders should be formally engaged in order 'to align mutual interests, reduce risks, advance information on the financial, social and environmental performance of the business, including the incorporation of their views in the compilation of reports addressing CSR or sustainable development' (Lingenfelder & Thomas, 2011, p. 2).

This implied concept of inclusivity is also relevant for sustainability and is aligned with the 'subsidiarity principle' expressed in the Brundtland Report on Sustainable Development which prescribes that development decisions must be made as close as possible to, and in consultation with the people who are affected by them (Brundtland et al., 1987). This also explains the prevalence of content regarding some kind of stakeholder engagement in company sustainability reports.

However, sustainability literature has not progressed to match this trend in its coverage of the stakeholder engagement topic so far. Hahn and Kuhnen (2013), in their review of global sustainability reporting literature between 1999 – 2011, noted this as an under-researched area. They saw studies looking at the level of stakeholder engagement as input into the decision-making on the content of the reports, and also as a means of enhancing the quality of reporting. They further argue, in the same study, that the basic question of whether or not sustainability reporting satisfies stakeholders' information needs or contributes to their empowerment is under-explored (Hahn & Kuhnen, 2013). Interestingly, a concept that seems so central to sustainability reporting has escaped the attention of scholarship on this subject. To communicate the company's sustainability efforts and progress to its stakeholders is the basic purpose and objective for which sustainability reporting is undertaken (Hamann, 2003; GRI, 2007; Lozano & Huisingh, 2011).

In South Africa, stakeholder engagement has come to be accepted as an important aspect of corporate governance in general (IOD, 2009; IIRC, 2013), and particularly so for mining companies (Visser, 2005), as a result of various legislation that has mandated it. However, research on the topic has been limited, especially as it relates to stakeholder involvement in sustainability reporting (Hamann, 2003).

A study by Lingenfelder and Thomas (2011) was conducted in response to this gap in the literature and revealed that extensive dialogue and interaction with stakeholders were not yet entrenched in the business practices of the 11 mining companies studied (Lingenfelder & Thomas, 2011). A finding of such elementary levels of stakeholder management is a curious finding for a country with a stock exchange listing requirement mandating this business practice from a corporate governance perspective and warrants a deeper investigation.

2.3.2 Stakeholder dynamics

By virtue of its origins within strategic management literature, the stakeholder theory tends to approach every issue from the perspective of business, and is, therefore, business-centric, which has the disadvantage of not giving enough attention to understanding and describing the actual stakeholder on the other end of the spectrum; a weakness admitted by Freeman (1994) himself in a follow-up review of the theory, where he conceded that '...stakeholders were included as generic groups, unindividuated without clear membership conditions' (Freeman, 1994, p.3).

As a way of addressing this weakness, Friedman and Miles (2002) came up with a model that explains different stakeholder configurations based on compatibility and necessity of their relationship with business – and suggested various possible dynamics in each combination of these (Friedman & Miles, 2002). Through this model, the relationship between the stakeholder and business is interrogated further and from a different perspective. This further specification of and distinguishing between the different groups and types of stakeholders allows for more insight into the potential business-stakeholder dynamics which is important for stakeholders to not merely be handled as a homogenous group.

Companies report in order to fulfil the information needs of their internal and external stakeholders of varying power (Kolk, 2010), which also brings into perspective an additional dynamic around power and influence, arguably affecting the decision-making of business regarding on what issues to report (Maubane et al., 2014).

With the diverse social landscape of South Africa, it would be useful to build more understanding on the kinds of relationships that different stakeholders have with business, and how those relationships, through the dynamics of power and influence can impact decisions on sustainability activities, and the sustainability reporting thereof. Equally important would be understanding how these relationships and power dynamics change over time and the impact of such changes on the sustainability practice and the reporting thereof.

2.3.3 The process of legitimation

Business is said to enjoy a state of legitimacy in as far as it ensures that its activities are seen or perceived to be congruent with the expectations of the super-ordinate social system of which it is part (Dowling & Pfeffer, 1975). Implied in this statement is the suggestion that business will endeavour as much as possible to retain the perception of this congruency. Campbell (2002) describes this as a propensity for business to narrow any potential 'legitimacy gap' between how it wishes to be perceived and how it actually is – in order to continue in the state of legitimacy (Campbell, 2002).

This presents a potential conflict of interest and blurs the lines between the pure motivations of reporting for the sake of transparency and justification, and those of reporting to create or manipulate a public perception to narrow down any potential legitimacy gaps. For this reason, it becomes important to interrogate the legitimation behaviours and strategies used by businesses to achieve and maintain this legitimacy, and the purpose for which they are used.

Dowling and Pfeffer (1975) offer examples of such strategies - as adapting to existing social expectations, or altering the social definition of legitimacy, or merely identifying with relevant social symbols (Dowling & Pfeffer, 1975), showing the wide-ranging nature of how business can go about it. These examples are not dissimilar to Lindblom's (1994), in which he suggests either changing the organisation itself, or changing the public, or manipulation and misrepresentation of information. By far the most compelling addition to this literature on strategies has been by Suchman (1995) who has brought into focus the high-level purpose for which the different strategies can be employed, as obtaining, gaining, extending or repairing legitimacy (Suchman, 1995). This has helped with an understanding of what could be the different motivations behind the strategies, but also what could be the different phases and stages in the legitimacy journey of businesses.

Some empirical studies have been undertaken to examine the evidence of the legitimacy theory in practice, as well as the particular strategies used by business. Tilling (1999), in his study of Rothmans' corporate disclosures, proved that legitimation strategies were used by Rothmans in the face of increasing pressure from the smoking and health debate in the tobacco industry globally, which threatened their legitimacy and therefore their survival (Tilling, 1999). Deegan (2002) also found similar support for the legitimacy theory through investigating the legitimation motives in the strategies used by BHP's social and environmental disclosure (Deegan, 2002) and disproved Guthrie and Parker's (1989) earlier claim that the evidence failed to confirm legitimacy as an explanation to the corporate social disclosure over the same period.

In South Africa, Loate (2013) did a test of the legitimacy theory as well as the legitimacy strategies used in the environmental reporting of SA mining companies over a few years and found overwhelming evidence in support of both by some of the South African mining companies (Loate, 2013). Suchman's (1995) legitimacy strategies of gaining, maintaining, extending, and repairing legitimacy were employed interchangeably, at different stages of the legitimacy process by the mining companies. Similar studies have been conducted to test the relevance and evidence of the legitimacy theory in the reporting strategies of the mining companies in South Africa (Dube & Maroun, 2013; Constance, De Klerk & Ferreira, 2014; Loate, et al, 2015)

Globally, there are various empirical studies that look at support for the legitimacy theory, and the legitimacy strategies used, but not much beyond that. Specifically, there is a lack of empirical studies that progress the analysis to interrogating how those strategies have been implemented, for what purposes specifically, and how that purpose links to the bigger purpose of sustainability and SR. Stanny (2010) has done this in his test of the legitimacy strategies of a group of US companies that he finds were responding to pressure from one key stakeholder group - institutional investors who were demanding disclosure of climate change impacts. While he notes the support for the legitimacy theory, he also makes a significant finding that their chosen legitimacy strategy of compliance in the manner that it was implemented (i.e. by answering the Carbon Disclosure Project questionnaire) is used merely as a tool to increase their legitimacy, but does not address any fundamental stakeholder concerns about actual performance (Stanny, 2010).

In the presence of all these evident legitimacy strategies used by business, it has become crucial to differentiate between the shallow endeavours employed by companies for legitimacy's own sake and those employed for the bigger purpose at which sustainability activities and the reporting are aimed; all of which directly contribute to the pursuit of eradicating the potential discrepancy between what is reported for the sake of sustainability reporting, and the reality on the ground.

2.3.4 The use of the term 'social licence'

Another key development in the sustainability literature about the legitimation of business is the term and concept of a 'social licence', particularly noteworthy from a mining sector perspective where it has attained wide adoption and usage following the Mining and Minerals and Sustainable Development Report that explicitly pronounced it as a fundamental driver for the sector's survival (MMSD, 2002).

It has been argued that while adoption, usage and even acceptance of this term continues, its real function and value has remained unexplored in scholarly literature so far (Owen & Kemp, 2012). Also, that the sector's use and application of the term have been untested, and the concept is generally accepted informally, uncritically – and as a result, the term can be used as a 'tool and at rhetoric level' to mask the gap between company and stakeholder expectations (Owen & Kemp, 2012). This implies that the term could be used as a legitimation strategy on its own right.

A social licence to operate is generally defined as the local community's acceptance or approval of a company's project and its operations in an area (Thompson & Boutilier, 2011; Prno & Slocombe, 2012). There are still many aspects around this concept that have not been examined and are not well understood, like what constitutes a licence - whether it is tangible or not, how it is attained or achieved, and from whom (Moffat & Zhang, 2014). How is it similar or different from the original legitimacy concept?

South Africa mining sector's relationship with this concept needs to be investigated properly, and the function it serves for the mining companies who continue to use it widely and the society at large with whom the term is used-which seems to imply some form of implicit approval. There is a need to understand how it has been used by mining companies, also how it has been understood by the local stakeholders normally targeted for their communication, especially as the sector has undergone various social and political unrests in recent times, which may be interpreted as bringing into question that same social licence, or other forms of legitimacy.

To this end, there is some recent literature that looks at some evidence of communities disputing the social licence of mining companies (Hill & Maroun, 2015), but not much else as these already assume a shared understanding and existence of such a social licence for it to be disputed. There is a need for more critical analysis to understand the contribution of this term to sustainability and SR literature – and a potential contribution to the research problem that this study is solving.

2.4 A THEORETICAL MODEL FOR SUSTAINABILITY REPORTING

Figure 3 below is a culmination of all the theoretical perspectives, constructs and themes explored in the previous sections of this chapter. It is a diagrammatic representation of the political economy within which business and sustainability reporting occurs, highlighting the context, the participants, as well as the key themes that keep the system together.

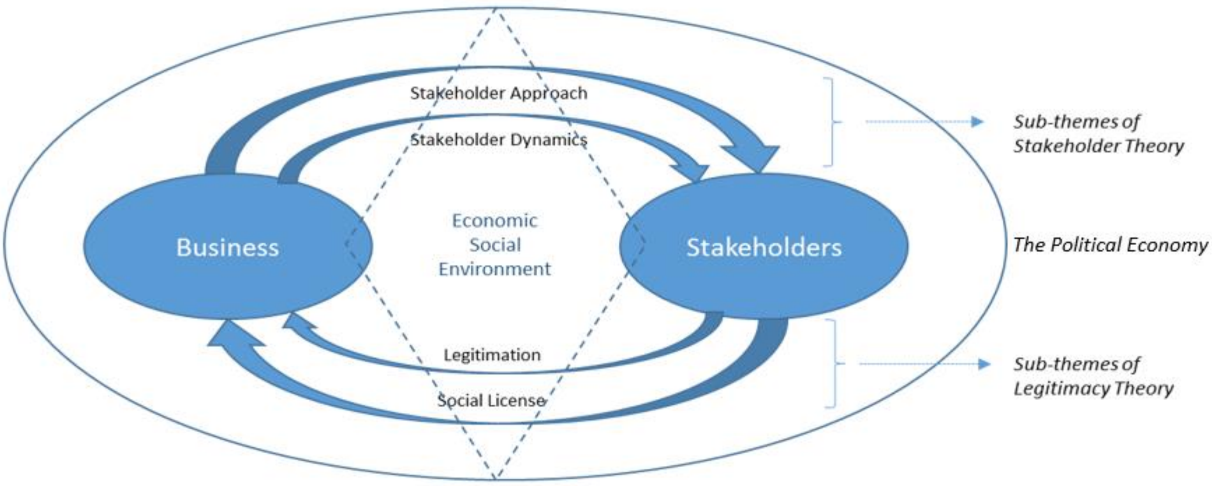


Figure 3: A Theoretical Model for Sustainability Reporting

Business and its various stakeholders are the main participants in the 'so-called political economy' within which business and sustainability reporting takes place. The key themes show the interactions and relationships between the participants. The arrows in the diagram above illustrate and emphasise the direction of the relationships and depict a causal input-output relationship. Through the constructs of stakeholder theory, a business makes input into this process, and through the constructs of legitimacy theory, stakeholders provide some kind of output in return.

This concise model can be applied to and tested against any sustainability or SR practice universally. It is used in this study as the main frame with which to interrogate and juxtapose the reporting content and the lived reality of sustainability in the SA mining industry.

Given the aforementioned unique challenges of the South African mining context (explained in Chapter 1), it is worth investigating how and whether the existing predominant theories underpinning this practice, i.e. the stakeholder and legitimacy theories, suffice in helping to investigate and foster a better understanding of this phenomenon and the articulated research problem in this context. It is important to also bear in mind that both these theories have western and first world origins, arguably a context that may not necessarily share the same history, challenges and nuances as South Africa.

The model developed in the previous section is applied to the SA mining environment and used as a guide to investigate both the reporting content and the lived experiences of the sustainability practice between the mining companies, and their different stakeholders, as shown in Figure 4.

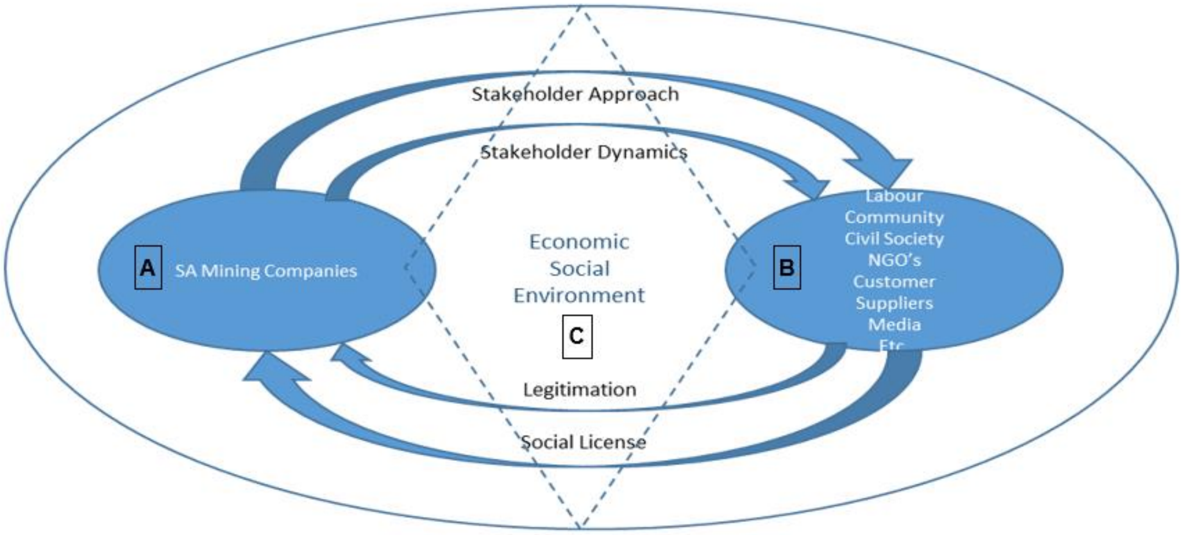


Figure 4: Application of the SR Theoretical Model to SA Mining

The experience, views and opinions of different parties, on either side of this political economy spectrum, on the different themes selected, and in relation to one another are what will bring the essential empirical depth to this study of the sustainability reporting practice in South Africa's mining sector.

Current literature on this subject includes very little on the accuracy and effectiveness of sustainability reporting as a reflection of the sustainability performance of companies (A - left-side of the model), much less on the comparison of that with the experience of reality on the ground for the stakeholders targeted (B - right-side of the model). Clearly, to look at this system holistically, we need to look at both sides of the model. A research enquiry based only on company reports is only half the story and cannot help with demystifying the potential reality gap in the environment. Deploying this model requires feedback from both sides of the spectrum, for it to function in any holistic way.

The diamond-shaped area (C) reflects the ideal sustainability space where the sustainability performance from mining companies and the sustainability experience of stakeholders on the ground meet. The nature and quality of which is determined by the thematic inputs and outputs of the environment (arrows), within the broader political economy it is embedded. This is the main theoretical contribution of this study.

CHAPTER 3: RESEARCH METHODOLOGY

This chapter outlines the research methodology and all the relevant aspects of how the research was executed to answer the research questions posed in Chapter 1. The methodological approach taken for the enquiry is described and explained, followed by the broader philosophical assumptions informing the study. The proposed plan and blue-print is presented in detail, as well as the specific methods and procedures that were used in the implementation of that plan.

The major sections included in the rest of this chapter include the target population and case selection, the role of the researcher, procedures for data collection, data analysis methods, limitations for the study, validity and reliability of the study, and ethical considerations anticipated. The chapter is concluded with reflections on the overall research process.

3.1 INTRODUCTION AND APPROACH

A qualitative approach was taken for this study, defined by Creswell as suitable 'for exploring and understanding the meaning individuals or groups ascribe to a social or human problem' (Creswell, 2013, p. 4). By its very nature, qualitative research enables a focus on the qualities of entities, processes and meanings that are not experimentally examined, or measured in terms of quantity and figures (Crotty, 1998). Qualitative research draws meaning out of textual data as is, without the need to quantify or aggregate it, which may take away from the main objective of understanding a subject from the point of view of its different participants within their particular context. This is 'largely lost' through the process of quantification or aggregation (Kaplan & Maxwell, 1994).

Corporate sustainability and the reporting thereof fall within the broader business and management research area, where a traditional focus on scientific rigour initially created a bias towards quantitative methods, and many researchers of corporate sustainability research followed this method. However, in recent times, the vocational relevance of research has become an equal imperative, required for professional practice, especially in business, which has led to more use and acceptance of qualitative methods as well (Myers, 2013). This is attributed to the fact that the business environments are complex, with unquantifiable issues that are also largely contextual, and that decision-making often occurs with 'messy and incomplete data' – both conditions that are not conducive to the use of quantitative methods. Qualitative methods have thus proved their suitability and capability for handling such scenarios.

Apart from this increasing popularity within business, and management research, and the obvious fact that the current research topic specifically investigates the 'practice' of sustainability reporting, creating the obvious need for my research to be relevant to practice, the qualitative approach has certain defining characteristics that make it more suitable for investigating this topic and providing answers to the research questions posed. Chief amongst these is its naturalistic nature, described as providing the best way to study real-world situations as they unfold in their natural environments, unmanipulated and uncontrolled (Crotty, 1998; Creswell, 2012). This means that the important process of collecting the data took place in the natural setting where the problem is experienced, in the respective communities where mining operations are located. This was valuable for the study to capture and understand the immediate reality of sustainability directly where it is practised and targeted by the mining companies.

One of the main objectives of this research was to capture and understand how the different stakeholders experience and perceive corporate sustainability – qualitative methods are more capable of dealing with the textual and potentially subjective nature of the data likely to be collected through this process that might not easily be made numeric (Lin, 1998).

As explained in the previous chapter, the socio-political context within which the South African mining companies and their stakeholders find themselves is of vital importance to understanding the phenomenon of corporate sustainability. Qualitative methods, as opposed to quantitative methods, allowed for this context to become an intrinsic part of the stakeholders' experiences and perceptions, and did not, as quantitative methods would require, ignore that context for the sake of objectivity (Kaplan & Maxwell, 1994).

Another key characteristic that made qualitative enquiry suitable for this study is that, while systematic in its approach, the research process was not rigid but developed as one went along, which allowed for adaptation as the research process progresses, and the meaning of the problem deepened and understanding evolved (Crotty, 1998; Welman & Kruger, 1999). This emergent nature and flexibility of the design was important for this kind of study and allowed for the process to be as responsive as it needed to be as the study progressed. Given the subjective and contextual nature of the subject of corporate sustainability, certain steps in the research process needed to be repeated for further clarity or to be run concurrently for expediency. For instance, the data collection and data analysis processes needed to run concurrently and for several iterations to enable responsiveness and therefore, effectiveness in the exploration of interview subjects with different respondents.

Last but not least, qualitative enquiry allows an holistic approach to understanding the problem, incorporating various perspectives, and treating the problem as a complex system that is more than the sum of its parts, that cannot be reduced to a 'few discreet variables and linear cause and effect relationships' (Crotty, 1998; Creswell, 2013). Corporate sustainability, being such a multi-faceted concept, with multiple variables, and targeted at a variety of stakeholders - in potentially numerous contexts, benefited from such a holistic approach.

3.2 RESEARCH PARADIGM

Behind any research approach, there are philosophical worldviews, assumptions or paradigms that underlie the approach and shape how the problem or questions are formulated, and how information is then sought to answer those (Creswell, 2012). For this study, the larger philosophical paradigm of Interpretivism was adopted.

Interpretivism proclaims that truth is relative and is dependent on individual perspectives (Baxter & Jack, 2008). Through this paradigm, the world is seen and understood through the individuals' experience of their life and work, from where subjective meanings are developed, informed by respective social, historical and cultural contexts – and are usually varied and diverse (Crotty, 1998; Creswell, 2013).

It was from this potential diversity and complexity of meanings, views and perceptions from mining companies and their stakeholders, formed and negotiated through the different historic, political, cultural norms of society that this research hoped to draw insights and generate knowledge.

Following inductive logic, the study took a deliberate bottom-up approach, with the specific intention of driving the endeavour through the views and experiences of the participants on the ground and not theory per se. This is the essential difference between this chosen paradigm and, for instance, a positivist one.

The suitability of interpretivist over positivist research is aptly explained by Lin (1998) in that positivist research is useful in identifying causal relationships (i.e. what phenomena are linked), but only interpretive research explains the causal mechanisms in those relationships in detail (i.e. how and why phenomena are linked) (Lin, 1998). This study intended to advance the corporate sustainability scholarship beyond just identifying causal relationships, but also explaining them.

3.3 RESEARCH DESIGN

Research design outlines the logical plan to take the study from its research questions to the final findings. The type of research design that was used for this research is a case study approach, which is defined as an intensive study of a limited number of units of analysis, such as an individual, group or institution (Welman & Kruger, 1999). A more comprehensive operational definition of case study is offered by Yin (2009) as "an empirical enquiry that investigates a contemporary phenomenon in-depth, within its real-world context, especially when the boundaries between phenomenon and context may not be clearly evident" (Yin, 2009, p. 16).

This type of design was originally strictly used in the field of social sciences in the early 19th century but has developed over time to become more explicit and inclusive in its methods, and more widely used across various disciplines as a result (Johansson, 2003). This design is generally suitable for holistic and in-depth investigations of dynamics involved in a given case (Tellis, 1997), and therefore positioned itself well for the purpose of this study.

The particular 'case' being studied becomes a single-bounded system that is bound both by time and activity, and data is collected through a variety of procedures over a sustained period (Stake, 1995). In this instance, the mining companies Impala Platinum Holdings (Implats) and Anglo American Platinum Corporation (Amplats) and their surrounding communities became the unit of analysis and the practice of sustainability reporting the case and single-bounded system that was investigated over some time.

The methods used in case study research are also aligned with the applicable paradigm of interpretivism (Stake, 1995; Yin 2009), discussed in the previous section, and recognise the importance of the subjective creation of meaning, without rejecting outright some notion of objectivity (Baxter & Jack, 2008). This alignment with the research's epistemological orientation was vital for the chosen design to be an effective blueprint to transport the study from its research questions to a set of conclusions.

Amongst the several reasons why a case study design was selected for this study is its ability to accommodate a variety of research objectives - from providing a description, to testing theory where one exists or generating theory where applicable (Eisenhardt, 2007); all of which were possibilities within the scope of this qualitative study whose process was also fittingly emergent.

The suitability of this design for this study can also be shown by the applicability of the four specific criteria identified by Yin (1994); a) the need to describe the real-life context within which the intervention occurs; b) to explain the complex causal links in real-life interventions; c) to cover contextual conditions that are believed to be relevant to the phenomena under study; and d) to explore a situation in which the intervention being studied has no clear set of outcomes. All of the four scenarios were applicable in the exploration of the complex practice of sustainability reporting as a real-life intervention in the contexts of Implats and Amplats and their various community stakeholders in the villages of Luka and Mapela respectively.

Most researchers who have used this design have further suggested that it is useful when examining contemporary events, especially when the relevant behaviours cannot be manipulated (Jupp, 2006; Yin, 2009), and also when historic and authentic dynamics and perspectives of real social or natural systems are considered, and the phenomenon cannot be separated from their context (Rothman & Havelock, 1980; Saunders, et al., 2007). Bringing a real-life perspective to the study of the sustainability reporting practice is a key contribution of this research, and it is the holistic nature of the case study design, its in-depth and purposeful exploration of diverse, subjective, contemporary real-life situations or interactions that made it an ideal design for the study.

Another overarching reason for the choice of case study follows directly from the 'how' and 'why' research questions that were posed, for which only a case study was most appropriate and most capable of providing answers (Myers, 2013; Yin, 2009). For instance, the main research question of this study is "How accurate and effective is SR a reflection of the sustainability activities and performance of SA Mining companies?".

The type of case study employed was firstly 'descriptive or exploratory', described by Yin (2009) as that which is used to describe an intervention or phenomenon and the real-life context within which it occurs, and to explore situations in which the subject or intervention being evaluated has no clear, single set of outcomes. Secondly, the study was also 'instrumental' - another type of case study defined by Stake (1995) as one that is used to provide insight into an issue or subject and thereby helps to refine theory, where one exists or to develop an entirely new one where applicable (Stake, 1995). This study was designed for all these purposes, to be descriptive, exploratory, as well as instrumental, in its contribution to the scholarship of corporate sustainability.

Case study research has not only been used in numerous international business and management researches (Welch et al, 2010; Remenyi, 2012; Myers, 2013) but has also been a chosen research design for several studies in the corporate sustainability field so far, particularly in the mining sector. Some of these will be mentioned next.

Hamann and Kapelus (2004) conducted a case study of certain geographic areas of mining in both South Africa and Zambia (of various companies, of different sizes) to investigate the connection between the company activities and the concepts of accountability and fairness on which sustainability is premised. Lins, Althoff and Meek (2007) used the case study design to investigate the reporting practices of the top 10 mining companies in the Financial Times Fortune 500 global ranking. Using document analysis, their study was aimed at establishing the correlation between the company sustainability agenda to company financial value while investigating if material issues were being addressed.

Lozano and Huisingh (2009) undertook a qualitative study using an in-depth case study of three companies to analyse details of the companies' sustainability reporting efforts. Emel, Makene and Wangari (2012) took a qualitative approach and used a single-case study design to investigate the sustainability reporting of one company - AngloGold Ashanti in Tanzania, with regards to specific community development projects. Employing the research techniques of document analysis, interviewing and focus groups, they evaluated company reporting content against evidence and perceptions on the ground. In 2014, the South African Institute of Race Relations took a qualitative approach in carrying out a single-case study research of Lonmin's Marikana Mine to investigate the root cause and origins of the events that led to the Marikana massacre of 2012 within the context of sustainability (SAIRR, 2014).

The above examples are a few of the many where case study research was used predominantly, usually to investigate a particular dimension or subject of the sustainability topic but often taking a top-down positivist approach to the research. For instance, another relevant study was conducted by Lingenfelder and Thomas (2011), which found that the sustainability reports of some 11 South African mining companies did not reflect the outcomes of robust stakeholder engagement in the preparation of those reports, findings which are later confirmed by this study as well. To carry out the exploratory research, they used mixed methods in their analysis of secondary data from company sustainability reports. Many previous studies, like this one, have not yet progressed beyond being merely descriptive and exploratory of some restricted aspect of sustainability to be more instrumental in their contribution to the sustainability scholarship. This is the important methodological gap that this study fulfils.

Another key deficiency of such previous studies was the lack of use of primary sources of data in their methods, whether as main data sources or used in conjunction with the secondary data that seems the most prevalent type of data used in these studies. This is an important observation of case study application as it is specifically an empirical enquiry, which suggests the need to use primary or sense-based data and not only secondary data (Remenyi, 2012).

Where primary data has been used, it has been to a limited extent, and the techniques of comparing the different sources of data whether for validation, triangulation or counter analysis purposes have not been employed. This is one of the untapped strengths of the case study design, in this study the availability of multiple sources of evidence, both primary and secondary, and both sides of the spectrum (community and company) were constructively used. This enabled a more in-depth understanding of the practice of sustainability reporting and facilitated meaningful and instrumental insights about the practice.

There was a need for research methods to help investigate a much higher order of issues and subjects in the scholarship of sustainability reporting, where some of the underlying foundations of the practice can be comprehensively interrogated within their contexts for greater understanding and insight. It was for this reason that the important constructs of sustainability reporting - stakeholder engagement and legitimacy, and their associated key variables of stakeholder dynamics, power/influence, and social licence were explored in depth in this research. A multiple-case study design of two mining companies in two villages as study units was used to enable rich data descriptions and analysis within and across the study units. Most importantly, a bottom-up inductive approach was employed in its analysis methods and techniques as will be discussed in detail in the next sections.

The actual research design and procedure was carried out in the four main phases outlined in Figure 5 and is discussed in detail in the next sections of this chapter.

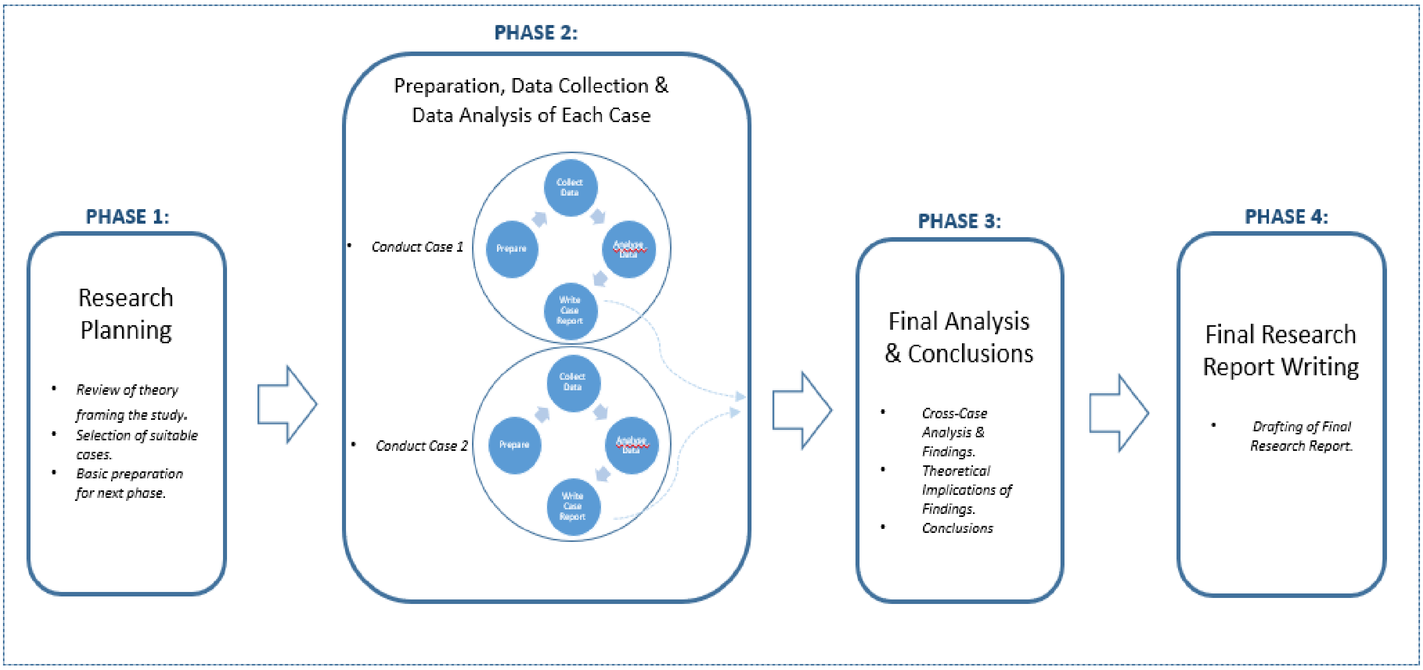


Figure 5: Overall research design and procedure for the multiple-case study

3.4 TARGET POPULATION AND CASE SELECTION

The initial population intended for the study was the mining sector of South Africa from which a selection frame of top 10 high-performing JSE-listed mining companies was used as a basis for selecting suitable cases for the study. This top 10 list was the most recent documented grouping of top-performing mining companies in South Africa available at the time[5]. The number 10 was also a reasonable quantity that could be realistically explored by the researcher out of which a few cases could then be selected.

There was also an additional requirement that these companies are listed on the JSE Socially Responsible Investment (SRI) Index to represent a combination of companies that are best performers but that are socially responsible as well. A basic condition of ensuring that these companies were involved in the practice of sustainability and sustainability reporting was important

[5] PWC SA Mine Report – 7th Edition. South African Mining Top 10 companies for 2015 sourced from I-Net-Bridge.

to ensure their utility for the study and for providing answers to the research questions posed. This initial selection frame is shown below in Table 1:

Table 1: Selection Frame of Mining Companies

	Company Name	Commodities	Market Capitalization*	JSE SRI Index**
1	Anglo American Platinum	Platinum Group Metals, Base Metals	R62bn	X
2	Anglo Gold Ashanti	Gold	R44bn	X
3	Gold Fields	Gold, Platinum	R28bn	X
4	Kumba Iron Ore	Iron Ore	R25bn	X
5	Impala Platinum	Platinum, Palladium, Rhodium, Nickel	R24bn	X
6	Oakbay Resources & Energy	Coal and other Metals	R24bn	
7	Exxaro Resources	Coal	R19bn	X
8	Sibanye Gold	Gold	R14bn	X
9	Northham Platinum	Platinum, Platinum Group Metals	R14bn	X
10	African Rainbow Minerals	Platinum Group Metals, Copper, Ferrous, Coal	R11bn	X

Sources: *I-Net Bridge, 30 September 2015; **JSE SRI Index Participants, February 2015

Case study research uses cases instead of samples, as it does not need an operational enumeration or rationalisation of the entire universe - the design does not follow sampling logic, but rather what is called replication logic (Yin, 2014). The case selection process was purposive and was based on a suitability criterion that included the following: a) accessibility and availability of community stakeholders to participate in the study; b) reasonable convenience of the geographic location of mine operation and community. The first criteria of accessibility and availability of community stakeholders to participate in the study was an overriding pre-requisite for a study that sought to bring forth the voice of the external stakeholders of the mining companies, rather than the mining companies', whose voice is well documented in their publicly accessible sustainability reports. The second criteria of reasonable geographic proximity of study locations was also an important consideration for a study requiring fieldwork to be carried out within its natural settings. This would only be feasible within the limited economic means at the disposal of a self-funding researcher.

Companies in the sampling frame were pursued over some time, evaluated using the above criterion and only two met the criteria and were selected in the end. The researcher decided to proceed with these two cases despite the recommendation that a quantity of between three and five is better for a multiple case study design (Yin, 2009; Creswell, 2013; Remenyi, 2013). Compared to a single case study, this would enable more than just an in-depth study but also an analysis grounded within and across the two empirical cases for greater insights.

The final list of cases for the sample are shown in Table 2:

Table 2: Final list of Cases for the study

	Company Name & Community
1	Anglo American Platinum in Mapela Traditional Community in Mokopane, Limpopo
2	Impala Platinum Mine in Luka Village in Rustenburg, North West

3.5 THE ROLE OF THE RESEARCHER

The researcher was the main research instrument involved in the various phases of this research, due to the primary role in the collection and interpretation of the empirical materials of the study. Previous research has shown that when this is the case, a range of strategic, ethical and personal issues can be introduced into the research process and can create some kind of bias (Locke, Spirduso, & Silverman, 2013). It was, therefore, good practice to anticipate and declare the possibility of this upfront so that the process was as transparent as possible.

In terms of the corporate environment, in whose practice the sustainability reporting being studied belongs, perceptions of it have been shaped by the researcher's career of over 20 years, working for different multinational companies in a variety of industries where some form of corporate social responsibility was always practised and also reported. These companies include Unilever, Colgate-Palmolive, SAB Miller, Sappi, Sasol, and SAP Africa to name but a few.

Perceptions of sustainability reporting as a subject were shaped mainly by the researcher's previous studies in Development Finance where some research was carried out on the subject as part of my Master thesis in 2014. The topic for the research was: *'An investigation into the evolution of sustainability reporting of Top 10 Socially Responsible South African companies'*. This was a qualitative study, cross-sectional and longitudinal in nature, carried out through desktop research of company sustainability reporting of the 10 companies selected as a sample for the study. Through this experience, the researcher obtained insight into the origins and the evolution of the phenomenon of sustainability reporting, which sparked further interest and curiosity to investigate the subject in greater depth at the doctoral level.

The researcher grew up in South Africa, and so the associated historical, social, cultural experiences of that as a setting shaped her view of South Africa and likely the world generally. Outside of all the above, and any research preparation activities that followed, the researcher had not had any direct connections or interactions with the companies or stakeholders involved in the case selection for this research.

None of the researchers own norms, culture, religious, and gender views came into conflict with those of the two settings in order to impact the study in any way.

3.6 DATA COLLECTION

The data collection process was carried out for both cases in the study and utilised both primary and secondary sources of data. As per the research procedure outlined in the previous section the process involved data collection, data analysis, and then the writing of the individual case study report for each case. These activities ran concurrently and iteratively within each case, as is normally found in most qualitative studies, where through the process of analysing data, further information or clarification becomes necessary and requires going back to the field for more data collection. For instance, in the Case of Luka Village, it became necessary for go back and carry out interviews with community stakeholders who were also traditional leaders in the community, to ensure that their voice can also be captured directly, and not only from the perceptions of other community stakeholders.

The data collection process was carried out in two phases:

1. The first data collection phase involved the collection of primary data through semi-structured interviews with purposefully selected participants out in the field. This primary data collection process became a critical part of the inductive bottom-up research approach intended for this study. The data formed the basis for the interpretive exploration and sense-making around the topic and was the main content to be worked from the 'ground-up' using the analysis techniques of grounded theory – which is explained in detail in the next section (data analysis). Suffice to say that the data needed to be rich, detailed and full, to enable such an inductive qualitative enquiry (Charmaz, 2006).

   The interviews were carried out face-to-face in the natural setting where participants live and/or work. Participants consisted primarily of people who are the community stakeholders of the respective case companies. This list included stakeholders who were ordinary members of the community, company employees, labour union, government, civil society, business forums, and local business. The purpose of collecting this data was to gather primary evidence and perceptions of company sustainability on the ground. A final list of interview respondents interviewed (of a diverse and varied demography) and their profiles is provided as part of the case description in the next chapter. Additional interview details are also included in the Interview control forms outlining the fieldtrips of each case in Appendix H & I.

   The rationale behind using interviews for this kind of data collection is that the experiences, views and perceptions of participants cannot be easily observed and take place over time – this type of data collection allows for a collection of direct participant accounts of such, regardless of the time in which they took place.

Intensive interviewing was used, which is described as a directed conversation that allows for an in-depth exploration of a particular topic with which the participant has had relevant experience (Charmaz, 2006). In such a directed conversation, the interviewer asks a few broad, open-ended questions and invites the participant to describe and reflect on their experiences in a detailed manner. The structure of the interview was semi-structured to create a focus and alignment with the broad themes being explored in the topic and yet open-ended in nature to afford both the interviewer and participants enough conversational flexibility to further explore particular themes as they emerged during the process.

While grounded theory methods require that the interviewer starts with no perceptions at all, there is recognition of the fact that the research journey starts with certain research interests and a set of general concepts, often from the literature review, or experience in the field, and from these the researching interest would have been sparked, and ideas worth pursuing emerged, all these sensitises the researcher towards the kinds of questions to ask about the topic (Charmaz, 2009; Blumer, 1969) and offered a loose descriptive frame with which to frame the study and collect the data (Yin, 2014).

2. The second phase of the data collection process involved collecting secondary data in the form of documents internal to the case companies. These documents included corporate annual sustainability reports, integrated reports and other relevant company documents and statements that are available in the public domain. These were accessed through the internet and collected from respective company websites and were part of the desktop research that took place away from the field.

   This data formed a counter dataset representing the sustainability reporting content from a company perspective. The rationale for collecting this data is that it is probably the most official, trustworthy and complete historical record of the company's account of their sustainability activities. It is also easily accessible as it is in the public domain. This data then formed a counter dataset with which the emerging themes from the primary data collected through interviews (in the first phase above) were validated, contrasted and evaluated.

Each of the above data collection phases also included a corresponding procedure to record the data as it was collected. An interview protocol was developed for the interviewing process and this consisted of both the interview questions to be asked during the interview as well as space to record responses in hand-writing accordingly. In addition to this, a tape recorder was used to record the sessions as an additional recording medium that could also be useful with the permission of the participants involved. The tape recordings were transcribed accordingly and together with the hand-written notes, provided a solid record of the data collected.

Other hand-written notes were also captured for any non-verbal communication or feedback as this complements the verbal data. After each session, the researcher took time to jot down her reflective notes and thoughts as necessary. These additional notes became useful for the process of triangulation, where findings could be corroborated across at least three different approaches, a valuable addition to the research process, especially where there is only one researcher, and that researcher is also the main research instrument (Creswell, 2012).

An inventory was also kept to keep a record of and track all collected material for each case company, as well as to journal relevant notes and observations relating to each data source.

The overall data collection process described above is illustrated in Figure 6:

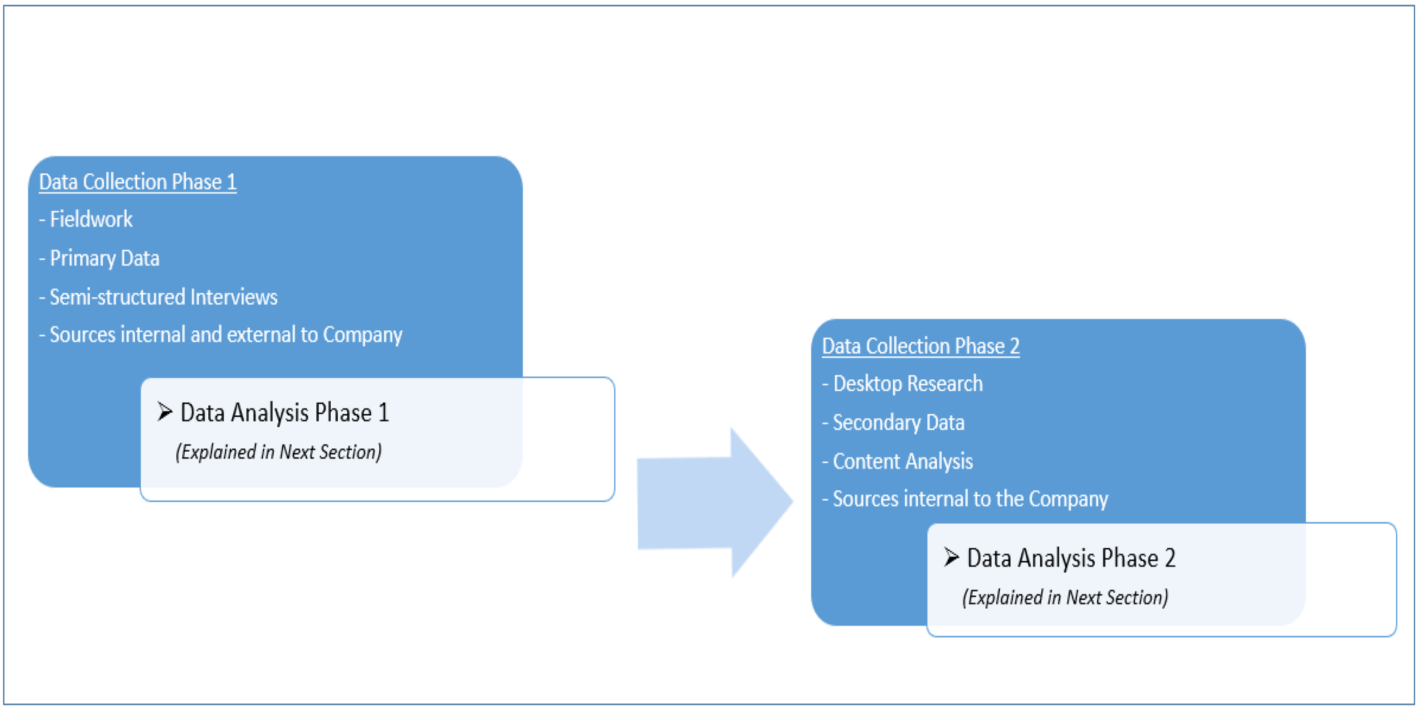


Figure 6: The Data Collection Process

Actual data collection details per case are outlined in the Research Diary of Field Trips in Appendix G. This includes specific details of what was involved in the pre-fieldwork, fieldwork, and post-field work activities of the process.

3.7 DATA ANALYSIS

Data analysis involved the physical cognitive process of examining, organising, reading and making sense of the data collected at each phase of the process. In this process, the researcher went through collected data, focusing on some of it, whilst disregarding other parts to aggregate it into a smaller number of themes (Creswell, 2013). Like data collection, the data analysis process took place in two phases for each case in the study:

1. The first phase of the data analysis process was for the data collected from the interview process, to use grounded theory as an analytic strategy in order to understand and interpret the data based on the participants' views and perspectives. A structured and pre-determined data analysis process was not possible due to the semi-structured and open-ended nature of how this data was collected. Grounded theory analysis techniques are suitably less structured and adaptable for the qualitative analysis of data in inductive research where data needs to be worked from the ground up (Yin, 2014).

   The primary data that was recorded in interview notes and transcribed notes and tape recordings were systematically coded in this process. Coding involved categorising segments of data into themes in a way that summarises but simultaneously also accounting for each piece of data (Charmaz, 2006; Creswell, 2013). Grounded theory coding techniques start with initial coding where words, lines, segments, and incidents are studied closely for their analytical value. After this, focused coding was carried out where the most significant and frequent of the initial codes were selected for further synthesis and integration into larger, more conceptual, batches of data (Charmaz, 2006).

   A software tool called Atlas.ti was used to carry out the data analysis to ensure that the coding process was systematic, rigorous and accurate. The process was documented through a codebook containing a list of different codes as they emerged, with corresponding definitions, where applicable, to ensure a consistent and coherent coding process.

2. The second phase of the data analysis process was dependent on the outcome of the coding process in the first data analysis phase above. The technique of content analysis was used to analyse and interpret the secondary document data collected for content around the final themes of the primary data. Content analysis is defined by Krippendorff (2004) as a research technique for 'making replicable and valid inferences of texts to the contexts of their use' (Krippendorff, 2004, p. 69). This technique is often employed in qualitative studies to analyse and evaluate the content, and sometimes, also to assess the descriptive aspects of that

content. The bulk of existing sustainability literature has employed this research technique in evaluating secondary sustainability reporting content.

The codes and themes from the first analysis phase were used as a descriptive or evaluative framework within which to further code and rate content, where applicable (Yin, 1994). This process enabled a counter-analysis of the secondary data from company documents against the primary data from the interviewing process and thereby enabled comparison and validation of company's sustainability content with the real-life experiences and perceptions of company sustainability practices on the ground. This was an important part of the research process, where a unique contribution was made to the sustainability reporting literature and scholarship.

After analysis, each case was concluded with the writing up of the Individual Case Report where the data that has been analysed and interpreted is presented in different ways – e.g. narrative, tables, graphs and figures where applicable.

The data analysis process is illustrated in figure 7:

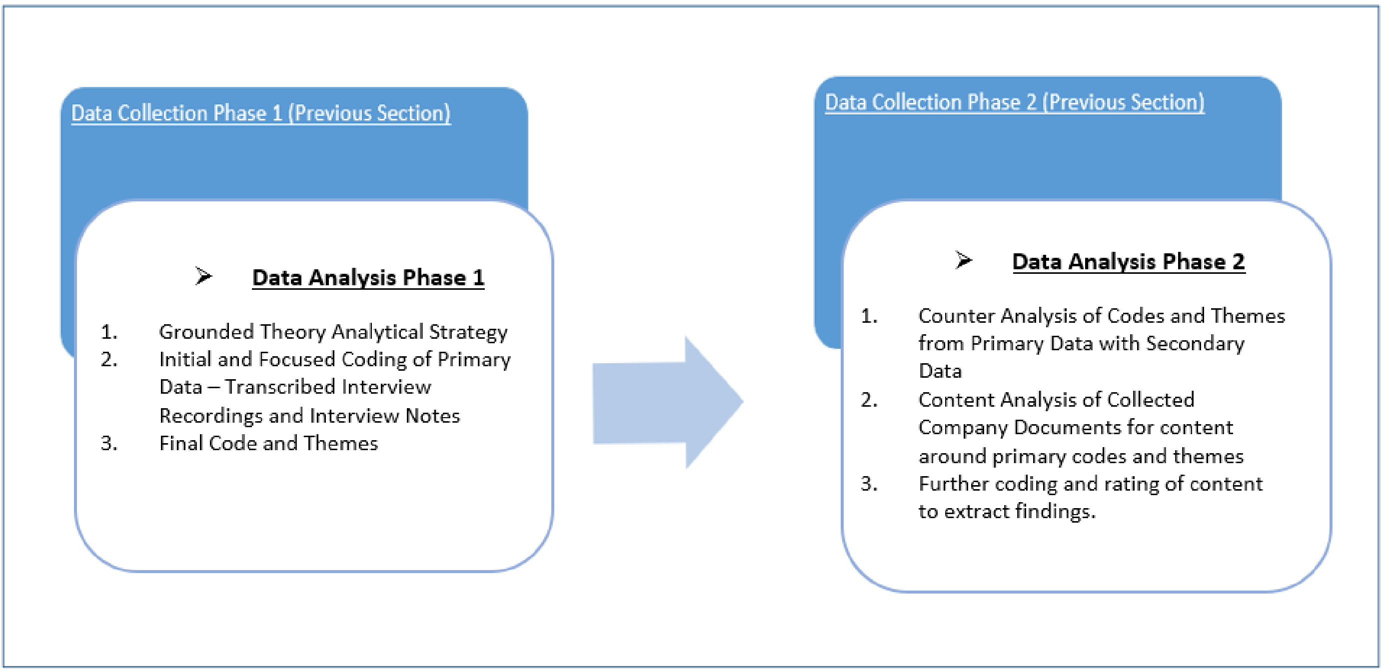


Figure 7: The Data Analysis Process

Actual details of the data analysis process for each case are presented in the next chapter (Chapter 4). This includes documentation of the different coding cycles used, and examples of content analysed and progression through cycles from direct interpretation to categorical aggregation of codes.

3.8 FINAL ANALYSIS AND CONCLUSION

Once both cases had been studied, a final research technique of Cross-Case Analysis was conducted to analyse, synthesise and aggregate the findings across the individual case studies. This formed part of the final interpretive understanding of the phenomenon of corporate sustainability from which theoretical implications could be drawn, as was intended with the inductive approach taken for the research.

This process is summarised in figure 8.

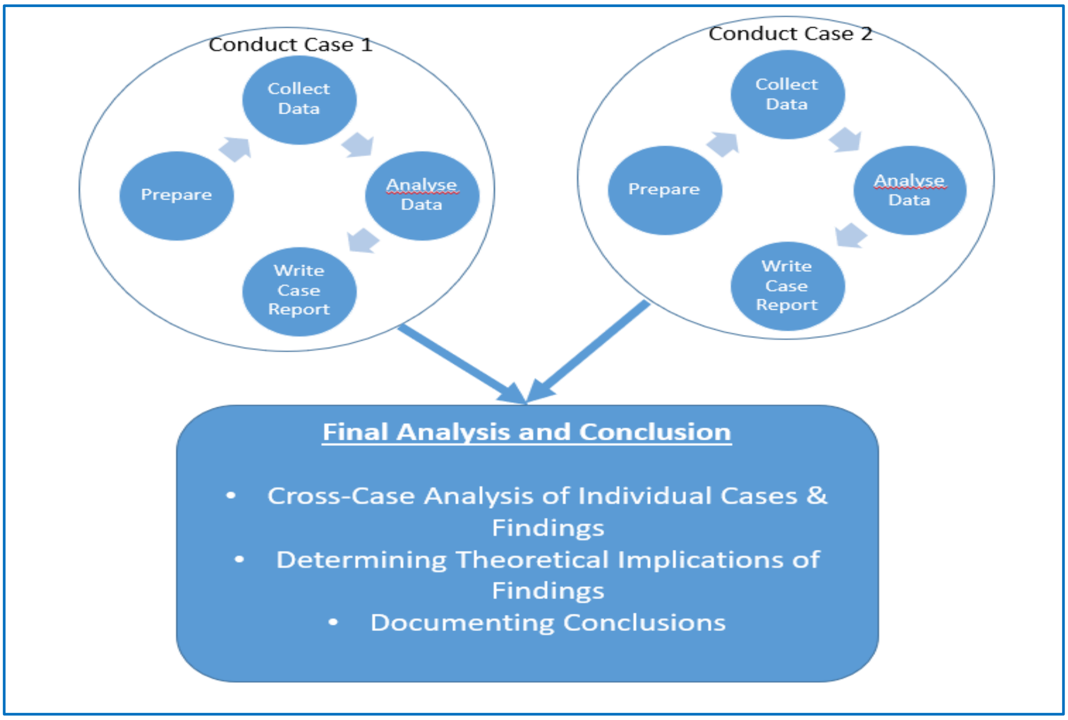


Figure 8: Final Analysis and Conclusions

3.9 RESEARCH VALIDITY AND RELIABILITY

The validity of qualitative research refers to the extent to which the research findings are accurate from all perspectives - researcher, participant or reader (Creswell, 2013) and involves ensuring the trustworthiness, authenticity and credibility in the research (Creswell & Miller, 2000).

Several strategies to ensure research validity are suggested in the literature, and the following were employed in this research:

- Triangulation was the primary strategy employed and was achieved through the use of multiple data collection methods (i.e. field interviews and desktop research), as well as the multiple data sources (primary and secondary data) mentioned in the previous section

(Johansson, 2003; Yin 1994; Eisenhardt, 1989). The comparison and juxta-positioning of these contributed to constructing validity.

- For the interviewing process, an additional person was employed as an additional research assistant during the sessions. While the main researcher had the perspective of the personal interaction with the participant, the research assistant took additional notes and could retain a different, more distant view (Eisenhardt, 1989) which added value to the process.
- The process of a member checking was used during the analysis process to validate the accuracy of interpretations and findings by going back to the participants and having them confirm their agreement with the interview response notes, as well as relevant transcripts.
- The role of the single researcher and the potential biases this might have brought in terms of the interpretation of data was managed actively and openly declared in detail as part of the proposal but also observed throughout the research process to keep the research process as objective as possible.

Reliability is another important characteristic of qualitative research, defined as ensuring that the entire research approach is consistent with that of other researchers who have used it before (Creswell, 2013). Yin (2009) has suggested for case study research, that researchers document as much as possible of their procedures and steps used within each procedure to achieve this. This was already incorporated in the previous sections where both the data collection and data analysis procedures were documented in detail through the use of inventories, research diary, field notes and codebooks.

Additional strategies as suggested by Green et al. (2007) were also employed to further ensure research reliability accordingly:

- Checking of transcript documents to ensure the accuracy of the transcription process.
- While the codebook and the Atlas.ti analytical tool played a key role in ensuring accuracy and coherence in coding, spot checks were also carried out where data were compared to respective code definitions to ensure reliability.

3.10 LIMITATIONS OF THE STUDY

The main limitation of this study has to do with the choice of research design selected. Case study research is often criticised for its lack of generalisability. It is unlikely that the findings of this study can necessarily be generalised to companies, sites or individuals other than those included as part of the sample, but as Creswell (2014) and Greene and Caracelli (1997) explain, particularity or specificity rather than generalisability is the intention and therefore the hallmark of qualitative research.

Nevertheless, as the qualitative generalisation discussion continued, authors like Yin (2009) have contended that some kind of generalisation is in fact, possible in case study research when more than one case is being studied – where findings can be generalised to some broader theory and thereby to additional new cases in future. The argument is mainly that this kind of generalisation is analytical and based on meaning rather than the usual kind which is statistical (Welch et al., 2011; Yin 2014). However, for analytical generalisation to be achieved, rigorous forms of documentation of the research procedures, protocol and databases have to be kept (Creswell, 2013). This was ensured in this study, so that utility could still be found from enhanced theory, based on which new cases could be analysed in future.

The initially intended more diverse group of companies across commodities would have been more representative of the wider SA mining industry than the eventual platinum mining focus. Every effort was made to explore study participants beyond platinum mining but this was unsuccessful. In addition, while the researcher would have liked to include some primary sources of data from these mining companies as well, this was also not possible due to their lack of interest in participating in the study. This would have added a more authoritative and active voice to the company narrative and might have also filled in some of the gaps where reporting content was missing and provided an opportunity for the triangulation of data. Generally, primary sources of data are preferred to secondary sources because of the ever-present risk of data distortion with each transfer from one source to the next (Welman & Kruger, 1990).

Sustainability reporting, however, the subject of this study, is by its very nature and definition, a secondary form of data and this means that this risk cannot be eliminated. Similar to other types of historical research, evidence has already been transferred from one source to the primary documentation in which it resides. For this study, it is hoped that this risk was mitigated to a great extent by the use of primary data from the interviewing process to capture as much of the direct experiences as possible, and also the fact that secondary data is only used for counter-analysis purposes (of primary data).

Lastly, some bias is possible from the utilisation of community stakeholders as the main source of primary data that formed an important basis for the analysis. While every effort was made to ensure sufficient diversity in the demography of respondents across different parts of the community, various community functions in the list of respondents, they ultimately are all part of the same communities. Given the history of conflicts, and the negative nature of their relationships between these communities and the mining companies, it would be difficult to preclude the presence of an agenda against the companies, which would create some bias. As much as possible, the researcher remained aware of this possibility both in the collection and analysis of data, through a focus of neutrality as a mitigation strategy.

Data sources were subjected to stringent critique regardless of whether primary or secondary data, as the genuineness and authenticity of the source, as well as their accuracy and credibility, the presence or lack thereof, can make or break a study. Every step was taken in this study to mitigate these risks, as indicated in the strategies outlined in the previous section.

3.11 ANTICIPATED ETHICAL ISSUES

Ethical issues need to be anticipated and addressed as part of the research process. The following relevant issues were anticipated in this study:

- Permission from all participants and independent choice to participate in the study without any vested interest in the potential outcomes.
- The obligation to respect the rights, needs, values, and desires of research participants.
- The potentially sensitive and political nature of the information that would be revealed, and discussed as part of the study.

These were safeguarded in the following ways:

- The norms, cultures, religious and gender issues relevant to the participants were researched and considered so that the process was sensitive to these.
- Trust was built and respect was shown in every step of the process by minimising the level of interruption to the daily lives of all involved as much as possible.
- Research objectives were clearly articulated in writing as well as verbally so that all participants had a good understanding of them.
- Written permission to proceed with the study was sought from all participants.
- Participants were informed of all the data collection devices and activities so that they had a complete view of what is involved in the process.
- The interview response notes and transcripts were shared with the participants where possible, for transparency.
- Participants' rights, interests and wishes were considered first when choices were being made about the reporting of data, including their anonymity where requested.
- The reporting of findings and conclusions were as complete and honest as possible. Contrary findings were also included without any subjectivity.
- Credit was given to all participants regardless of contribution, as a sign of respect and humanity.

Before commencement with fieldwork, a rigorous ethical clearance process was followed and approval was received from the Human Research Ethics Committee of the university. A copy of the Ethics Clearance Form is included in Appendix F.

3.12 REFLECTIONS ON THE RESEARCH PROCESS IN HINDSIGHT

Undertaking this research project allowed me to develop academically as well as emotionally. The journey felt long and intensive and demanded of me not just the intellectual capability but also discipline, stamina and focus.

The data collection process was more challenging than I imagined. Gaining access into the rural mining communities of the study was not easy, and earning the trust of community members to agree to participate or to assist in finding more participants was a process. The amounts of time spent in the villages were an eye-opening and humbling experience, nothing could have prepared me for the poor socio-economic reality I encountered, or some of the experiences that various respondents shared with me. These stories and images have stayed with me since, and helped create more purpose and perseverance to complete the rest of the research journey. Most importantly, they have been a source of encouragement in times of difficulty and doubt that any contribution would make a difference.

The data preparation and analysis processes were also not without challenges. I ended up with scores of data than I did not know what to do with. The process was laborious and time-consuming, but I learnt to slow down and to listen to the data and let it drive the journey forward as it did. Writing this doctoral thesis has been the most challenging task I have ever had to undertake, full of ups and downs. Complex, stressful, and frustrating at times. It has been a continuous process of patience, learning, questioning, and reflecting. Above all, a truly lonely journey, that strangely became my happy place along the way.

Every chapter accomplished, brought immense satisfaction, and encouragement. Completing it, bringing all efforts to fruition and leaving a mark in the body of knowledge will be the most rewarding experience.

CHAPTER 4: CASE DESCRIPTION

4.1 INTRODUCTION

This chapter provides the necessary background and context to the presentation of the findings and the results of the study. The cases used for the study is outlined, followed by the methodology used in data analysis that informed the presentation of data. The specific details of each case are described, as well as the setting and the context within which the case study took place. The results of the data analysis are then introduced, the detail of which is presented in the subsequent chapters.

4.2 DESCRIPTION OF CASES

A sampling frame of Top 10 JSE-Listed mining companies was identified in the research proposal, out of which a final list of two cases was selected, that of Impala Platinum, located in Luka Village, Rustenburg, and Anglo-American Platinum, located in Mapela Village in Mokopane. This final list was selected, based on the criteria of accessibility and availability of interview participants in the research locations pursued.

The primary participants in this study were selected from the various stakeholders of the two mining companies involved. Interviews with these participants were carried out during several field trips to the research locations, held over 12 months starting from Sept 2017 ending in August 2018.

Interview participants, in each case, were selected from community members with a specific objective to achieve a diverse demographic profile for the setting, across the dimensions of age-group, gender, role or function in the community, level of education and employment status. It was also important to ensure that there were community respondents who were associated with the mine beyond the geographic proximity, especially those who were employees of the mine and had the opportunity to be directly in the operational setting of the mine regularly.

A total of 12 field trips were conducted to the two study locations a) Case 1: Impala Platinum in Luka Village, Rustenburg, North West Province; b) Case 2: Anglo American Platinum in Mapela Village, Mokopane, Limpopo Province. These field trips took place during the 12 months between September 2017 and August 2018. A total of 37 community respondents were interviewed in both villages, with interviews taking place predominately in respondent homes. The details of the interviews and the high-level profiles of respondents are included in Appendix H and I for Case 1 and 2 respectively.

A detailed research diary for the different field trips was kept. Each of the trips involved preparation beforehand, soliciting interview participants, organising and confirming interview logistics with available participants. Post-field documentation was carried out after each trip, which included maintaining the research diary and field notes, as well as some follow-up activities and closing out of each day's research activities and preparing for those of the next day, if applicable.

Data processing and preparation involved the transcribing of 37 handwritten interview notes and interview audio-recordings collected during the interviews were converted into typed MS Word transcription documents. The transcribing process, although a tedious exercise, turned out to be quite useful for the rest of the research process. Apart from learning a new skill, getting directly involved in the transcribing process also allowed the researcher to get another sense of the data, post interviews, and became a useful preparation for the next phase of the process - the data analysis.

The process also allowed for further reflection on the data and most importantly, a way of differentiating between the actual primary evidence collected from interview participants and the researcher's interpretive thoughts, observations, or comments that might have been part of the field notes. This was important in ensuring that the transcribed data is value-free and has no bias.

4.3 METHODOLOGY APPLIED TO DATA ANALYSIS

As described in the methodology chapter, the first phase of the data analysis utilised the analytical strategy of grounded theory as a technique for the analysis of primary data. The technique was found to be interpretative, as well as suitably 'bottom-up' in approach for the inductive qualitative study intended. The grounded theory methods of coding were applied to the raw interview data using the data analysis tool, Atlas.ti.

The tool allowed for the analysis to be systematically conducted, supported various source data formats, and provided other useful functionality that helped with the conceptualisation of data in preparation of the analysis. The researcher enlisted the help of online manuals and webinars to gain sufficient proficiency in using the tool.

The data analysis process started with uploading transcribed MS Word documents into the tool, and involved several steps, all of which built upon a process of going through each document, and naming the data by allocating labels to segments of it, a process referred to as "coding". This enabled interpretations and meanings to be drawn out of that data. Miles, Huberman, and Saldana (2014) describe the process of coding as a heuristic, which means a method of discovery, allowing one to read and reflect on the core meaning of data (Miles, Huber, & Saldana, 2014).

In this coding exercise, a combination of Charmaz's, Saldana's and Corbin and Strauss' multiple-step approaches (to the grounded theory technique) was employed, resulting in the use of three coding cycles consisting of initial, focused and selective coding (Saldana, 2013; Charmaz, 2006; Corbin & Strauss, 2015).

The process became a sequential, but iterative, one within each coding cycle and was hugely facilitated by the use of the tool and its ability to allocate, sort and group codes automatically into relevant segments of data.

Case 1 was analysed first, and the different coding cycles carried out successively for each document, and each step of the coding cycle was documented with its associated results. Case 2 code cycles followed thereafter and the same process was used. The details of the analysis process through the coding cycles are now outlined for each step in the process.

4.3.1 First coding cycle – initial coding

The coding process was started with one interview document at a time, coding sentence by sentence. Occasionally a few sentences or paragraphs would be used instead of sentences where the gist was the same. Splitting the data in this way proved a valuable exercise in opening up the data as much as possible for this first cycle.

Coding the first interview gave the researcher a first impression of the data through the initial codes generated, which was about 129 codes. As coding progressed to the second and third interview document, the number of total codes generated started to reduce as codes could now be selected from the pre-existing list instead of creating new ones. However, with each document, there was still a fair number of new codes created, and the process generally became easier with each document. A snapshot showing the different documents uploaded, coded and codes generated for one case is included in Appendix Y1.

Upon completing this first cycle of coding, the list of codes (the codebook) was generated and reviewed. There were some code repetitions, and therefore, the opportunity of going back into the tool to update, merge, delete and streamline this list accordingly, was taken. This round of coding was concluded with a total of 604 codes, the results of which are summarised in Table 5.

Table 3: Number of codes allocated per Interview Transcript[6] Interview Scripts of Case 1

Interview Transcript & Sequence of Coding	Total Codes Allocated	New Codes Allocated	Cumulative Codes
1	144	102	102
2	129	70	172
3	118	60	232
4	94	45	277
5	67	38	315
6	64	36	351
7	49	35	386
8	27	17	403
9	15	8	411
10	46	38	449
11	51	32	481
12	37	28	509
13	44	38	547
14	82	57	604

As can be seen in the above table, the number of new codes allocated with each document started to reduce with each document coded. The second column (i.e. Sequence of Coding) is more important to look at than mere document number which is only indicative of the sequence in which the documents were uploaded into the tool.

In this first cycle of coding, not only was the amount of research data available reduced into a mere 604 code labels, but the data was also opened up through these labels, which was good preparation for the next coding cycle.

The coding approach taken was mostly what is referred to as 'Elemental methods' – where codes were predominantly descriptive of the content in interview transcripts, and sometimes 'in-vivo', which means the actual interview words were used as codes, word for word. There were also instances of 'Affected methods' where codes needed to capture emotions, values or some kind of evaluation reflected in the interview content (Miles et al., 2017).

As a final step of this cycle of coding, to get an overall sense of the content of the data, the tool was used to create word-clouds of quotations from whence the 604 codes came. An example of one of these is shared in Appendix Y2. These word clouds gave one perspective of the content coded in a

[6] This is an example of the first 14 transcripts processed.

single snapshot, and the different word font sizes indicate the relative usage of that word in the different codes created or allocated, which gave a sense of content frequency or recurrence. In these, the researcher was able to see the predominant words in the interview content, for instance, words like ‘community’, ‘people’, ‘Impala’ and ‘water’ were pre-dominant in the example shared in Appendix Y2.

4.3.2 Second coding cycle – focused coding

The intention of going through the next cycle of analysis was to be able to group codes that are conceptually similar or related into a smaller number of codes as suggested by Saldana (Saldana, 2016). The 604 initial codes were a good start for the first cycle, but there was a need to be able to analyse and make sense of larger segments of data that was going to be possible with such a large number of codes. This process was initiated by reviewing the code list and finding relationships between and amongst the codes at a conceptual level.

The codes were sorted alphabetically to facilitate finding similarities and relationships in the code descriptions, to then come up with appropriate groupings. In doing this, it was important to make sure that the grouping process did not look deeply at the meaning of the attributes or properties of the codes, as yet. Code groups were created, and the tool allowed for the automatic allocation and re-allocation of codes into those groups based on code descriptions. Figure 10 shows one example of how this was done.

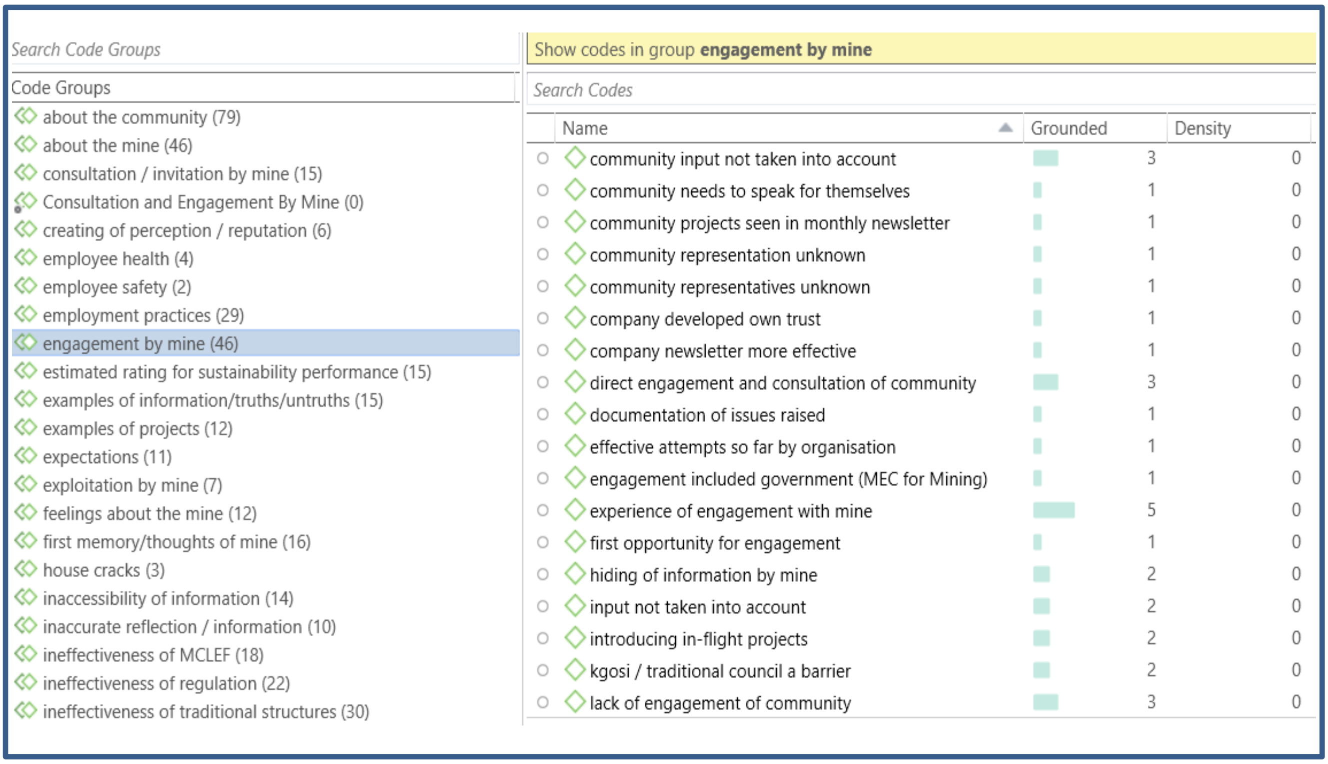


Figure 9: Coding Cycle 2 Examples - Initial Codes grouped into one Focused Code

As can be seen in the above figure, several initial codes (on the right) were grouped into a single 'Engagement by Mine' focused code (highlighted on the left). Out of the total of 604 codes that were initially created in the first cycle, a significantly reduced total of 71 focused codes resulted after this second cycle. A list of these is included in Appendix Y3.

In these focused codes, a concise but extensive view of the data could be seen. Each focused code also showed the number of codes grouped under it, giving a view of the most numerically significant groups or topics and vice versa.

The resulting 71 focused codes were analysed further to enable a reflection on both the most dominant code groups (i.e. ones with the highest number of codes) as well as the less dominant ones. The objective of this exercise was to discover the significance of this difference, and to be aware of and to interrogate any obvious or likely explanations for the difference in the number of codes and any methodological contribution to this.

Both lists seemed equally important, and the interrelations between them significant for understanding the bigger subject being investigated by the study. Upon further reflection, it became clear that a further analysis approach starting with the most dominant groups would make sense due to the abundance of content and would open up the analysis as intended. Less dominant groups would thereafter be incorporated, allowing for those insights to permeate also. This was carried out in the next cycle.

4.3.3 Third coding cycle – aggregation into themes

In the previous cycles, coding started as a process of reducing and then grouping data as a mechanism for analysis, in this third cycle coding became more of a 'conceptual device' that allowed for questioning, identifying relationships and creating links within and amongst that data (Schreier, 2012). Strauss and Corbin (2015) describe this type of coding as axial coding.

Each focused group was reviewed to identify similarities and relationships across groups, looking at attributes, properties, dimensions which allowed the researcher to create associations to build further groups. Through identifying codes related to each other conceptually, it was possible to not only group but also elevate the codes and their meaning to a higher level of conceptual depth and abstraction, which started to shape the analysis beyond mere description or summarisation.

The cycle resulted in four broader groupings, as seen in the diagram below, depicting the entire coding process from one cycle to the next.

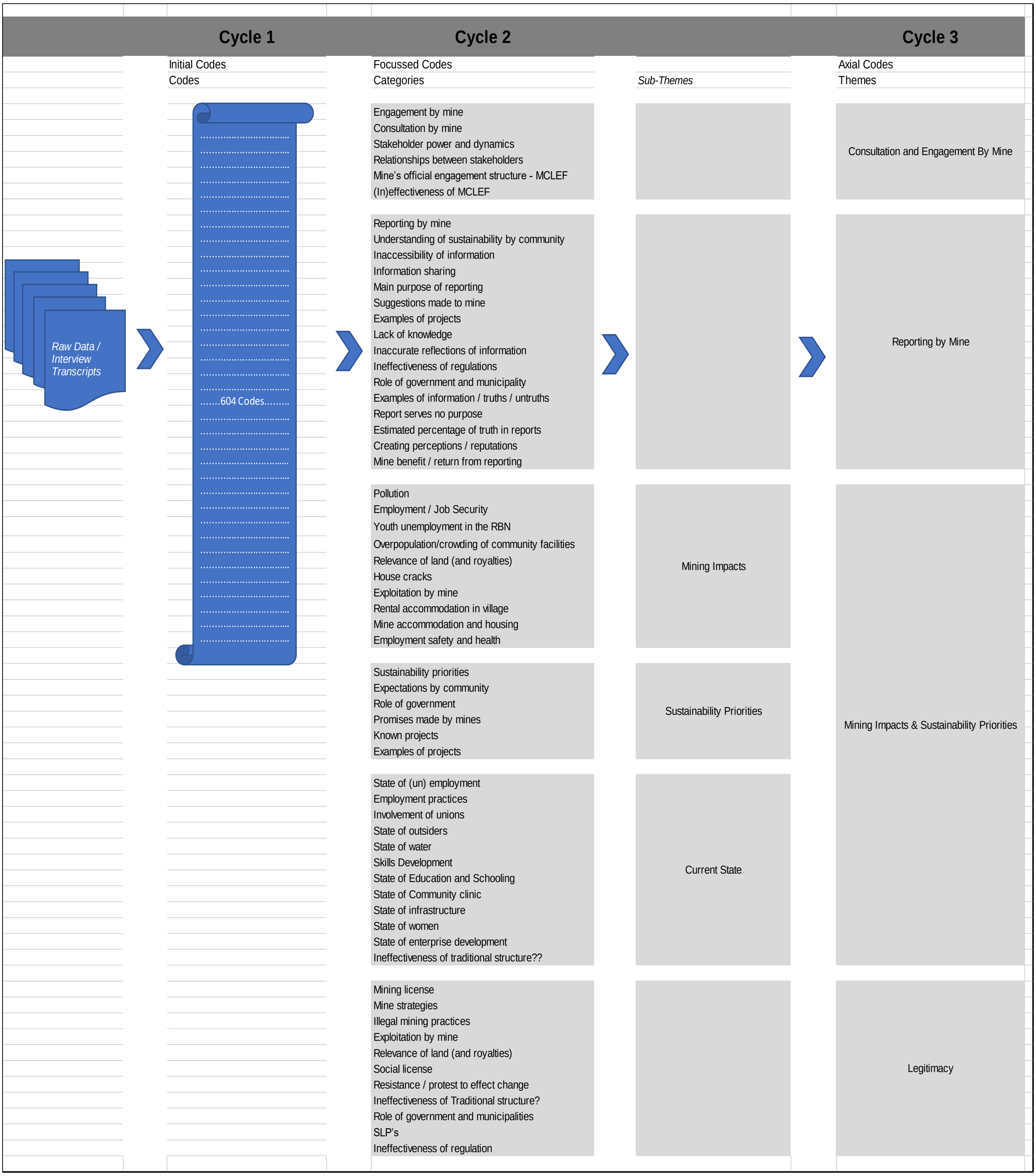


Figure 10: Illustration of the full coding cycle process for Case 1

Out of the 74 Focused codes of the previous cycle, a final four Axial Codes were developed in this cycle, under the broad themes named ‘Consultation & Engagement by the Mine’, ‘Reporting by Mine’, ‘Mining Impacts & Sustainability Priorities’, and ‘Legitimacy’.

A sub-theme level was also created for some of the Focused Codes where necessary, for instance, the content of mining impacts, sustainability priorities and the current state of the community seemed interrelated and therefore made sense to combine these into a single theme called mining impacts and sustainability priorities.

The narrative of the above data analysis is presented within these broader themes in the subsequent chapters. This is presented, together with the narrative from the second phase of data analysis which involved a content analysis of company documents which was carried out to extract sections of reporting content relating to the themes of the first phase. This content analysis formed part of the post-fieldwork desktop research necessary to enable a counter-analysis of the primary data collected on the ground and the secondary data of company reports.

4.4 CASE CONTEXT – BACKGROUND OF PLATINUM MINING VILLAGES IN SOUTH AFRICA

South Africa’s vast platinum deposits are found in the geographic region called the Bushveld Complex, an area stretching between the North West and Limpopo provinces of the country. Platinum mining activity developed rapidly in these two regions that were classified under apartheid as ‘independent homelands’ of Bophuthatswana and Lebowa, respectively. These were largely rural communal land, and mining companies gained access through negotiations and deals with the respective homeland administrations. Mining villages developed as a result of the subsequent transformation of the predominately traditional, agricultural communities into those centred around the industrial activity of mining.

After the dawn of democracy in 1994, the new government reinstated the traditional and communal rights of these areas to the administrative control of traditional authorities (also known as tribal authorities) and solidified this through the enactment of the Traditional Leadership and Governance Framework Act No. 41 of 2003 (TLGFA). Amongst other roles and functions, the Act granted chiefs and their traditional councils' authority over the administration and control of communal land, natural resources, economic development, health and welfare, and disaster management. Using the same tribal apartheid-imposed geographic boundaries, rural communities in these areas became subjects of the so-called ‘recognised chiefs’, without their consent, some claimed (Mnwana & Capps, 2015; LARC, 2019).

In addition to this, further laws were enacted to regulate the mineral rights of the country, such as the Minerals and Petroleum Resources Development Act 28 of 2002 (MPRDA), amongst others, to redress the historic injustices of apartheid by transforming the sector and reconfiguring mineral wealth distribution. Through these laws, traditional leadership was entrenched as the middleman between the mining companies and the traditional communities in these settings. Various corrective measures have since been put in place like royalty payments for the mineral resources, black economic empowerment, social labour plans, however, the setting is still characterised by "extreme poverty, massive unemployment, poor educations and a paucity of basic public services" (Mnwana & Capps, 2015 p.6).

These regions are under the simultaneous leadership of traditional authorities as well as the democratic state, governed by a Memorandum of Understanding on the joint responsibility for the provision of certain public services.

4.5 CASE SETTING

In this section, the specific details of the two cases being studied are outlined. The history, context and setting of each case is described further.

4.5.1 Case 1 – Luka Village, Rustenburg, North-West Province

This first case is set in Ga-Luka Village (also referred to as just Luka), one of the mining villages near the town of Rustenburg, in the North-Western province of South Africa. Luka is one of the 29 villages that make up the Royal Bafokeng Nation (RBN), a traditional, semi-rural part of the Rustenburg Municipality. Below is a brief location view showing the area of the RBN within South Africa.

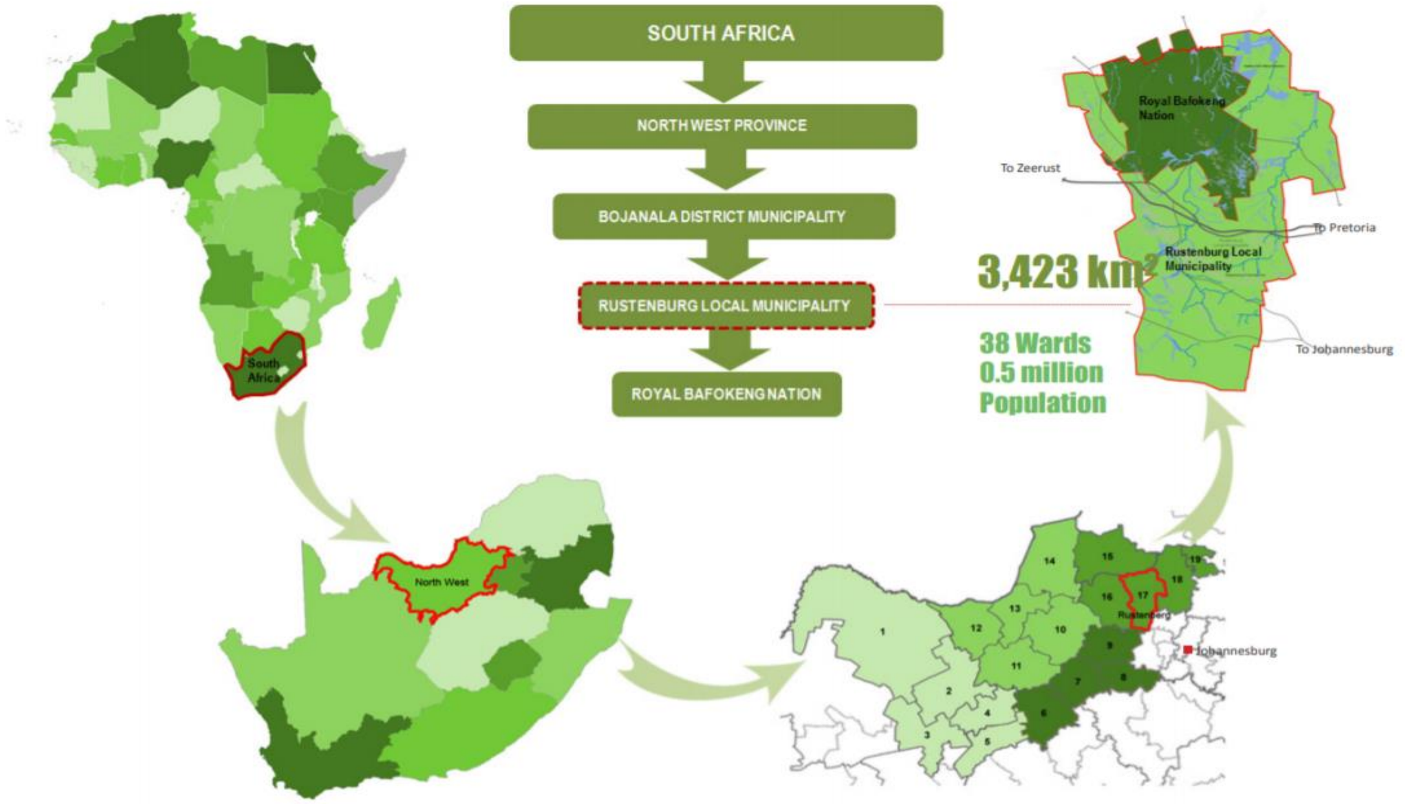


Figure 11: Rustenburg Local Municipality Map[7]

Luka transformed dramatically from once being a traditional agrarian/farming village to the industrial mining village it has become. Like all the other RBN villages, Luka shares a similar history in how it was impacted firstly, by colonisation and then by apartheid, which gave away access to its mineral-rich land to mining companies and changed the community's way of life substantially. This traditional community has co-existed with mining companies in this area since then. It was not until post-apartheid South Africa that the power of customary rights and traditional leadership was re-instated and some compensation given back to the Bafokeng in the form of royalties.

The basis for selecting this particular village was due to its proximity to one of the JSE Top 10 Mining companies identified for potential study at the beginning of this research, Impala Platinum Holdings Limited[8]. Out of the total of 29 RBN villages in this area of Rustenburg, the Western Limb of the

[7] Source - http://www.rustenburg.gov.za/Docs/Part2_Draft_RLM_Regional_Structure_Plan_Report.pdf

[8] Also, the second largest platinum producer in the country (or one of the top three). Produces 25% of the world's supply of platinum (source: Implats SD report 2016, p. 6).

country's famous resource-rich platinum belt, Luka is a village surrounded the most by mining operations, in the form of shafts as can be seen in Figure 13 below.

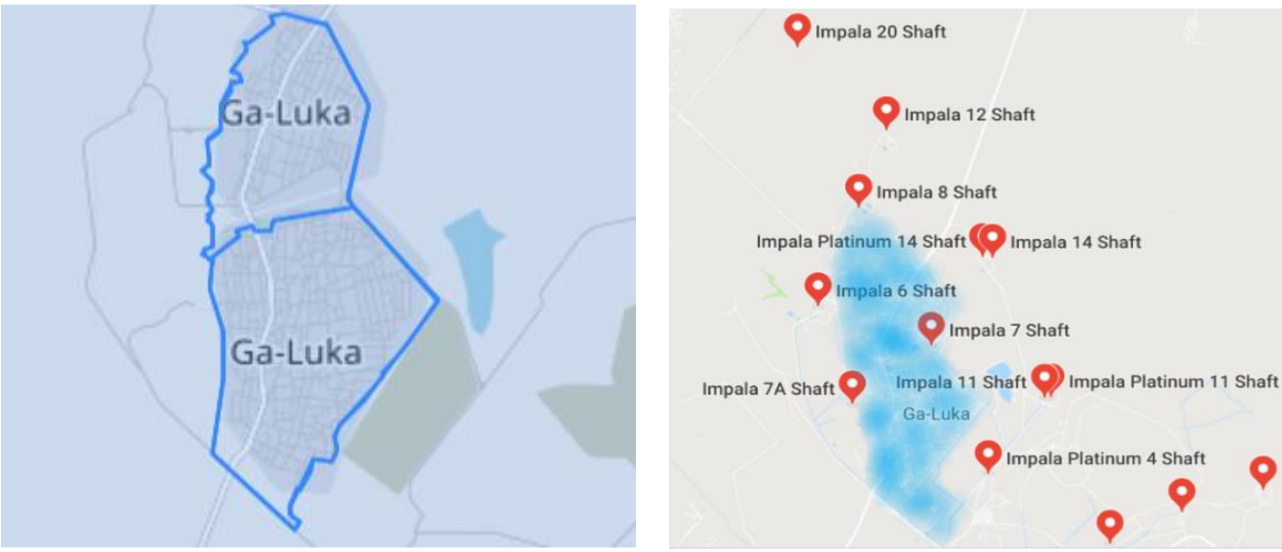


Figure 12: Map of Luka and Corresponding Impala Platinum Shaft Footprint[9]

According to the Statistics SA Census of 2011[10], Luka village has a population of 21 063 people, 99% of whom are Black African, and the rest is split between the White, Indian and Coloured race groups. It has an estimated gender percentage split of 61.5 : 38.5 between male and female. The majority (78.5%) of the population falls within the working-age of 15 – 64, the young (below 15) is 17.5% and the elderly (above 64) is 4%. Setswana is the most spoken language, followed by Sesotho and IsiXhosa.

While 97,3% of the population has access to electricity for lighting, only 20,2% have access to piped water inside their dwellings. Only 9,9% have access to a flush toilet connected to a sewerage system, the majority of households still use pit toilets.

[9] Based on Googlemaps.co.za – Impala Platinum Shaft search – 09 October 2019

[10] Stats SA, 2011, for both Ga-Luka & Mogono places - accessed through http://www.statssa.gov.za/?page_id=964

The unemployment rate of the Rustenburg Local Municipality (of which RBN is part) is estimated at 26,4%, with the youth unemployment rate at a higher 34,7%. Only 26,7% of the Luka population completed Matriculation, and only 3,8% achieved a level of higher education[11].

Interviews for the study took place in this setting, in the homes of the various respondents in different parts of the village. A snapshot of the Luka interview participant profile described above is shown in Table 6.

Table 4: Demographic Profile of Participants from Luka Setting

Participant Profile of Case 1 - Luka Village			
Stakeholder Type	**Age / Group**	**Education Level**	**Employment Status**
Male Adult, Community Based Org - BLBA	45 yrs	Bachelors Degree	Self Employed / NGO
Male Adult, Rustenburg Municipality Staff	40's	Diploma	Employed, Municipality
Male Youth, Student	24 yrs	Matric	Unemployed
Male Community Elder	60 yrs	Undisclosed	Unemployed
Female Youth, Mine Staff	24 yrs	N6 - Electrical Engineer	Employed, Mine Engineer
Female Youth, Unemployed	26 yrs	Matric	Unemployed
Male Adult, Traditional Councillor	30 yrs	Bachelors	Self Employed
Female Adult, Ward Councillor & MCLEF Member	43 yrs	Matric - ABET	Employed, Municipality
Male Youth, Activist, Phiring Section	30 yrs	Matric	Unemployed, Entrepreneur
Male Youth, Underground Mineworker (Shaft 14)	26 yrs	Bachelors Degree	Underground Mine Staff
Male Adult, Mine Surveying Supervisor (Shaft 14)	32 yrs	Quantity Surveyor	Mine Supervisor
Male Adult, Underground Mineworker (Shaft 12)	34 yrs	Undisclosed	Underground Mine-worker
Male Adult, Underground Mineworker (Shaft 6)	40 yrs	Undisclosed	Underground Mine-worker
Male Adult, Business Man in Luka Village	45 yrs	Bachelors Degree	Businessman
Male Adult, AMCU Member & Ex-Shop Steward at Implats	30's	Undisclosed	Unemployed
Male Adult, Community Organisation BUA	48 yrs	Undisclosed	Unemployed
Male Elder, Kgosana, RBN Tribal Council, MCLEF Member	50's	Bachelors	Employed, RBN Kgosana
Male Adult, Kgosana, Non-MCLEF Member	40's	Bachelors	Employed, RBN Kgosana

4.5.2 Case 2 – Mapela Traditional Community, Mokopane, Limpopo Province

The Mapela Traditional Community, as it is generally referred to, is a large village located in the north-western part of the Limpopo town of Mokopane. It falls on the Northern Limb of the same Bushveld Complex and Platinum Belt described in the previous case. Figure 14 shows a location view of Mapela in South Africa as well as in the Limpopo province.

[11] Stats SA, 2011 – Accessed from http://www.statssa.gov.za/?page_id=993&id=rustenburg-municipality

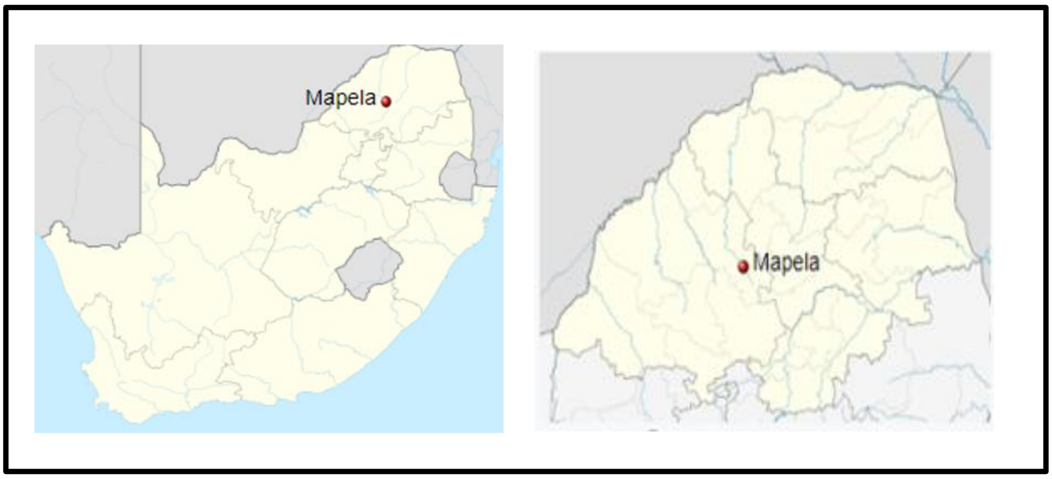


Figure 13: Mapela within South Africa and also within the Limpopo Province[12]

Mapela Traditional Community is home to 42 traditional villages made up of various clans who moved to this area from different parts of the country. As in the case of Luka Village, Mapela village is governed both by the traditional leadership called Mapela Tribal Authority as well as the democratic government through a Memorandum of Understanding with the Mogalakwena Municipality.

The communal land of Mapela and an agrarian-based way of life transformed dramatically after the arrival of mining company Anglo American Platinum Holdings (then called PPL) in the area in 1993. Through negotiations with the then Chief (Kgosi Hans Masebe Langa), they secured full rights to large amounts of farmland to start their operations. More land has since been acquired by the mine to expand operations as the business has grown, resulting in further land dispossessions as well as a need for the relocation of some of the communities.

According to the Statistics SA Census 2011[13], Mapela has a total population of 11,254 people, of which 99,7% are Black African and the rest is split between the White, Indian and Coloured race groups. It has a gender split of 55 : 45 between females and males (a notable reverse dynamic to that of Luka village). The majority of the population (52.3%) are below the working age of 15 – 64, the young at 37.3% and the elderly at 10.4%. The language most spoken in Mapela is Sepedi (72.5%), followed by Xitsonga (18%).

56,9% of the Mapela population has access to electricity for lighting purposes and only 12% have access to water inside their dwellings. Only 8.3% have a flush toilet connected to a sewerage system, and the majority still use pit toilets.

---

[12] Source - https://en.wikipedia.org/wiki/Mapela

[13] Stats SA, 2011, accessed through http://www.statssa.gov.za/?page_id=964

The level of unemployment for the area of Mokopane is 40.2%, with youth unemployment sitting at a staggering 51.7%. Only 23.9% of the population has Matriculation, 5.6% with some form of higher education, and 19.4% have no schooling at all.

The interview participant profile from the setting described above is shown below in Table 5.

Table 5: Demographic Profile of Participants from Mapela Setting

Participant Profile of Case 2 - Mapela Traditional Community			
Stakeholder Type	**Age / Group**	**Education Level**	**Employment Status**
Female Adult, Refused Relocation	38 yrs	High School	Unemployed
Female Adult	53 yrs	Undisclosed	Unemployed
Female Youth	35 yrs	Grade 11	Unemployed
Male Adult, Entrepreneur	45 yrs	Grade 11	Unemployed
Male Adult, Activist	37 yrs	Matric	Unemployed
Male Adult, Ex-Mineworker	50's	Undisclosed	Unemployed
Male Adult, New Tribal Authority Council Representa	40's	Undisclosed	Spokesperson, New Tribal Authority
Male Youth, Ex-Mineworker, Entrepreneur	33 yrs	Matric	Unemployed, Ex-Dumptuck driver
Female Youth, Clinic Volunteer	27 yrs	Matric, Office Admin	Unemployed, Clinic Volunteer
Female Adult, Clinic Doctor & Manager	41 yrs	Dentistry	Dentist
Female Adult, Ex-Mapela Clinic Manager	56 yrs	Nursing Qualification	Retired Nursing Staff
Male Adult, Entrepreneur	38 yrs	Bachelors Degree	Entrepreneur
Male Adult, Ex-Security Guard	45 yrs	Undisclosed	Unemployed
Female Adult, Relocated Community Member	41 yrs	Undisclosed	Unemployed
Male Elder, Relocated Community Member	60 yrs	Fire & Security Prevention	Unemployed
Male Adult, Mine Management	40 yrs	Bachelors Degree	Mine Management
Adult Male, Mine Engineer	30's	Bachelors Degree	Mine Engineer
Male Youth, Unemployed	23 yrs	Matric	Unemployed
Adult Male, Mine Dump-Truck Driver	30's	Undisclosed	Mine Dump-truck Driver

The result of the analysis of all data collected in the two settings described above is presented within the four broad themes that emerged out of the data analysis process (discussed briefly in an earlier section of this chapter). These themes were Reporting by the Mine, Mining Impacts and Sustainability Priorities, and Mining Legitimacy. The detail of these broad themes is presented for each case, side-by-side, in the next chapters.

CHAPTER 5: COMMUNITY PERCEPTIONS OF SUSTAINABILITY INVALIDATE SUSTAINABILITY REPORT CONTENT

5.1 INTRODUCTION

This chapter presents and discusses findings from the two case study communities of Luka and Mapela Villages from the first theme of findings that looked at actual sustainability reporting content from the respective mining companies visa vis the perceptions of community members. In pursuit of answering the first research sub-question – How accurate and consistent is the reporting content of South African mining companies with the reality on the ground?

For each case, the findings are initially on the community's understanding of the concept of sustainability, and their knowledge of and accessibility to sustainability reports. These are followed by more specific findings relating to the accuracy, factualness and usefulness of the reports or content thereof.

The findings of this theme set the scene for the entire study regarding the sustainability reporting practice itself by soliciting the specific opinions and perceptions of community stakeholders on the accuracy and consistency of these reports with reality, as well as their general experience of similar reporting by mining companies.

Presented through various sub-headings for each case, the primary data from respondent interviews are shared, followed, in juxtaposition, by the relevant secondary data from company sustainability reports, where applicable, to enable evaluation for each theme and its sub-heading.

5.2 WHAT IS THE COMMUNITY'S UNDERSTANDING OF SUSTAINABILITY?

The practice of Corporate Social Responsibility assumes an understanding of the concept of sustainability, at least as it relates to corporates and how they report on it. This understanding cannot be assumed of any community, not least of which those described to have particularly low levels of education and literacy as applies to the two rural communities in this case study. Establishing this was an important departure point as community experiences and perceptions would be based on this understanding.

5.2.1 Case of Luka Village

The Luka community's understanding of the concept of corporate sustainability was found to be more than adequate. All but two of the 18 respondents interviewed could describe the concept in their terms, as a duty for companies to 'give back' to the community, and to 'provide certain services' to the community. Respondents shared a clear expectation for the mine to help the community to be self-sufficient, in the same manner, that it had been as an agricultural village before mining took over. In other words, community members feel that mining destroyed their self-sufficiency as agriculture-based and thus argued for the mine to pay back through CSI.

At times, respondents associated corporate sustainability with Social Labour Plans (SLPs) – a prerequisite for mining rights applications, outlining how society will benefit from the mining in its area, and a new kind of mine reporting requirement that seemed to have gained visibility in recent times[14]. For example, a youth male when interviewed said, "I know that sustainability is done through SLPs, an agreement between the mining company and the community. I also knew of it before SLPs as something that companies must do" (Respondent 9, December 12, 2017).

There also seemed to be an understanding of sustainability as something which must be fought for. Four respondents referred to the need for activism, protests and strikes as having helped the Luka community, not only to understand the responsibility of mines but most importantly, to force accountability from the mines.

In terms of company reporting on this topic, corresponding content indicated an alignment in terms of the understanding of sustainability as a duty for the mines to care for the communities around them. Implats stated in their Integrated Report, "Impala cares for the socio-economic well-being of the communities within which we operate." (Implats IR 2016, p. 0). An additional caveat was, however, included in the Sustainable Development Report, highlighting a joint responsibility in this duty of care between the government, business and individuals in finding solutions:

> While companies mining the country's resources have a particular duty of care to their communities and to the environment, it is important to recognise and acknowledge joint responsibility – shared between the government, business and each of us as individuals – in finding solutions to our collective challenges. (Implats SD Report 2016, p. 5)

In terms of sustainability being seen as something that needs to be fought for by the community, a statement from the Implats CEO seemed to differ when it suggested sustainability as something that should be recognised as part of the company's fiduciary duty, it stated:

> …my belief that socially responsible behaviour and the pursuit of sustainable development are competitive imperatives for companies and should be recognised as fundamental elements of a company's fiduciary responsibility. (Implats SD Report 2016, p. 15)

[14] Social labour plans are discussed in more detail in chapter 8.

In this view, a default position is implied, for the company to always act in good faith and the best interests of the community in terms of sustainability and this would be in contrast with the need for the community to fight beforehand.

5.2.2 Case of Mapela Traditional Community

In terms of the understanding of sustainability, the findings in Mapela were similar to those of Luka village. There were two main findings, comparable to the first two found in Luka village.

The majority of Mapela respondents, 15 out of the 19 interviewed, had an understanding of the concept of sustainability; they explained it in various ways, to primarily mean that the mine should look after the community where its operations are located. For instance, one youth male from Ga-Chaba village[15] explained that while he did not know the English word for it well, he understood that the mine needed to take care of the community and that this was the community's right (Respondent R, August 30, 2018).

Two of the Mapela respondents also saw the concept of sustainability as an equivalent of social labour plans. An adult male in Ga-Chaba village responded confidently that he understood sustainability to mean something like an SLP (Respondent E, personal communication, September 20, 2017). The other respondent, a youth female from Mothlotlo village immediately made this assumption and responded as if the question had been specifically about SLP's, when she answered, "We know a little bit about the social plans, but they have never discussed it with us" (Respondent A, September 19, 2017).

Similarly, in the reporting of Amplats, there seemed to be alignment in terms of the understanding of sustainability. In their SD report, they described sustainability as premised in the link between the future of business and that of communities:

> The future of our business is linked with the future of local communities in areas where we operate. Investing in their wellbeing is an investment in the sustainability of our business. The question, therefore, is not whether we should invest, but what is the best form of investment? We strive to invest in our communities by creating sustained social and economic benefit during and beyond the life of a mine. (Amplats Supplementary Report 2016, p. 16)

5.2.3 Discussion – Sustainability is understood

It is an important finding for this study that there exists an adequate understanding of sustainability as it relates to the role and contribution of mining companies by the community respondents in the

[15] As indicated in the case description (chapter 4), Mapela village is made up of 42 smaller villages.

two villages. Also, this understanding is in alignment with the general understanding by mining companies of their role. In interrogating the sustainability reporting practice through the lived experiences of the community, the understanding of sustainability is crucial and is the basis upon which the rest of the study is premised.

Developing countries, while most in need of sustainable development, are limited in their engagement with sustainable development topics (Fisher & Green, 2004). In South Africa, however, there has been an acknowledgement of growing awareness and understanding of corporate sustainability (Visser, 2005; Sonnenberg & Hamann, 2006; Visser & Tolhurst, 2017). These findings are in support of this, in particular for rural parts of the country, as in the two settings of this study, where education and literacy levels are generally low. These findings also indicate a presence of community activist agency in such rural settings, and how this could be playing an important role in the understanding of SR.

5.3 DOES THE COMMUNITY KNOW OF SR AND DOES IT HAVE ACCESS TO REPORTS?

Findings in the previous section showed that community respondents in both case study communities understood sustainability as it related to the mining companies and their responsibility to the communities around them. However, to progress the conversation towards sustainability reporting content, questions around their knowledge and access to mine reports were pertinent. After all, SR is aimed specifically at such stakeholders of companies.

The interview question on this topic was not limited to sustainability reports only but included other examples of annual financial reports, newsletters or flyers – where information about the mine and its sustainability activities could be found.

5.3.1 Case of Luka Village

Slightly above half of Luka respondents (13 out of 18) did not have any knowledge of and had never seen any company reports from the mine. This is a response from one male elder who was a Kgosana[16] in Luka village, and sat at both the RBN Traditional Leadership structures [17]as well as the mine's community forum[18], on whether he has seen mine reports before:

[16] A Kgosana is a Chief in the Setswana language.

[17] The Royal Bafokeng Nation has various leadership structures, the highest is called the Supreme Council where the King meets with Dikgosana / Chiefs for decision-making on all traditional matters of Luka village.

[18] Implats has an official forum representing the community that they meet with regarding community matters.

> No, I haven't. I don't know maybe the secretariat have seen them. And it's important that we get these reports. I would be so happy if I can get one myself. They will also help us, where they are telling the truth we will compliment them of course. (Respondent 17, June 8, 2018)

Another respondent, a male elder from Baphiring section, born in 1957, recalled distinctly that he was doing Standard 2 (Grade 4) when the mine started its operations in the village and had lived in the setting since. He had this to share about the mine and its information-sharing culture:

> Impala is one company that does not want you to know a lot about their activities – because most of what they do is not in line with regulation or legislation. There was a time when we requested them to report on the condition of the water. We wanted to understand more, we knew that there was slippage of toxic substance in the ground, but they never came back to us with this. We know that the level of the water underground is going down and down as they are using the water for their mining. (Respondent 4, September 8, 2017)

Since most of the respondents had indicated having not seen a sustainability report before, an example of a sustainable report had to be physically shown to respondents, and an opportunity given for them to browse and read it briefly, to continue with the rest of the interview on this topic. Respondents took about 10 – 15 minutes perusing through the example report and thereafter offered further feedback, mostly confirming that such a report had not been seen before.

Across the board, respondents raised the issue of lack of accessibility to such reports for ordinary members of the community. As one adult male who had recently been elected by the community to the position of Traditional councillor[19] retorted, upon being asked if he had seen a similar report before, and felt the need to qualify his experience by mentioning that he was a reader:

> We do not get any kind of reporting. The only kind we have seen would be the signs, like they did for the upgrade or renovation of the clinic. No paper or flyer has even been given to the community. I've never seen anything even in the public spaces. And I do read – but I have not seen this. (Respondent 7, September 16, 2017)

It seemed that the distribution of such reports is a matter that had already been discussed with the mine. A youth female from Mogono section[20] shared that a suggestion was once made by the community for the mine to use a more central and accessible distribution point for these reports, like the local community notice board where all other information is shared (Respondent 5, 2017). Another respondent, a male elder from Baphiring, corroborated this statement and recalled that the mine did not accept the suggestion to use the community notice board when it was once made, but instead chose the Rustenburg library, despite complaints that it was too far away for the community (Respondent 4, 2017).

[19] Traditional councillors are ordinary community members who get elected to represent different sections of the village on the ground. They report to RBN.

[20] Luka village is divided into sections, Mogono is the most Northern part of the village.

It is an important finding that even though the mine may provide some reports for the benefit of the community, they are deposited in a location 30 kilometres away from the village. Community members would have to incur travel time and costs to get to the library and access the reports. This point about the inaccessibility of information was echoed by one adult male who is part of a Community-based organisation, the Bafokeng Land Buyers Association (BLBA)[21]. He suggested cost as a barrier to information, "As a community, you only get the information if you can afford to buy a newspaper or you have access to the internet" (Respondent 1, 2017).

In contrast to the above account of lack of knowledge and accessibility to mine reports, three respondents who were also employees of the mine shared a more positive experience, they indicated a better awareness and familiarity with reports. Upon further enquiry on the kinds of reports they had seen before, it became apparent that they were only referring to three specific types of reports, a monthly mine-wide newsletter called '*Team Spirit*'[22], department-specific performance-related reports and other company-wide communications in the form of Memoranda posted on the mine noticeboards. These all fell in a category referred to as internal reports and are quite different from the annual reports which were the focus of the study.

On this subject of accessibility of reports, Implats reported in their SD Report what seemed a distribution strategy of the company for these kinds of reports, that online direct access to all reports is provided through the company website (Implats SD Report 2016, p. 2). It was also the experience of the researcher as all necessary reports could be accessed through the website. At the time the Implats website had an archive of SD Reports dating back to 2009[23].

They also shared their intention on information sharing in their Integrated Report: "It is vital that Implats continues to share information and create an environment where stakeholders are informed, feel valued and are able to collaborate with company representatives" (Implats Integrated Report 2016, p. 28). This was found to not be in line with the community findings that the inaccessibility of information is a deliberate strategy by the mine, or that the information sharing with the community was not a culture of the mine.

However, in the same report, they shed further light on their engagement approach and share what seemed a potential reason for less direct engagement with stakeholders, and the need for them to use new channels:

> In an environment where violence and protest action have often made it difficult to engage stakeholders directly, new communication channels and technology need to be incorporated to augment more traditional

[21] BLBA is a Rustenburg-based NGO representing Bafokeng communities directly affected by the historic dispossession of land.

[22] An example of Team Spirit Newsletter is included in Appendix X.

[23] The Implats website was accessed on 16 January 2020. http://www.implats.co.za/sustainability-reporting.php

> strategies to engage with large, diverse, widely-distributed and often politicised and/or radicalised stakeholder groups. (D2:34 - Implats Integrated Report 2016, p. 28)

It would be interesting to determine whether such a description of a stakeholder group applies to the Luka community, the community mostly surrounded by Implats Shafts, or the Bafokeng Community, as a whole, whose land they acquired.

5.3.2 Case of Mapela Traditional Community

The majority of Mapela respondents had never seen an official company report from the mine, except for three respondents (out of 19) who confirmed having specifically seen a sustainability report before. A further six out of those who had not seen an official company report indicated that they had seen other less formal types of communications like flyers or newsletters from the mine. A quarterly newsletter called '*Mogalakwena Complex News*'[24] seemed well-known and more readily accessible to both employees and non-employees of the mine alike.

Outside of this, Mapela respondents made a general comment about the lack of access to any information or documents from the mine, and that even when they had gone to request the information themselves, the mine always promised to share information but never did.

Only two of the respondents suggested knowledge of company information is available on the company website and had gone to download some information from there (Respondent D and Respondent L, both adult male entrepreneurs in their villages). An SLP document was mentioned by one as an example of information that was found online.

For the same reason outlined in the findings of the Luka study community, an example of the 2016 Amplats Sustainability Report[25] had to be shared with respondents to enable a further discussion on this subject. Respondents perused the report with great interest, and some shared their disappointment with the fact that information from the mine was seemingly available to everyone else[26] but not them, the people in the village where the mine is based. Amongst these was a complaint of an adult male ex-mineworker from Ga-Pila who responded, almost cynically, "If you think about it, we the residents of this place, we do not have such a report. But you from outside, Joburg you have it. We don't have such a report; it has not been shared with us" (Respondent F, personal communication, June 5, 2018).

---

[24] Mogalakwena is the name of Amplats mine in Mapela, and an example of the Mogalakwena News in included in Appendix X.

[25] The 2016 Amplats Sustainability Report was most recent at the time of interviews and was therefore used for the study.

[26] Reference was also being made here to the interviewer, who was from outside of the village.

Regarding this subject of access to reports, Amplats also communicated clearly that they have an online distribution strategy for their annual reports. They further explained that they have adopted what they refer to as a “limited focus on grassroots level communication and feedback” (Amplats Integrated Report 2016, p. 21). This finding relates to communication but also the company’s information-sharing culture. They elaborated further on their recognition of community activism and the need to use new communication channels:

> Non-governmental and community-based organisations continue to hold companies to account on their social, environmental and human rights performance. New communication and information technologies and social media are increasingly used to drive accountability. .. a shift towards authentic engagement on the channels that communities listen to. (Anglo American Sustainability Report 2016, p. 10).

The community finding on lack of information sharing and disclosure by the mine is contrasted in the mine report by a statement outlining their intention on communication, where they explain that “Clear, consistent communication is the operating framework in building and maintaining quality relationships” (Amplats Supplementary Report 2016, p. 14).

On the example of the SLP communicated online, their reporting stated: “To promote open, transparent communication regarding our community development commitments, we have committed to publish our Social Labour Plans (SLPs) on the company’s website” (AA Sustainability Report 2016, p. 41).

5.3.3 Discussion – Knowledge and accessibility to reports

In both case study communities, despite the intentions of mining companies on information sharing, and efforts to make sustainability reports accessible through their websites, findings revealed a surprising lack of knowledge of and accessibility to these reports by the community stakeholders. This was something believed by respondents to be resonant with the deliberately poor information-sharing culture of the mining companies towards the communities that surrounded the mines.

Stakeholder inclusiveness is one of the principles highlighted by both mining companies as an important part of the reporting process, and specifically, that the issues raised by stakeholders inform the reporting process. It is a surprising finding that the community stakeholders for whom the reporting is partly about, and to whom it is targeted, have no knowledge of or accessibility to these reports. It seems in contrast not only with the mines’ various intents on information sharing but also with the underlying corporate governance and disclosure principles of communication and transparency, for which accessibility is a clear prerequisite.

The single-channel report distribution strategy (i.e. online media) used predominantly by mining companies seems disingenuous and indifferent to the needs of the poor community stakeholders for whom they intend to also cater for in the reporting. Although publishing reports on company websites is now a standard practice globally (Visser, 2002; Kolk, 2004; Isenmann et al., 2007; KPMG, 2008), it appears decidedly un-inclusive for stakeholders in the two study settings. The expectation for community stakeholders of these villages, living in the poor socio-economic conditions (to which even the mining companies have attested in their reporting), to have the economic and technological means to access the internet to read or download these reports seems unreasonable. Equally unreasonable is the alternative suggestion for the Luka community to travel to a library 30 kilometres away from the village to gain access to Implats' reports. Such a distribution strategy is not context-sensitive.

It also shows a lack of will to facilitate access and gives credence to the allegation that there is a deliberate intention by mining companies to exclude these specific community stakeholders, in which mine operations are located. It has been argued that internal stakeholder management is easier as these stakeholders share the purpose and self-interest of the company (Smythe, 2008) than such external stakeholders, from whom mining companies have experienced much resistance and confrontation in recent times[27].

Therefore, this may be also the reason behind the current distribution strategies of these mining companies, beyond just following the online global trend. Amplats, in their reporting, mentioned a "shift towards authentic engagement on the channels that communities listen to" (AA SR 2016, p. 21), but elsewhere also referred to "a limited focus on grassroots level communication and feedback" (Amplats IR 2016, p. 21). Implats suggested that "new communication channels and technology need to be incorporated to augment more traditional strategies to engage with large, diverse, widely-distributed and often politicised and/or radicalised stakeholder groups" (Implats IR 2016, p. 28). These provide further support of a distribution strategy away from community stakeholders. There is no evidence of efforts or intention to close this accessibility gap yet.

While the move to online channels is a global digital trend (KPMG, 2008; GRI 2011), it cannot be accomplished at the expense of information accessibility. This is in contrast to the purpose for which reporting is carried out in the first place, which is to report sustainability activities and performance to the wider audience of stakeholders, including the local communities where operations are based. The GRI[28] guideline recommends that reports can be presented online or on paper, but that using one of these media is acceptable (GRI, 2011). While this recommendation endorses this trend of moving to online reporting platforms, it is found in this case, to not be sufficiently stakeholder-centric and context-relevant for communities such as those in this study.

---

[27] Both Implats and Amplats have attested to this growing resistance and confrontation in their 2016 reports.

[28] The widely used standard and guideline for such reporting globally, also adopted by both mining companies.

This is a trend potentially disempowering to many similar rural communities in a developing nation setting such as these two villages, where the lack of adequate ICT infrastructure, low-income levels, unemployment, and low levels of literacy are some of the socio-economic issues directly impacting the ability and means for community stakeholders to access sustainability reports. There is no doubt that the internet, through its technology and wider distribution reach, has presented many opportunities for the evolution and advancement of the SR practice globally. However, the presence of a digital divide in most developing nations (Chen, Boase & Wellman, 2002; ITU, 2011) is still a limitation and takes away from the ideals of stakeholder-inclusion on which the SR practice is premised. Most disconcertingly, it fosters the notion that the power of validating such reports resides outside of the main setting where mining operations take place.

This finding is particularly interesting for South Africa, which has been amongst the leaders in its evolution of the SR practice, and where internet penetration overall has progressed due to high mobile telephony adoption rates (ITU, 2011). But, due to ICT infrastructure inadequacies and the cost of data (amongst other things), rural mining communities are more susceptible to such digital exclusion and therefore their stakeholder inclusion in the SR process is compromised. Unlike developed nations, South African mining companies may still need a multi-channel report distribution strategy, or other additional interventions to facilitate wider accessibility and fuller stakeholder inclusion in their SR practice. The global trend has not been fit-for-purpose for the context in which these mines operate.

The researcher had her own experience of the lack of accessibility to these reports. Between September and October 2017, the researcher attempted to get hold of physical print copies of sustainability reports from the two companies without any success. At Implats, the Public Officer was contacted through email, then the Company Secretary, but no response was received. As a final resort, the researcher decided to contact the investors' contact email address, from which there was an immediate response, and a promise to look for the print copies and revert. Unfortunately, this did not happen, even after a further follow-up on the request a month later.

At Amplats, no response was received from their sustainability contact person, and upon employing the same strategy of contacting someone from the Investor Relations department, an immediate response was received. Unfortunately, here too, the request was unsuccessful, the reason provided was that it was company policy to only print copies of these reports for shareholders who would have requested these beforehand[29].

[29] Copies of email correspondence with both mining companies are included in Appendix P.

In addition to this, the Rustenburg Public Library was contacted by the researcher to inquire if they had any annual reports to no avail. The librarian was able to find a total of about seven reports from Implats, but none were annual or sustainability reports, these were split between basic assessment of environmental management programmes and closure plans for some of their operations[30].

The researcher's experience served to confirm the findings of the lack of accessibility. Moreover, it was an interesting experience that response was only received from investor-related company contacts and that shareholders have a special arrangement in aid of accessibility that is not afforded to other stakeholder groups.

5.4 IS REPORTING ACCURATE AND FACTUAL?

Respondents of both communities were asked for feedback on the actual reporting content of the examples of the 2016 sustainability report that respondents said they had seen and were in most cases still browsing. The interview question was specifically, whether or not, they considered the information in these reports accurate or factual. While there may be subtle differences between these two terms (semantically), they were both used in this context to refer to the general conformity of report information to fact or truth, according to respondents.

As indicated in Chapter 2, the accuracy of information remains one of the most important issues of the practice of SR (Dando &Swift, 2003; Perez & Sanchez, 2009; Cho et al., 2012) especially from the point of view of stakeholders, a subject not covered much in sustainability literature so far (Diouf et al., 2017).

5.4.1 Case of Luka Village

In Luka village, respondents' feedback was that while the kind of information included in the Implats report was relevant information to be shared in a report like this, it was however not a true reflection of reality. For example, this was the response of one adult male who is a Traditional Councillor in the village, who was emphatic about factualness: "It is relevant, but it is not a true reflection of what is taking place. It's good to report on all these things but let them be factual" (Respondent 7, 2017).

As will be seen in some of the responses quoted below, none of the respondents thought the reports were accurate or factual, their views were split in the following manner (83% majority):

a) 31% (six out of 19) thought reports were not true (including a blatant lie).

[30] The Rustenburg Library was contacted on the 13 February 2020, and assistance received from Librarian Mrs Dorina Langebaan on contact number 014 590 3704.

b) 31% (six out of 19) thought they were exaggerated and misleading and were not an accurate reflection of reality.
c) 21% (four out of 19) thought reports were a PR exercise about the company's image.

A lack of specificity and exaggeration of information in the reports was pointed out by an adult male who is a local businessman in the area, which he believed was done to create some impression:

> I think their reports are very impressive, but for their personal benefit and gain. That is why things are not being quantified at the local level to show what they are doing but at a broad level. To create a particular impression. Reality is not quite like this at all."; "It doesn't compare to reality on the ground. I think what they do is do one small minute thing, and they exaggerate it to give a bigger impression of it, take picture and show the world. (Respondent 14, February 24, 2018).

The response was more scathing from the adult male from a community-based organisation, BLBA, who was one of the few who had actually seen and read an Implats sustainability report before. He described the content as "always nonsensical", and claimed reporting was used by the mine as a covering up of the actual truth (Respondent 1, 2017).

A markedly emotional response was received from an adult female who was also a Ward Councillor in Luka; she suggested that such reports were blatant lies: "I'm very upset with them because those reports are not the truth. I don't know where they are taking it from" (Respondent 8, September 16, 2017).

Respondents also highlighted a lack of consultation, follow-up and research from the mine, before and after implementation of their projects – so that the information they report is correct. This finding indicated a lack of consultation and follow-up, which may be a potential reason for the information gaps between company reporting and community knowledge.

There were also specific examples of report information that respondents pointed out as untruths or inaccuracies. Some of these are shared below (the detail of which are included in Appendix Z):

a) The mine's employment of the local community – the accuracy of statistics reported was disputed. One adult male community elder claimed, "For instance, they will tell you that they employ the local community, but if you check the statistics, you find that a lot of the employees are coming from outside. If you ask further questions about how many blacks are there at the top of your organisation or top posts – you don't get this information. You will find that none of the local members is there – only people from outside of Luka" (Respondent 4, 2017).

b) The mine's holding of community engagement meetings and one-on-one meetings (Implats SDR 2016, p. 20) – both these types of engagements were disputed. The adult ward councillor retorted, "They are lying, there is only the traditional councillors (RLM councillors) in the people from the community they are referring too. Community engagement meetings are a lie! Such a big lie like this one!" (Respondent 8, 2017). As did a youth male who was an underground mine-worker, “One-on-one meetings? With whom have they had these meetings? None of this is true! We do not have any direct engagement with them!” (Respondent 10, December 12, 2017).

c) The statement on the mine’s strategic approach to mitigating impacts and conserving natural resources, “We recognise our obligations in terms of maintaining water quality and not compromising the access rights of other users” (Implats SD Report 2016, p. 80), was disputed. Respondents pointed out the generally poor state of water in the village, that there are still many sections without water due to a lack of pipes (infrastructure) in certain sections of the village. They also further added that where some water is delivered, whether through pipes or by truck, this water is salty and not drinkable, and therefore people still need to buy bottled water for drinking purposes.

d) On the mine’s mitigation of air quality impacts to stay within the legal limit, one female youth from Mogono section asked rhetorically, “When they say what they are doing around the environment, I don’t think they say based on reality. Reality is the opposite of what they say. We’ve got noise pollution. We have dust pollution. They say they are sustaining it, but how? (Respondent 5, 2017). A sentiment further echoed by an adult male businessman - “Waste dumps cause pollution. They don’t have a proper place for this. These make people sick” (Respondent 14, 2018).

e) On the mine’s support of local businesses (Implats SD Report 2016, p. 74), one respondent who was a businessman and operated a Guest-House in Luka Village shared a heartfelt personal experience with running his business and why this was not true:

> If I could tell you about the struggles, I have had with Impala trying to get into their database as a community member. I say to them your geologists who come to do investigations here have no place to sleep in Luka, they have to travel all the way from Rustenburg town, and deal with traffic and have to wake up around 6am when they do not need to. When they can sleep down the road. The mine is not supporting.” ; “I can tell you that the people who come to my guest house are people who want to do surveys in the community like you or RBN surveys in the community but not the mines. Or people who are the subcontractors who come with the contractor bosses who stay in town and then put them their ordinary workers there. My main people who come here are people going to Sun City. Sun City is my main source of income, to be honest. (Respondent 14, 2018).

The male traditional councillor also had some visibility to enterprise development through the RBN structures; he shared some context on the inadequacy of what was currently being done:

> ..what they said about enterprise development is not true, they have only recently started to try to do something, they have taken about 5 - 10 people from the community, we have 29 villages as the Bafokeng people – over 500 thousand people in numbers, and you only take five companies for some training, and you talk of local enterprise development – it’s not it. Just from the Royal Bafokeng Enterprise Development (RBED), we have a database of about 13 000 entrepreneurs, five is not even 0,1% of that. The truth is that they are actually dragging on the issue of enterprise development. (Respondent 7, 2017).

f) The mine's statement on the building of Makgotlas (Implats SD Report 2016, p. 69) was also questioned:

> We built three Makgotla offices and ablution facilities to support Luka headmen to carry out their traditional duties and hold sheltered community meetings. These upgrades have enabled community members to hold discussions in a comfortable, dignified manner with proper seating and shelter. Phase 2 is planned for 2017 which will provide a further 12 Makgotla offices for the remaining regional headmen. (Implats SD Report, 2016, p. 1)

Respondents questioned that for this project, a proper brick structure was built for Dikgosana offices, and then some make-shift carport like structures were erected for the actual community meetings. They argued that community meetings were the primary function of the Makgotlas, for which proper shelter is a necessity because when it rains, Makgotla meetings cannot be held. One respondent complained about the same issue and suggested that the mine prioritised the needs of the traditional leaders over the community.

> Another project is where they created a structure in what is called Makgotla and put air-conditioners in there – so that those who bother them a lot are comfortable (referring to Dikgosana). It benefits them now because Dikgosana have offices to sit in, are comfortable, they have furniture, aircons – they are happy. Clearly, they respond to the leaders' needs not the community needs. (Respondent 14, 2018).

g) The building of the Platinum village, as stated by the CEO:

> Our investment in accommodation and living conditions of employees is perhaps the most significant contribution to the well-being of our communities and employees and an area where we are recognised as leaders across the sector. (Implats SD Report, 2016, p. 14).

Respondents contended that this was the mine's project, not the communities' as the report purports to imply. They reasoned that this Platinum Village benefits the mine and their employees who, at least, have an option to buy property there, and that, even in that case, employees were paying for it, it was not something 'they' had 'done' for them as the reporting seemed to suggest. The traditional councillor clarified, "Some of what is reported is for themselves, like their investment into the Platinum village – that is to sustain themselves and their employees. Not us" (Respondent 7, 2017). An underground mine-worker who is employed by the mine agreed with this sentiment, "Platinum village is their private property, not ours. It benefits only them, we have to pay rent to use the homes. They should not be including this" (Respondent 10, personal communication, December 12, 2017).

The above findings are just some examples indicating a poor perception of Implats reporting in terms of accuracy and factualness by community stakeholders. Such a finding is of value whether or not the community's disputes are valid or plausible, and it is not the primary intention of this thesis to validate or invalidate such findings, but more to shed light on the evident credibility gap between the two sides of the story.

It is worth noting that Implats indeed state their reporting practice is premised on several principles around accuracy and factualness, these are clearly articulated in their reports. These are examined further as part of the discussion section of this chapter.

5.4.2 Case of Mapela Traditional Community

In Mapela, an overwhelming majority of respondents, 17 out of 19 felt that the report content was not accurate or factual. Some respondents felt that this was only partial, for example, one adult male entrepreneur respondent with a percentage estimate of his perception of truth in the report, declared that only 50% of the report was true and that the rest was 'sugar-coating' (Respondent L, June 6, 2018).

Another respondent echoed this partial accuracy, an adult female from Sterkwater village who conceded to some of the content is true, but also pointed out long-running examples of community discontent as evidence of there being some untruths in reporting: "Some of the things they are doing (therefore the truth). Most of it they are lying. Otherwise, Mothlotlo communities (the first community that was relocated by the mine) would not still be fighting. The things they write about are not true" (Respondent N, 2018).

Amongst those who dismissed the report entirely, was one adult male from Ga-Pila village, suggested lack of objectivity and evidence in general:

> These reports are written by the mine, they are discussing with people from outside of this place, as if they are helping the community, they are pretending. There is nowhere I can show you and say this is the thing that was made by the mine in this place. What they are writing about is not true – at all! (Respondent F, June 5, 2018).

Another was an adult male from Ga-Chaba, who was visibly upset when answering, also suggested lack of evidence and impression-management:

> They are not writing the truth. If what they are writing is true, the community should have improved so much by now, but as you can see. I am really shocked that they still continue to write the things they are writing… None of it can be proven. Their hope is for their bosses in London to get a good impression of what they are doing here. (Respondent E, September 20, 2017).

Impression-management was raised by other respondents as the reason for the alleged inaccurate reflection of reality in Amplats reports in general. The following excerpts give some examples of how an Adult male mine staff from Ga-Chaba and another Adult Male from Mahlogo village explained this:

> When they do something, they make it look like a big thing, but they do small projects. When the mine is a very big company. Their projects look like they are a small company that's trying to get tax credits from the government. (Respondent Q, August 30, 2018).

> Often when they report they lie and they will say something is good and they talk about big budgets for that investment, but when you see those things you are shocked because they do not match what

> they say but are smaller and of lower quality. Like the stadium, the sportsground. (Respondent D, September 20, 2017).

Lack of objectivity and balance in reporting were other issues pointed out by respondents. One referred to a bias in reports prepared by the mine itself when compared to those developed externally, on certain subjects (Respondent D, 2017). Another objected that the mine paid attention only to villages close to its operations as they presented the most risk to their business and that these were the focus of reporting also:

> They write about the villages close to the mine in that newsletter. Like Molekani village, where there are less fights, and many people from there have been given work. They don't write about Ga-Pila or Sterkwater! We are too far and we are fighting. For Molekani they write for the things they are doing, they are nearest to the mine, they don't want them to strike. They would stop access and stop production if they did. So, they do things for them. The two villages that were most badly affected by the mine were Ga-Pila and Mothlotlo village. (Respondent M, August 29, 2018).

As in the case of Luka village, Mapela respondents were also asked to share examples of reporting on specific projects where they perceived untruths or inaccuracies by the company. Two specific examples were shared:

a) Regarding investments in education and schooling, the mine reported the following in their SD and Integrated Report:

> We invest in education, understanding it is the most effective way of reducing poverty and making a sustainable difference in the lives of our communities" (Amplats SR p. 1); "At Mogalakwena, Alchemy contributed R1.8 million to the Bothlape Koloba school, and R1.5 million to Mabuela primary school. This included renovating school classrooms and building a new school block. This project is about to be handed over to the provincial department of education and the communities." (Amplats IR 2016, p. 18).

One youth female (who is a volunteer at the local clinic) retorted, stating emphatically that, "they sponsor schools – not build them" (Respondent I, June 6, 2018). This view was shared by another youth male who explained, "In terms of education, no schools are built by the mine, they renovate, put sanitation system and sometimes supply them with computers like in our local primary school, or paving for where kids walk to the classrooms, not whole yard" (Respondent R, 2018).

An adult male engineer working at the mine also did not have any knowledge of significant investments by the mine:

> The only school I've heard of was one where they were relocating a community and then had to build a school in the new area. A brand-new school from scratch I do not know, I'm not sure. There is a primary school in Skimming, but not sure it was built by the government or mine. (Respondent Q, 2018)

b) Another example of a project mentioned by respondents was that of a stadium in Mapela. It was reported that R5,4 million was invested on the construction of this stadium (AA SR 2016, p. 20). One adult male from Ga-Chaba village had this to share about the stadium - "There is a stadium that was built, but when we looked, we realised that it was built with such poor-quality materials." (Respondent E, 2017). Another adult male from Mahlogo village explained:

> Often when they report they lie and they will say something is good and they talk about big budgets for that investment, but when you see those things you are shocked because they do not match what they say but are smaller and of lower quality. Like the stadium, the sports ground. (Respondent D, 2017).

c) Another project was the community hall in Ga-Chaba (called Dikgoro in SeSotho). However, no reporting was found about this structure, although two respondents complained about it. The adult male from Ga-Chaba was visibly upset when he also mentioned something about the community hall as another example, "I want to take you and show you a community hall built by this multi-million-rand company that is a tin hall." This example was also mentioned by another youth male from the same village who suggested that the project was a waste of money, he explained:

> Dikgoro structure – it's small, but we usually fit because not everyone comes (to meetings). And we only use that thing during rainy times, otherwise, we meet under the trees. Accordingly, to me, they should have used that money for something important. (Respondent R, 2018).

Similarly, Amplats mine also had content in their report relating to the underlying principles guiding their reporting practice, specifically in terms of accuracy and some of the principles are evidently in question, judging from the community stakeholder excerpts above.

5.4.3 Discussion – "They show you cheese cake, when they are actually feeding you sponge cake"

> The degree to which stakeholders are able to rely on and trust corporate social and environmental accounts is a marker of the efficacy, sincerity and legitimacy of accountability processes (Dando & Swift, 2003, p. 199).

Such condemning negative findings on the lack of accuracy implies a lack of credibility in the sustainability reporting practice of both mining companies in this study, both in the general, as well as in the specific examples cited by respondents. While the aim of this study was not to validate these[31], their presence alone gives the important sense of perception and experience from the ground that is sufficient to confirm of the pervasive 'credibility gap' in sustainability reporting that many authors have written about (Dando & Swift, 2003; Adams & Evans, 2004; MacLean & Rebernak, 2007; Fonseca, 2010), sometimes referred to as 'portrayal gap' (Adams, 2004; Murguía & Böhling, 2013).

[31] This would be an endeavour beyond the practical scope of this research project.

The external assurance of reports has been amongst the key mechanisms suggested in the sustainability literature for closing this gap. The GRI guideline has also recommended two additional approaches from reporting organisations as a means of improving credibility in reporting, a) a statement on specific policies and internal practices employed by the company to enhance credibility and quality of the report, b) another statement on the reporting organisation's policy and practice towards the independent assurance of the full report (GRI, 2011). Despite both mining companies following these recommendations[32], the findings still revealed a persistent credibility gap in their reporting practice. The following statements and assurances were indeed provided by these companies around the principles of accuracy and reliability.

Implats included several statements in their 2016 Implats Sustainable Development Report regarding ensuring accuracy and reliability of content: Firstly, that a systematic process was used in data collection and processing, "In 2009, Implats implemented a sustainability toolkit to collate and verify data, and to ensure greater accuracy and reliability" (Implats SDR 2016, p. 127). Secondly, there is a further statement on the factualness or lack of misstatement in reporting, "maintenance of internal controls relevant to the preparation of the report is free from material misstatement, whether due to fraud or error" (Implats SDR 2016, p. 127). Thirdly, in terms of independent assurance, they included a statement about the verification of 'certain performance indicators' by an external assurance provider, "Assurance, objectivity, independence of content was ensured by a third-party company KPMG Services (Pty) Ltd" (Implats IR 2016, p. 2).

Amplats also included similar statements around the ensuring of reliability and accuracy in their reporting. Firstly, the company specifically mentions a group-wide process for managing sustainability data in a single database for metrics, "Anglo American hosts a single database for reporting key sustainability metrics, including those relating to energy, GHG emissions, water consumption, environmental incidents, occupational health, social performance and safety" (AA SR 2016, p. 54). Secondly, that assurance services on their report were provided by a third-party assurance provider, "KPMG has provided independent assurance over selected sustainability key performance indicators and on our statement on compliance with the International Council on Mining and Metals (ICMM) Sustainable Development Framework Principles and reporting requirements" (AA SR 2016, p. 3).

These interventions were not effective in improving credibility in the reporting, accuracy and factualness remained largely in question by community stakeholders on the ground.

[32] Both mining companies have employed external assurance services for their reporting and have also included the statements recommended by GRI.

5.4.4 Compliance to voluntary codes

The findings also reveal another mechanism employed by both companies to demonstrate adherence to the principles of accuracy, reliability, balance, objectivity and independence, all necessary for the credibility and integrity of the reporting process. This is done through subscription to the various regulatory and voluntary codes[33], as a way of declaring conformance to the guidelines and principles in the reporting process, for which the codes advocate.

Chief amongst these was the GRI Guideline, which was the most referenced guideline in the reports of both the mining companies as having guided the reporting process. Other global codes consistently declared included the International Integrated Reporting Council (IIRC) Framework, the ICMM SD Principles, and the UN Global Compact.

This practice of conformance to such voluntary codes as well as declaring them in the reporting is also now a prevalent global practice, not only for mining but across various sectors. The findings of this study confirm that while these codes have been effective at evolving the practice of SR by improving and standardising the principles underlying the practice (Memela, 2014; KPMG, 2017), they have been less effective at closing the credibility gap associated with this practice (Milne et al., 2006; Moneva et al., 2006; Gray, 2010; Boiral, 2013; Cho et al., 2015). The fact that they are used extensively in these two settings and yet there is a resounding dispute that SR is an accurate reflection of performance, is testament to this. The contradiction in the accounts of sustainability performance by the mining companies compared to the community are not insignificant.

This finding is consistent with other findings on the general effectiveness of these codes, that they offer guiding principles, and a framework within which implementation can take place but they do not guarantee or monitor the accuracy or integrity of actual report content (Fonseca *et al*., 2012). However, their prevalence as a global standard for reporting somehow creates an unreasonable expectation of their effectiveness in this regard. This is the concept called 'blue-washing', using the name and credibility of a worldwide organisation to create an impression while actual sustainability performance is lagging (Laufer, 2003).

Their predominance seems to surpass that of certain local legal codes, which are mandatory and therefore enforceable. From a regulatory perspective, the King Codes (III & IV), the MPRDA and the Mining Charter, JSE Listing Requirements, are some of the local codes most referenced by the two mining companies around specific sets of data, with a very clear focus on compliance, as

---

[33] Which also seems a standard practice and global trend in SR.

mandated. Even with this level of compliance to the mandatory codes, the accuracy and integrity of report content were not guaranteed.

A recent KPMG survey confirms that governments, other regulators and stock exchanges continue to drive reporting rates around the world (KPMG, 2017). Figure 14 below gives a snapshot of the Top 10 positions regarding this.

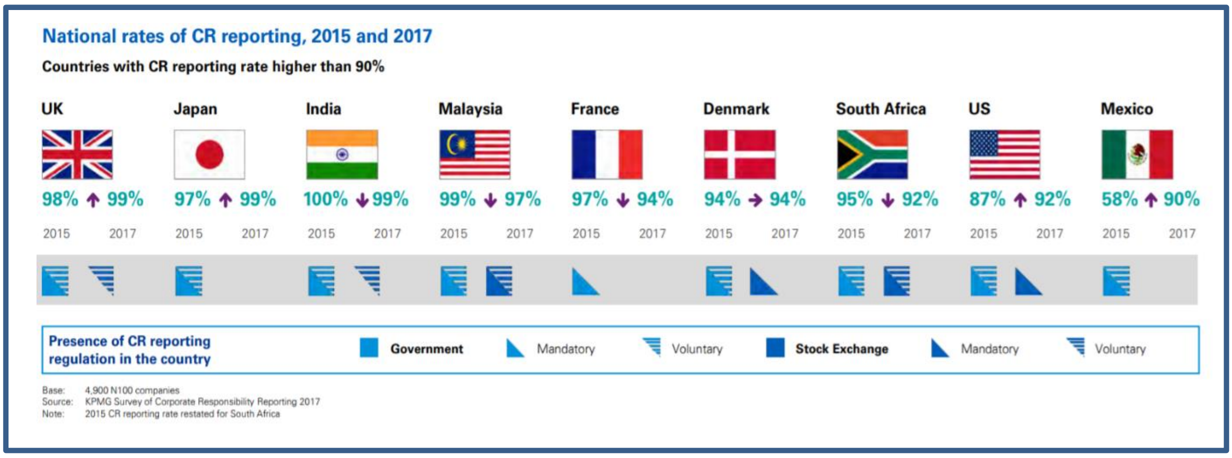


Figure 14: Top 10 Countries with the highest reporting rates [34]

As can be seen, South Africa is sitting at a global no. 7 position, with an overall SR reporting rate of 92%, and a notable presence of all the types of regulation, voluntary and mandatory, from the government, other regulators, as well as stock exchanges (KPMG, 2017). This is further evidence that the codes have certainly driven the adoption of SR and enforced compliance in SA, however, they have done little to guarantee the accuracy and integrity of content, as found in this study.

This finding begs the question of what then is the real reason that these voluntary and regulatory codes are used, and declared in SR. Respondents have suggested this is merely for compliance, or to create an impression of compliance, i.e. potential blue-washing.

Also, there seems to be an assumption from the mining companies that there is knowledge or understanding of these codes amongst stakeholders. However, except for the MPRDA, the Mining Charter, and SLPs, none of the respondents referred to any of the other codes. The researcher's

---

[34] Source - https://assets.kpmg/content/dam/kpmg/xx/pdf/2017/10/kpmg-survey-of-corporate-responsibility-reporting-2017.pdf

observation is that the local codes have more visibility to community stakeholders than the global codes, and so it is likely that their usefulness is presumed.

5.4.5 Independent assurance of reports

The perceived inaccuracy of reports by community respondents also implies a lack of reliability in the reports. As a mechanism to ensure reliability, objectivity and independence of reporting, both companies emphasised the existence and use of internal reporting processes and controls for collating and storing relevant sustainability data. Also, independent assurance services have been employed to verify some of the reporting content[35]. For the year in question (i.e. 2016), Implats and Amplats both utilised KPMG Pty (Ltd) for this purpose.

The finding of the lack of reliability after the employment of both mechanisms by these companies is consistent with findings of other authors that assurance or certification processes often employed by reporting organisations have not necessarily increased the reliability of content (Boiral, 2013; Manetti & Becatti, 2009; Deegan *et al.*, 2006). There is a growing scholarship detailing various kinds of limitations plaguing this assurance practice to the detriment of reliability (Hodge, Subramaniam & Stewart, 2009; Unerman *et al.,* 2007; Bebbington *et al.,* 2007; Moneva *et al.,* 2006).

A basic screening of the assurance statements included for both companies raised some questions that point to potential managerial capture[36] and lack of external stakeholder inclusion in the assurance process. Only selected parts of the report are included in these verification processes, it can be assumed that management makes this decision, like the ones mandating the assurance companies. There also seems to be a curious distinction between the two types of assurances services provided, what is referred to as Reasonable, as opposed to Limited Assurance. This indicates the different extent and comprehensiveness of assurance procedures, for different sets of report content, but it is not clear who makes this decision and what informs it. Lastly, the assurance statements include several disclaimers by KPMG, the most curious of which is a disclaimer[37] on the primary distribution channel for the dissemination of reports – the company websites.

---

[35] Also, a global trend in the practice of SR. See: KPMG, 2008.

[36] Defined by Owen and others as "the concept that sees management take control of the whole process (including the degree of stakeholder inclusion) by strategically collecting and disseminating only the information it deems appropriate to advance the corporate image, rather than being truly transparent and accountable to the society it serves (Owen et al., 2000, p. 85)

[37] "The maintenance and integrity of the Implats website is the responsibility of Implats' management. Our procedures did not involve consideration of these matters and, accordingly, we accept no responsibility for any changes to either the information in the report or our independent assurance report that may have occurred since the initial date of presentation on the Implats website. (Implats SD Report 2016, p. 131)"

The independent assurance of reports by both companies has not impacted on or improved the credibility or reliability of content for community stakeholders. It was also the observation of the researcher that the assurance language is not simple enough for the understanding of laypersons.

5.5 WHAT IS THE PURPOSE OF SR?

The question of what community respondents consider to be the main reason or purpose for SR was posed, to conclude the interview questions on actual report content. This was important because the purpose of SR has been contested in literature, and the community stakeholder view about this seemed essential.

5.5.1 Case of Luka Village

The first set of findings in Luka was about the size and utility of the reports. Two respondents initiated their responses with complaints about the size of the report being too large, long and tedious to read. An adult male entrepreneur remarked that a '300-page document' is difficult to read (Respondent 14, 2018). Another, an adult male Kgosana, explained that this was the reason he had never read such reports, complaining about the size, and type of content included, "They are so big they are a size of a (lever arch) file; they have financial documents inside as well" (Respondent 18, June 8, 2018).

The second finding was that while SR as a practice is typically targeted at all stakeholders of the company, the community respondents did not consider themselves to be the target market for the report. Several respondents indicated that they thought this kind of report was not meant for the community. They added that if that were the case, the language used would be simpler, given the low levels of literacy in the community. They suggested, as a result, that the report is aimed at shareholders, investors and government, rather than community stakeholders.

Lastly, on the question of whether the reports served any purpose in their minds, the finding was that none of the respondents thought so, they cited mainly the issue of lack of access to the reports as a hindrance to the reports fulfilling a purpose. The only two respondents who indicated that they thought these reports served some purpose, immediately added that this was not to the 'stakeholders' as implied by the mine, but only to their 'shareholders'.

Respondents, instead, offered various perceptions on what they considered the main purpose for the mine's reporting, these were split as follows:

a) To 'mislead', 'convince' or 'lie' to people outside of the setting, such as investors, shareholders, and the international public. These were some of the words used by respondents.

b) To create a perfect public image, and to look good to these ‘outside’ people – so that they can get their investments or business in general.

c) For purposes of compliance, so that they show compliance with legislation such as that for social labour plans (SLPs) for them to get or sustain their mining licence. (Noteworthy in these statements were the words used with the mining licence, ‘to get’ their licence, ‘to sustain’ their licence, or ‘to have it renewed’.)

When asked finally what the Luka respondents thought about what the mine benefits or gets in return for their reporting, the perception was that the mine ‘succeeds to mislead’, people ‘believe them’ and therefore they ‘continue to flourish’ as a business.

Regarding the above feedback, Implats had relevant content in their report. With regards to report size and language, they outlined in their SD Report their aim for clarity and understanding of reports by laypersons by this statement, “The Group has adopted a reporting style that is concise, but comprehensive enough to be understandable to the lay person” (Implats SDR 2016, p. 127). Towards whom the report is targeted, Implats included the following statements on their SD and IR Reports, respectively:

> While the report is of interest to all our existing and prospective stakeholders, it is focused primarily on addressing the interests of socially responsible investment (SRI) analysts and investors, as well as sustainability professionals. (Implats SD Report 2016, p.2).
>
> The report seeks to provide a concise and balanced account to providers of capital of how Implats creates value over time. It focuses primarily on meeting the needs of shareholders, analysts and investors. (Implats IR Report, p.2).

On the main purpose for reporting, according to Implats is to provide information relating to sustainable development policies, practices, performance and prospects for the financial year in question (Implats SD Report 2016, p. 2). In terms of compliance to legislation, several statements are included in the different annual reports about compliance to, for instance, the King Code[38], the

[38] Compliance to the King Code – “We are committed to promoting the highest standard of corporate governance and to ensuring our practices are aligned with the expectations of the King Code of Governance for South Africa 2009 (King III)” (D23:24 – Implats SD Report 2016).

Mineral and Petroleum Resources Development Act[39] (MPRDA), and the Mining Charter[40]. In the SD Report, they went on to state: "Ensuring full compliance with government policy and legislative requirements is a cornerstone of our commitment to delivering social value and promoting socio-economic transformation" (Implats SD report 2016, p. 80).

5.5.2 Case of Mapela Traditional Community

In Mapela, when respondents were asked if they thought the reports were aimed at them, they all felt that this was not the case and that shareholders, government or the outside community are the targets. A female youth from Mothlotlo village suggested the international community, "No, not us. They are writing for people from overseas, not here in South Africa" (Respondent 1, 2017). An adult male from Mahlogo village, "No, they are aiming it for DMR (Department of Mineral resources) … so that they can give them a mining licence. They also try to convince investors" (Respondent D, 2017).

On the question of what respondents believed was the purpose of the mine reporting, they shared a variety of what they considered potential reasons:

a) reporting to lie and create an inaccurate perception of what they do.

b) for compliance with legislation from government in particular; as one adult male ex-mineworker explained, "Because they agreed with the government that they would comply with whatever the legislation of the country is. However, they are not. And they are pretending to be when they are not. (Respondent F, 2018).

c) to create a good impression at their Head Office, to clean-up their reputation, and to pretend there are no issues with Human Rights organisations and lawyers.

Furthermore, respondents believed the mine succeeded in the pursuit of the above reasons. One adult male from Ga-Chaba explained why and described a lack of validation and follow-up by the mine head office, "Yes, they are succeeding. If they were not, they (Head Office) would have come here on the ground to see the reality" (Respondent E, 2017). Another, a female youth from Mothlotlo blamed a lack of knowledge of the truth, "Yes, because people do not know the truth. But one day

---

[39] Compliance to the MPRDA – "As part of South Africa's transformation, we are committed to complying with the requirements of the Mineral and Petroleum Resources Development Act (MPRDA), which includes delivering on our SLP commitments and meeting the targets set out in the B-BBEE Charter for the South African Mining and Minerals Industry (Mining Charter)" (D23:96– Implats SD Report 2016).

[40] Compliance to the Mining charter – "Has the company reported a level of compliance for the calendar year?: Documentary proof of receipt from Department of Mineral Resources (DMR)" (D23:27– Implats SD Report 2016). "Mining Charter and we believe that the Group has met and surpassed all the revised key targets" (D2:21– Implats Integrated Report 2016).

the truth will come out, and they will be exposed" (Respondent 1, 2017). An adult male ex-mineworker blamed the Department of Mineral Resources, "They succeed because the DMR is also failing the community. Because if DMR would see this picture, they would close this mine up until this is fixed" (Respondent H, 2018).

Contrary to these findings, Amplats reported a full range of stakeholders that includes the community, and also indicating the main purpose of the report as to inform the same stakeholders of sustainability performance:

> The purpose of this report is to provide our stakeholders, including those who work for us, local communities, non-governmental organisations, investors, customers, businesses and governments, with a transparent account of how we addressed the most material sustainability issues our company faced during 2016. (Anglo American plc Sustainability Report 2016, p.3).

With regards to compliance being another purpose for reporting, several excerpts relating to compliance were found in Amplats reports – these included compliance to King IV[41], the Mining Charter[42], the MPRDA, the National Environmental Management Act (NEMA) and the National Water Act (NWA). Compliance to voluntary codes was also declared – for instance to the Carbon Disclosure Project, to ICMM's Principles[43], UN Guiding Principles, Voluntary Principles on Business and Human Rights (VPSHR) as well as to the Extractive Industries Transparency Initiative (EITI).

5.5.3 Discussion – Purpose and utility of reports

Primary findings show clearly that community stakeholders do not find the reports sufficiently user-friendly, they perceive the size for the reports too large (in terms of the number of pages), and the language used not simple enough. Table 9 below gives a view of the reports' number of pages for the two mining companies; however, report sizes are not too large[44].

[41] "The Institute of Directors in Southern Africa NPC released the King IV Report on Corporate Governance for South Africa, 2016 (King IV) on 1 November 2016. While disclosure on applying King IV is only effective for financial years from 1 April 2017, Amplats has adopted the new code immediately, as encouraged" (D2:45 – AA Sustainability Report 2016)

[42] "Has the company reported the level of compliance with the charter for the calendar year? Documentary proof of receipt from the department Reports submitted to the DMR annually. ..100 % compliance with mining charter scorecard" (D3:57-58 – Amplats Supplementary Report 2016)

[43] "International Council on Mining and Metals (ICMM) maximises the contribution of mining, minerals and metals to sustainable development. Anglo American is a founding member and Amplats has adopted and complies with the ICMM's 10 principles for sustainable development (D3:55 - Amplats Supplementary Report 2016)

[44] One respondent used an example of 300 pages in his complaint about the unreadability of such reports.

Table 6: Number of Pages for Reports

Company	Report	No. of Pages
Implats	Implats Sustainable Development Report 2015	152
	Implats Integrated Report 2016	106
	Implats Sustainable Development Report 2016	140
Amplats	Anglo American Sustainable Development Report 2015	89
	Anglo American plc Sustainability Report 2016	94
	Amplats Integrated Report 2016	148
	Amplats Supplementary Report 2016	58

The challenges with language, the choice of language (English), or the use of it (vocabulary or the level of complexity), are probably as a result of English not being an indigenous language in the setting, and also the low levels of education[45] and literacy in the two villages. This provides support to the finding that these reports are not aimed at the community stakeholders and are not pitched at the level of clarity suitable for the understanding of the layperson in the community. This is despite the GRI principle of clarity which emphasises that reports need to be comprehensible to laypersons.

The findings in terms of the community not being the target audience for the reports, find further support in the reporting of Implats where the company excludes the community in their stated audience of SRI analysts, investors and sustainability professionals (Implats SD Report 2016, p. 2). On the other hand, Amplats reported that their Sustainability Report is targeted at a wider stakeholder audience, including local communities (AA Sustainability Report, p. 3), contrary to the perceptions of Mapela community stakeholders.

Finally, the purpose for these reports is not seen by stakeholders to be about information sharing, engagement, or communication of sustainability performance as the mining companies indicated in their reports, but are seen largely as a means of compliance to laws and guidelines, and also for image, reputation or impression management.

Other scholars have suggested that the practice of SR has become institutionalised and is no longer motivated by CSR related intentions and performance (Larrinaga-Gonzalez, 2007; Molate et al., 2014), but a “desire to follow global templates” (De Villiers & Alexander, 2014).

[45] According to Stats SA - In Luka only 26,7% of the Luka population completed Matriculation, and only 3,8% achieved a level of higher education. In Mapela only 23.9% of the population has Matriculation, 5.6% with some form of higher education, and 19.4% have no schooling at all (Stats SA, 2011 accessed through http://www.statssa.gov.za/?page_id=964).

5.6 CONCLUSION

These findings in this theme answer directly the first sub-research question posed for the study by providing evidence, using specific and general examples of the content found in reports, that contents in the reports were found not to be accurate and not consistent with the reality on the ground. This was a major and damning finding that questions the core of the practice. As Hodge *et al*. suggest – "sustainability reporting is only meaningful if such reports are perceived as being relevant and credible" (Hodge, Subramaniam & Stewart, 2009, p. 1).

Various related findings suggested not just the lack of credibility, but relevance, utility, and purpose for these reports. Chief amongst these was the issue of lack of accessibility to reports by community stakeholders, which defeats the purpose of using the reports for stakeholder engagement and stakeholder inclusion. The exclusion of community stakeholders evident through the chosen online distribution channel and media, the choice of reporting language, the lack of simplicity in the language, gave credence to the contention that the communities are not the immediate targets for this reporting, while further revealing an inadequacy in the recommendations of the GRI guideline that proved not to be context-relevant and stakeholder-centric enough for the two settings.

Without the expected focus on the issues of accessibility and accuracy, however, it became abundantly evident that mining companies have an overwhelming focus on compliance to a myriad other local and global codes in their reporting instead. This was the biggest finding in terms of their deliberate efforts in improving report quality through these declarations of compliance. However, this trend is not unique to the mining sector, nor is it unique to South Africa; it is a global trend of SR (Kolk, 2003; Bebbington, et al., 2008; KPMG, 2013). The lack of accuracy in reports (amongst other short-comings) suggests that blue-washing could be a potential reason for this compliance and declaration strategy.

The consistent use of assurance services, another global trend, has some inherent shortcomings in the assurance process, but, as was the finding of many other studies, it was not found to have increased the reliability and therefore accuracy, of the reports' content. The pre-dominance of management in directing the mandate of the assurance companies, and in the decision-making about which data to assure, the extent and comprehensiveness of that assurance, brought a lack of confidence in the value of this process. The lack of involvement of community stakeholders in the assurance processes was also a key finding that highlighted the defect of this process as a means of increasing reliability and quality of content, as found by Manetti and Toccafondi (2012).

The focus of the reporting of the mining companies is dominated by conformance to SR global trends and compliance with local and global codes as a means of showing credibility. While initial literature on SR praised conformance to these codes, the lack of improvement in accuracy and factualness of reporting has led to more authors suggesting that conformance and compliance have created a move away from accuracy and accountability towards mere globalisation and institutionalism in the practice of SR. Findings here suggest that this may be the case, this is in support of findings by de Villiers, Low and Samkin (2014) and those of Molate, de Klerk and Ferreira (2014) whose studies provide evidence for institutionalisation in the CSR practice of SA mining companies.

CHAPTER 6: MINING IMPACTS AND SUSTAINABILITY PRIORITIES

6.1 INTRODUCTION

The second theme of findings is presented and discussed in this chapter - Mining Impacts and Sustainability Priorities. These relate to the second research question posed for the study - “What is the broader sustainability experience of the relevant stakeholders who are affected by company operations and to whom SR are targeted?”.

Interview questions were centred on the community’s lived experience of sustainability in the two villages of Luka and Mapela, focusing on what they experienced as the top five impacts of mining in their communities. After all, the community is the main stakeholder immediately affected and impacted by mining company operations.

The aim in presenting and discussing this data is not to be conclusive on the list of mining impacts for community stakeholders, but rather to paint a picture of the perceived top impacts through which the shared lived experience of the respondents in these communities could be understood and appreciated. The relationship between these on-the-ground community perception and those of mining companies are important for a collective understanding of the sustainability agenda for the setting for which reporting is an engagement and accountability mechanism.

In Luka village, the top five impacts[46] for community stakeholders included a) Lack of Water, b) Pollution, c) Unemployment, d) Lack of Infrastructure, and e) Overpopulation of the Village, in that order. In Mapela village, the top five impacts included a) Unemployment, b) Lack of Educational Infrastructure, c) Lack of Water, d) Pollution, and e) Community Relocations.

It is a noteworthy finding that both study locations experienced almost the same list of impacts from mining operations. Four out of the top five mining impacts presented in the above sections are the same, i.e. Lack of Water, Pollution, Unemployment and Lack of Infrastructure (which for Mapela was specifically around educational infrastructure, and not a broader grouping as it was for Luka). Only the fifth set of impacts in both settings were unique to the two villages, i.e. Overpopulation of the village in the case of Luka and Community relocations for Mapela.

[46] The definition of impact in this case refers to the direct and indirect effects of the existence of mining operations in these settings since their arrival, for instance Implats’ mine was established in 1966 and Amplats’ in 1991.

The narrative of the primary data findings from the total of these six[47] kinds of impacts across both cases is presented in the next sections. This is juxtaposed with relevant secondary data findings from respective company reports, where applicable, to enable a more holistic discussion of each impact. The chapter concludes with a summary.

6.2 LACK OF WATER

6.2.1 Case of Luka Village

Respondents of Luka prefaced their feedback with some kind of reflection on how Luka, as a village, had changed from how it used to be in the olden days. These reflections centred on the pre-mine era when Luka was a traditional agricultural community, “self-sufficient” and “peaceful”- were some of the adjectives used by respondents. The arrival of mines brought with it a promise for a new and better way of life, jobs and development. However, in reality, this did not turn out to be the case, respondents believed that the quality of life and livelihoods in the village had been negatively impacted instead.

One youth male lamented this transition of Luka from a traditional community, highlighting the foregone ability for the community to sustain itself through its traditional means of agriculture and cattle breeding (Respondent 3, 2017). Two other respondents reflected even more emphatically on the various impact of this transition to a mining village, of which the lack of water was one. The first respondent was an adult male from a community-based organisation, BLBA, and the second one a male elder in the traditional role of Kgosana in the village:

> The Luka community was there before Implats, it was a community self-sufficient based on agricultural activity. Mining took away the farmlands and destroyed the natural vegetation, dried up rivers, polluted the air. Then there was the resulting influx of people coming to the area for jobs. This impacted the culture of the village, brought in a lot of social ills that were not there before. This became an economic burden and led to no spatial development for communities. (Respondent 1, September 7, 2017).

> We had fields where we used to grow crops, like Mabele, sorghum, but the mine has taken all those things away. It’s a pity that people were not compensated. Till today people are not compensated for that. Cattle-rearing farmers – the water was diluted, and not drinkable for our stock. (Respondent 17, June 8, 2018).

Lack of sufficient water became the top mining impact shared by all respondents of Luka. One youth male reflected on the water situation and recalled an old conversation with his grandmother about the same, seemingly regretfully:

> There have been unanswered questions around water shortages in our village, despite it being a resource-rich community. My gran used to tell me stories about what happened when whites came to

[47] The total is six because the fifth impact of each setting is unique.

> this land, and the promises they initially made about providing fresh water but never kept." (Respondent 3, 2017).

There was a general belief in the village that the mines 'took water away from the community' as boreholes, the traditional source of water for the village, became no longer viable as the underground water system became contaminated by the mining operations. But most important, there was a memory that in the beginning, there was acknowledgement and admittance of this water impact by the mine and promises for the alternative provision of proper clean water were made. This seemed to have changed subsequently since neither the acknowledgement of water impact nor the provision of sufficient clean water had been forthcoming from the mine.

Where water was available through the taps, a respondent explained that the contamination of underground water sources resulted in water being salty and undrinkable. This seemed to be the current state of water in the village, that tap water, where available, could be used for other purposes but not for drinking. It was also the observation of the researcher during field trips that villagers considered tap water unsuitable for drinking and therefore purchased bottled water for drinking instead[48].

There were also sections of the village that at the time, did not have access to tap water due to the lack of water infrastructure in those areas. One youth female from Mogono section explained the lack of tap water in her area:

> Water does not reach this side. There are no pipes, they were supposed to do that in 2014, but instead provided us JoJo tanks[49], and nothing has happened since. They bring water with lorries to fill the tanks. But the tanks do not get cleaned for the whole year. And we are supposed to use and drink this water." (Respondent 5, September 15, 2017)

Respondents went on to explain that in addition to this, there seemed to be a new expectation from RBN that the village must now pay for this water, when they would have not needed to do this in the first place had the mines not come to their village. A male elder exclaimed in his explanation of this:

> Even till this day, we are still struggling with the traditional authority when they come and say we need to pay for water. We remind them that the mining company promised that they would do this, and they don't seem to remember this. It's a struggle that goes on every year. (Respondent 4, September 7, 2017).

Another finding was that it was not clear who exactly was providing and paying for the available water at the time, whether through the tap water system or truck delivery into household water tanks.

[48] It was also the experience of the researcher at the guest-house where she stayed while on a field trip in Luka, where the owner insisted that drinking water needs to be bought as tap water was not suitable for drinking.

[49] Water storage tanks normally used for rainwater harvesting and any water storage purposes.

Respondents did not seem to know for sure whether this was the mine, the municipality or RBN who was providing the water at the time. An interview with a male elder who was a Kgosana revealed that it was, in fact, RBN, he explained:

> We are providing that water as RBN for households to drink. We are buying water from Magalies (Water Boards) and providing for the villages. Even the RLM (municipality) is not helping us with water. When they get the budget (from Government), the RBN villages are included in there – all 29 villages. But we are taking money out of our pocket, from the little royalties we are getting from Impala to do this. We have a budget for the Morafe (community) (Respondent 17 June 8, 2018)

The situation with water seemed to be marred by a lack of information certainty, which respondents believed to be part of a deliberate non-disclosure strategy[50] by the mine. Respondent 4 recalled a previous instance when the community specifically asked the mine for information relating to water, without any success. He shared:

> There was a time when we requested them to report on the condition of the water. We wanted to understand more, we knew that there was slippage of toxic substance in the ground, but they never came back to us with this. We know that the level of the water underground is going down and down as they are using the water for their mining. (Respondent 4, 2017)

Even though it seemed that previous interventions around water had not been effective, or adequate, respondents spoke of a pending R30-million project, known to respondents as a project to rectify the water situation in the village, whose implementation had been delayed at the time. One respondent explained that the delay was due to tribal bureaucracy and that the community was fighting RBN to ensure that the contractors appointed to conduct the work together with the local community so that there is a local transfer of the skills and knowledge during the implementation process.

Respondent 7, an adult male traditional councillor, further highlighted his concerns about the late arrival of this project, and questioned the real intentions behind it, "When you give the community that you have been mining from R30million to put a water pipe in, only 40yrs later, you are just shutting them up" (Respondent 7, March 2, 2016).

On the above findings, some content was found in Implats' reporting relating to water. Firstly, there was no direct support of the finding that lack of water was a resultant mining impact in Luka village. In their Water Stewardship statement, Implats described water stress as a socio-economic risk to their operations in South Africa specifically, admitting the criticality of the resource as an input to their processes, and explained the challenges faced as a result:

> Water stress poses a high socio-economic risk to mining companies operating in South Africa and the risk is likely to increase. Water is a critical input into our mining, processing and refining operations and we recognise our obligations in terms of maintaining water quality and not compromising the access rights of other users. The

[50] Also mentioned in the previous chapter as a reason for the inaccessibility to mine reports.

principal risks we face include increased water stress leading to operational disruptions, uncontrolled dirty water discharges into the environment, increasing costs associated with water supply and management, local community discontent and reputational risks. We work closely with different stakeholders to ensure security of supply for our operations and the surrounding communities. (Implats SD Report 2016, p. 86)

Reduced rainfall levels in the North-Western region of SA (referred to as persistently dry weather in 2015, El Nino drought in 2016 reporting), as well as municipal potable water supply problems, were highlighted as presenting particular challenges with water availability for Rustenburg operations.

In terms of lack of information and engagement about water, Implats had a clear statement on the current provision of water, where they stated, “Impala Rustenburg does not supply potable water directly to surrounding communities. However, cattle and livestock do source water from our Rockwall dam” (Implats SD Report 2017, p. 88). They also included several statements about the engagement of the community and local authorities on water-related issues, “We work closely with different stakeholders to ensure the security of supply for our operations and the surrounding communities (p. 86)”.

In terms of water performance, the following water-related metrics were reported for the Implats Group, detailing water consumption numbers from different water sources, as well as year-on-year comparisons for the previous four years, as can be seen in Figure 15 below:

Water consumption (Ml)	2016	2015	2014	2013	2012
(1) Water from water service providers or municipalities	10 160	9 576	7 515	8 851	10 722
(2) Waste water from other organisations	3 762	3 104	2 313	2 598	2 767
(3) Water from rivers	2 318	2 164	2 175	2 344	2 124
(4) Water from dams	6 580	6 897	6 696	8 777	7 891
(5) Water from ground water	3 883	3 634	2 667	2 870	1 770
Water withdrawn (1 + 2 + 3 + 4 + 5)	26 703	25 376	21 365	25 440	25 274
Water internally recycled	18 825	14 325	13 409	15 271	14 840
Total water consumption	45 528	39 701	34 775	40 711	40 114

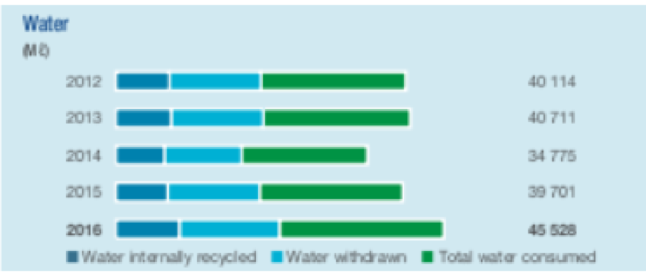


Figure 15: Water Consumption for the Implats Group (SD Report 2016, p. 87)

Implats also reported various projects and interventions around water, most of which seemed to be around their operations, no evidence could be found of the R30-million project mentioned by respondents:

Developments at Impala Rustenburg during the year included: Further implementation of a passive water treatment project, involving scavenger boreholes being drilled close to the operating tailings

> dam; The boreholes capture water from the tailings dam, remediating the plume around the tailings dam while collecting more water for reuse and recycling in the operations; Developed clean and dirty water separation and stormwater conceptual designs for 1, 4, 9, 10, 11, 12 and 14 Shafts." (Implats SD Report 2016, p. 86)

In terms of the quality of available water – whether surface or underground water, the only content found regarding the process of reporting incidents of water pollution to the Department of Water and Sanitation, as well as one particular incident that was reported at one of the shafts near Luka village:

> Tailings spillage incidents are managed regularly. A written request was submitted to the DWS requesting permission for Implats to only report those incidents that are not manageable and have a direct impact on a surface water stream. Risk assessments regarding the severity of incidents were created and included in the submission. We subsequently reported a seepage incident at Impala Rustenburg 1 Shaft in which water was required to be pumped from underground to the surface. This filled the earth dams and seeped towards the community area. However, the seepage remained within the operational shaft area. (Implats SD Report 2016, p. 87)

Lastly, there was some reporting relating to regulatory compliance with existing water licences and permits and future needs around these:

> We engage regularly with the South African and Zimbabwean regulatory authorities to ensure all appropriate water use licences (WUL) and permits are in place and that due consideration is given to our proposals for water use amendments, to ensure the operations are not affected. Impala Rustenburg has a WUL in place and this year resubmitted its application for licence amendments. (Implats SD Report 2016, p. 86)

6.2.2 Case of Mapela Traditional Community

In Mapela village, the lack of sufficient water was the third mining impact raised by respondents. Thirteen out of the 18 respondents interviewed raised the lack of water in their top five list of mining impacts. The general feeling was that the mine was using too much water for their operations and that as a result, there was not sufficient water for the community. In addition to this, the mine was seen to have made things worse by their contamination of underground water that the community would have used as an alternative, but which was no longer an option.

This was quite apart from the fact that the use of boreholes to access this water was seen as a luxury only accessible to those who are rich and does not include everyone in the community. Further to that, respondents spoke of a part of the village where even that contaminated underground water was no longer available at all. Several projects had been implemented by the mine in that area, to drill as far down as 200 kilometres but this had not yielded any positive results.

Water from rainfall or nearby rivers was also no longer available due to the other environmental impacts from the mine operations like dust pollution. The following respondents elaborated on this impact, a youth female from Ga-Seema village, and the adult mine engineer, respectively:

> We no longer have water from the river. We would be fine for the whole year from the river water after rains, but this is no longer available. The rivers are no longer good, they are contaminated. Now we only live on water from lorries. The mine arranges 3-month tenders with people from the community to collect and distribute this water to us. They give us two drums per home, which is a problem for instance if you are seven people living in a house – that isn't not enough. Especially kids, they need to be washed, they play in our dusty homes and streets, and this water is not enough. But this mine has enough money. (Respondent C, September 20. 2017)

> The dump sites also affect the plateau of the area, the rainfall etc. affected the natural way how water used to fall. Now it can rain heavily but then in a week, it will be dry. I think they've done it in such a way that water is not retained, but goes to the mine. We also cannot harvest rainwater due to the level of dust around. Dust plus nitrides chemicals in the air are hazardous, and also affect the water. (Respondent Q, 2018)

Water was predominantly available through weekly tanker supplies, where two drums of water (of 20 litres each) were delivered per household per week. Some parts of the village could still get water from the taps but only during certain times of the day due to the poor state of the municipal water infrastructure, but it was not clear which parts of this infrastructure did not work, and why.

The general feedback was not only that the water was insufficient, but that it was not of good quality, and was not always clean. Respondents shared stories of various foreign objects they continued to find in this water, like worms and other parasites. One respondent shared a picture of some mineral build-up or residue that he found inside his taps in the relocated community of Sterkwater, where the mine had built new houses and installed new water infrastructure.

There was also a belief that the quality of water in the community had a negative impact on the health of the people. One adult male from Ga-Chaba village who worked with a research team from NGO ActionAid a couple of years ago shared that there was evidence of this impact, he explained:

> In 1997 or 1998 we did a report on precious metals, showing that the water had been contaminated. This impacts communities and mostly pregnant women – babies seem to be affected in that they are born with some defects, and they are slower than normal. All of us are affected as we are not well. There is some white stuff that sits at the bottom of this water, you need to boil it for it to be better and healthier. (Respondent E, 2017)

Amplats reporting included a lot of content relating to some of the above community findings on water. They are presented in Table 6.1, and for each of the specific findings from the community:

Table 7: Top 5 Mining Impacts for Mapela – Lack of Water

Mapela Community	Amplats Reports
1. Lack of sufficient water. Underground is water no longer available as it is contaminated by the mine.	1. Various statements were found on the Group's intent around water: Water being one of the critical inputs to mining process and therefore a most material resource AA consumes. "We seek to minimise the adverse effects of our mining activities on surrounding surface and ground water to avoid affecting the water security of our stakeholders."

	(AA SR 2016, p. 63). On water insecurity being a social issue – "..water insecurity is a major driver of social inequality and that collaborative efforts are critical to effectively address water challenges and enable access to water for everyone." (AA SR 2016, p. 64). Water and climate change challenge – "Water is fundamental to our business, and over 90% of our mines are in water-stressed areas. Climate models are predicting significant changes to rainfall in sub-Saharan Africa, which will affect the availability and accessibility of water." (Amplats SR 2016, p. 29). The El Niño drought in South Africa was also indicated as responsible for low borehole water levels (AA SDR 2015, p.44).
2. Available water is not of good quality, surface or underground.	2. "Poor quality water that is harmful to the environment and human health can affect mining processing equipment and may present closure liabilities. We monitor surface and groundwater at all our mines and process plants, as well as inside and outside mining areas in catchments where we operate. . . The quality of water being supplied to Mogalakwena concentrators from Polokwane and Mokopane waste-water treatment works has been identified as a high risk. Amplats will assist the Polokwane municipality in upgrading the treatment works to be completed in 2017". (Amplats SR 2016, p. 27). An award was received for water management as part of the Water Disclosure Project – "Amplats was identified as a global leader for its actions and strategies to manage water more sustainably." (Amplats SR 2016, p.26)
3. Water delivered by tankers is not sufficient and is not a sustainable solution.	3. Amplats' position on the provision of water to the communities is that this was a responsibility of the municipality. They reported in 2015 that they merely offered to assist the community with water provisions while a long-term solution was still sought (AA SDR 2015, p.44). In 2016, they reported, "We have also been providing potable water to communities in drought-stricken areas, including Mogalakwena." (AA SR 2016. P. 64); and that "water shortage remains a challenge in Mapela and communities continuing to request assistance from the mine" (Amplats IR 2016, p.36).
4. Several projects that the mine had tried seemed ineffective or unsustainable.	4. Projects and interventions reported by the mine in 2016: Supply of potable water to Mapela communities – "The mine is supplying water to the community of Mapela at a monthly cost of about R3 million. It has donated 11,000 5ℓ bottles of water to Operation Hydrate." (Amplats IR 2016, p.36). A collaborative water strategy for Limpopo to be launched - "In the Limpopo province, the business has developed a bulk-water strategy and infrastructural plan to safeguard the long-term security of

	water availability for its operations and surrounding communities. Since a high number of our assets are in the southern African region, we have developed an overarching, coherent, collaborative water strategy for the region, which will be launched in 2017." (AA SR 2016, p.29)

In addition to the above reporting, the following water-related environmental Indicators for the period were reported in Figure 16. The figure for total water consumed was assured on a limited basis by the KPMG. It is, however, of note that in the reporting as part of the GRI response, the requirement of disclosing reporting standards, methodologies, and assumptions used was not fulfilled.[51]

WATER – megalitres					
Total water consumed	**32,687**[LA]	33,197	27,137	33,412	34,911
Water used for primary activities	**29,291**	29,570	22,876	28,311	28,755
Water used for non-primary activities	**3,396**	3,627	4,215	5,101	6,156
Potable water from an external source	**12,327**	14,408	13,581	17,138	18,437
Non-potable water from an external source	**1,497**	546	1,470	1,484	1,326
Waste or second-class water used	**8,524**	4,415	6,148	8,034	9,142
Surface water used	**4,521**	9,343	2,590	1,507	1,502
Groundwater used	**5,826**	4,695	3,369	6,372	4,407
Water recycled in processes	**54,631**	60,170	51,462	50,159	53,731
DISCHARGE – megalitres					
Discharge to surface water	**913**	278	557	363	765
QUALITY					
Surface water quality monitored at all operations	**Yes**	Yes	Yes	Yes	Yes
Surface water quality deterioration offsite	**Yes**	Yes	Yes	Yes	Yes
Adverse surface water impact on humans	**No**	No	No	No	No
Groundwater quality monitored at all operations	**Yes**	Yes	Yes	Yes	Yes
Groundwater quality deterioration	**Yes**	Yes	Yes	Yes	Yes
Adverse groundwater impact on humans	**No**	No	No	No	No

Figure 16: Water-related Environmental Indicators (Source: Amplats IR p. 139)

6.2.3 Discussion – "Our water was taken away by mines"

In both study settings, respondents had the same experience with the issue of lack of sufficient water. They understood this to be a direct result of the arrival of the mining companies in their villages, and that mining operation led to high utilisation of existing natural sources of water, as well as the contamination of the underground sources. This impact was experienced both in terms of the quantity and quality of available water, by the communities.

[51] G4. EN8 b)

In Luka village, there seemed to be a memory of admittance of this potential impact by mining companies when they arrived and promises made for the provision of alternative water as a result. However, subsequent denial of this promise is alleged, supported by the evident lack of responsibility on the part of the mine about this impact. There is also a surprising lack of knowledge and clarity in the community, about whose responsibility such a pertinent issue relating to a community's basic need, was. Moreover, it was not known to the community who exactly was paying for the water that was being provided at the time (however insufficient), between the mine, the municipality, and RBN. There was also no knowledge or plan of how this issue would be resolved in future.

However, Implats stated outright in its reporting that they do not supply potable water to surrounding communities, yet they also acknowledged water as a critical input to their operations, and their recognition of their obligation to maintaining water quality and not compromising the access rights of other users.

Water stress is the only water-related risk directly acknowledged in the report, also reported being a result of the drought and the El Nino effect in the region at the time. The only examples of actual interventions or mitigation projects by the mine seem to be implemented around company operations, like water treatment and recycling projects, and none around the community areas. Implats also reported engagement with local authorities and communities, to meet "regulatory and social expectations" and "to ensure the security of supply for operations and surrounding communities" (Implats SD Report 2016, p. 88). It is not clear exactly what these statements mean in the context of findings so far, except to create ambiguity. Regardless, evidence on the ground suggests none of the interventions so far have been effective in addressing this issue.

In Mapela village, there was no reporting by Amplats in support of community findings of insufficient water due to mine operations nor the contamination of underground water by mine operations. Amplats reported their intent for water stewardship, which was indicated to be centred on minimising the adverse effects on surface and groundwater to avoid water insecurity for stakeholders. It is not clear from this statement how this insecurity is avoided, especially as they also acknowledged water as a critical input, and as a most material resource consumed in their operations, which seemed a contradiction. The water risk reported was also around water stress, also indicated to be as a result of the drought and El Nino climate conditions in the Limpopo region (Amplats SR 2016, p. 25).

While Amplats was clear in their position that the provision of water to the surrounding communities was the responsibility of the municipality, in addition to interventions implemented at their operations, they reported that they also provide potable water to some of their water-stressed areas, and mentioned Mapela village, in particular. They also shared information on other interventions in the region like Operation Hydrate where bottled water is distributed to different communities. They also reported working on a wider overarching collaborative water strategy for the Limpopo province, focusing on bulk water provision and infrastructure plan, as a response to climate challenges in the region. There was also mention of the construction of the De Hoop Dam in the area, upon completion of which, the water situation was expected to improve.

The concept of water impact is not aligned in the narratives of the community, compared to those of the mining companies. The community refers to lack of water as a definite impact due to the arrival of mining companies, while the mining companies refer to lack of water due to water stress, and as a potential risk.

This highlights a lack of shared understanding and acceptance of the initial impact of water-heavy mine operations to the villages and the definite negative impact that has been on the quantity of water available to the community, due to the need to share finite water resources with the mines. While the community is concerned about the now smaller piece of the pie, the mining companies are focusing on the size of the whole pie, now and in the future, due to water stress. Similarly, the inability of the community to factor in climate challenges as another potential reason for the lack of sufficient water in the setting is not useful.

This lack of a shared understanding reveals a lack of effective engagement between the parties involved, around the initial agreements made and any other subsequent developments around this topic of mutual interest. It could be argued that this forward-looking approach of mining companies, while useful, is also a deliberate strategy to deflect attention away from unresolved historic issues in mining. At the onset of the mining industry in SA, mining companies operated in a protected environment where real costs of mining like water and electricity were externalised (Adler et al., 2007). While the democratic government has sought to reverse this irresponsibility through regulatory means, this may be a remnant of that legacy, where mining companies still do not take responsibility for this kind of impact.

The subsequent impact of mining operations through the contamination of underground water is seen by community respondents as a given eventuality by virtue of underground mining operations. However, these are only dealt with as merely a potential risk by mining companies, whose impact will only be felt in the unlikely event that a pollution incident of significance occurred. However, surface water can be vulnerable to the same contamination risks of the groundwater as these water bodies are sometimes interconnected. There is a lack of information sharing and transparency around the subject of water contamination incidents when information sharing can contribute to better understanding and also help allay the community of unwarranted fear and speculation, especially since they have no means of scientifically proving or disproving any facts.

Amplats was the only company that reported on the quality of its various water sources, although even this information does not seem sufficient. Both mining companies reported on their water performance in terms of consumption, incidents, as well as on relevant water licences and permits applicable. Incident reporting could be better, and not downplayed, as in the example shared. Also, enough detail could be provided concerning the total body of water available, and how much of that is available to the community.

It is also interesting to note that the narrative about water stress is focused in particular on the regions of the North West or Limpopo where mining operations are located, but even before these recent climate challenges, South Africa had always been a water-stressed country. It is estimated that by 2030 the country will have a 17% water deficit (Worldwide Fund for Nature – SA, 2017). This wider sustainability context is omitted in the reporting.

Also, water is one of the 17 Sustainable Development Goals[52], a global blueprint for sustainable development, a mission towards which the sustainability activities of these mining companies are contributing. The Global Risks Report identified water stress as the fourth global risk in 2019[53], and water stress had been in the top five of this list for seven years prior to that as a societal risk (WEF, 2019). It is ominous that there is no mention of this broader context to which water stewardship by mining companies is contributing. Elevating the context of this water issue would also mean acknowledging the wider nexus of impacts that water has on other societal issues, such on food security, education, health, standards of living, amongst others.

Finally, due to this intricate connection of water to various aspects of human life and human development, access to water is also a basic human right[54] (United Nations, 2010). This right entitles all human beings to sufficient, safe, acceptable, and affordable water for personal and domestic uses. Around this context too, company reporting is surprisingly quiet, even despite the proclaimed compliance to the voluntary international codes on human rights. This would mean affirming the prioritisation of access to water for humans above all else, not least of which are company operations, a position that would not necessarily be favourable to the mining companies. Also, Amplats had to deal with scathing findings from an ActionAid report confirming scientifically proven water samples (from an independent water sampling analysis) that were not fit for human consumption as a result of contamination by mine operations (ActionAid, 2007). This could be the

[52] SDG 6 – Water and Sanitation: Ensure availability and sustainable management of water and sanitation for all. (Source: https://sustainabledevelopment.un.org/sdg6)

[53] This ranking was based on potential impact.

[54] The human right to safe drinking water was first recognised by the UN General Assembly and the Human Rights Council as part of binding international law in 2010 as the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights. https://www.unwater.org/water-facts/human-rights/

reason why Amplats had put in place various interventions around water, despite the lack of admission to water responsibility.

Of relevance here is also the broader political economy context of South Africa, as a contetxt within which the corporates operate. Government's approach at the commodification of water has been blamed for having annulled this basic human right enshrined in the Freedom Charter for all South Africans (Bond, 2007).

6.3 POLLUTION

6.3.1 Case of Luka Village

The second impact identified by Luka respondents was the issue of pollution. In addition to the water pollution mentioned in the previous section, respondents suggested other forms of pollution that they experienced in the village and believed were the direct result of mining activities. These were air pollution resulting from acid or chemicals from mining operations, as well as dust from the mine dumps. Also mentioned was noise pollution which resulted from the mine blasting process, as well as soil pollution which affected the growth of natural habitation that hampered agriculture and farming which were a big part of community life before the arrival of the mines. Air pollution was raised by the majority of respondents (15 out of 19), followed by noise pollution and then soil pollution.

Pollution was discussed by respondents in the context of its impact on the health, livelihoods, habitat, and the general quality of life. Respondent 5 recalled her negative experience from living near a mine dump:

> When I was growing up, I used to live at my grandma's house, where there is an artificial mountain – made up of all the soil coming from underneath. It's like a wall. Like now when it's spring - when it's windy we all got sick. You would literally see 'white' everywhere. It made people sick, especially those who live close to it. (Respondent 5, September 15, 2017)

Noise pollution was discussed mainly in the context of house cracks that are seen to be a direct result of the mine blasting process. Respondent 8, a ward councillor in Luka, explained this as "a vibration that we have to live with, that creates [air] pollution and also noise [pollution] for the residents of the community. This is damaging the life of the people" (September 16, 2017). This noise from blasting was described as a normal occurrence in the village, one respondent even quipped, "We are so used to hearing blasting, that even when it is an earthquake we would not know", to describe the extent of the problem (Respondent 3, 2017).

Another finding was that the main issue for respondents was not only that there were these kinds of impacts on the community, but more that the mine was not seen to be taking responsibility for them. The previously raised issue of a deliberate non-disclosure of information by the mine was also associated with the pollution impact, as one adult male who is a traditional councillor demanded that such information needs to be disclosed:

> They need to tell us their Environmental Impact Assessment. They need to inform us what harm their pollution causes, that white stuff in the air that we live with. We do not know the effect these have in the long run for our people. (Respondent 7, September 16, 2017).

A contrary finding to the above was received from one community respondent, who was also a mine supervisor, who insisted that the mine did not produce any kind of pollution. He elaborated and referring to his immediate work environment as an example, “Where I work right now, there is no pollution that we produce. The shaft does not produce any pollution” (Respondent 11, February 13, 2018). Upon further enquiry on the subject, he explained for support of his statement of the lack of pollution from mine dumps and also from the blasting process respectively:

> Yes maybe – but not because of the mine. I feel that it is the natural dust. If the wind blows away the waste dumps. I’ve never heard that people from Luka, for instance, are affected by dust other than natural dust. Perhaps if you are working underground, you may be exposed, even if you wear masks – so maybe after some time you might find this affected you. But I’ve never heard of any cases like these. And I’ve never known anyone who was affected in this way.
>
> Even if we can blast right now, you will never hear anything. Only if you are underground. And before each blast – we make sure there are no employees underground. We have systems we use to check if there is anyone, if there is, blasting is cancelled and we send a team to fetch that person. From outside you cannot hear anything. Maybe a little bit of something but not anything you can call noise pollution. (Respondent 11, 2018).[55]

In Implats’ reporting, evidence and admittance of potential environmental pollution was found on the different types of pollution mentioned by community respondents above. Raised as principal environmental risks, the report includes the statement, “Our principal environmental risks relate to pollution of soil, surface water, groundwater and air quality, with the associated impacts on health and safety” (Implats SD Report 2016, p. 15).

The community finding regarding non-disclosure on pollution matters by the mine found no support as there was evidence of pollution disclosure in Implats reporting. In a section reporting environmental incidents for the year, Implats reported a total of 45 Level 3 (Limited Impact)[56] incidents at their Implats Rustenburg mine, and made a point of noting that no lasting harm was caused to the environment as a result:

---

[55] In addition to his statement, the respondent even looked across the room and posed the question to his colleague, who was his Senior, a Sectional Surveyor, if there was any noise pollution in the shaft, to which the colleague confirmed and corroborated his statement that there was none.

[56] According to legislation, the classification Level 5 is for ‘Major’, Level 4 for ‘Significant’, and Level 3 for ‘Limited’ incidents.

None of these limited impact incidents resulted in any lasting harm to the environment. The incidents related predominantly to effluent and contaminated water management and emissions to atmosphere from the Rustenburg smelter (these were within the required conditions of the air emissions licence). There were no non-compliance notices, fines or penalties issued to any of our operations during the review period. (Implats SD Report p.85)

The incident reporting was immediately followed by this image of clean water discharge in Figure 6.3 below:

Figure 17: Image used after environmental incident reporting (Source: SD Report 2016 p.85)

In terms of air pollution, Implats reported on their total GHG emissions for the period, for the different emission scopes, with comparisons to that of previous years. There was also additional reporting on the existing air emission licence and details on forthcoming legislation to expand its scope for various scenarios:

The most significant air quality issue for the Group relates to the sulphur dioxide (SO2) emissions from our smelting and refining operations at Zimplats, Impala Rustenburg and Impala Springs. Both Impala Rustenburg and Impala Springs are located in priority areas as promulgated by the National Environmental Management Air Quality Act and have the required air emission licences (AEL).

In line with the new requirements of the Act, our South African operations will be legally required to report on all air emissions (listed activities, mining activities and GHG emissions) on the National Air Emissions Inventory System by March 2017. Certain emission factors are not included in our licences and we are engaging, through the Chamber of Mines, on the development of measuring and monitoring tools. (Implats SD Report, p. 92)

Notably, in 2015, Implats reported on there being ambient monitoring stations to monitor air quality, and that these cover the region and not just the mine operations. However, they further explained that:

it was more difficult to accurately attribute the source of pollution at the Rustenburg operations due to the extent of the mine lease, that various factors influence the ambient measured data. … Implats SD report 2015, p. 118)

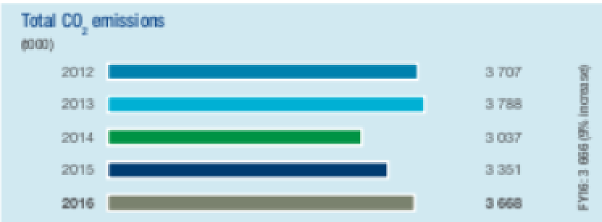
Moreover, there was some reporting relating to dust in the area:

Persistent dry conditions in the Rustenburg area have resulted in more dust. We are actively managing our dust sources to stay below the national standard. Dust suppressant trials were undertaken on the haulage roads around the tailings dam and side stopes of the tailings dam and have proved successful. The dust suppressant is being used to minimise dust emission from these sources when necessary. (Implats SD Report, p. 92)

No other reporting relating to noise or soil pollution could be found in the mine's report. The following Environmental Sustainability Performance Metrics reported included the following:

The environment		2016	2015	2014	Variance %	
Energy intensity	(GJ/tonne milled)	**0.9405**	0.9946	1.0344	5	▽
Total direct CO_2 intensity	(t/tonne milled)	**0.2072**	0.2091	0.2182	5	▽
Total direct SO_2 intensity	(t/tonne milled)	**0.0017**	0.0017	0.0022	0	
Water intensity	(Mℓ consumed/ tonne milled)	**0.0025**	0.0025	0.0025	0	
% water recycled	(total water recycled Mℓ/total water consumed Mℓ)	**41**	36	39	15	△

Climate change indicators	2016	2015	2014	2013	2012
Direct CO_2 emissions (t000)	**382**	349	323	401	418
Indirect CO_2 emissions (t000)	**3 286**	3 002	2 714	3 387	3 289
Electricity purchased (MWh 000)	**3 425**	3 129	2 780	3 395	3 322
Direct energy (GJ 000)	**4 998**	4 671	4 386	5 350	5 584
Indirect energy (GJ 000)	**12 330**	11 266	10 008	12 224	11 958
Total energy (GJ 000)	**17 328**	15 937	14 395	17 574	17 542



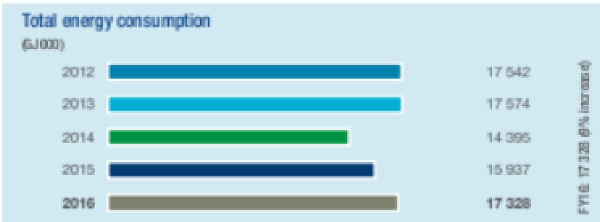


Figure 18: Environmental Sustainability Performance Metrics (Implats SD report p. 3 & 90)

6.3.2 Case of Mapela Traditional Community

The issue of pollution was fourth in Mapela's list of top mining impacts. The two kinds of pollution that seemed to impact the community of Mapela village were air and noise pollution. Air pollution seemed more noticeable and intolerable kind of pollution for most of the respondents, more than noise pollution. One respondent summed up the experience of pollution by saying - "We live in dust, with dust", implying that pollution was seen as something that was inherently part of life in Mapela.

The sources of air pollution were understood to be the dust from the mountain-like dumpsites created by mines next to the communities, and an unmissable part of the village landscape and skyline. Smells of different types of chemicals from mine operations were the other kind of air pollution understood to come from the mine's processing plants. The mine's rock blasting process was also said to result in another kind of dust-like air pollution.

The more direct impacts of air pollution were seen and explained by some respondents as a violation of their basic human right to clean air and to a pollution-free environment, as Respondent E protested, "People have a right to live in a good environment – without all this pollution" (Respondent E, 2017). The impacts were also seen as a contradiction to the rhetoric about Amplats being environmental champions, as one respondent pointed out, "They say they are environmental champions, meanwhile everyone here inhales dust, and there is no compensation" (Respondent D, 2017).

Direct impacts of pollution shared by respondents included impacts to air for breathing, water for drinking, as well as to village plants and vegetation which is consumed by both humans and animals. A youth male from Ga-Chaba explained:

> This mine has destroyed our nature. It also gets to our plants, we used to plant crops and also herbs, and pets and livestock (chicken, goats, sheep, cows) are also affected by the same thing. And we eat these things, so indirectly also. (Respondent R, August 30, 2018)

Indirect impacts included several opportunistic diseases that were believed to result from the direct impacts. Amongst these were various respiratory and pulmonary related diseases, including constant flu infections, coughing, asthma-related sicknesses, lung and sinus problems experienced by the community as a result. The youth female clinic volunteer, as well as Tribal Authority spokesperson, who both complained about the blasting process and the resulting indirect impacts said:

> Sometimes I have problems breathing, I think because of the smell in the air. It comes when they blast. It used to be around 3 pm that you smell something. They don't tell you, but you can hear the siren from the mine, and then you smell the smell, even from inside the house. Especially us as we are near the mine. (Respondent I, June 6, 2018)

> There is dust that comes after blasting, it causes flu, coughing and weakness. Most people here suffer from this. Some people get TB. (Respondent G, June 5, 2018)

The attitude of the mine was understood to be one of denial when it came to pollution and its impacts. Respondents explained that this was made worse by the fact that the community had no ability or means of showing scientific evidence for these impacts. A youth male from Ga-Chaba explained:

> Since the mine came here, we are experiencing a lot of serious pollution, and there are now new diseases that people were not experiencing before (like TB etc). Even if we can't prove that it is because of the mine, but this dust, it's in the air so we smell it and it's in the water we drink. (Respondent R, 2018).

Respondent E mentioned an example of a certain death, that was attributed to dust impact:

> We have proof of a post-mortem from someone who passed on from the health effects of pollution. One old man passed away and the results showed that he died because of the dust pollution. We engaged with the mine, they say bring the family involved, and then they tell you someone is not there, always playing delaying tactics. (Respondent E, 2017).

The mine's blasting process was described by a respondent as a "huge combustion, and then no visibility" (Respondent D, 2017). The sound was said to travel underneath the ground for quite some distance, sometimes making the ground shake. It was preceded by the sound of the warning siren, and then a particular smell followed immediately, that reached even the insides of respondents' homes. The sound constantly scared children in the village and even dogs could often be seen running away, as a result of it. The experience was described as unpleasant, as one respondent exclaimed, "Have you seen a blast before? It's terrible! Everything vibrates!" (Respondent Q, 2018).

Further to the mine's denial of pollution and its impacts, the feeling from respondents was that the mine had shown a lack of interest even when it came to community ideas or initiatives around pollution reduction, as one respondent, a budding entrepreneur lamented, "I have put together a proposal for dust removal – but they did not accept it, saying they have no funds. Funds to take care of the environment they are supposed to take care of! That they say they take care of!" (Respondent H, 2018).

This respondent lived about just under a kilometre away from the mine, further explained that the mine did not tell the truth about the blasting process and that he had captured several pictures from his home as proof of this. He explained that the process is not as seamless as the mine pretended it was and pointed out that he knew this as he used to have first-hand experience of this while he was employed as a dump-truck driver in the mine. He went inside his house to collect a printed picture that was taken with his mobile phone to show what really happened when the blasting process took place. The picture shows the visibility of a big dust explosion beyond the mine dumps bordering the mine's open-pit. The explosion seemed to distort visibility such that you cannot see any of the other houses located between his house and the mine. This image is included in Appendix Q, Plate 1.

Apart from all the impacts of pollution already shared above, respondents seemed also saddened by the long-term impact of pollution on the village environment. The impact of noise pollution, seen to also travel underground and thereby causing disturbance to the land and the built environment was a serious issue affecting the everyday livelihood of villagers. Respondents complained that the structure of their houses is affected by the blasting process, resulting in the epidemic of house cracks that could be seen in most houses in the village, and that in worst cases, houses have fallen as a result.

An interesting finding was that this seemed to affect not only the villages in the vicinity of the mine premises but also those communities that had been relocated to the outskirts of the mine operations through re-settlements. For instance, the Sterkwater village seemed also very much impacted by the same house crack epidemic. Respondents from Sterkwater village partly attributed the problem to the generally poor quality of construction and building materials used in these houses built for them by the mine.

There also seemed to be an impact on the type of house villagers could build. Mud houses, for instance, were no longer an option as they were more prone to the land disturbances when mud houses were the primary type of house for the village before the mining came to the village, and was also affordable. The ground was said to no longer be stable enough, and that mud houses fell almost immediately, and so fewer and fewer people bothered with them.

The impact seemed not to be on the land only but also on the quality of the soil in the village, one respondent explained how the plateau of the area had been negatively affected and that had resulted in the lack of rainfall, and also the lack of borehole water underground. Parts of the land also had big pot holes, as well as swamps that are a danger, especially to children. One respondent shared a recent incident of a child who died after plunging into a pit hole while playing in Ga-Chokwe village (Respondent B, September 19, 2017).

In Amplats reporting, content relating to air pollution was found, and nothing was found on noise pollution. At the outset, various Group statements are admitting to air pollution as an impact and the approach followed in mitigating these. The company stated:

> Many of the environmental impacts of mining are borne by communities around our mining operations, while others also contribute to global challenges such as climate change. Through the implementation of best-practice standards, we aim to achieve and surpass basic legal compliance. In the mining process, some environmental impact is unavoidable. Activities have the potential to affect habitats and species through land disturbance, land-use change and pollution. (AA SR 2016, p. 53).
>
> One of our most important responsibilities is the rehabilitation of our land to the post-mining land-use agreed with stakeholders, (AA SR 2016, p. 55)

Reporting was found on Amplats' air quality performance against relevant legal requirements of the Department of Environmental Affairs. There was the admittance of lack of compliance with air quality as a whole, but also reported was a lack of significant community impact of the non-compliance:

> As required by the DEA, Amplats reported its process and mining emissions data into the national air emissions inventory system (NAEIS) database by 31 March 2016. …
>
> Our most material air quality issue is sulphur dioxide (SO2) emissions from our three smelters in South Africa. These fall under the Air Quality Act, which stipulates reduced SO2 levels by 2015, with a further reduction by 2020. …
>
> While Amplats has not yet achieved full environmental compliance on emissions from the smelter stacks or chimneys, we are fully compliant with limits set for ambient (publicly accessible) areas adjacent to operations. These are constantly measured to ensure surrounding communities and the environment are not impacted significantly. (Amplats SR, p. 30-31)

Both energy consumption and carbon targets were reported as achieved for the reporting year, energy use by 3%, CO2 emissions per unit of production by 5% (Amplats IR 2016, p. 49). In addition to energy efficiency and GHG emission reduction initiatives at Amplats operations, there was also reporting on engagements Amplats had with various stakeholders around pollution matters, as well as an initiative to measure dust at Mogalakwena mine:

> Engaging with our communities and partners – both national and international – to reduce pollution and improve waste and resource use remains a priority. Locally we are actively engaging with our communities and municipalities on aspects such as offset projects on emissions and biodiversity. Other initiatives involve collaborating with the Chamber of Mines that extends locally (mine residue dump studies; influencing rehabilitation/closure polices) and globally (GHGs, PCBs or polychlorinated biphenyls, international conventions). (Amplats SR 2016, p. 24)
>
> In Mogalakwena, dust buckets have been placed around the community to measure the impacts of dust suppression in those areas. (Amplats SR 2016, p. 30)

Amplats also reported its participation on the Carbon Disclosure Project[57] and for this, they made the 'A list' of the initiative (Amplats SR 2016, p. 28), described by CDP as "the world's most pioneering companies leading on environmental transparency and performance" (CDP, 2019).

EMISSIONS – kilotonnes					
GHG emissions, CO_2(e) (scope 1 and 2 only)	**5,579**	5,878	5,363	5,936	5,743
From electricity purchased – scope 2 CO_2(e) emissions	**5,034**[RA]	5,316	4,817	5,378	5,210
Internally generated – scope 1 CO_2(e) emissions	**545**[RA]	561	547	558	533
Sulphur dioxide**	**19.6**	18.01	15.46	19.15	20.08
Particulates (point sources)	**0.18**	0.16	0.15	0.19	0.43

Figure 19: Pollution-related Environmental Indicators (Source: AIR p. 139)

It is of note that reduction in emissions was only in scope 1 and 2 emissions, this was reported in response to GRI requirement[58] (Amplats SR 2016, p. 47). Included in these were: CO2, CH4, N2O, HFCs, PFCs, and SF6 with a notable exclusion of Sulphur Dioxide (SO2) which seems to have increased in the reporting period. This was another related requirement of GRI[59] that was not fulfilled on disclosing reporting standards, methodologies, and assumptions used in the pollution figures.

6.3.3 Discussion – "We live in dust, with dust"

In both settings, the issue of pollution seemed inadequately addressed from the point of view of the community stakeholders. Air pollution was the most prevalent type of pollution experienced as a result of mine operations, followed by noise pollution, and to a lesser extent, soil pollution.

---

[57] A global disclosure system for managing environmental impacts for major corporations - www.cdproject.net.

[58] GRI Requirement G4. EN19 e) - Report whether the reductions in GHG emissions occurred in direct (scope 1), energy indirect (scope 2), other indirect (scope 3) emissions.

[59] G4. EN19 d)

The impact of the air pollution seems to be linked to many health impacts in these communities, notably the pulmonary related diseases and infections that are seen to be a direct result of mining operations, especially in Mapela village. Such a finding is not surprising as the mine in Mapela village is an open cast mine, and because of this, presents a higher and more potential risk of pollution impact compared to an underground mine like the one in Luka village. As explained by Schwegler (2006), "open-pit mines carry the additional sources of dust from blasting, loading, clearing and from a greater extent of surface disturbance and exposure" compared to where blasting operations take place underground (Schwegler, 2006 p. 207). However, in both settings, there is still an element of air pollution experienced as a by-product of the refining or smelting plants as well as the more ubiquitous experience of dust from the mountains of waste dumps that have become synonymous with the landscape of these two settings, and most mining towns in South Africa. These disused mine tailings have been proven to be a particular problem during windy dry months in Johannesburg (Schwegler, 2006).

There is a clear admission from both mining companies about pollution being an unavoidable consequence of mining operations, and that results in a significant impact on the environment, as well as to humans in surrounding communities. However, it is noticeable that in their reporting, this pollution impact is largely referred to as an environmental 'risk', which gives an impression of only a possibility or chance of impact which is a direct contradiction to the earlier statement on the unavoidability of this impact. This is the same kind of framing of the impact as was found in the reporting about water impacts, discussed in the previous section.

Unlike the reporting on water impacts, reporting around pollution was found to be highly geared towards compliance. In Luka village, for instance, Implats reported on their principal environmental risks, immediately highlighted the lack of environmental incidents for the period, and stressed the absence of non-compliance notices, fines or penalties issued to any operations during for the period. This was followed by a statement indicating that their most significant air quality "issue" is sulphur dioxide from smelting and refining plants and that air emission licences (AEL) have been mandated by the Air Quality Act to monitor compliance on these. In this reporting, there is a glaring lack of detail and clarity about what seems a significant air quality issue. It is also not clear whether Implats had acquired an AEL already and what their status is in terms of compliance. Thereafter, there was reporting on pending new legislation requirements in the country mandating reporting on additional categories of air emissions, seemingly not accounted for at the time. Here too, there is a vagueness in the reporting about the additional categories of emissions that are unaccounted for currently. It is not clear what they are, their impact, or why they were mandated only then. All of this would seem relevant information to be shared.

The same lack of detail is found in the specific disclosure about pollution incidents – where a total of 45 incidents of emissions were reported in 2016 to be from the smelter, as well as discharges of contaminated water in one particular plant in Luka village. These were reported as 'Level 3' incidents described as 'limited impact', and emphasis made, almost applauding that they were not 'Level 5', which was also not described. A statement immediately followed to make the point that none of the limited impact incidents resulted in any lasting harm to the environment. While the emissions were reported to have all been within the air emissions licence limits, it is of particular interest that nothing equivalent was reported about the incident involving discharges of contaminated water, especially as this incident was also not mentioned in the reporting on water impacts or metrics. It would seem that water emissions have no limits.

Where it was reported, this incident was immediately followed by the image in Figure 6.3, depicting crystal clear water dripping into a body of water, the choice of which did not seem coincidental or unintentional. The image seemed almost a direct neutralisation of the water contamination incident, strategically placed to diminish the general impression of the extent of the impact. This is a good example of how imagery can be used in SR to create an inaccurate reflection of reality, as Boiral (2013) suggested. Finally, Implats also revealed their target for 2017 and beyond, which was to be able to maintain these sulphur dioxide (S02) emissions at 16 tonnes per day.

While all of this information counts as disclosure and probably complies with existing regulation, the lack of detail and the bias does not facilitate proper understanding for a layperson, while the image is misleading and further impedes understanding. For instance, what is the relative impact of the new target of 16 tonnes per day for the community surrounding mine operations? Other than addressing some regulatory compliance, it is clear that this reporting has not tried to communicate and address directly the pollution concerns of community stakeholders around the impact on health, livelihoods and the natural habitat.

The implication of this is that while pollution legislation is in place to protect the interests of the community, it is not useful when it is not implemented in a way that ensures understanding by the community, and adequate, balanced reporting by mining companies is ensured.

In the case of Mapela village, Amplats reported more clearly and elaborately about the pollution impacts in their Group Report, declaring that "In the mining process, some environmental impact is unavoidable. … activities have the potential to affect habitats and species through land disturbance, land-use change and pollution." They also stated categorically that these impacts are borne by communities around their mining operations and contribute to global climate change (AA Sustainability report 2016, p. 1).

Legal compliance also seemed an important focus of reporting, based on the declaration that Amplats had submitted emissions data into the National Air Emissions Inventory Systems Database as required by law. However, they share no other detail on what this data looks like, and whether or not it was within compliance. They merely indicated an ambition to achieve and surpass basic legal compliance.

Similar to Implats, they mentioned SO^2 as the most material air quality issue for their smelter plants, and that the law has stipulated reduced levels for these by 2015 and 2020 progressively. A statement that followed further demonstrates a lack of detail and clarity in their reporting:

> While Amplats has not yet achieved full compliance on emissions from the smelter stacks or chimneys, we fully comply with limits for ambient (publicly accessible) areas adjacent to operations. These are constantly measured to ensure surrounding communities and the environment are not impacted significantly. (Amplats SR Report, p. 30)

It is not immediately discernible whether Amplats is reporting compliance or non-compliance in the above statement. How the two different measurements, the performance of which is not the same (i.e. full compliance vs. only full compliance for ambient areas), are conflated contributes to the lack of clarity. What are the implications of not being fully compliant or partially compliant, concerning legal limits? But most importantly, how do these relate or translate to actual impact about which the surrounding communities are concerned? There were no actual metrics reported on these. What is the constant measurement of these, and what is the determination for the 'significant impact' referred to? Were there penalties paid as a result? All these questions reveal a big gap in reporting and communication for the understanding of various stakeholders. The other implication is that even where disclosure seems elaborate, the actual truth can be masked somehow, as in this case.

One of the main impacts identified by community stakeholders of the two villages is the pollution from the mine blasting process. For Luka village, this is predominately noise pollution, that resulted in a kind of land disturbance and creates house-cracks in the community. Mapela village experiences the same house-crack impact, but being an open-case mine, the blasting process also results in associated air pollution from the blasting explosion with seemingly noticeable health impacts. However, this impact of the blasting process is the one area about which both mining companies are silent. There is neither admission of it or any relevant mitigation interventions by the mine. In some way, this provides support for the allegation of denial of this issue by the mines.

Pollution is also seen as a violation of human rights by some of the stakeholders in Mapela village. There is a global movement advocating for the right to breathe clean air from the environment to be included in human rights conventions like clean water and recognised as a human right. The argument is that both clean air and clean water are fundamentally important to human life and well-being (Lelieveld, 2017; Smith, 2000). It is interesting to note that there is no such reference by the mining companies, although they both still employ an overarching strategy centred around valuing and respecting human rights. Pollution is still framed very much as just an environmental issue, and not so much as the health and human rights issue it is.

In the same vein, despite the clear admission of the unavoidability of pollution in mining processes, its wide-ranging impacts, and the importance of compliance and disclosure, the content on pollution is still not elevated to the bigger sustainability context in which it belongs, in the reporting of these mining companies. Climate change is the foremost fundamental global sustainability goal, to which pollution is the main contributor. Pollution is seen more and more as a global problem, with substantial global impact, and has, as a result, beckoned more global visibility. Projects like the Paris Agreement and Carbon Disclosure Project are a testament to this well-established need for visibility and interventions. Both mining companies have ascribed and submitted to the CDP for the year in review, to show commitment towards this global endeavour[60].

The interconnectedness of the impacts of water and pollution can be seen in these two settings through the convergence of the issues raised by the community respondents. This is explained by Hillson and Murck (2000).

> The International Council of Mining and Metals considers the impact of climate change and then especially the impact of GHG as the most important issue facing the mining industry (IPCC, 2007); and due to the mining industry's strong dependence on water, it is very vulnerable to the effects of climate change" … (Hilson & Murck, 2000, p. 1)

There is something more to be said of these two environmental impacts in particularly vulnerable settings like the two in this study, and how the effects are wide-ranging, far-reaching, and interconnected, and permeate through various aspects of human life in these settings. Surely, that warrants a more elevated and nuanced framing of these impacts, and also within the human right perspective. This is particularly relevant for the SA environment, unique with its history of human rights violations, and also the previously violated living in these vulnerable mining towns.

6.4 UNEMPLOYMENT

6.4.1 Case of Luka Village

Lack of sufficient employment was the third impact raised in Luka village. Respondents pointed out the inadequacy of employment for the local community and complained about the seemingly high unemployment rate given that area was a mining village, whose economic activity and sustenance was now centred around mining. A young female from Mogono section lamented the situation and pointed out that Implats should be making sure that the unemployment rate is at its lowest for the

---

[60] Amplats was recognised with two gold certificates for achieving 99% in their CDP disclosure and also an "A" score for the JSE 100 Climate Disclosure Leadership Index. Source: https://www.angloamericanplatinum.com/sustainability/esg-performance

village (Respondent 5, 2017). The youth and the women were highlighted as particularly impacted by this lack of employment.

It is believed that the existing levels of employment among the locals were as a result of the community protesting and demanding that the mine make jobs available. “Every time when you want them to consider employing the residents here you must go on strike. Because they would rather go far, to their employment areas[61] and get people from there.” complained Respondent 4, a Male Elder.

This idea of ‘protesting for jobs’ is prevalent in the village, amongst local and also people from outside who talked about it as something they have noticed as well. One adult male, originally from the Eastern Cape, who used to be a trade union representative at the mine, confirmed this issue of unemployment for community members, he explained, “Part of what we were complaining about was not just for workers, but also for the community – issues about the lack of employment of community members” (Respondent 15, May 19, 2018).

Respondents expressed a lack of faith in the employment statistics and demographics reported by the mine, pointing out that they are generally incorrect and often distorted as job-seekers from outside of Luka also lie and use local addresses as a strategy for getting employment. They explained that there was no working system to ensure that this did not take place.

Nevertheless, the mine was believed to have a preference for employing foreigners as their normal recruitment strategy. This seemed a big issue and quite an emotional one for most of the respondents. Foreigners[62] were understood to form the majority of the mine’s workforce, with the areas of Taung[63], Eastern Cape, KwaZulu-Natal (KZN), specifically mentioned as major South African sending areas, as well as Lesotho, Mozambique, from outside the borders.

One respondent, a mineworker who was originally from KZN, and now lives in Luka village, when asked of his opinion on this subject, did not disagree but instead suggested that the employment of foreigners did not matter, there was sufficient work for everybody since there were a lot of shafts in Luka (Respondent 13, February 13, 2018). He also added that he thought the locals ‘do not like to work’ and perhaps that is why the mine preferred people from outside the village.

---

[61] Preferred employment areas were believed to be areas outside of the village and the bigger town of Rustenburg where Implats sourced ‘foreigners’ for employment.

[62] The term foreigners was used by respondents to also refer to local South African from other regions.

[63] A small town in the Southern part of the North West Province, about 400km from Rustenburg.

The mine's recruitment process was criticised and blamed for this situation. The local community employment was supposed to be facilitated through the traditional authority, RBN, where local village job-seekers needed to register in the TEBA[64] database to be considered for mine employment. This was apparently a process put in place to give priority to the Bafokeng people, with an internal process used to validate the legitimacy of the identity of the job-seeker as well as their local addresses. However, this process was not seen to be working as local respondents still felt grossly under-represented in mine recruitment processes and employment numbers.

There was also a concern shared about the recruitment process being outsourced to an external HR agency, and that as a result, the outsourcing process had loopholes. The external agency was seen to be targeting their sourcing externally as a general rule and had been seen bringing in foreign job-seekers into the village by bus. The male elder expressed regret about this and suggested potential illegal labour practices by the mine:

> The most hurting thing is that now they have outsourced their employing function to external companies, and those companies are doing exactly what the mining company used to do – they exploit people, employ cheap labour, etc. (Respondent 4, 2017)

One youth female who was recently recruited into the mine as a learner electrical engineer shared her experience of this upon being recruited into the mine a few months before the interview. She explained that in her cohort, there were only five people from the community, amongst a group of 30–50 people in total and explained that this was "hurting to see" (Respondent 5, 2017). The mine was seen not to be giving special recognition to Bafokeng people as it should, but rather treated and compared them to every other job-seeker, which was believed to be unfair to the locals whose land was being used for the mining activity.

This was, however, contrasted by two respondents who were both mine-workers, but not originally from Luka, who had a different view and experience of the mine recruitment process. In their opinion, the locals had a better advantage at employment as they did not face the same stringent requirements that foreigners faced during the recruitment process. They explained that not only did foreigners need to have a local address, but they also needed to have relevant mining qualifications (e.g. certificates) which did not seem to be a requirement for locals (Respondent 12 & 13, February 13, 2018).

In the reporting by Implats, no evidence was found to suggest that employment levels were insufficient in Luka as a mining village. Implats conceded to the fact that the mines "represented a centre of socio-economic activity and an important source of welfare in the setting" (Implats SD

[64] TEBA (The Employment Bureau of Africa) is a human resources company focusing on the recruitment of mining personnel, amongst other things.

Report, p. 67). However, some content was found in their Integrated Report detailing their understanding of the reasons behind increased unemployment in mining communities:

> The low economic growth rate has resulted in greater hardship, increased unemployment in mining communities and the cost of living rising faster than inflation. This socio-economic reality is compounded by heightened political contestation, increasing service delivery protests and a rise in youth activism challenging traditional leadership structures in communities. (Implats Integrated Report 2016, p. 14)

There was not enough evidence in the report to support or refute the finding of the preference of foreigners in the mine's recruitment process. Employment demographics were reported, and amongst others, a distinction between South African and foreign employees. As can be seen in Figure 20, the proportions (between locals and foreigners) do not support the claim about a predominance of foreign employees in Implats' workforce.

People
South Africa
Occupational levels

	Male				Female				Foreign nationals		Total		
Rustenburg	A	C	I	W	A	C	I	W	Male	Female	Male	Female	**Total**
Top management	1	0	0	0	0	0	0	0	0	0	1	0	**1**
Senior management	16	0	2	33	5	0	0	2	2	0	53	7	**60**
Professionally qualified and experienced specialists and mid-management	132	7	13	205	27	0	5	41	8	0	365	73	**438**
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents	2 572	23	0	601	466	6	4	71	253	4	3 449	551	**4 000**
Semi-skilled and discretionary decision making	7 157	8	0	69	735	2	0	7	1 503	3	8 737	747	**9 484**
Unskilled and defined decision making	12 614	20	0	9	1 545	3	0	0	1 701	33	14 344	1 581	**15 925**
Total permanent	22 492	58	15	917	2 778	11	9	121	3 467	40	26 949	2 959	**29 908**
Non-permanent employees	6	0	0	1	6	1	0	1	0	0	6	8	**15**
Grand total	22 498	58	15	917	2 784	12	9	122	3 467	40	26 955	2 967	**29 923**

Figure 20: Implats Rustenburg Employment Statistics (Source: SD report, p. 110)

While Implats provided a list of labour sending provinces from whence their employees are sourced they did not provide the next level of detail within the province of Limpopo for example, for a view of local numbers from the village(s) or those from the town of Rustenburg, in comparison with those from outside (but still within South Africa), which seems the criteria for the community. Their distinction of local and foreign is merely at the national level, as per Figure 21 below.

Labour sending areas

South Africa	Number	Impala Rustenburg 2016	Marula 2016
Eastern Cape		4 459	156
Free State		852	38
Gauteng		794	49
KwaZulu-Natal		560	19
Mpumalanga		174	118
North West		18 061	48
Northern Cape		1 007	3
Limpopo		478	2 954
Western Cape		16	1
Total		26 401	3 386
Foreigners		3 507	151
Grand total		29 908	3 537

Figure 21: Labour Sending Areas for SA Implats Operations (Source: Implats SD report 2016, p. 114)

6.4.2 Case of Mapela Traditional Community

In the case of Mapela village, the lack of job opportunities and unemployment was the number one mining impact, raised by the majority, 16 out of 19, respondents interviewed. The issue seemed to be more about employment availability in general, and not only its insufficiency. The perception was that the existing employment level was considered low, and also disproportionate to the economic activity of mining in the village.

An adult male, who used to be an underground mine-worker, estimated that only about 8% of the village was employed by the mine (Respondent F, June 5, 2018). This estimate was co-incidentally corroborated by another adult male entrepreneur who suggested that "82% of our people here in this village are not working. Not just youth, but across the board. For youth, I would say it's probably higher than that. You see them getting involved with crime, stealing, nyaope[65], etc." (Respondent L, June 6, 2018). While another adult male from Sterkwater village gave a better estimate, "I would say only about 30% of people in the village got work in the mine" (Respondent M, June 6, 2018).

Unemployment was seen to have a particularly greater impact on the youth of the village. The youth could be seen waking up and going to the mine entrance daily to look for work, then an apparently routine community activity which even had a colloquial term coined for it - 'Marketing'[66]. The youth who were among respondents themselves talked about 'Marketing' as a regular daily activity for them and shared their experiences of it. One youth female, who was a volunteer at the clinic, had a

[65] Nyaope is a highly addictive heroin-based recreational street drug, unique to South Africa. Often mixed with other substances.

[66] Meaning the marketing of one's capabilities to the mine.

Matriculation certificate as well as an Office Administration diploma, shared that she had sent her CV to the mine many times but had never once got any kind of feedback. When asked further about her experience with 'Marketing' at the mine, and if she had seen other people being recruited from the daily crowds and offered employment – her response was not affirmative, she said: "No, you just wait there the whole day" (Respondent I, June 6, 2018).

Another finding was also that respondents did not know many people who were employed by the mine, there was a general feeling that the mine preferred employing people from outside of Mapela and that often these people occupied better positions in the mine compared to the locals. The employment practices of the mine were questioned by respondents, office jobs, perceived to be better than underground jobs, were seen to be given to outsiders, while the few locals only got employed for unskilled jobs. Senior positions in the mine were said to be occupied by people from outside the area[67].

Respondent Q, an adult male Engineer at the mine, shared how this was the main reason he was given a bursary by the mine in the first place when one mine manager came up with the idea of a bursary to fund locals for specialisation in different fields of study, beyond artisan level, he explained:

> There were nine of us taken in at the time (in 2008), to train in different roles and skills, there were mining engineers in chemical, metallurgy, surveying etc. The person who initiated this programme within the mine was Ted [Surname unknown], and he was pushing for senior positions to also be made available to locals. He noticed that locals only go as far as artisan level positions and all senior positions were occupied by people from outside of here. (Respondent Q, August 30, 2018)

Two respondents with experience in working for the mine, one who was then an ex-employee, and another who was still an employee at the time, revealed that the mine preferred to employ contractors to permanent employees (Respondent F, June 5, 2018, and Respondent S, August 31, 2018). This was understood to be a deliberate business strategy of the mine as contract workers were seen as less onerous than permanent workers, they did not have the same rights and incentives in the workplace. The ex-mineworker, who used to be employed on a contract basis, shared his experiences of the associated abuse and discrimination from the contracting companies used by the mine, and how the mine succeeded in turning a blind eye, and not get involved in helping resolve even some of the most basic human rights abuses by their contracting partners (Respondent F, 2018).

There was also a belief that employment did not take place until there was some form of protest action initiated by the community. An adult male from Ga-Chaba added that sometimes even after protest action for jobs, the mine identified the person who shouted the loudest and gave a job to that

[67] Outside refers to areas outside of the Mapela village and the bigger town of Mokopane.

person to silence them and disempower the ability for the community to protest (Respondent E, 2017).

Various respondents spoke of certain strategies that the mine also used to create barriers to employment for local people. These included coming up with purposefully unrealistic criteria for certain jobs or disseminating misleading information with the employment notices to exclude certain people. An adult female from Ga-Chokwe village shared:

> Last month the mine issued new posts for cleaning, and the requirements were drivers or learners licence, computer certificate, and matric. This is done to discourage us from applying. Why would they need a driver's licence for someone who will be doing cleaning? So that they can employ people from outside and block local people. (Respondent B, September 19, 2017).

She added, displaying frustration on her face:

> Also, they say they need Maths and Science but do not teach our children or help them get these skills so that they can then give them jobs. So how are we going to get there?" (Respondent B, 2017).

An adult male who used to be a dump-truck driver after participating in a learnership from the mine, revealed how misleading information was shared by the mine when the opportunity was first presented to the community:

> Some people came to the community and requested people with Matric who want to upgrade their results. It's only when I got in that I realized that this was about a learnership and not upgrading results as they said. Sometimes they give wrong information – in order to only select those with Matric (without saying that). (Respondent H, June 6, 2018).

In the reporting by Amplats, content was found in support of the community finding that unemployment was indeed rife in the area. Amplats mentioned it as one of the socio-economic issues facing the province of Limpopo as a whole. High levels of unemployment[68] were also identified in material issues for the company (p.5), and later listed as one of the key social issues for the mine to address in the 5-10 years that followed, amongst others. In addition, "high dependence on mining" was identified as another material issue as well as "limited opportunities for local employment" at their mines (Amplats Integrated Report 2016, p. 19). Thus, the company was clearly articulating the demand and supply issues of the unemployment challenge, as alluded to by community respondents.

As required by Employment Equity legislation, Amplats also reported a breakdown of their employment figures as can be seen in Figure 22.

[68] In the SD Report of 2015, Amplats described the area where Mogalakwena is located as one with high levels of poverty and high unemployment, especially among the youth. Frustration about the lack of employment opportunities at the mine were also reported as one of the potential reasons for the September 2015 strike (Amplats SD Report 2015, p. 38)

EMPLOYMENT EQUITY PER OCCUPATIONAL LEVEL
(2016 employment equity statistics as per Employment Equity Act requirements)

	Male				Female				Foreign nationals		
Occupational levels	**African**	**Coloured**	**Asian**	**White**	**African**	**Coloured**	**Asian**	**White**	**Male**	**Female**	**Total**
Top management	0	0	2	4	2	0	0	0	0	0	8
Senior management	41	6	14	100	9	0	8	10	10	0	198
Professionally qualified and experienced specialist and mid-management	523	21	19	464	177	4	20	132	32	7	1,399
Skilled technical and academically qualified workers, junior management, supervisors	2,348	26	5	718	704	11	5	184	193	3	4,197
Semi-skilled and discretionary decision making	13,392	7	0	67	2,021	2	0	14	2,001	1	17,505
Unskilled and defined decision making	956	1	0	5		0	0	0	67	0	1,415
Total permanent employees	**17,260**	**61**	**40**	**1,358**	**3,299**	**17**	**33**	**340**	**2,303**	**11**	**24,722**
Temporary employees	116	0	3	42	26	1	3	9	22	1	223
Grand total	**17,376**	**61**	**43**	**1,400**	**3,325**	**18**	**36**	**349**	**2,325**	**12**	**24,945**

Note: all numbers are for the year ended 31 December 2016.

EMPLOYMENT EQUITY AS PER THE MINING CHARTER

Description	Measure	2016 progress against target	Compliance target
Diversification of the workplace to reflect the country's demographics to attain competitiveness	Top management (board) level	**41.7%**[LA]	40%
	Senior management (exco)	**44.5%**[LA]	40%
	Middle management	**64.4%**[LA]	40%
	Junior management	**78.1%**[LA]	40%
	Core skills	**84.6%**[LA]	40%

[LA] *Limited assurance.*

Figure 22: Employment Equity Figures (Source: Amplats Supplementary Report 2016, p. 13)

These figures reveal that African people (of which the local community of Mapela are a great part, if not exclusively) are the majority in the lower levels of employment, and a disproportionate equivalent for other races at senior levels of employment. This provides some support to the community finding that local people were predominantly employed at the lower levels of employment.

No support could be found of the community finding that the mine prefers employing contractors to permanent employees as the total number of temporary employees seems negligible compared to permanent employees, according to the figures reported. Moreover, while there is some reporting of employee numbers by province in Figure 23, there is also no further break-down of Limpopo to give a view of numbers from the local villages or the town of Mokopane for instance. Also, the regional split is for all SA employees, which includes those reported in Figure 22 as Foreigners. Therefore, the figures might simply be based on the current address of the employees and not indicative of the actual source of labour[69].

[69] These figures are reported in line with the GRI Organisational Profile Disclosure requirements (G4-10d).

Total permanent workforce in South Africa: 24,945

Region
Gauteng: 278
Limpopo: 21,669
North West: 2,862
Mpumalanga: 136

Figure 23: SA Employees by Region (Source: Amplats Supplementary Report 2016, p. 1)

Finally, relating to employment, Amplats reported on what they called ‘Modernisation strategy’, essentially the mechanisation of operations through technology, they explained the rationale for it, as well as the benefits for the company. They stated in their 2016 Supplementary Report:

> Our vision in modernising our mines is to mitigate the implications of job losses through improved employee benefits as well as health and safety, and job creation in areas related to mechanisation. (p.7)
>
> As we shift to mechanised mining, our operating and training departments are working together to understand the new skills our workforce will need and to provide the appropriate training. … The transition to modernisation will be managed in collaboration with employees, labour unions and government as we work together to grow the skills base. (p.11)

Discussions with Mapela respondents did not show any evidence of knowledge of this transition of the Mogalakwena mine transitioning to becoming a highly mechanised operation, or the potential impact this would have on employment. Respondents often compared the mine to other mines in Limpopo or Rustenburg area, which were not mechanised, in terms of employment opportunities offered to the surrounding community. Meanwhile, in the SD Report of 2015, Amplats already described the nature of the operation at Mogalakwena as primarily surface operation and more mechanised, and that as a result, there were fewer intergenerational mine employees, and relatively few jobs (Amplats SD Report 2015, p. 38).

6.4.3 Discussion - “Protests for jobs”

In addition to the economic impetus and its fiscal contribution, one of the foremost positive benefits of the mining industry in South Africa has been its job creation potential (de Villiers et al., 2014), especially for the communities surrounding mining operations. Employment is a direct benefit to the surrounding communities and is often the motivation used by mining companies to elicit acceptance when they initially come to these often-rural communities. Economic survival becomes of vital importance for achieving a good standard of living and quality of life in the new post-agrarian setting, now centred around the industrial activity of mining (Mtero, 2017).

The experience of employment offered by the mining companies in the two settings was described as surprisingly lacking by respondents, although the situation seemed more severe in Mapela compared to Luka village. In Luka village, the bigger issue seemed to be that the mining company is understood to have a preference for employing outsiders and as a result, the majority of jobs seem to have been given to outsiders as opposed to the prioritisation of the Bafokeng community. While a similar issue of preference was raised by Mapela respondents, theirs seem largely an issue with the low availability of jobs in general. This was also a finding made by Mtero (2017). Consequently, unemployment was at the top of the list of mining impacts for Mapela respondents, and only the third in the list for Luka respondents.

This varying impact of unemployment was confirmed by official statistics from the last census by Stats SA[70]. Employment figures for Rustenburg Local Municipality (of which Luka village is part) were indicated at 26,4%, with the youth unemployment rate at a higher 34,7%. For Mokopane (of which Mapela village is part), the figures were indicated at an even higher 40,2% and 51,7% respectively. Compared to the national average for the 2011 baseline year of 24,7%, these statistics provide support for the community finding of low employment levels in general in the two villages as well as the variance in impact. Also, worth noting, is that the national unemployment figures had risen steadily since 2011 to 27,3% in 2017, the year in which the interviews with respondents began. The fact that Mapela respondents estimated a rate as high as 80% for youth unemployment, almost three times the national rate, describes the severity with which this issue is seen, especially pertaining to the youth.

In the various reports of Amplats, the issue of unemployment is raised in the context of the magnitude of socio-economic challenges facing the Limpopo region, of which Mokopane and Mapela villages are part. They stated, "The province, like most of South Africa, faces enormous challenges. It has a large population with generally low literacy and skills levels, and high rates of unemployment" (Amplats IR, p. 5). While this is true and has been a finding of other studies (ActionAid, 2007; Mnwana et al., 2016), this shows that unemployment is seen by Amplats as more of a provincial or national issue, and not more locally, as respondents see it. The only other employment-related reporting pertains to the so-called company value add to South Africa through the salaries Amplats paid to employees, as well as some employment equity reporting as shown in Figure 22, which is mandated by legislation. In this figure, there seems to be a noticeable grouping called 'Semi-skilled discretionary decision-making grouping' which falls between the 'Unskilled' and 'Skilled' groups. It seems to consist of the largest numbers of black people in the company, which provides support for the community perception that people from the community were employed predominantly in the

[70] Stats SA, 2011, accessed through http://www.statssa.gov.za/?page_id=964; Municipality Statistics - https://municipalities.co.za/demographic/1191/rustenburg-local-municipality

lower levels of the company; a finding that is not surprising given the earlier fact about low literacy and skill levels in the village.

In Luka village, the issues seemed to be around the employment practices of Implats and the preference not only for foreign nationals but also people from outside of the local community, as particular barriers to entry for the local community. There is insufficient data in the reporting by Implats to enable validation of this finding, but this indicates a need for regulation to evolve and make visible the local employment impact in the surrounding communities, specifically. Similarly, there was not much content relating to unemployment in the reporting of Implats, except the mandated employment equity reporting included in Figure 20, and a statement relating to unemployment in the context of larger socio-economic challenges facing mining communities in general. They stated, “The low economic growth rate has resulted in greater hardship, increased unemployment in mining communities and the cost of living rising faster than inflation” (Implats IR 2016, p.1). While this shows Implats’ acknowledgement of unemployment, their attribution of it to the national metrics of economic growth and inflation shows a perception of it as merely a national issue. This minimises the view of unemployment as an issue for their local setting, and one requiring their direct intervention.

Finally, upon comparing the employment figures of the two companies, it became evident that Amplats’ staff numbers are significantly lower in comparison to Implats’, despite their operation being larger. Amplats had a total SA staff complement of 24 945 compared to that of 29 923 for Implats, a smaller operation in size. This is likely because Amplats has a largely mechanised operation at Mogalakwena Mine, and because of this, they do not employ the same numbers of unskilled underground workers as Implats. This was also a finding by Mtero (2017). This was an important finding given the severity of the unemployment issue for Mapela. Upon investigation, reporting about this important mechanisation strategy and the potential impact on jobs seemed clearly articulated in the reporting by Amplats (not with other employment reporting, but in their business strategy). This, however, did not seem to be understood by the Mapela community or factored into their expectations about employment from this mine. This implies a lack of effective engagement between the mine and the community stakeholders about something so fundamental to the mine operation, as well as of direct impact to the socio-economic well-being of the community.

It would be useful to understand what alternative strategies and interventions were put in place by Amplats to still ensure that the local community of Mapela remained economically active, and also evolved with the new operational strategy of a changing mine. Except for the education initiative in non-mining related skills, there was no evidence of substantial interventions to address this apparent growing unemployment issue.

It is important to point out that this mechanisation strategy of Amplats seems to have yielded results, in light of the challenging economic environment in which the platinum sector found itself in the past couple of years (Genc & Jerome, 2014). Falling commodity prices and an unstable labour relations environment created an increased need for a focus on efficiencies and cost-control, and mechanisation seems to have helped Amplats achieve that, despite the high initial capital investment it required. Amplats' performance has improved dramatically in the past few years as a result, with a much-publicised headline earnings growth of 145% reported for the financial year 2019[71].

Mechanisation may feature more and more as a viable strategy for mining companies in South Africa, in light of the increasing pressure on mining safety, the challenging labour relations climate, and the general need for innovation as a result of the fourth industrial revolution. Job creation might no longer be the trump card of mining, and different strategies for empowering local communities are necessary. SA's employment narrative around mining is therefore changing, and all stakeholders need to prepare and engage accordingly. Not least of whom is the community itself, especially the youth, identified in both settings as most affected by unemployment. The evident lack of sufficient knowledge about the platinum sector, its challenges and prospects, and the resultant impact on them is critical for the communities to understand. This lack of understanding was also the finding of a study commissioned by RBN, to study the issue of unemployment in the Bafokeng villages (RBN, 2015). Regulation also needs to evolve accordingly, to address and prepare for this trend in the mining sector. Similarly, the mining sector needs to report this matter with more urgency and the prominence it deserves than they currently do.

6.5 LACK OF INFRASTRUCTURE

6.5.1 Case of Luka Village

In the broader category of infrastructure, Luka respondents raised issues around the lack of investment in education and health infrastructure, in particular, by the mine. They also mentioned other infrastructure examples like roads, sewerage system and other public facilities.

Education infrastructure emerged as a particular priority in this grouping for the community, and the mine was not seen to have made substantial investments in this. Specific reference was made to the poor quality of the improvement projects that the mine was seen to implement in some schools, followed by the erection of notice boards giving an exaggerated impression of what was implemented. One respondent made mention of the fact that Lebone College was the only decent

[71] https://www.dailymaverick.co.za/article/2020-02-17-amplats-posts-record-results-as-ceo-griffith-steps-down/

school ever built with proper facilities by the mines, but it was only accessible to the privileged[72] and not the wider community.

In terms of health facilities, it seemed that the only hospital in Luka village was for mine employees. There was a community clinic for the rest of the community, which had been dilapidated and almost non-functional for many years before it was renovated in recent years. Respondents described a recent project between the mine and RBN to extend and renovate this clinic and remarked on its inadequacy. They highlighted the inaccuracy of the billboard advertised outside the clinic, creating an impression of a bigger project (and better clinic) than was the case. As the traditional councillor reflected:

> When you walk into Luka, there is a picture of Luka clinic in that billboard, it looks so good, you feel that you will be attended to and timeously, only to find when you do go that the picture lied to you – it's nothing like that. Impala does that, lie in their reporting. They show you cheesecake when they are actually feeding you sponge cake. (Respondent 7, 2017)

The inadequacy of the renovations related to the size of the clinic, the lack of sufficient space inside even after the extension, the lack of adequate staff available to attend to patients, as well as the fact that the clinic closes at 6pm was prohibitive and did not cater to the needs of the village. Respondents pointed out that this was the only visible community project they had seen from the mine in many years, and that it was carried out only for publicity purposes, in preparation for the mining licence renewal process, which was believed to be imminent at the time.

The road infrastructure coverage was suggested to be predominantly constructed around the mine sites and its shaft routes, and therefore seen as of benefit to the mine operations and to the community only indirectly. A main road ran through the village - it was tarred but most inside roads were still dirt roads. There was, at the time, a road construction project that was in progress, which was also seen by respondents as only initiated by the mine due to the imminent social labour plan (SLP) expiry date and the need for the renewal of the mining licence.

The sewerage infrastructure was almost non-existent in the village, most people still used pit toilets. Even those who had taken the initiative to create their own sewerage management system in their households did not get any kind of assistance like a collective disposal process to some central system. This seemed to impact the quality of life significantly. The researcher had first-hand experience of this at the guest house in Mogono section where she lodged during field visits. While the owners of the guest house had built their own sewerage system for their ablution facilities, the

[72] The respondent here is referring to the R450 million school that was built by RBN from funds from Bafokeng mining royalties. The school is a private school and believed to only be accessible to a select few who can afford school fees.

owner explained that due to lack of sewerage infrastructure in the village, there was no proper disposal system and that was the reason for the permanent smell in the area.

The few other public facilities that existed were of poor quality and in poor shape, due to normal wear and tear, but respondents pointed out that the overcrowding of the village by people from outside had also led to this, combined with the lack of maintenance of the facilities. One respondent remarked that there is no public library or shopping centre in Luka village, they still depended on small spaza shops. The closest shopping centre was located only in the head village, Phokeng, and was small.

In the reporting of Implats about infrastructure, to the contrary, they reported that social investments in community development are formalised in their SLP, which was said to focus on infrastructure. On examples mentioned by respondents, they stated:

> Investing in developing the communities around our operations is formalised in our obligations in terms of the Social and Labour Plans (SLPs), which focus primarily on infrastructure, health, education and community empowerment. This complements our emphasis on accommodation and living conditions and our enterprise and supplier development initiatives, through the provision of schools, clinics and other amenities. Our goal is to establish infrastructure to address urgent needs in mine communities with a focus on addressing longer-term impacts. (Implats SD Report 2016, P. 67).

Out of the company's total R104,6 million investment for SA operations,[73] education (at R43 million) was the biggest component, a trend also in the previous years as can be seen in Figure 24 below. In terms of actual projects, there is mention of various school support development projects, in the areas of sports and mentoring, however, none seemed to indicate substantial long-term investments in education facilities and infrastructure. However, in 2015, there was reporting of a new Primary and Secondary school in Sunrise View, an area close to Rustenburg (Implats SD Report 2015, p. 76). Upon investigation, this turned out to be about 30 kilometres outside of the village.

[73] This includes not just Implats Rustenburg but all Implats operations in SA (i.e. incl. Marula, Mimosa, Two Rivers and Impala Springs).

South African operations: socio-economic development expenditure (Rm)					
Programme	2016	2015	2014	2013	2012
Empowerment of community structures	16	19	20	13	17
Health, safety and environment	1	1	1	2	2
Education	43	49	21	18	15
Government and municipality support infrastructure	38	7	17	45	34
Sport development	3	3	7	10	10
Enterprise development	3	2	3	5	9
Community welfare, arts and culture	1	2	2	9	3
Total socio-economic development expenditure	105	83	71	102	90
Housing and living conditions	236	228	261	445	430
Total sustainable development investment	341	311	332	547	520

Figure 24: Community Development Spend for SA Operations (Implats SD Report, p. 70)

In terms of health infrastructure, the Luka clinic extension project was included, at a completion status of 71% at the time, reported under 'Government and municipality support infrastructure" spend item totalling R38m. In addition, other non-infrastructure related initiatives were reported, an HIV/Aids Health outreach and home-based care initiative for Rustenburg.

The biggest infrastructure investment for Rustenburg seemed to be on employee housing and accommodation in the construction of the Platinum village which included the construction of the Platinum Village school in partnership with the North West Department of Education as well as the Impala Bafokeng Trust. Notably, this has been the biggest social investment for several years.

Two other projects were mentioned, the refurbishment of the Ramotse Community Centre in Luka Ward 4, as well as three Makgotla offices and ablution facilities (Phase 2 of which was planned for 2017, for an additional 12 remaining headmen). No content was found relating to other infrastructure items raised by community respondents – i.e. sewerage infrastructure, public library, or shopping centre.

6.5.2 Case of Mapela Traditional Community

In Mapela village, education and education facilities were the second mining impact in their list. The general level of literacy and education in the village was described by respondents to be very low. One respondent, an entrepreneur, reflected on his personal experience as someone fortunate enough to go and get a university degree in Johannesburg and that upon coming back, realised the extent of this issue and how it does not help the community move forward. He explained, "These mines are based in communities where there is not enough education for people to understand their rights. If you stand up, you may be risking your life" (Respondent L, June 6, 2018).

In addition to the lack of education, the lack of skills and knowledge about possible career options was another issue that one respondent shared with concern. This respondent, who was a doctor at the local clinic, reflected on her initial impressions of the village, and what seemed the aspirational scope of the youth in particular. She elaborated:

> The first time I heard of someone talking about it, it was the youngsters wanting to go work there. As I converse with a lot of people – all they talk about it working there. They see it as being it and all, a sign that you have achieved. Everyone who has upgraded their lives or been successful in some level, they believe it's because of having worked there (at the mine) or somebody in their family works there. My concern was whether or not there are skills here to do the work. And my sense is that they don't have the skills to work at the mine or anywhere else for that matter. There is not a lot of education about what career opportunities are available out there. Most youth drop out from high-school level, and those who finish their matric don't go anywhere else, either lack of money or knowledge of options. So, they expect the mine to then do everything for them. (Respondent J, June 6, 2018)

One respondent, who was then a mine engineer, shared a positive story about how the mine had given him a bursary enabling him to later be employed by the mine, and later promoted to middle management. He added, however, that what the mine was doing was not enough, he suggested that there was a greater need to focus more on education before matriculation, educational facilities, as well as on education about different career options:

> ..we don't all have to be mining engineers. There needs to be education that youth could do many other things outside of the mine. Just help youth qualify for further education – so they can access different jobs. People here want one thing, to be developed in terms of skills, youth need to be empowered. For instance, there is no library in the whole of Mapela! Development for kids in high school, from grade 8 till Grade 12, and not just wait until matric and then say you are looking for this and that, then you won't find it. (Respondent Q, 2018)

The mine was not seen to be doing enough in terms of improving the level of education and schooling by investing in suitable educational infrastructure. Most school projects carried out by the mine were described as only involving minor renovations and therefore not seen as making a particularly long-term difference in the community. A youth female respondent from Fothane village felt the need to emphasise that "the mine sponsors schools, but they do not build them" (Respondent I, June 6, 2018). This was corroborated by another respondent, a youth male from Ga-Chaba village who gave examples of the minor projects the mine was seen to do:

> In terms of education, no schools are built by the mine, they renovate, put sanitation system and sometimes supply them with computers like in our local primary school, or paving for where kids walk to the classrooms (not whole yard). (Respondent R, August 30, 2018)

In the reporting by Amplats, some content was found relating to the state of education and education facilities in the village. Firstly, the low levels of literacy and skills in the province were acknowledged. The company stated, "The province, like most of South Africa, faces enormous challenges. It has a large population with generally low literacy and skills levels, and high rates of unemployment" (Amplats Integrated Report 2016, p. 23). This was seen by the mine as a provincial or national issue, and not necessarily as a local issue in the village or town of Mokopane. Skills and education deficiencies, in general, are mentioned as one of the key social issues for Amplats in the next 5 – 10 years. Furthermore, 'weakness in educational attainment' was reported as an infrastructure issue (Amplats Integrated Report 2016, p. 19).

The skills initiatives in Figure 25, both for employees and the community are reported as a mechanism to ensure a pipeline of suitable and diverse professionals into the workplace:

Initiative	Description
Young professionals (bursars and graduates)	Amplats has a well-structured bursary and graduate development programme focused on ensuring a diverse pipeline of professionals into the business across all key disciplines.
Mining learnerships	This initiative supports employees in gaining the necessary competence to perform mining tasks. This is currently provided in both conventional and mechanised disciplines.
Engineering learnerships	This programme helps mitigate the skills shortage in the various engineering artisanal levels that Amplats requires.
Fast-tracking programmes	Fast-tracking programmes address the under-representation of employees from designated groups in technical fields, focusing on supervisory and management categories.
Skills programmes	Various skills programmes, comprising groups of unit standards that allow learners to become employable for a specific role. These are recognised by the Mining Qualifications Authority.
Cadetships	This initiative focuses on training individuals from local communities in skills for specific jobs (such as rock-drill operators) to be employed immediately in permanent positions or later as needed.
Schools project	Amplats adopts existing schools to bolster education and ensure a pipeline of educated youth to employ in future.

Figure 25: Initiatives in Education (Source: Amplats Supplementary Report 2016, p. 11)

With regards to specific education-related projects, the mine reported several initiatives within the reported overall CSI spend of R46 million[74] for Education and Training in 2016:

a) The provision of learnerships (in mining and also non-mining related fields), "..engineering learnerships were provided to 70 community members and 42 attended hospitality learnerships in 2016" (Amplats SR 2016, p. 18).

b) An example of a building-related school initiative involving construction of a new school block in Mogalakwena:

> At Mogalakwena, Alchemy contributed R1.8 million to the Bothlape Koloba school, and R1.5 million to Mabuela primary school. This included renovating school classrooms and building a new school block. This project is about to be handed over to the provincial department of education and the communities. (Amplats Integrated Report 2016, p. 84)

c) Giving support to 20 eco-schools through the Groenfontein community farm and training centre, although no further details of how exactly this was done (Amplats SR 2016, p. 19).

Education and Training have consistently been reported by Amplats as one of their community development focus areas. Also, of note is the imagery depicting school children used on the front cover of the report (Figure 26) to illustrate the company's focus on Education.

[74] This spend is for the Amplats Group, of which Mogalakwena mine is a large part.

Figure 26: An image of school children on the front page of the Supplementary Report

6.5.3 Discussion - "They sponsor schools, not build them"

It is a surprising finding that a lack of basic physical structures and facilities necessary for the operation of a society is in the top five list of mining impacts and continue to be the lived experience of the mining communities in the two settings. Respondents in both settings have complained about the lack of basic infrastructure in education, health, roads, as well as water and sanitation. Yet education, health and infrastructure are reported to be the particular focus areas of these mining companies for mine community development programmes and have also been priority areas for South Africa's municipal Independent Development Plans, on which mine SLPs are based – as per legislation.

The lack of adequate educational facilities, in particular, stands in stark contrast to the low literacy and educational levels of the two villages. In Rustenburg, only 26,7% of the population was estimated to have completed matriculation in 2011, this figure was 23,9% for Mokopane[75], in comparison with the SA average of 28.4%[76] for the same year. From these figures, it can be further assumed that the levels are even lower for the villages, compared to towns. There are schools in these villages that still lack basic services like running water and sanitation infrastructure, never mind the different facilities now necessary for schooling in modern times. There is no single library in either village, the researcher herself had to travel into the nearby towns to access one. While mining

[75] Municipal Statistics - https://municipalities.co.za/demographic/

[76] Stats SA Census 2011.

companies do offer some bursaries and learnerships to the community, this has not been enough to make a sustainable impact.

Education-related projects implemented thus far are said to be of poor quality, unsustainable and are not monitored by the mining companies to ensure effectiveness. In Mapela, as one drives around the community, it is difficult not to notice the conspicuous notice boards often pinned in front of the schools. Often indicating a particular sponsorship of the water and/or sanitation system by Amplats, it seemed a consistent publicity strategy around schooling facilities.

Although there seemed to be other more substantial education-related projects referred to in Amplats reporting, like the renovation of classrooms at one school and the building of an additional block (carried out as part of their Project Alchemy), it did not seem enough and does not match the reported CSI spend of R46million for education and training, which is said to include youth development in non-mining portable skills, which might address the issue about the community's over-dependence on mining, and may be some proof of what the company is doing outside of mining.

The use of imagery with school children in the cover of the Amplats' Supplementary Report is also noticeable. Implats also, uses various similar images of school children sitting or running outside a school building or sitting in what seems like multimedia classrooms with headphones, as can be found in Implats' reports. These images around education seem a normal feature of mining company reports and give an exaggerated impression of the contribution or priority of education in their sustainability agenda that is not commensurate with the scale of their projects and investments in education.

The community clinics available in both villages seem relatively small and inadequate for the needs of the community. In Luka, the recent renovation of the community clinic is advertised in a billboard outside the clinic, highlighting the work that was done and by whom it was done (a joint project between Implats and the Impala Bafokeng Trust[77]). The displeasure of the community about the nature and extent of these renovations indicates the massive discord between such projects implemented for the community and the community expectations of those projects, particularly in an area of basic need and importance as health.

In Mapela, the clinic building was big enough, but the facility was in poor shape and in desperate need of a renovation. In both villages, the only proper hospitals available are those built by the mines for the exclusive use of their employees. It is a surprising finding that such a different standard is applied for employees compared to the community, in a setting where mining companies have

[77] The community development trust between Implats and RBN.

admitted to unavoidable environmental impacts that can be of potential harm to the communities around them. Health and safety were also a particular priority for the mining sector in general, but it seems the standard for mine employees is different from that of communities.

In terms of other types of infrastructure, it was clear that road infrastructure was developed primarily around the routes to the different shafts and operations, both villages had limited tar road coverage, which was found typically on the main roads, and dirt roads for the community areas. In Mapela, however, there was mention of a road construction project, to be implemented together with the Roads Agency Limpopo, to build a 17km road (AA SD Report 2016, p. 68). It seems that this was agreed as part of the company's SLP for the community and was only being started at the time.

The particular focus on water and sanitation initiatives for individual schools in Mapela by Amplats was also a testament to the lack of water and sanitation infrastructure in that community. Only 20,2% of the Luka population has access to piped water inside their dwellings, and only 9,9% have access to a flush toilet connected to a sewerage system. For Mapela, these figures are even lower, 12% and 8,3% respectively[78].

In Luka village, staff accommodation was consistently reported as one of the company's biggest and ground-breaking investments for the community. However, community respondents were unequivocal about the fact that this investment was not a benefit to the community, but to the mine and its employees. It was clear that this had been the biggest component of Implats' community investment for many years. The legacy of apartheid and its migrant labour system where huge discrepancies existed in the treatment of black employees (Bezuidenhout & Buhlungu, 2011), is to blame for the sad reality that the provision of such a basic amenity, expected as a mere matter of human rights and dignity, has now turned into something for which mining companies are commended.

In general, the level of infrastructure progress in the two communities is not indicative of the amount of time in years that these mining companies have been located in the area and the amount of money they have made. Both companies are the world's top producers of platinum, combined they produce over 80% of the world's supply of platinum (Genc & Jerome, 2014), and make billions of Rand annually[79].

---

[78] Municipal Statistics - https://municipalities.co.za/demographic/

[79] Implats made headline earnings of R3bn for 2019 (Source: http://www.implats.co.za/pdf/annual-reports/annual-integrated-report/2019/implats-air-2019.pdf), and Amplats R17bn (Source: https://www.angloamericanplatinum.com/investors/financial-results-centre.

6.6 OVERPOPULATION OF THE VILLAGE

6.6.1 Case of Luka Village

The fifth mining impact in Luka's top five list of mining impacts was the issue of the escalating population growth in the village. Eight out of the 18 respondents brought up this issue as quite serious that had led to some social and cultural conflicts in the village.

It was also highlighted as a specific issue that the mine had not taken responsibility for this situation altogether. The population in the village had grown at an escalating rate due to the labour force that had come for the mines – actual employees of the mine, their families and relatives, as well as other job-seekers who relocated to the village with the hope of finding jobs at the mine. As the adult male BLBA reflected before:

> Then there was the resulting influx of people coming to the area for jobs. This impacted the culture of the village, brought in a lot of social ills that were not there before. This became an economic burden and led to no spatial development for communities. (Respondent 1, 2017)

The first impact of this was seen to be on the community public resources, specifically the schools, recreational facilities and community clinic, which then needed to be shared with a rapidly growing population. The community clinic seemed a particularly sore point for respondents as they pointed out that mine employees already had their own dedicated bigger hospital on the mine premises but were still coming to 'over-crowd' the community clinic as well.

The second type of impact from this overpopulation was described by respondents to be social and cultural. They explained that the village had ended up with a varied tribal demographic compared to its initial Bafokeng base. Bafokeng people were described as having a very distinct tribal and cultural identity, of which they are very proud, which had slowly been diluted by the variety of different other tribes and cultures that had migrated to the village. There seemed to be much awareness of this, and also regret about it, particularly from the respondents of Bafokeng descent.

The non-Bafokeng tribes were seen to be 'the other', 'the outsiders' or 'foreigners', who had brought foreign norms, traditions and values, to the detriment of the Bafokeng heritage. This seemed to have resulted in several cultural clashes and conflicts in the community. One respondent of Bafokeng descent shared a recent example of such a conflict in great detail:

> South Africa is a diverse place, we have different cultural practices, and sometimes this also sparks conflict in the community. I can give you an example – I was out braaiing meat, and one guy tried to steal a piece of meat from me, clearly feeling manlier than me, he said 'Sity'inyama', meaning that he is Xhosa and Xhosa's are known to love meat, and therefore he is entitled to more meat than me. Bafokeng people are known to be humble people – which makes us vulnerable to these employees who are supposed to be guests in our land, but who want to be treated like royalty in our land. (Respondent 7, 2017)

He elaborated further on another kind of impact that he had seen had in the community:

> They also come in and get our women pregnant. Most of the guys that come here already have partners where they come from. They get here, find women, impregnate them, when it's time to go / contract out, they leave our women here, and go and spend their pension and UIF money back home with their original families. Our population is moving at a very quick pace. Our women are vulnerable to these men because they have money, they are working. Our people are not working, especially women – they are unemployed. About 0,01 of women are employed in Impala. They also bring into our community diseases like HIV and TB – the high numbers that we have here. (Respondent 7, 2017)

The existence of these two worlds was also the researcher's observation during her field visits to Luka. The community seemed to be split into two distinct worlds, the one of the Bafokeng people, and 'the other' – who mainly lived in rented accommodation in the village, or in informal settlements on the outskirts of the village.

Respondents who were originally from outside of the village also attested to the existence of these two worlds and concurred that clashes did occur as a result. However, they seemed to experience a better overall sense of social cohesion than what was shared by the Bafokeng respondents. One mineworker who was originally from the Eastern Cape reflected that clashes did happen, but they were resolved and things got better. He added, "But you always feel like an outsider. Although it's becoming better these days, it was worse a long time ago" (Respondent 13, 2018).

Another underground mine-worker, originally from KwaZulu-Natal, shared a specific example of a discrimination incident that they experienced in the village as outsiders, he reflected:

> It [discrimination] happens a great deal, when you arrive you definitely see the apartheid [in the village], but you get used to it, and then you don't pay attention to it or notice it as much as you continue to live here. You can feel it from how they call us the "Matebele"[80], which I imagine refers to 'AmaNdebele'. They group all Zulu's and Xhosa's, Swati's together anyone else who is not Tswana. (Respondent 12, 2018).

The same mineworker had initially shared at the beginning of the interview, as a way of introduction, that he was born at KwaNongoma in KwaZulu Natal, and that "People around here only understand that all of us are Xhosa's they do not know how to differentiate between Zulu's and Xhosa's or those from Mpumalanga, they refer to us as just one foreign people known as Xhosas" (Respondent 12, 2018).

One respondent, originally from the Eastern Cape, recalled a story of how they were forbidden from using a sports field once for soccer training, chased out and threatened with a vicious security team called Mapogo Amathamaga Security and told the field was built for the exclusive use of the Bafokeng people and not outsiders.

[80] A Nguni speaking ethnic group popular for its military reign during the Mfecane wars with the Sotho/Tswana, originally from KZN but travelled northwards during Mfecane wars conquering smaller tribes but were eventually driven to the north of Limpopo where they settled (Bafokeng were amongst those conquered). (Source – Wikipedia TBC)

A similar kind of discrimination seemed to also be experienced in the day-to-day rental accommodation spaces where some mineworkers lived in Bafokeng dwellings, as Respondent 13 shared his experience with different landlords in the renting spaces he had occupied up till then:

> Here in Luka, it depends on people. Some people are okay and others not. People are different. But you have no choice as you need the place. And they also need the money, baphila ngathi [they survive through us][81]. It's getting better. (Respondent 13, 2018)

The third type of impact of the overpopulation of the village was suggested to be the issue of crime. There was a shared feeling among respondents that this was as a result of the influx of outsiders who had migrated into the village, and especially those who were unemployed and had relocated into the village as job-seekers. A lot of theft and violent crime had resulted. One Bafokeng respondent mentioned how his sense of security had decreased dramatically in recent years, and that driving in the village at night no longer felt as secure as it used to be, especially as there was also insufficient lighting in the village streets (Respondent 7, 2017).

In contrast to the three types of negative impacts shared above, there was one positive impact related to this issue. Bafokeng respondents confirmed that rental accommodation had become an important source of income for the village and had become a way of life and of earning a living for many of the Bafokeng people. Non-Bafokeng respondents from outside the village explained that abundant affordable rental accommodation was on offer, and that mineworkers generally preferred this accommodation compared to formal mine housing. As a result, there were many people in the village, who, while they did not have formal employment, were landlords and made a living out of renting out backyard accommodation in their homes – generally in the form of tin-shack one-room dwellings.

In the reporting by Implats, not much content could be found relating to this issue of overpopulation in the village except some acknowledgement of in-migration and the resulting impacts as a negative outcome in the setting. In its report of financial year outcomes for 2016, the company specifically mentioned "in-migration and constraints on infrastructure and social amenities" and "informal settlements" as negative outcomes (Implats SD report 2016, p. 10).

In the year before that, i.e. 2015, Implats also acknowledged that there are "negative factors that arise as a consequent of in-migration that increase social pressures due to increased competition for limited resources"[82] (Implats SD Report 2015, p. 87).

---

[81] By this, the respondent meant that Bafokeng people were now dependent on this monthly rental money for survival.

[82] This was reported as findings of a Social Impact Assessment study commissioned in 2013 – 2014 in 14 immediate Bafokeng villages and one informal settlement around Rustenburg operations.

In terms of mitigation of this issue, the only other relevant reporting was related to the investment in employee housing and accommodation already mentioned above. The CEO highlighted this in his statement as follows:

> Our investment in accommodation and living conditions of employees is perhaps the most significant contribution to the well-being of our communities and employees and an area where we are recognised as leaders across the sector. (Implats SD Report 2016, p. 14)

Concerning the issue of increasing levels of crime, Implats reported participating in various mine crime combating forums in Rustenburg (Implats SD Report 2016, p.108). It is not clear whether the focus of these was on the mine areas or wider public areas in the community.

6.6.2 Discussion - "You always feel like an outsider"

The issue of overpopulation was evident in Luka, and its impacts palpable from the experiences of both sides of the community. The town of Rustenburg has a significantly higher population density in comparison with other towns of its geographic size as a result of mining (Bezuidenhout & Buhlungu, 2015). For instance, in 2011, Rustenburg's population was already 160,54 per square kilometre compared to 33,47 for the rest of the North West province[83]. This figure was a staggering 2 078,69 per square kilometre for the old part of Luka. The Bafokeng felt aggrieved and let down by the mines, and denied some of their rights and entitlements as a result of this population escalation. The non-Bafokeng felt equally wounded by the 'othering' and other forms of discrimination to which they were subjected, and which impinged on their human rights as well. The setting seemed like two different worlds thrust upon each other, by the promise of mining and then left to their own devices.

Yet, overpopulation and its socio-economic impacts is not a new phenomenon in the history of South African mining and the development of mining towns from the migrant labour system (Adams, Cousins, & Manona, 1999). It is therefore surprising that in the 21st-century mining agenda, this issue is mentioned by mining companies merely as bringing "constraints on infrastructure and social amenities" (Implats SD Report 2016, p. 10), and that there are no specific interventions directed at preventing or addressing such a known impact on society.

The investment in the employee accommodation in the Platinum Village seemed the only concrete project in Implats' reporting that indirectly addresses this issue. However, for community

[83] Census 2011 Community Profile, Rustenburg place - accessed through https://census2011.adrianfrith.com/place/662

respondents, this project did not count, it was seen very much as a benefit to people who already had the benefit of employment from the mine, and less so towards the wider community. In addition to the other more tangible impacts of mining, this seemed a much subtler impact but is at the core of the social fabric and character of the community and impacts on social cohesion.

These are complicated dynamics in a post-apartheid setting, where tribal sensitivities that were a legacy of apartheid mining (Guy & Thabane 1991) have remained and are still evident in these mining villages. They are partly a reflection of the failure of government in ensuring proper spatial planning and management of such areas (Bezuidenhout & Buhlungu, 2015), as well as not reconciling some of the traditional systems that have been re-instated in society together with some of the modern democratic ones. Great strides have been made in transforming the mining sector through legislation, but more remains to be done, especially in such diverse, densely populated rural areas. Mining companies should be partaking of this social responsibility as having been responsible for creating it in the first place.

6.7 RELOCATIONS

6.7.1 Case of Mapela Village

The fifth mining impacts for Mapela was community relocations. The village had a history of relocations and re-settlements by the Amplats mining company. Relocation experiences from two separate villages were shared with the researcher. The first was in Mothlotlo village, the very first community to be relocated by the mine in 2012. The second was Sterkwater village, a newly re-settled village after the community was relocated from Ga-Pila village in 2014. Below are some of the experiences shared by respondents relating to these.

The first finding about relocations in general, was that very little compensation was given to the community as part of the process. Respondents from Sterkwater village shared how they were given only R5000 which was communicated at the time to be meant for curtains and other settling-in incidentals at the time. It is alleged that a promise of more money was made but nothing else was ever given after that. This was a consistent story among respondents, “We only received R5000 which was given as money for us to buy curtains for these new houses. There was no compensation after that”, one respondent explained (Respondent M, August 29, 2018). An adult male entrepreneur also suggested that an amount was initially promised by the mine, “For 18 years now we still haven’t received our compensation as promised in the relocation. We were supposed to get a R100 000, we got R5000 for groceries – just to settle in – they said it’s for curtains and such small things. And we never got anything else” (Respondent L, June 6, 2018).

In Mothlotlo village, similar complaints were shared, an adult female respondent whose family refused relocation explained that they refused because compensation was insufficient, and added that the new houses they were going to be relocated to were also of poor quality (Respondent A, September 19, 2017).

Another finding was that questions and requests for information by the community were interpreted as a kind of resistance by representatives of the mine and were met with violence and harassment. Respondents shared experiences of physical assault, forced removals from their ancestral homes and threats against those who were seen to be resisting the relocation, including police arrests. One respondent reflected on her family's experience at the time:

> So, when they came my mother asked them what would happen, and they called the police, and told them we did not want to move. She was arrested for 3 months. Even the day my mother was arrested, they came with the police, broke the door, my mother asked if she could wear proper clothes, they just grabbed her and shoved her in the floor, saying they do not want to hear anything from her. They kicked me with their boots, and took me outside to the tree with thorns, I also had a big scratch at the back." (Respondent N, August 29, 2018) *[She showed the researcher a big mark from a wound on her leg where she was kicked.]*

The overall approach and strategy employed by the mine showed a gross lack of care for the people, and even the old frail members of the community were treated with the same disrespect and disdain. The same adult female further recalled, "I remember one case where this person from the mine said … if you don't want to move, we are going to dig until you are in the hole!" (Respondent N, 2018).

Lack of support from different community structures was also alleged, who were supposed to be part of the process in order to represent the community. The following parties were singled out in relation to this - the Rustenburg Municipality, the Mapela Tribal Authority, and the set of structures referred to as Section 21 Companies.

These negative experiences of the relocation process were narrated by both the respondents who agreed to be relocated and were then re-settled in new neighbourhoods and those who refused relocation and remained in their old neighbourhoods alike. The un-relocated respondent of Mothlotlo recounted a violent incident that impacted her for the rest of her life in the process leading up to the relocation in her village:

> When we tried to talk to the mine, they beat us, they shot at us! I was injured in one of those incidences – that is why I had an operation of one of my eyes from a rubber bullet in May 2014. Security protecting the mines sprayed rubber bullets and teargas. They took me to the mine hospital to get help, because they could see that it was bad. I only got to see the doctor 7 days after. (Respondent A, 2017)

In Mothlotlo village, some 63 families refused relocation and as a result, they continued to live on their original ancestral land, then apparently barren, indigent, and without community facilities like roads, schools, or clinics (ActionAid, 2008; Phuhlisani NPC, 2018). In this setting, they were living amidst and in unbelievable proximity to the massive waste dump mountains, that were then almost surrounding their tiny community.

The researcher also had a first-hand experience of these while driving into Mothlotlo village for the first time. The engulfing presence and claustrophobia of being surrounded by these huge mountains was intimidating and became more terrifying the closer one got to the village. The route to the village required traversing a narrow gravel path, past a large mine site populated by enormous dump trucks moving about at work, and armed security guards guarding the area, seemingly monitoring entry and exit out of the village, to finally arrive at these pockets of community land with relatively tiny homes where people still lived, astonishingly. The images from this experience are capture in Appendix Q, Plate 2 & 3.

The respondent from Mothlotlo shared a harrowing account of what had been some of the impacts of the relocation to them as a remaining community in the neighbourhood, and elaborated on the various health and social impacts they continued to live with:

> We are sick all the time. I have a cold all the time that does not go away. So, our health is affected. Our lungs don't work properly because of the pollution here. Every week we are sick. ... They have separated families. Part of our family chose to be relocated and we chose to stay, so we live apart from each other. ...The school also relocated with the relocations, so there is no school here for kids. Our kids do not learn. (Respondent A, 2017) *[Pointing to kids playing in the nearby yard, during what could be school hours. This Image is also included in Appendix Q, Plate 4]*

She also described house cracks as another regular impact on their houses from the mine's blasting process due to the proximity of the mine operations to them, and that sometimes their houses eventually collapse, especially mud houses. She further explained that when this happened and they complain to the mine, the mine responds by building tin-shacks as replacement of those structures. She pointed to a nearby neighbouring house as an example, whose one structure collapsed and had a tin-shack replacement. She added that the tin-shack was not erected properly, and that when it rained water leaked to the inside. The image of this house is also included in Appendix Q, Plate 5.

Similarly, Sterkwater village also experienced post-relocation negative impacts in their new setting. Some of these are shared below:

a) The lack of proximity to the central village where most of the economic activity took place; distances to essential places where the community needed to get to were far. Amongst those mentioned were the mine offices to look for work and the nearby town of Mokopane where bigger shops are located. This came with a new financial burden to pay taxi fares for essential trips that the community would have managed on foot. As one male elder from Sterkwater village complained, "Living here, they just dumped us on the other side of the place, at the back, where we have no access to most things. This is where they should have left space for us to graze – but put us in front" (Respondent O, August 29, 2018).

b) Lack of house ownership to the new relocated houses; no title deeds were given to the relocated families for their new homes, which was something the respondents described as living in both a mine house and land, seen as a huge disempowerment of the community. Previous homes were part of the traditional land, and while they had no title deeds for them, it was inherited ownership of their ancestral land in a traditional system they believed in.

c) The quality of life in the new neighbourhood was said to be worse, and not better, as initially promised by the mine. Various respondents complained about sanitation issues - mainly the lack of water, and the lack of a working sewerage infrastructure, which they suggested was a growing daily crisis. The excerpts below are from two of the respondents

> When we lived in our old area, we had no issues with water. Now since we relocated here, we have water shortages, we have a dam here but all villages now source water from there, and it's not enough. ... The sewerage system does not work; the dam gets clogged and doesn't flow into the pipes to reach the households. Households have septic tanks and these are overflowing and need draining. (Respondent L, June 6, 2018)

> There is also no water, they put some taps, maybe 1 – 2 hours you can get water, in some sections, if you are lucky you can get water twice a week. There are two trucks who deliver water to 800 houses – never mind the number of people living in those houses (probably 1500 – 2000 households). ... They installed septic tanks; I'm suffering from the smell of the septic tanks that they installed just outside the kitchen. Even if the sewerage system was working how are you supposed to survive with the smell of the septic tanks just outside your kitchen. (Respondent O, August 29, 2018)

d) Disruption of social life through the separation of families and relatives, between those who were relocated to Sterkwater, and those who remained in the old Ga-Pila village. In Mothlotlo also, the remaining families complained of being separated from their relatives.

e) One positive experience was shared by two respondents of Sterkwater on the lack of dust in the newly relocated area of the village. Respondent M pointed this out, and also explained that any dust-related sickness was probably from the old village which was closer to the mine (Respondent M, 2018). This was confirmed by another respondent, "It's an advantage that we are 23km away. The dust does not get to us – so not so much pollution impact" (Respondent L, 2018).

f) The quality of the houses built by the mines in Sterkwater was said to be of very poor quality. One male elder in the village, Respondent O, allowed the interviewer to visit his home to take pictures of house cracks in his new house. To show that this was not a unique problem, he also arranged for the researcher to see and take photographs of another nearby house as well, belonging to an old lady. Images from both houses are shared in Appendix Q, Plate 6&7[84]. He pointed out that house cracks were as a result of poor construction or workmanship:

[84] They agreed for their identities to be revealed in these pictures.

> These new houses have cracks all over. Even this school outside here has cracks, I can take you and show you.“ ..“These houses were not built properly, you know I have a metal detector, and when I run it on the floor, I can see that brick force was used in the foundation, but when I run it on the walls there is no brick force. (Respondent O, 2018)

In the reporting by Amplats, the following content was found, relating to the above community findings on the mining impact of relocations, both for the communities that refused relocation and remained in their original land close to expanded mine operation, and those who are relocated and settled elsewhere. The AA Group had a clear statement on this and the potential impact to communities, and the approach they took in implementing these, based on a global standard:

> Land acquisition and resettlement is one of our most material social issues. Resettlements can have long term consequences for the social structures and livelihoods of affected peoples and may present significant risks to our capital projects and operations. (AA SR 2016, p. 43)

> Resettlement approach implemented according to the International Finance Corporate (IFC) performance standard on land acquisition and involuntary resettlement and must demonstrably improve the livelihoods of resettled people. In accordance with the IFC standard, each resettlement must also be planned and implemented in a participatory manner. (Amplats SR 2016, p. 34)

There was also reporting on progress with what they called ‘close-out reviews’, one of which was for Mogalakwena mine.

> Resettlement close-out reviews are in progress at Mogalakwena …. The reviews seek to establish to what extent livelihoods have been affected and restored. The progress of these reviews has faced challenges owing to limited social baseline data and reluctance among communities to engage in the process. (AA SR 2016, p. 43)

Amplats also reported on a relocation-related complaint letter sent by a community to the South African parliament, the Ga-Sekhaolelo community, represented by David Moselakgomo, had written to parliament in September 2014, complaining about the relocation agreement between the community and Amplats. The mine stated:

> Amplats took all concerns raised by its host communities seriously and supported submissions made to the hearing. We also assisted the select committee on petitions and executive undertakings in resolving issues raised in the letter of complaint. We outlined our support for various initiatives that contribute to the socio-economic upliftment of communities around our mines. We also responded to parliament by submitting the signed agreement for the Ga-Sekhaolelo relocation. (Amplats IR 2016, p. 35)

However, no further details were included about this matter.

6.7.2 Discussion - Living amidst mine dumps or with the smell of septic tanks

The negative impact of relocations and resettlements in Mapela seemed to have affected both the communities that refused relocation and those who were relocated and re-settled elsewhere as seen in the experiences of people in Mothlotlo and Sterkwater villages respectively.

The ‘un-relocated’ suffered a lack of livelihood, isolation and even worse health impacts, due to the proximity to the mine operations as these had moved closer and closer. This kind of impact was described by Owen and Kemp (2015) as resulting from co-habitation and proximity to production. Mtero (2017), in his analysis of this impacts in Mapela, concluded that they amounted to a kind of mine-induced displacement and resettlement; this can be seen in the extent of the alteration of ways of living for those who remain in Mothlotlo village. Others have argued that conditions have been made so difficult and dangerous for this community such that the actions of Amplats are equivalent to a forced eviction (Phuhlisani NPC, 2018).

For the ‘relocated’, the experience of the relocation process seemed far below the expected standard and level of human rights that should have been afforded. This called into question the commitment of Amplats to human rights and indeed their declaration of compliance to the global standard for managing environmental and social risks pertaining to resettlements. The lived experiences of affected respondents do not bear evidence of a proper resettlement process and fair compensation, as required by this standard, nor is there any demonstrable improvement in the livelihoods of those who were relocated. The evidence of the processes followed by the mine showed no effective participation by the community, as was also found in the study by SAHRC (2008).

In a few of their operations, Amplats reported difficulties with conducting what they refer to as resettlement reviews, quoting a lack of baseline data for comparison purposes, as well as the unwillingness from communities to participate. This was indicative of the inherent issues with resettlements that were likely never resolved in the first place with these communities, and therefore remain. The lack of adequate information on their mention of a particular complaint to Parliament lodged by the Ga-Sekhaolelo community, does not show a commitment to full disclosure on what seems an important community matter (Amplats reported only that they responded to parliament on this matter). There is no transparency on what matters were raised by this community exactly, and how the resolution was achieved. Surely this information is relevant to sustainability activities and performance that reporting is about?

The researcher learnt that the Mothlotlo community referred to in this study (as the unrelocated community) finally agreed to be relocated to a new location after a 12-year drawn-out court battle with Amplats (Ledwaba, 2020). The final deal included adequate relocation compensation, proper newly built houses with electricity and running water, to which the families also received title deeds. Free schooling for children and employment opportunities for adults at Amplats. In addition, two commercial farms were also purchased for the community, for livelihoods restoration of these communities. This was applauded as an important precedent-setting accomplishment that should benchmark what ought to be the minimum standard for such relocations.

6.8 SUSTAINABILITY PRIORITIES

Having discussed what was understood to be impacts of mining operations, it became opportune to also discuss with respondents about what they understood or saw as the village's sustainability priorities. Later on, in the interview, respondents in both villages were asked to share what they considered the Top 3 - 5 Sustainability Priorities for their communities. Juxtaposed with these is a view of what was found to be the sustainability focus or priority areas of their respective companies in their reporting for the period.

Table 8: Community Sustainability Priorities vs. Company Sustainability Focus Areas

Luka Respondent Sustainability Priorities	**Implats Sustainability Focus Areas (2016)[85]**
○ Education and skills development ○ Health facilities and mitigation of health impacts ○ Infrastructure and recreational facilities ○ Water and water infrastructure ○ Community empowerment and enterprise development	○ Infrastructure ○ Health ○ Education & Skills Development ○ Community Empowerment
Mapela Respondent Sustainability Priorities	**Amplats Sustainability Focus Areas (2016)[86]**
○ Education and skills development ○ Infrastructure (housing, roads, sanitation, recreational facilities) ○ Employment for the community ○ Water and water infrastructure ○ Health facilities and mitigation impacts	○ Infrastructure ○ Education and skills ○ Enterprise Development & Income Generation ○ Health ○ Institutional Capacity Development

---

[85] Implats' SLP focus areas – "Investing in developing the communities around our operations is formalised in our obligations in terms of the Social and Labour Plans (SLPs), which focus primarily on infrastructure, health, education and community empowerment." (Implats SDR 2016, p. 1)

[86] Amplats Community development spend distribution – "Education and training R46 million, Health and welfare R12 million, Water and sanitation R12 million, Institutional capacity development R9 million, Community development R241 million, Other R17 million". (Amplats SR 2016, p. 1)

In Luka village, the aggregated list of the respondents' Top 5 Sustainability Priorities included education and skills development, health facilities and the mitigation of health impacts, infrastructure and recreational facilities, water and water infrastructure, community empowerment and enterprise development.

From an Implats perspective, their SLP focus areas were listed in the statement – "Investing in developing the communities around our operations is formalised in our obligations in terms of the Social and Labour Plans (SLPs), which focus primarily on infrastructure, health, education and community empowerment (Implats SDR 2016, p. 5)".

In addition to this Implats had the following statement on their understanding of the current situation leading to what is termed 'crisis of expectations', and its implications on roles and responsibilities:

> With the slow pace of service delivery, reduced employment opportunities and a rising cost of living, mining companies face a crisis of expectations in terms of jobs, infrastructure, service delivery and procurement opportunities – at a time when the sector has been hit by flat commodity prices and increasing production costs. With these shifting expectations and the blurring of the expected roles of companies and local authorities, businesses may come under added pressure. Managing these expectations requires us to strike a difficult balance between respecting and upholding the roles and responsibilities of local government, while seeking to allay the growing frustrations of increasingly vocal local communities. (Implats SDR 2016, p. 14)

In Mapela village, the aggregate of what emerged as Mapela respondents' top three to five sustainability priorities included education and skills development, infrastructure, employment for the community, water and water infrastructure and health facilities and the mitigation of health impacts.

From an Amplats' perspective, the key sustainability challenges in Mogalakwena mine were stated as – "Provincial and local government volatility/NGO activity; Traditional leadership and community groups not aligned; High dependence on mining; Poverty, inequality, skills shortage; Infrastructure shortages; Renegotiating relationships to respect traditional structures (Amplats IR 2016, p. 18)".

Community development spend distribution for the period included – "Education and training R46 million, Health and welfare R12 million, Water and sanitation R12 million, Institutional capacity development R9 million, Community development R241 million, Other R17 million (Amplats SR 2016, p. 17)". Included in the 'other' figure were a R5,4 million investment in a sports and recreational facility, R10,3 million in enterprise development initiatives, and the balance in skills development projects (bursaries, learnerships and cadetships) for employees and local communities.

6.8.1 Discussion – Misalignment of Sustainability Priorities

When community respondents were asked for an indication of what they considered the top sustainability priorities of their communities, the two lists that emerged from both communities were unsurprisingly in line with most of the impacts they had identified in the earlier interview question on impacts. They included primarily water, pollution, employment, infrastructure and the empowerment of the community through education and economic opportunities. This was an important finding, establishing that the sustainability reporting agenda for community stakeholders is informed by their lived experiences of mining impacts in the setting.

Implats' SLP focus areas included infrastructure, health, education and community empowerment. This was to the exclusion of water and pollution, the top two impacts from Luka respondents. There was also a lack of focus on employment and interventions towards social cohesion in the community to counter the effects of over-population and its associated impacts.

Amplats' sustainability focus areas included health and welfare, education and training, agriculture and environment, enterprise development, infrastructure, institutional capacity building, and sports and culture (Amplats Supplementary Report 2016, p. 18). It is noteworthy that employment, Mapela's number two mining impact, is not a particular focus of Amplats in the Mapela community, outside of the few engineering bursaries and hospitality learnerships they provide. Water and pollution are also absent from these focus areas.

The above findings indicate that the sustainability priorities of mining companies are not directly informed by the lived experiences of the surrounding communities. The misalignment in the sustainability priorities of communities in comparison to those of mining companies in these two settings implies an even deeper issue that will be discussed in the next section.

6.9 CONCLUSION

The findings in this theme revealed that the lived experiences of sustainability on the ground are still characterised largely by basic mining impacts, even though both mining companies had been in the setting for several decades[87]. The most striking observation about this is the divergence in the framing of these impacts between the mining companies and the communities. The narrative of the communities is definitive, about the daily occurrence of impacts in their lives, while that of the mining companies is tentative and uncertain, and merely about the possibility of impacts occurring. This indicates a divergence in the actual experience of impacts or the perception of it. Whichever one it is, it is clear that the two parties are talking past each other, given their different departure points on the subject. This detracts from the effectiveness of sustainability reporting as a tool for engagement,

[87] Implats' mine was established in 1966 and Amplats' in 1991, although its holding company Anglo American had been in the South African Mining industry since 1917.

and communication between the mining company and the community stakeholders (Steurer et al, 2005).

The interconnectedness of issues resulting from different impacts is another finding. The lived experiences have confirmed distinct interconnections between pollution, water, health impacts, and also between overpopulation, infrastructure, and unemployment. This convergence of issues is abundantly apparent in the community narratives and makes up the collective lived experience of both settings, however, it is absent in the companies' reporting of individual impacts as potential risks. This implies a potential underestimation of the total cumulative effect of the impacts, as the whole is always greater than the sum of its parts and adds a different quality to the total impact. Synergies are also missed from this silo approach, and opportunities for a greater, more integrated and sustainable outcome.

The nature and extent of impacts relate to basic human rights as well as global sustainable development goals, as demonstrated in the discussions earlier in this chapter, both important causes to which mining companies have ascribed. While compliance with these causes is declared, the lack of elevation of the corresponding impact-related narrative to this higher level reveals an inconsistency and undermines their commitment to these over-arching goals and the global sustainability agenda.

In these settings, where traditional leadership is present and plays an important role in facilitating engagements with the mining companies, there seems to be a growing tension between the boundaries of responsibility in terms of public service provision. The interface through traditional leadership has created an additional layer in the hierarchy of consultation. Existing agreements between these parties seem ineffective as a mechanism to ensure proper governance and accountability. The variety of issues identified in both settings around the lack of water is a case in point, where water is understood to have been part of the initial discussions between the mining companies and traditional authorities, but there is no clarity or certainty about it. This has the unfortunate result of absolving mining companies of some of the responsibility that they should be shouldering. Both companies are the biggest consumers of water in the setting, yet they confidently say that water is the responsibility of the municipality.

Post-democracy legislation has rectified some of the ills in the working and living conditions of mineworkers, however, the mining communities that have resulted are ironically still reminiscent of the poverty and social disintegration of apartheid and the migrant labour system of the historic mining sector. These are some of the structural deficiencies in the system that the South African neo-liberal political economy has failed to address. This confirms the crucial issue of the sustainability context being paramount in sustainability decisions. The sustainable development context of SA mining communities was arguably already in deficit due to the externalisation of mining costs (Adler et al., 2007) by the pre-democratic mining sector.

The contributions of mining companies in such a setting should have taken this deficit into account by default. The enormity of the sustainability challenge of these settings needs to be acknowledged as an inherent cost of mining in these settings. It only makes sense that the sustainability contributions of mining companies should, therefore, include this inherent cost, as well as be commensurate with the length of life of the companies in the setting as well as the wealth they have made. This is not the case currently (Bench Marks Foundation, 2007; ActionAid, 2008; Mnwana, Mtero & Hay, 2016; Bench Marks Foundation, 2017), instead, there is a lot of passing of the blame between the mining companies, traditional authorities and government.

Implats' perception of expectations by the communities as the so-called 'crisis of expectations' reflects a lack of understanding, the perspective of the SA mining context, and also a lack of empathy. Amplats, on the other hand, continuously referred to the enormity of the sustainability challenge in their reporting, as if this was a contemporary issue, reflecting the same lack of understanding and perspective. Surely, the understanding and management of community expectations is the basic premise upon which relationships with the community should be based (which was indicated as a particular priority of both mining companies)? Equally important is the fact that the same expectations play an important role in influencing the perception of sustainability performance by the community.

Lastly, it is only logical that the mining impacts of the setting should form part of the minimum sustainability agenda and priority of the setting. However, the lack of alignment was also found between the mining impacts from community respondents and what seems to be the sustainability priorities of the mining companies. Notably, the top three impacts in each setting (water, pollution and unemployment) are conspicuously absent in the sustainability development focus areas of both mining companies. This represents a fundamental discord and shortcoming in the sustainability agenda of the setting.

A question can be asked as to what really informs the sustainability agenda of these mining companies then, if the lived experiences of mining impacts by community stakeholders do not form the basis of it. The corresponding implication of a lack of the subsidiarity principle in the sustainability approaches of mining companies is also a grave finding about the alignment of their efforts with the wider sustainable development agenda towards which they are purporting to contribute.

The second research sub-question is answered by the findings in this chapter, the experience of mining impacts was still one where basic impacts remained unaddressed. The sustainability priorities of mining companies are not aligned with those of communities. The sustainable development of these communities has not progressed beyond the basics.

CHAPTER 7: THE MINING COMPANIES' STAKEHOLDER APPROACH

7.1 INTRODUCTION

This chapter presents the findings and discussions of the theme "Consultation and Engagement by the mine". Consultation and engagement form the basis of the Stakeholder approach to be employed by companies, according to the stakeholder theory that underpins this practice of SR, as explained in Chapter 2. Through the stakeholder theory, sustainability reporting can be seen as a business practice through which business communicates its sustainability activities with its stakeholders as a way of managing those relationships (Steurer, Langer, Konrad, & Martinuzzi, 2005).

Respondents from both villages were asked about opportunities and experiences of being consulted or engaged by the mine, whether around specific sustainability-related issues and activities or consultation and engagement in general. The nature, extent and dynamics of such consultations or engagements were also explored, the kinds of relationships perceived to exist amongst the different stakeholder groupings, as well as with the mines' official community engagement structures in both settings.

7.2 WHAT IS THE COMMUNITY'S EXPERIENCE OF CONSULTATION AND ENGAGEMENT?

7.2.1 Case of Luka Village

The population of Luka was estimated to be 21 063 in 2011[88], which is about two-thirds of that of the total staff complement of Implats Rustenburg operations, reported to be 29 923 in 2016 (Implats SD report 2016, p.110). The Luka community is located in a total geographic land area of about 12,84 square kilometres. A fairly small and close-knit community, still characterised by on-the-ground communal consultative processes of its traditional governance, in addition to those of the democratic governance. Consultations and meetings take place regularly in such a setting, within the individual Makgotlas (clans) through their hereditary Dikgosana, but also across the various Makgotlas in the 29 villages making up the RBN nation.

---

[88] Stats SA, 2011[88] - Source: https://census2011.adrianfrith.com/place/662021. Accessed 04 February 2020.

This was the context underlying the discussions on this topic of consultation and engagement by the mine, and findings were unexpected. The majority, 15 out of 18 Luka respondents, shared that they had never been consulted or invited to a meeting by the mine before. Words such as ‘never’ and ‘not once’ were amongst some used by Luka respondents in response to this question. These were often accompanied by a noticeable non-verbal display of disbelief in their faces, that a question like this would even be asked, and giving the impression that it was inconceivable that such a thing would happen, as the mine consulting or engaging with them.

Respondents shared that information relating to the mine or what the mine was doing was received as second-hand information, and mostly through hearsay in the community. Some mentioned that sometimes Dikgosana gave some feedback about what the mine was doing, as a form of update in the Makgotla monthly community meetings.

In the few instances where there had been some experience with consultation from the mine, respondents were quick to describe it as poor consultation that was ‘not real’. One respondent, who is a Ward Councillor in the community, explained why this was the case by sharing her experience of such “unreal consultation” at one meeting with the mine, she explained, “The discussions were not to ask or consult us. Everything was already planned. It was just to let us know. Some of the projects were already planned with the previous committee in any case.” (Respondent 8, 2017).

She went on to describe the dynamics of engagement of such consultations as lacking, citing an example of how suggestions or inputs were ignored in these meetings:

> What I’ve realised is that …when we were discussing Terms of Reference, I was suggesting more Ward Committee members attend so that there are enough people to report back to the wider community and not just the Kgosana who only reports once at Lekgotla and does not report to the community. It was not considered. So, I was not happy with that. (Respondent 8, 2017)

Another respondent, a traditional councillor, also shared that issues did not get resolved, and disputed the main purpose for why some of the meetings took place in the first place. He argued “They come to switch off the fire, but they do not always resolve the issues” (Respondent 4, 2017). With similar leadership experience but from the political side, the respondent, who was a ward councillor, had retorted earlier on in the interview, whilst browsing through the example of an Implats SD Report, at what was described in the report as the types of engagement used by the mine, and she highlighted the inaccuracy of the statement:

> One on one meetings, community engagement meetings – I have never heard of such, I represent the whole of [XXX][89] region and I have never heard of a community engagement meeting with Impala. Unless it is a conflict resolution meeting, where they would be trying to implement something and we

[89] The exact region shared by the respondent was anonymised for confidentiality purposes.

> don't agree with it. That's when they usually need to send a representative to come and meet with the people. (Respondent 8, 2017)

It was further revealed by respondents that the community had to resort to some kind of protest action to force engagement to take place. They pointed out that even in those cases, little progress was achieved as traditional leadership was used as a reason to not engage the community further. Respondent 14 explained:

> From time to time, the community gets fed up with the bureaucratic process and they march to the mine to engage directly. The mine listens and always promises to come back. But the normal answer / feedback is that these issues were taken up with your King, and the tribal council said we should not do anything without them. It must go via the King, and that is the end of it. The king is portrayed as a barrier for things to be done. (Respondent 14, 2018)

In the report by Implats on this topic, the company described a variety of engagement fora and mechanisms used for these purposes, such as Municipal forum; Landowners' fora; External communication; Community engagement meetings; Community trust meetings; and One-on-one meetings. Implats also shared a view of the material issues raised in these different engagements. These included employment and procurement opportunities; enterprise development; infrastructure development; health and social facilities; environmental impacts and property damage; and nature of engagement structures (Implats SD Report, p. 20).

However, when it came to their responses to the issues raised, no detail was provided, except to suggest that this feedback is provided at the mine's official community engagement forum. The company reported:

> The responsible executive at each operation seeks to address issues of concern to the community. Information on our performance on material issues is provided at our mine community leadership engagement forums (MCLEFs), particularly on employment, procurement, infrastructure development, environmental issues and health. (Implats SD Report 2016, p. 21)

In its Integrated Report, Implats highlighted that engagement has been a key focus area for the company:

> Direct engagement with employees, communities and other key stakeholders has been a key focus during the year and we are continuously stepping up our engagement. We value our stakeholders – we listen carefully to and prioritise their needs. (Implats IR 2016, p. 27)

There was also reporting on engagement through a collaborative process that the company uses to identify social programmes, it reported, "Our social programmes are identified in collaboration with community representatives, the local municipality and traditional authorities and are integrated within the social and labour plans (SLPs) for each of our operations." (Implats SD Report 2016, p. 21)

7.2.2 Case of Mapela Traditional Community

According to the 2011 Census, Mapela Traditional Community had a population of 11 254, which was located in a geographic area of 11,56 square kilometres in size, a noticeably lower population density compared to that of Luka village. Amplats, on the other hand, had a staff complement of 24 945[90] in 2016 for their SA platinum operations (of which the Mogalakwena mine is a huge part). Similarly, engagement and consultation in Mapela take place at both the democratic governance level through the municipality as well as at the traditional governance level through tribal structures in place.

The first finding on this topic was that none of the 19 Mapela respondents who were interviewed had an experience of being consulted by the mine before. They explained that consultation of the community by the mine was 'non-existent', or 'never' happened, adding that when some consultation had taken place, it had only been at the initiative of the community and not the mine. As one respondent from Ga-Chokwe explained:

> No, never. Only when we have gone and requested to be listened to, which often ends with us being chased away) – and they will say give us your email and we will send you information and invite you to discuss. But never invited by them. (Respondent B, 2017)

While another from Ga-Pila expanded that meetings would not take place if the community did not take the initiative, he exclaimed, "..they just sit and wait for us to approach them, if we didn't approach, they would not do anything" (Respondent F, 2018).

It was further claimed that even for community projects that the mine engaged in, consultation did not take place beforehand, "they just do their own thing", criticised one respondent (Respondent D, 2017). While another one described what they observed as a more passive-aggressive approach by the mine, "They don't want to listen to the community. They just implement things by force" (Respondent S, August 31, 2018). An example was made of the fact that even when the mine initially comes to a particular village into which they want to expand their operations, there was no such thing as consultation of the community, traditional structures were used instead:

> And when the mines arrive to start digging in your area, they don't speak to you or ask or advise anything. And when you go to ask – they say they have agreed with the Chiefs. So clearly the Chiefs are selling us out and are not looking after our interests as they should. (Respondent B, 2017)

Similar to the case of Luka, where some engagement had taken place, often at the request of the community, the mine was seen to prefer engaging indirectly through the mine official engagement structure called 'Task Team'. As one adult male who used to be a mineworker suggested sarcastically, "The only people relevant to talk to the mines are the Task Team" (Respondent H, 2018), implying that the community was considered irrelevant by the mine. A youth female from Ga-Seema village also complained about this preference of this structure by the mine, and suggested lack of feedback and transparency in the process, "There are some people in our community that

[90] Source: Amplats Supplementary Report 2016, p. 13.

they communicate with – secretly, they meet and these people do not come back to report to us." (Respondent C, 2017).

The mine was also seen to be using certain strategies in their engagement with the Mapela community, described by respondents as delaying tactics, and the use of traditional leadership as an excuse in order not to engage the community directly. It was also claimed that the mine had a strategy of sending new mine staff to represent the company when meetings did take place, with no background or history of the issues being raised, and a deliberate avoidance of responsibility for follow-through on issues raised. Targeting and silencing of those seen as "community loudmouths" was seen as another strategy, Respondent E shared of his personal experience with this:

> Myself I have been to some meetings, but I had become a problem. I used to go with the Induna's to the meetings, who they know are old people who do not understand everything. So, when you question, they do not like it, and you become a problem. (Respondent E, 2017)

Another respondent elaborated further on the mine's perceived engagement approach that shows their passive aggression:

> They say they hear, they accept the demands, but nothing happens. The guys are very friendly, they are smooth talkers, those are the people they employ in these positions so that they can smooth talk you, and pretend they feel your pain. They will never get angry. You can shout and be angry, but they remain calm, they are obviously trained. (Respondent D, 2017)

The community seemed to have developed their own strategies as a result. Direct engagement was seen to be the most effective way to engage, as they are listened to, even if engagement outcomes are not always achieved. Initiating the direct engagement through some form of a community protest by the mine entrance was believed to have been the most effective way of getting noticed by the mine. One youth female from Ga-Seema proclaimed, "they only meet with people after you show them a fight" (Respondent C, 2017). There was a big community protest in 2015, after which respondents believed some change started to happen in terms of engagement, and they started to be listened to by the mine (Respondents A, E, & S). Evidence of this protest in September 2015[91] was found.

There seemed to be other non-group strategies that the community had used when necessary, for example, one respondent shared that there are community organisers in the different villages and that sometimes they write a letter and a few people go to request a meeting with the mine. She,

[91] This was indeed one of the biggest violent protests at this mine in September 2015, hugely publicised, and was eventually resolved by a multi-stakeholder involvement of the Department of Mineral Resources, the South African Human Rights Commission and the Limpopo Department of Education and several interventions were agreed upon. Sources: https://www.angloamericanplatinum.com/media/press-releases/2015/11-09-2015 ; https://www.timeslive.co.za/news/south-africa/2015-09-08-corporate-arrogance-behind-mining-protests-bench-marks-foundation/

however, added that “they listen and say yes to everything, and promise to come back to you but never do” (Respondent B, 2017).

Some villagers have resorted to employing the services of lawyers to force engagement, especially the communities that were impacted by relocations. Respondent A, whose family refused to be relocated from Mothlotlo village, explained that although the mine meets and there are discussions, these were ineffective. It seemed the legal route was necessary to protect their interests from the mine:

> Yes, they (the mine) discuss, but nothing happens. We have our lawyer here as this community, so they contact the lawyer and then the lawyer will contact us and advise of when the meeting will take place. He also comes to the meetings. (Respondent A, 2017)

Another respondent in Sterkwater village, which is a relocated community, shared how, after the mine had been refusing to share relocation documents with them for years, they were signing a petition around the community at the time, to legally force the mine to give them access to the original documents pertaining to their relocation in 2002 from Ga-Pila village to Sterkwater.
There was also a belief that when engagement had happened more successfully with the involvement of some third-party NGOs or other civil society organisations, better outcomes were achieved as a result. One respondent made her preference clear, “We would rather talk to Benchmarks who can help us meet and look at some legal options” (Respondent B, 2017)[92].

The strategy to protest at the mine did not work all the time, as one adult male from Ga-Chaba explained that the mine sometimes brought in the police force to violently chase them away and show that they are not welcome. He further described the mine as an elephant, an analogy he used for his experience of engagement with the mine, “It is an elephant, a huge elephant amongst us, that is destroying the environment and people’s lives” (Respondent E, 2017).

In the report by Amplats, a variety of content was found relating to the consultation and engagement of stakeholders. At the outset, Amplats describes that its approach is based on a group-wide standard called the Socio-Economic Assessment Toolbox (SEAT) (AA SD Report 2016, p. 21). They described ways of engaging with communities as using what is called the Communities SEAT, as well as conducting other community engagement sessions at different operations. It also highlighted engagement through the usage of a standardised group-wide web-based tool for complaints and grievances.

[92] This respondent was referring to the Bench Marks Foundation which was one of the NGOs involved in the monitoring the sustainability performance of multinational corporations in the communities where they are located. It was also involved in the 2015 protest mentioned above.

Amplats described the importance of engagement, and particularly effective engagement which it mentioned had been a necessity for the Mogalakwena mine:

> Open and honest engagement with our stakeholders is critical in gaining and maintaining our social and legal licences to operate and, therefore, the sustainability of our business. We engage with a wide range of stakeholders to ensure effective two-way relationships. …
>
> The importance of effective engagement – "The Group recognises the critical importance of effective engagement to address risks of mistrust and lack of clear communication, which have been catalysts in many incidents. This is a particular concern at Platinum's Mogalakwena mine, where incidents have led to disruption to our operations, damage to property and increased tensions in the relationship between the mine and some stakeholders. (AA SR 2016, p. 41)

Contrary to community findings, the company also highlights being pro-active, as well as being inclusive in its engagements of key stakeholders. Several fora have been created around Amplats operations, and the amount of time had been increased for engaging through such fora.

Support was also found for the community finding that engagements had been lacking, there was an admittance of the fact that there was still a long way to go to be proficient in it. Amplats explained:

> The overarching solution in this complex operational context is finding a balance between meeting the diverse needs of our stakeholders while remaining productive and profitable. We acknowledge that we still have a long way to go in achieving this goal, but we continue to focus on meaningful engagement as the most important tool to bridge the gap between where we are and where we want to be. (Amplats Supplementary Report 2016, p. 14)

Various targeted interventions were implemented to start to address this. One was a total review of the Social Strategy:

> We have revised our social strategy to ensure we build lasting, mutually beneficial relationships and restore the trust between Amplats and certain stakeholders. One of the key value levers in this strategy is the quality of engagement and relationships. Society is increasingly demanding this of business. (Amplats Integrated Report 2016, p. 34)

This includes other once-off interventions in Mogalakwena specifically, where Amplats conducted an SMS Survey as well as a door-to-door engagement campaign to collect feedback from the community (Amplats Supplementary Report 2016, p.16).

7.2.3 Discussion: "They only meet you after you show them a fight!"

Findings revealed that consultation and engagement in both settings of Luka and Mapela villages were predominantly non-existent and that when some kind of engagement had taken place, it was often lacking, and only happened at the initiative of, or protest from the community, and not because the mine had set out to do it. Various studies agree to the prevalence of community protests in these mining as a way for mining communities to engage mining companies on their concerns (Chinguno, 2013; CALS, 2015; Mujere, 2019). An environment with effective engagement should not need such expressions of objection as a means of initiating engagement.

Such a finding implies the lack of a stakeholder-based approach by these mining companies in conducting their business. This is a surprising finding in 2016 considering that as early as the turn of the century various codes had emerged with explicit requirements for stakeholder-engagement to be an important part of business and corporate governance. These included global as well as local codes like the Extractives Industries Transparency Initiative (EITI) in 2002, the GRI Guidelines in 2006, and King III Report in 2009, ICMM Development Toolkit (EITI, 2009; GRI, 2006; IOD, 2009; ICMM, 2012).

As a standard in their sustainability reports, both mining companies dedicated sections of the reports to outline in detail their stakeholder approaches, the basis for the identification and selection of stakeholders, the type and frequency of engagements, what is seen as material issues raised in these engagements, as well as their responses to these issues. This kind of detail certainly creates an impression of adequate stakeholder engagement, especially as prescribed by the GRI principles of stakeholder engagement; on the surface, it seemed to tick all the boxes for compliance purposes.

However, on the ground, the various ways and types of engagement were disputed by community respondents. Upon closer inspection of the reporting content, both mining companies reported stakeholder engagement amongst the material issues raised by their community in engagements for the year under review (2016). Amplats explained that stakeholder engagement and communication was also a material issue in 2015, and remained in 2016 (Amplats IR 2016, p.5). Implats reported that the nature of engagement structures was a material issue raised by their community stakeholders.

The lack of response to this issue by Implats seemed a blatant case of non-disclosure while creating an impression to have offered a response (by merely indicating that feedback is provided at the MCLEF structure) and ticking that box for compliance purposes. The statements were not detailed enough for clarity on what exactly was raised as an issue; however, there was sufficient indication that the issue of stakeholder engagement was not new or unknown between the companies and their stakeholders. This kind of engagement is described by Burchell and Cook (2006b) as a relatively weak form of engagement, that focusses on information dissemination, rather than interaction, by responding to the issues and concerns of stakeholders. This also begs the question on the utility of sustainability reporting as a mechanism for communication and engagement with stakeholders, if the response to the very issue of engagement itself is unaddressed and a response is overlooked in the reporting.

The reports carry significant amounts of content relating to the mines' vision, intentions, key focus areas, and commitments regarding the effective engagement of stakeholders. Pro-active engagement, effective two-way dialogue, open and honest engagement, collaborative identification of social programmes, incorporation of stakeholder views and concerns in the reports, are some of the words used to describe the approach taken. However, these words are not matched by a similar experience on the ground by community stakeholders. For respondents, engagement seemed at best a one-way communication exercise, initiated by the community to ventilate their issues, or as a response to that by the mining companies. There was not only a lack of expectation but also a lack of belief that meetings with mining companies could involve the necessary level of inclusiveness and effectiveness.

Furthermore, a distinction can be made about the general understanding of consultation and engagement as a two-way process of dialogue between parties, rather than the one-way information dissemination exercise described by respondents. Engagement implies a much more inclusive and participatory decision-making process than can be found in the communities' shared experiences (Mirvis & Googins, 2006; Burchell & Cook, 2006b).

The purpose of engagement for the mining companies seems to have been experienced as merely information sharing or conflict resolution, rather than true engagement. Globally, such crisis-driven engagement has been noted as prevalent in mine-community engagement (Owen & Kemp, 2013b). The lack of quality of engagements is evident in the respondents' reflections about their inputs being ignored at engagements, and the lack of follow-up and feedback on issues by the mining companies. It is not clear what the mining companies have done to ensure more effectiveness in these areas of engagement.

These conflicting narratives reveal an obvious lack of alignment on both the purpose and approach to engagement, a key component of the stakeholder theory identified as underlying the practice of sustainability reporting (Freeman, 1984; Donaldson & Preston, 1995). Despite the good intentions articulated by the mining companies, elaborate processes and some targeted interventions, evidence of their stakeholder engagement practice on the ground is found to be shockingly wanting. The findings are also in support of those by Lingenfelder and Thomas (2011) on the stakeholder engagement practice of 11 South African mining companies, on both accounts of the practice being limited in general, but also on the nature and extent of that engagement not being sufficiently extensive and robust.

7.3 POWER AND DYNAMICS AMONGST STAKEHOLDERS

While the previous section focused on whether or not consultation and engagement took place between the mine and community stakeholders, this section focuses on perceptions of how and who was involved when engagement took place. The make-up, power and influence of different stakeholder groupings and the resulting dynamics are an important aspect of engagement and determine its quality and effectiveness (Burchell & Cook, 2006a, Lenssen et al, 2010). It is important to understand the extent to which community stakeholders wield power and can influence decision-making as an indication of the efficacy of the engagement practice.

7.3.1 Case of Luka Village

In the different accounts of consultation and engagement shared by Luka respondents, there seemed to be at least five important groups of stakeholders involved - the mine, the community, Dikgosana, the ward councillors and the government. It was noted with interest that the last two stakeholders appear to be seen by the community as distinct and not necessarily as the same stakeholder.

By far the most dominant reflection from discussions around stakeholder power and dynamics was that there was a 'siloed' way of engaging and that there was no joint multi-stakeholder approach by the mine in their engagements. This became an overarching reflection for most respondents, which they understood as a deliberate strategy of the mine to create disunity or discord in the community so that they can 'divide and conquer' successfully. As a result of being accustomed to engaging in silos, even when invited to do so, the different stakeholders did not feel comfortable with meeting the mine in the presence of other stakeholder groups. A male elder shared his experience of this, where neither the municipality nor traditional leaders would agree to meet them together with the mine:

> We knew that the municipality (the Provincial authorities) needed to be there – but it was a struggle - they would not make themselves available to come with us. Impala would not invite them. Even the traditional authorities would not want to be in the same meetings where the community is represented, they would want to have their own separate meeting. We've never had a joint meeting – with all the different groupings. We would sit with them (traditional authorities) in our own meetings, but they would meet Impala separately. (Respondent 4, 2017).

Apart from the siloed way of engaging, the feedback from respondents was consistent on the perceived stakeholder power for different stakeholder groupings. The mine was perceived to be the centre of power in their engagements with the community. They were noticed for their running or chairing of the different meetings, and because of this, they were seen to be able to strategise and drive their own agenda successfully. The community's experience of participation in such engagements suggested a lack of both power and control as a stakeholder group. Words like 'powerless' and 'not empowered' were used by respondents to describe these experiences.

The Traditional Authorities were seen as dominant in terms of power, above all other external stakeholders, because of the priority and preference they were given by the mine in engagements. However, some respondents also noted that while Dikgosana were so dominant in the engagements with the mine, they lacked power and were not decision-makers in their own mother body, in the RBN structure of the Tribal Council.

Ward councillors were seen in the same vein as the community; they were seen to also lack power. However, when ranked against the community, ward councillors, like Dikgosana, were seen as 'leadership', and that by default, the mine would rather speak to them than the actual community. It was interesting to note that while ward councillors also belonged to a bigger mother body - the municipality and government, they were seen as distinct from it in some way when respondents referred to them. The government did not feature much in these discussions, they appeared not to be perceived by the community as active stakeholders in engagements with the mine.

The overall impression was that Luka stakeholders were engaged to some level, but that this was seen as superficial engagement, that had to go through existing officially recognised structures, even when it was clear that these were not effective, and that power dynamics were skewed to the disadvantage of certain stakeholder groupings. The impression given by this feedback was that the mine did not engage in order to achieve true inclusiveness and representation of the community, as they indicate in their reporting.

In its reports, Implats acknowledged further work needed to be done to improve stakeholder engagements. Amongst interventions reported to achieve this was a stakeholder mapping review of the various stakeholders in 2016 (from 2013), where Implats explains to have prioritised stakeholders according to the impact on the mine and the nature of the relationship, as can be seen in the snapshot in Figure 27 below:

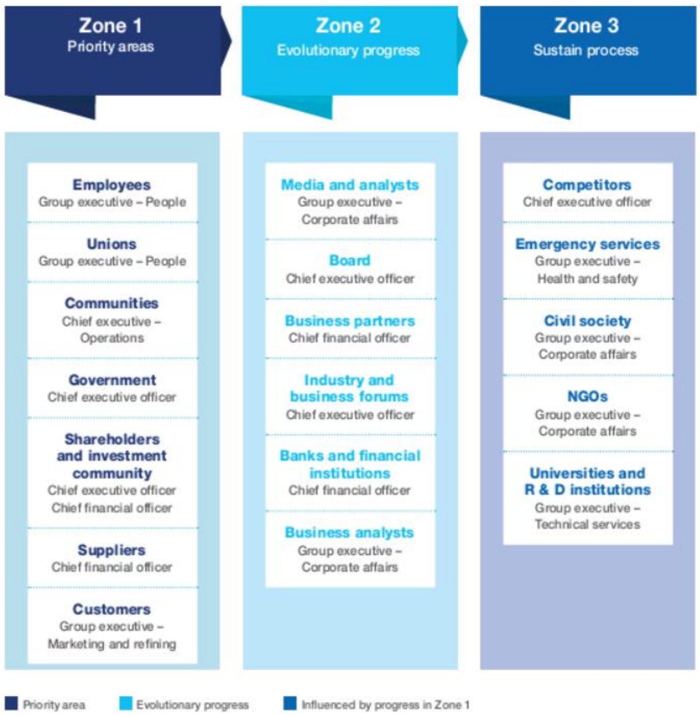


Figure 27: Implats Reviewed Stakeholder Mapping (Source: Implats SD Report 2016, p. 19)

All the different stakeholders identified by the community are also in the mine's mapping, and all have been categorised into what is referred to as 'Zone 1 Priority Areas'. This zone grouping is earmarked for immediate intervention, and is described as "an area of critical focus and requires due care and responsiveness to build better relationships" (Implats SDR 2016, p. 18) in comparison to the other two zone groupings where Implats describes as having existing and mature engagement structures in place already.

Implats further describes its understanding of the current situation and the need for more effective communication. It explained:

> At the heart of this crisis (needs far outstripping available resources) is an information and trust breakdown between mining companies and their key stakeholders. To reclaim trust and goodwill, it is vital that mining companies secure new and innovative ways to engage more effectively and proactively with key stakeholders. (Implats IR 2016, p. 28)

This statement is followed by what appears to be potential reasons for the mine's less direct engagement, that would give support to a community finding of the same.

> In an environment where violence and protest action have often made it difficult to engage stakeholders directly, new communication channels and technology need to be incorporated to augment more traditional strategies to engage with large, diverse, widely-distributed and often politicised and/or radicalised stakeholder groups. (Implats IR 2016, p. 28)

7.3.2 Case of Mapela Traditional Community

In Mapela, the analogy of the elephant that was used previously by one respondent in describing their experience of consultation and engagement with the mine was allegedly also used by one Ward Councillor as a way of discouraging the community from their insistence at directly engaging with the mine in one incident. At the time, the community was planning to go to the mine to complain about the promises the mine had not honoured in the relocation process to Sterkwater village. One adult female from Sterkwater village shared this in her relaying of the poor dynamics between the mine and the community:

> When we go to the mine to complain, they just call the police on us. Even the ward councillor (XXXX)[93] told us this that nothing will be done. "The Elephant (the mine) will step on you!" (Meaning that the mine will destroy you if you go to complain). (Respondent N, 2018)

When the mine was described and seen in this perspective, it seemed that the community felt powerless, as one respondent reflected passionately:

> I feel like there is a capitalist here, and there is trauma. I am a man, and I have to work for my family. But there is no way to get them to be accountable. They have a lot of money, for legal fees. A lot of cases we have lodged, but it has been no help. It all falls down because we have no power. (Respondent D, 2014).

[93] Ward Councillor's name and surname anonymised for respondent confidentiality purposes.

Another adult female from Ga-Chokwe village echoed the sentiments of lack of power and suggested more decisive action on the part of the government, “If I had the power, if I was running this country, I would stop this mine once and for all. I would stop their operations” (Respondent B, 2017).

The traditional authority was, however, not seen to experience the same powerlessness in its engagements with the mine. Similar to what was found in Luka village, Kgosi and Izinduna[94] were seen as influential and powerful in the community, but especially concerning mine matters. One respondent reflected in one incident of victimisation by one Induna who did not like her, and used his power to ensure that she did not get a job she applied for in the mine, she retold the story:

> The Induna said “you will not get the job, because your mother is getting a social grant, you are not suffering!” And I didn’t get the job. Later I found out that they replaced me with the Induna’s wife. The induna is [Name Surname][95]. They are powerful, they make all the decisions - they told me in front of people, and nobody can do anything. (Respondent N, 2018)

In the reporting, Amplats emphasised its approach and dynamics in engagements. It stated, “We always treat people with respect, dignity and common courtesy – regardless of their background, lifestyle or position. And we are building trust through open, two-way communication every single day” (AA Sustainability Report 2016, p. 3).

While Amplats reported of continuing proactive engagements through a variety of fora, it also admitted that current fora did not offer effective participation (Amplats Integrated Report 2016), giving support to the community finding of the same. It also acknowledged the challenge of conflicting stakeholder interests in dealings the various stakeholders, stating:

> In determining and managing our SLP commitments, we often experience challenges associated with conflicting stakeholder interests and consulting across several traditional communities, as well as with government department delays. (AA Sustainability Report 2016, p. 41).

Finally, Amplats also reports on its online engagement channel by reporting the number of complaints and grievances received from the community and mention the high-level issues raised, they reported:

> Most related to employment, procurement opportunities and environmental impacts. All were assessed and complainants kept informed throughout the grievance and complaints process. We seek to resolve all complaints as quickly as possible. (Amplats Supplementary Report 2016, p. 21)

[94] The chief and his headmen in Mapela village.

[95] Induna’s name and surname anonymised for respondent confidentiality purposes.

However, Amplats do not provide any further details on the issues nor progress in terms of addressing the issues. Amplats merely stated that this information would be reported in the following year's report.

7.3.3 Discussion – "The elephant will step on you!"

Consultation and engagement dynamics in both settings were revealed to be ineffective, one-way, un-inclusive, and siloed along with stakeholder groupings. According to community respondents, the stakeholder power continuum was clearly ordered with the mine at the one end of the spectrum as the most powerful internal stakeholder, also representing other internal stakeholders like shareholders.

The traditional leaders followed immediately thereafter, they seemed the most influential of external stakeholders and preferred by the mine. Then the government, municipality and ward councillors, the former seen with legislative power but not much involvement afterwards, the latter with acceptance as leaders in the community but with less influence. Finally, the community at the opposite end of the spectrum, the immediate external stakeholders to the mining companies (by physical location), as a result directly impacted and affected by company operations, and for whom most community engagement is done in the first place, yet the most lacking in terms of power and influence of all the stakeholder groups.

Findings revealed a variety of dynamics in both settings, chief of which was a siloed way of engaging. There was something curious about some of the stakeholder groupings in Luka not wanting to meet with the mine all at the same time. This was highlighted specifically, about the municipality and the traditional leadership groupings. This is something indicative and representative of the kind of relationships that exist between these stakeholder groups with the community, concerning their relationships directly with the mine. Such siloed approaches are not effective for multi-stakeholder engagements. Owen & Kemp (2013b) warn that it has been shown in mining contexts to "militate against collaborative problem solving by inhibiting dialogue both internally and externally" (p. 528).

This could also be related to what one of the mines reported as a challenge with conflicting stakeholder interests in the setting. This finding is not surprising as stakeholder groupings are bound to have distinct and often competing interests which determine the involvement and participation in engagements, and business has to reconcile and manage these (Gibson, 2000). More recently, Phiri, Mantzari & Gleadle (2019) found similar evidence of divisions, varying interests, and competing voices amongst stakeholder groups in their study of stakeholder interactions in a Zambian copper mining setting.

The power dominance and influence of traditional leadership was the overarching theme of engagements with the mine in both settings. This is not surprising as traditional leaders are the landowners from whom mining companies have leased land for their operations, giving them an unfair advantage. This finding is in line with previous studies that have highlighted this power dominance of traditional leadership in mine engagements in such communal settings (Mnwana & Capps, 2015; Mnwana et al., 2016). Such a finding is contrary to the prescriptions of the Stakeholder theory, that requires fairness and balance in the business' management of stakeholders, and disallows the primacy or one stakeholder group over another (Freeman, 1984; Carroll, 1991)

The government was not seen as an active stakeholder in the experiences of respondents. The role of government seemed more visible in their engagements directly with the mines and to a lesser extent in those with the community. From this, it can be assumed that the government have a different relationship with the mining companies, compared to the community.

In their reports, both mining companies did not specifically share details of the actual dynamics in their engagements with different stakeholders. However, the above findings reveal power asymmetries and dynamics that are not conducive to effective engagement, and these are particular to the detriment of community stakeholders. Unerman and Bennet (2004) also bemoaned in their study this plight of the bottom of the pyramid stakeholders like communities in stakeholder engagements. Bench Marks Foundation (2018), in their policy gap studies of the sustainability reporting of various South African mining companies, highlight that in a vast majority of cases in South African mining, the environment, communities and workers are amongst those at the bottom of the pile of priorities in terms of stakeholder regard and engagement.

These findings are not in line with what studies on similar mining communities in South Africa have posited, that community stakeholders are crucial (Corruption Watch, 2017), central (CALS, 2015) and key (Nyembo, 2018) in the mine stakeholder engagements.

7.4 RELATIONSHIPS BETWEEN STAKEHOLDERS

Underlying any engagements taking place or not between stakeholders are the kinds of relationships that are perceived to exist between them. The following are some of what the respondents shared when asked for opinions on the kinds and nature of relationships that existed amongst different stakeholder groupings in both villages, concerning the respective mines.

7.4.1 Case of Luka Village

a) <u>Luka Community and the Mine</u>

Between the Community and the Mine, the relationship could be seen in how the mine was regarded by the community and what they thought of the mine. The relationship seemed distressed, distant but still somewhat co-operative as these two respondents described:

> Impala has been here for over 50yrs here, if that were a child, it would be a grown man, with kids, that are also grown. But they have not done anything for this community, except give us silly SLP's (Social Labour Plans) that will not sustain us. (Respondent 7, 2017, Adult Male Traditional Councillor),

> We don't even know who is the CEO of Impala, they have never been in the community. Not even one shareholder has ever come – to say thank you even, if they are not sustaining properly. So far, the community has been co-operating and staying by their side. The community is never on tv complaining about this and that, or having violent service delivery protests. Some kind of thank you for that? (Respondent 5, 2017, Youth Female from Mogono village).

However, one respondent, an adult male from a community-based organisation, BLBA, went as far as to describe the relationship as "hostile", and also highlighted its indirectness in the mine's ignorance of the community and a preference to talk to authorities instead (Respondent 1, 2017).

b) <u>Luka Community and Government</u>

This relationship was described as ineffective and unsupportive. Both the municipality and the broader government were not seen to be of any direct support to the community regarding mine issues. This was seen to be the case even when the community reaches out to request their intervention, as the male elder recalled,

> There was an item we went to the DMR in Klerksdorp for, when we wanted to go and report these things, how they (the mine) do not care about the community, they play hide and seek, they do not keep their promises. What did DMR do after that? Nothing. (Respondent 4, 2017)

Ward councillors, however, who are part of the municipality at a local level, seemed better connected to the community, they were described as experienced and dependable to listen and understand community issues, and are available when needed. However, the relationship between the Government and Mine, was seen by respondents to be good, but ineffective in the government's regulatory role over community issues. The male elder went on to share the lack of rigour in their regulatory processes:

> DMR (Department of Mineral and Resources) has never made an attempt to come here on their own to verify what is happening. They are not interested – they only just read these reports, and issue the licence based on that. (Respondent 4, 2017)

One adult male respondent, who is also municipal staff, confirmed the positive relationship between government and the mines, described the relationship as constructive and co-operative:

> The government seems to have a good relationship with mining companies in the area. Especially in our municipality, compared to other municipalities in the same district. The relationship is constructive and positive, and there is co-operation. (Respondent 2, 2017)

c) <u>Luka Community and Traditional Leadership</u>

Among Bafokeng respondents, there was an obvious sense of pride about their identity and traditional history, and for the recognition of their traditional community with its traditional way of life. The relationship with the governing traditional structure and its subjects seemed to exist within this context, and while it seemed co-operative, it was not without issues. The first observation about how the community related to this structure was their perceived distinction between the different components of it and how they related to each. There was the Royal House, Dikgosana, and then the rest of the RBN organisation. Respondents took time to make this distinction in relating their thoughts or experiences of the kinds of relationship shared with the community.

The Royal House was seen largely as the smaller family unit – the royal family, led by the Kgosi (King), with a notable influence of Mmemogolo (Queen Mother), whom respondents believed still wielded some power despite her no longer being a queen, for almost two decades at the time. Further thoughts shared on the royal family were about the Kgosi, his perceived detachment and lack of knowledge of and interest in the traditional village. One youth female shared with sadness, "The king has no idea what is going on here, he is hardly ever here. The previous king was a visionary and implemented so much. But he passed on. This one is interested in his own things" (Respondent 6, 2017).

In the conversations, there was a sense not only of the king not identifying with the community but also the community not identifying with him. He was seen as somebody who is only interested in business dealings, and only surrounded himself with similar business-minded people. A further remark was made by one of the respondents that the Kgosi gets to choose the majority of the members who sit in the Tribal Council (some six out of the 11 members constituting the council) and that even these people were his 'own' people, who were business-minded, not of Bafokeng descent, and did not live with the community in the village either.

Regarding Dikgosana, the feedback was about their effectiveness in their role as the link between the RBN traditional structure and the community. They were described as 'old and uneducated men', who were seen not to be in touch with the needs of modern life in the then somewhat contemporary village of Luka. They were not seen as the best people to represent the community and negotiate for them in the Supreme Council, which is the upper-most governing body of RBN, where it was claimed they lacked power due to their old age and low levels of education. They were described by respondents as 'rubber stamps' for the Kgosi, facilitating a one-way information download from the Kgosi to the community, without any ability or interest to question that information.

The rest of RBN as a structure was seen as a powerful, autonomous, administrative institution, that had put in place various processes and procedures on how things should be done for, with and by the community. However, the community's knowledge of the various sub-divisions of RBN like Royal Bafokeng Holdings (RBH), Royal Bafokeng Institute (RBI), Royal Bafokeng Enterprise Development (RBED), etc. seemed limited, they only referred to one homogenous unit – RBN. They were also seen to be the link between the mine and the community, a position that seemed to displease community members. RBN was understood to be getting the benefit of the land royalties as well as the trust funds from Impala Platinum Mine and they were seen to be doing whatever they wished with the money without proper consulting with the community. As one youth male who works at Mine Shaft 14 explained, “RBN has their own agenda. RBN are the middle man between the mine and the community. They are taking advantage of their situation, that is why the community is angered by them” (Respondent 10, 2017).

The community’s relationship with the traditional structure, or their perceptions of it, seemed to be centred around their effectiveness or lack thereof in their leadership of the community and the engagement and consultation required. For instance, RBN put in place an annual community meeting called Kgotha-Kgothe referred to as Bafokeng’s highest decision-making body, about which respondents mentioned was not the effective consultative structure that it was supposed to be. One respondent shared that there was a lack of understandability in the content shared in these meetings, and also the fact that it did not take into account the age and the literacy level of the villagers who attended this meeting, often the elderly. Another respondent shared that these meetings were one-way meetings for the Kgosi and RBN to share with the community what they were doing with the community’s money, but not to consult in the true sense of the word.

In the reports by Implats, other than the renewed focus on building and strengthening relationships with stakeholders, not much else was reported about the kind of relationships the mine kept with different stakeholders. Implats did report, however of what it calls a crisis of expectation, where community’s public service delivery needs are not met by the municipality, and that communities were turning to the mining companies to provide those services. The company reported its knowledge of the conflicted relationship that results between all stakeholders. It stated:

> This growing “crisis of expectation” has seen mining companies caught in the crossfire between frustrated communities, local government representatives and traditional leaders whose authority is increasingly being challenged, especially by the youth. (Implats SD Report 2016, p. 17).

7.4.2 Case of Mapela Traditional Community

a) <u>Mapela Community and the Mine</u>

In Mapela, the mine was an important part of life, although the relationship between the community and the mine seemed in distress. Daily life, for adults and youth alike, seemed to revolve around the mine. One respondent, an adult female doctor at a public clinic, who was not from Mapela originally, shared her impressions of how the community, especially the youth, saw the mine as everything, and how their aspirations seem tied to the mine and nothing else (Respondent J, 2018).

However, respondents, who were from Mapela originally, shared various thoughts about the mine, mostly expressing feelings of upset, anger and disappointment about unmet expectations by the mine. The following are some excerpts bearing evidence of these feelings from different respondents,

> We are still suffering here, but the mine is benefiting. It's the biggest mine, but the people are suffering. When I think of the mine I get upset! Many people are dying, and many people are arrested. (Respondent M, 2018).
>
> I feel pain when I think of it. The company arrived in 1992, so many years since, we don't see a difference. There is no work, even I don't work, I'm 52 now, and have never had an opportunity for work in this mine. As you can see over the years it has been growing, and almost covers all of Mapela now. (Respondent B, 2017).
>
> Sometimes we feel that this mine is here to destroy the community of Mapela. (Respondent F, 2018).

b) <u>Mapela Community and the Government</u>

The relationship between the community and the ward councillors, as well as the provincial municipality, was seen as unhelpful. Both were seen by respondents as ineffective in the execution of their responsibilities of community development and were believed to lack integrity in general. One respondent shared how the municipality showed up during one community meeting to discuss issues with a relocation process proposed by the mine once and pretended to be on the side of the community, meanwhile they were supporting the mines, and they got bribes from them.

References to the 'government' seemed to refer directly to the Department of Mineral Resources (DMR) and its Minister, who was seen to be the highest form of power in government for these purposes and were important for their regulatory responsibility towards the mines. The government too, were seen as ineffective and lacking integrity, as the following two respondents shared:

> ...DMR and the mine are the same. We once had a meeting with them, around 2009 June, but nothing came out of it – it was before their licence expired. (Respondent 11, 2017, Youth Female in Mothlotlo village).
>
> DMR has also not helped. It looks like they have been given something / a bribe so that they ignore us. … DMR needs to check these guys and ensure what they are reporting on is legitimate. (Respondent L, 2018, Adult Male Entrepreneur in Sterkwater village).

c) <u>Mapela Community and the Tribal Authority</u>

The tribal authority seemed an important part of the traditional community in Mapela, and so a relationship between the community and the authority existed. At the time of the research, the authority seems to be in a state of flux, as there had been a transition in the same year from one tribal authority to another.

Most respondents seemed happy about this transition, they expressed support, and hope about the new tribal authority under the leadership of the new chief. The previous chief was believed to have been corrupt and self-serving. An adult male ex-mineworker "Very very happy. I'm 100% behind the new one. Change is always good" (Respondent H, 2018). This was confirmed by Adult Male Businessman in Sterkwater village, "There is new hope with the new tribal authority. He is having discussions already, and finding his feet around a lot of issues, in order to settle" (Respondent L, 2018).

A few respondents indicated scepticism about what the new authority could do for them, but there was an acceptance of the fact that it was still early days, there seemed to be a wait and see attitude, as the new administration was given time to settle in and start working. The new tribal authority had this to say for itself, through the Kgosi Spokesperson of the New Tribal Authority at the time:

> The previous administration was not transparent in doing things, we plan to change that. Consultation is going to be an important part of how we lead. Public participation is key. People need to be engaged accordingly. … What I can say is that the mine is in a comfort zone, the previous administration asked no questions, it was a one-man show. This is going to change. (Respondent G, 2018).

The previous chief was seen as corrupt and ineffective, and his administration seen as not transparent. He was described as a businessman, who did not look after community interests. In comparison, the incoming chief was seen as inclusive and open in his approach. Respondents pointed out that he had already started involving the community, he listened and was already starting to make a difference in the community.

In Amplats' reporting on relationships, the company admitted to having a "fractious relationships with societal stakeholders, marked by scepticism, cynicism and resentment" (Amplats IR 2016, p. 34). They further reported on the goal of building constructive relationships with host communities, based on mutual respect, transparency and trust. Explaining,

> Building positive and trusted relationships with the stakeholders and communities around our operations is essential to maintain and strengthen our socio-political licence to operate. (AA Sustainability Report 2016, p. 12)

In terms of Amplats' relationship with government, they elaborate on their engagements at different levels, highlighting some of the key issues involved:

> Amplats engages constructively with the South African government at all levels, both directly and through industry representative bodies such as the Chamber of Mines. Key issues include: Financial state of the platinum sector; Compliance with our mining licence and related requirements; Labour relations and safety; Contribution to national developmental priorities such as job creation, skills development, public health, and economic and socio-political transformation in South Africa; BBBEE legislation; Taxation policy, including royalties and carbon taxes; Company developments, including strategy and repositioning. (Amplats Supplementary Report 2016, p. 22)

7.4.3 Discussion – Relationships between stakeholders

Herremans, Nazari and Mahmoudian (2016) advocate that sustainability reporting is informed by companies' engagement strategies (also Manetti & Toccafondi, 2012) and that those engagement strategies are in turn, based on the relationship companies keep with their different stakeholders. Unhealthy and conflicted relationships do not result in effective engagements.

In Luka village, the community's relationship with the mine was described as negative, distant, and indirect. With the government, it was unsupportive and ineffective, however, between the government and the mine, it was found to be co-operative, and functional. Between the Luka community and RBN, existed a seemingly important but fractured relationship, lacking proper engagement and consultation.

In Mapela village, the community's relationship with the mine was one of dependency, however, it was in great distress, and was sometimes hostile. Between the community and government, the relationship was seen as unhelpful, ineffective and lacking in integrity. Between the community and Mapela Tribal Authority (MTA), the relationship also seemed important, but was in a state of transition, with hopes for a more inclusive and transparent one in future.

Mining companies in both settings did not say much about the kinds of relationships they kept with the different stakeholders. There was a lot of reporting, however, on the relationships they intended to build or strengthen with a broad range of stakeholders, and why those relationships were important. The noticeably positive relationship they shared with government stood in stark contrast with the one they shared with the community. This is curious in light of the huge gate-keeping responsibility of government as the regulator in this setting, juxtaposed with an almost non-existent one between the government and the community. Phiri et al (2019) identify what they refer to as a business-state nexus in the relationships of mining business with the state in developing countries, and highlight that it is not conducive for effective stakeholder interactions in the mining sector.

Across the board, there seemed to be an impact from the overlapping traditional and democratic structures in terms of jurisdiction and responsibilities over the rural area. This seemed to impact and cloud the relationships between the communities, the traditional authorities and the municipalities concerned. The democratic prerogatives of modern South Africa have to work side by side with the pre-historic traditional governance systems in these villages. The relationship between the two is key but also tricky, and precarious – as Sithole and Mbele (2015) suggested in their 15-year study of traditional leadership in South Africa through policy, regulation and government processes.

7.5 MINES' OFFICIAL ENGAGEMENT STRUCTURES

Conversations were held with respondents about their knowledge of the formal structures that the mine used to engage with the community, or rather the 'official' representatives of communities from the perspective of mines. For Luka Village, the mine official engagement structure was called Mine, Community, Leadership Engagement Forum (MCLEF), and for Mapela Village, the Task Team. Respondents shared their thoughts and experiences of these structures.

7.5.1 Case of Luka Village

There seemed to be a general lack of knowledge about MCLEF or its membership in Luka village. Three of the 18 Luka respondents shared that they had never heard of the term ‘MCLEF’ before, they asked the researcher what it was. Upon learning about it, these three respondents admitted to their knowledge of the fact that the mine engaged with some committee or community representatives of sorts from time to time. For the rest of the 15 respondents who knew about MCLEF, they were quick to also point out the fact that they had no knowledge of the people who were members of it and how they became members. It was clear that they also did not know enough about it, and most admitted to this.

There seemed to be some historical baggage about the general ineffectiveness of this kind of a committee. This pre-dated the experience with the current one (MCLEF), as some of the respondents shared their experiences with previous similar committees, which they described as having been ineffective. It was also pointed out that suggestions had been made by the community on how the mine needs to go about forming such committees, but these were not taken into account. Respondents shared their memories of similar committees being formed in the past and then being disbanded along the way and new ones established. ‘Community Forum’, ‘Future Forum’ were some of the names of previous committees remembered by respondents.

There was a general belief that these were formed by the mine purely for purposes of expediency and that they merely got renamed, re-branded and members changed, as and when it suited the mine. One male elder respondent explained further:

> It is done so deliberately so that there is no cohesion so that at the end Impala will get away with murder. Even then when we were trying to hold them accountable, and delaying some of their projects when things get difficult and they can’t cope, they would organise another forum instead – and they would say these are the people we are consulting now – and they have agreed that we continue with whatever project. They divide the community to suit their purposes. (Respondent 4, 2017).

It was claimed that the constitution of this forum was without consultation with the community, and therefore, their representation of, and mandate from, the community was questioned. A male traditional councillor who was part of the RBN leadership structure reflected on his knowledge of MCLEF, and exclaimed:

> We have three Dikgosana[96] sitting there, but I do not know how they were deployed there. They were not people who were even living in this community for the past 2 – 3 decades, some were living in Joburg, Pretoria etc. How are they elected (into MCLEF)?...This is not an old structure, there used to be Future Forum, which no longer worked, switched position and now call it this! (Respondent 7, 2017).

Another respondent, an adult female ward councillor, was fortunate to have had personal experience of being part of a MCLEF meeting. She shared her experience in the committee when she tried to suggest that the committee be more inclusive, and this was not heeded. She further highlighted a potential conflict in how some RBN officials (Dikgosana) who are part of the committee understand their mandate to be from the Kgosi and not the community (Respondent 8, 2017).

However, two respondents who were both Dikgosana in the village, and who have participated in the MCLEF meetings, one was a permanent member, and the other once attended the meeting as an observer (due to his status as a Kgosana) shared more positive experiences of the MCLEF meetings and their purpose:

> The meetings are good. The only thing is the delay in terms of getting the projects started. I don't want to say that politics is involved. Politics - within Impala where the budget / money is. But the meetings serve the purpose, they are helpful. From MCLEF into the Steering Committee – the meetings are robust. (Respondent 17, 2018, Male Elder Kgosana 1).

> MCLEF is the right forum because we can't all of us go to the mine. We must have a structure that will talk to the mine. (Respondent 18, 2018, Adult Male Kgosana 2)

The rest of the issues raised about the MCLEF were poor communication and general lack of feedback. This was understood to be the same reason there was no knowledge of the forum or the identity of the people representing the community in it. The male traditional councillor further reflected, and complained of issues of representation and consultation by this structure:

> For one, we don't know when it gets its mandate from, number 2: we don't know who they give feedback to. In a village with over 15 Dikgotla[97], and we have a representation of only three Kgosana's in that MCLEF, it does not and cannot cover the whole of North A region. The very same MCLEF takes decisions for us on how SLP projects must be done, but they do not engage with the constituency on the ground. (Respondent 7, 2017)

There was a perceived conflict of interest, some respondents mentioned a concern that this committee received some benefits from the mine for their participation. They cautioned that this stood in obvious conflict with their responsibility, the duty of care and allegiance to the community.

In the report, Implats referred to this committee a great deal as official representatives of the different parts of the community. They specifically mentioned engaging with MCLEF on issues about water:

[96] Plural for Kgosana – Chiefs.

[97] Community meeting of different clans.

> We actively engage with our host communities to manage concerns regarding water security. At all operations we serve on regional water management and governance boards. Any issues raised pertaining to this water are discussed at our bi-monthly mine and community leadership engagement forum (MCLEF) meetings. (Implats SD Report 2016, p. 88).

The company also reported the important role played by the committee in developing the SLP for the community:

> These plans were developed through engagement with the Mine Communities Leadership Engagement Forum (MCLEF) involving representatives from municipalities, communities, traditional authority, and management. The plans are aligned with the municipalities' Integrated Development Plans (IDP). (Implats SD Report 2016, p. 67).

7.5.2 Case 2 – Mapela Traditional Community

The then official mine structure of engagement in Mapela was the Task Team. It seemed a big structure, consisting of an estimated three to five representatives from each of Mapela's 27 villages closest to the mine shafts (out of the total of 42 villages). While the finding that Mapela respondents all knew about the Task Team was positive, feedback about the team was mostly negative. There were complaints about the attitude of the members representing different villages, and their effectiveness in their role. One adult male entrepreneur shared some insight into the representation of his particular village in this team, and general opinion about them:

> We used to have five [people], we have two now. Nobody likes them, they are arrogant. They are so connected now, and they speak low to the community. They don't give us any feedback. They would say they don't owe you anything. It's like they chose the dumbest of people. But the Kgosana still likes them, so not much to do for the community. (Respondent L, 2018).

Lack of feedback was another negative finding, "In our village, since the Task Team was started, we've never had a single report from them" as Respondent H (2018) highlighted. A youth male indicated a lack of exact knowledge about the composition of this team and also raised the issue of lack of feedback, as well as lack of unity within the team:

> Yes, I know about the Task Team, but sometimes it's not clear who is still part of the team because they change them all the time. And the mine uses them to turn against us, they bribe them. And when they come back, they do not give a report back. Sometimes they are arguing amongst each other. (Respondent R, 2018).

It was clear that the Task Team was not liked by the community, mainly because it was considered ineffective, did not provide feedback, and was unaccountable to the community. It was also described as arrogant and corrupt. Potential bribery by the mine was seen to be the main reason for the Task Team's lack of effectiveness in representing the community.

Respondent D was more scathing in his opinion of the Task Team, and sarcastically pointed out a potential conflict of interest from the fact that its members get paid something by the mine, he asserted, "The Task Team is no longer working – but working for the mine, they get a stipend from them" (Respondent D, 2017).

The Task Team was seen instead as a stumbling block between the mine and the community, which was understood to be the strategy of the mine in the first place. The influence of the previous chief who was understood to have been instrumental in putting the team together with the mine was also not seen in a positive light (despite the open process[98]).

The only positive thing that was shared about the Task Team was that when it was formed, the mine came to the villages and collected names of people for possible recruitment, and some people were recruited subsequently. There seemed to be some acknowledgement of the consultative process followed, in doing this soon after the 2015 protest.

In the reports, Amplats mentions the Mapela Task Team as the official forum representing the different villages closest to the mine, how it was established and progress to date.

> On the Mapela Task Team – "In 2014, a task team was established with representation from the Mapela community villages close to the mine, to serve as an engagement platform, facilitated by the South African Human Rights Commission. (AA Sustainability Report 2016, p. 34).
>
> The SAHRC and task team completed the verification process in 27 villages. The executive committee of the task team has been established and formally introduced to key stakeholders, Kgoshi Langa, the 32 headmen in Mapela, the municipality, NGOs operating in the area as well as the DMR. (Amplats IR 2016, p. 35).

7.5.3 Discussion – Mines' chosen engagement structures

Findings in both settings revealed that the mines' official engagement structures of MCLEF and Task Team are disliked and are not entirely accepted by the community they are meant to represent. This was more pronounced for MCLEF in Luka village than the Task Team in Mapela village, whose formation process had been inclusive, transparent and much publicised. It seems an inclusive process leads to better acceptance in the community.

These committees are described as arrogant, corrupt and ineffective in their role of representing the community and are often seen as obstacles rather than facilitators in the engagement between the community and the mine. They are also perceived to be in allegiance with the mining companies, as opposed to the community. The fact that they receive some benefits from the mine, like the monthly stipend, was seen to create an obvious conflict of interest. There is a need to explore different ways of incentivising participation or reimbursement for incidental costs resulting from involvement in structures like these.

[98] This was put in place after the 2015 protests, where the then Tribal Authority also became involved, together with the SAHRC in helping with the nomination process for the Task Team in the community.

The critical role played by these structures in being the key community engagement mechanism is fundamental in the often-fragile relationships of mining companies and their surrounding communities. These structures delineate the agenda, scope and confines of community engagements in the setting. In both accounts, it seemed that the mines engaged separately with the traditional authorities as well as with the government stakeholders, as and when needed for important decisions to be taken. MCLEF and Task Team seem to be in place as the official proxy for the engagement of their respective communities, but it is clear that this had not been effective, given the scathing perception the community has of them, and the lack of ineffectiveness highlighted.

It would seem that the traditional authorities get engaged by the mining companies by virtue of their traditional and customary privileges, and government stakeholders because of their political and regulatory privileges. The community stratum, on the other hand, understandably large, unorganised, and complex, had no such discernible, never mind enforceable, privileges, except representation by these questionable and ineffective committees. Attempts by the researcher to get information on the make-up, membership and structure of these committees were not successful, after researching company documents and media content relating to both companies. While these committees represent the community, information about them is scant. Accountability mechanisms to the community seemed non-existent. It did not seem to have been the priority of the mining companies to put these in place either. Instead, the mining companies seemed more concerned about having and keeping a structure like this, without making sure it worked.

The mining companies are very clear about these structures being their chosen engagement bodies or fora, through which community issues are discussed and feedback is given, and within which the content of the Social Labour Plans is discussed and agreed. While their constitution and mandate seemed in dispute with the communities on the ground, the mining companies have been unwavering in their determination to use them as the official proxy of the community. There is no reporting on their effectiveness or ineffectiveness, or efforts to establish this. Mining companies seemed only interested in the availability of these structures for purposes of expediency in their decision-making processes and much less on their effectiveness and accountability to the communities they were supposed to be representing, their constituents. This is in support of Phiri et al. (2019) who found a similar dynamic in their study where there was a false legitimation of such structures by mining companies.

7.6 CONCLUSION

The findings in this theme pertained to the lived experiences and perceptions of how the mining companies go about their sustainability business. This provided more insight into the approach and motivations underpinning their broader sustainability practice, and the sustainability reporting practice, which is part thereof.

Findings in this chapter described the lived experiences of the stakeholder approach employed by the mining companies in their consultation and engagement practices with stakeholders. As described in chapter 2, this stakeholder approach is the basis upon which the practice of sustainability reporting is premised, as a way of achieving inclusiveness and full engagement of stakeholders who are part of the wider political economy within which business takes place, as prescribed by Freeman's (1984) Stakeholder theory. Sustainability reporting provides a medium for part of this engagement to take place regularly. Also, the overarching objective of business to contribute towards the mission of sustainable development comprises of the subsidiarity principle (Brundtland et al, 1987). This requires that sustainable development decisions are made in consultation with the people targeted to benefit from them, which is also achieved through stakeholder engagement, and communicated through sustainability reporting.

The overriding finding is that true consultation and engagement by mining companies is close to non-existent for community stakeholders. When it did take place, dynamics were found to be lacking, underlying relationships unhealthy and not balanced. The quotation "The elephant will step on you!" remains illuminated in the mind upon reflection about this topic, not just for the case of Mapela where this analogy was used, but for the case of Luka as well. This elephant analogy tells of how the mining companies are seen and perceived to be going about their sustainability business on the ground by communities. In one way, the mine is seen as a large entity of immense power, strength and tenacity, also with abundant resources to do anything it wishes, and get its own way, as the animal - elephant is indeed known to be.

There is also a possibility of an interpretation that lends from the famous metaphorical idiom 'there is an elephant in the room', generally used to refer to an obvious problem or subject that no one wants to discuss or address. This could be referring to true engagement itself, as the elephant or problem that mining companies do not want to address. With this interpretation, comes a reference to magnitude, by default of the sheer size of the animal in comparison with anything else, in this case, the enormity of the issues involved. This can be indicative of the nature of engagement dynamics on the ground, and the obvious problems that are unaddressed.

Yet another interpretation is possible, from the parable or tale of 'the six blind men and the elephant', and their different experiences and perspectives based on where each one touched and felt the animal. The parable is often used to highlight the tendency to claim the absolute truth based on limited, subjective experience (Quigley, 1974). This is an observation and lesson that is quite fitting in this particular study pertaining to narrowing the gap between and reconciling the various experiences of sustainability and the reporting thereof. Stakeholder engagement is one such experience where such a reconciliation is necessary.

All these possible interpretations point to the nature and quality of engagements between the mining companies and their stakeholders, but also set the stage for the kind of dynamics that are seen to underlie the stakeholder approach of mining companies. They are described as ineffective, one-way, siloed and un-inclusive. Relationships are varied between the different stakeholder groupings and are linked to power and influence, to the detriment of community stakeholders. This is not a surprising finding as to the relationship between the mining companies and community stakeholders seemed the poorest of all stakeholder relationships. So, the stakeholder power continuum seemed stacked in the same way in both communities, with the mining companies at the most powerful end, and the communities at the least powerful end of the spectrum.

Cronje and Chenga (2009), in their study of the gap between sustainability policy and practice of one SA mining company, identify power relationships between companies and the communities as one of the critical factors that need to be addressed. They conclude that mainstream sustainability development approaches ignore the importance of these power relations and that there is a need to adopt development centred approaches, that are bottom-up, and prioritise effective stakeholder engagement as a basis for the sustainability practice. They also stress, in support of the subsidiarity principle mentioned earlier, that development priorities need to be established with the participation of the community, which requires effective stakeholder engagement. These findings were confirmed by Ofori and Debra (2014), who concluded that the success of CSR is dependent on effective stakeholder dialogue and engagement.

The important implication for this study beyond the finding of ineffective stakeholder engagement by the mining companies concerned is the broader implication that this has in terms of the development priorities, and the overall success of their sustainability endeavours. Findings already established in chapter 6 about the lack of alignment of sustainability priorities are therefore not surprising in the absence of effective stakeholder engagement.

Ofori and Debrah (2014) also suggested that sometimes stakeholder engagement is context relevant – and that stakeholder engagement in the context of a developing region like Sub Saharan Africa could be challenging due to factors like "language, culture, education and pluralistic values" that can affect the engagement process (Ofori & Debrah, 2014). Of relevance here is also the power distance culture model, defined as "the extent to which the less powerful members of institutions and organizations within a country expect and accept that power is distributed unequally", that may be influencing interactions and general expectations of society in settings such as those of this study (Hofstede, Hofstede & Minkov, 2010, p.61). This implies a need for mining companies to put more effort into understanding these particularities and nuances of the setting to be effective.

The confluence of both traditional and democratic complexities confounds the engagement between mining companies, government, traditional leadership and communities and creates loopholes in the engagement practice, especially when responsibilities are not clearly defined, as was the case in these two settings. SA legislation needs to evolve rapidly to close these gaps. Global guidelines, like the GRI, need to increase their scope to show visibility and scope of such complex settings and dynamics in their stakeholder engagement principles.

CHAPTER 8: LEGITIMACY AND SOCIAL LICENCE

8.1 INTRODUCTION

This section presents and discusses findings broadly relating to the conformance by the mining company to laws, rules and practices of the setting, as well as the rights, recognition, approval or acceptance given by the setting to the mining companies in return. This data answers the second research sub-question as it relies on the lived experiences of the community from whence the perspectives on this come, but also answers aspects of the first sub-question as it looks at some elements of the accuracy and effectiveness of reporting of legitimacy-related content.

The legitimacy theory suggests that the sustainability reporting practice can be used by mining companies to communicate its sustainability activities and performance, as well as the sustainability outcomes achieved (Dowling & Pfeffer, 1975). The legitimation of mining companies within the social systems in which they operate is the key outcome of this sustainability practice (Deegan, 2002). Therefore, this is the context within which the validity, lawfulness or permissibility of mining operations within a particular setting becomes effected or realised.

Findings reveal a variety of constructs and perspectives in the lived experiences of community stakeholders that contribute to mining legitimacy. These include the mining licence, Social Labour Plans (SLPs), the concept of social licence, community resistance against mining operations as well as the role of government and traditional leadership in mining legitimacy.

8.2 DOES THE COMMUNITY KNOW ABOUT MINING LICENCES?

A mining licence refers to the official legal permission or right given to mining companies by the government for them to carry out mining operations for a particular commodity (or group of commodities) in a particular location. This is done through the Department of Mineral Resources (DMR) in South Africa. Typically, in the form of a physical document, this can be either be a mining permit or mining right, depending on the scale of the operation. The mining right is relevant for the large-scale operations over a longer period (up to 30 years), which is the case for the two mining companies in this study.

The mining licence is the main legal construct through which permission for mining is acquired and governed in South Africa, and therefore of utmost importance to the subject of mining legitimacy. It generally includes the details of the land and area in question, the mineral commodity that will be mined and the specified period of validity.

The application and renewal process for mining rights is done through the Department of Mineral Resources and Energy (DMR) who are the key custodians for ensuring that the minerals of the country are properly managed, according to the Minerals and Petroleum Resources Development Act 28 of 2002 (MPRDA). Once an application is accepted by DMR, mining companies have to submit the relevant environmental reports as well as provide a report detailing the consultation of landowners and affected persons relating to the environmental reports. Applications are lodged separately through other departments for land-use permits and environmental authorisations with the Department of Environmental Affairs (DEA), and water use licenses with the Department of Water and Sanitation (DWS). The DMR has the ultimate responsibility of ensuring that all necessary financial, environmental plans and provisions, as well as social and labour plans are fulfilled before granting the mining right (LRC, 2006).

Currently, the mining companies have no obligation to share the details of their mining licenses with anyone. The public also does not have an automatic right of access to these records. However, through the Promotion of Access to Information Act 2000 (PAIA), an application for permission to access can be lodged with the DMR for some of these records. According to the LRC, only details about changes to the environment, development programs for employees and the community, and finally any individual records like medical files (LRC, 2006).

The interviewing of respondents was at a basic knowledge level, focusing on their knowledge, thoughts and experiences of the mining licence as it pertained to the two mining companies.

8.2.1 THE CASE OF LUKA VILLAGE

The first finding was that all Luka respondents knew what a mining licence was, they understood it to be the document mining companies needed to acquire permission to mine. There was also an understanding that it was the government that gives this licence to mining companies.

A subsequent, related finding was, however, that none of the respondents had ever seen an actual mining licence before. On being questioned further about the reasons for this, respondents described what they perceived as a deliberate non-disclosure and secrecy about the mining licence from the mining company. This was particularly interesting as it included respondents who were at the time employed by the mine (i.e. Implats). One of these respondents, who was an underground mineworker, felt it necessary to point out that, for instance, that they had never heard of the term mining licence from the mine before but heard of it from some community meeting they once attended.

This was supported by another adult male, also working for the mine, as a mine supervisor, who went on to suggest, almost sarcastically, the lack of freedom or right to ask about the mining licence at the mine:

> No, those things are not discussed. You don't even think about those things. The mines have been operating there maybe 30 – 40 years old, it's been operating before you were born, it's something you

> don't even think of totally. ...Only the DMR can be involved with things like these, not us employees. As an employee, it never even crosses your mind. (Respondent 11, 2018)

One respondent, who was a Kgosana, and was part of the mine's official engagement structure, MCLEF, shared that he knew about the mining licence, but that it was not discussed in any of their MCLEF meetings, "we focus on projects" the male elder clarified (Respondent 17, 2018).

The integrity of the process for acquiring and renewing the mining licence seemed to be in question for respondents. One respondent suggested that the process was based on untrue and unvalidated information and complained that the DMR had never once made an effort to come into the community to verify such information. Another respondent, a youth male, suggested that only traditional leadership was consulted in this process and not the community, he stated, "The community has no say on it because of traditional leadership and the King, they are the only ones with a say" (Respondent 9, 2017).

The respondent, who was a ward councillor, was asked specifically of their participation in the licence renewal process with DMR in their capacity as the municipality, and in making sure that the mine delivers on its promises. She claimed the same lack of knowledge and lack of mandate to be involved in licence-related processes, "I just hear that it is renewed, and I wonder how. My duties are to sit at the forums and understand what projects are being brought to the community" (Respondent 8, 2017).

Current sustainability projects by the mine were believed to be carried out only to enable the mine to show something to the government for their mining licence renewal process, which was also suspected to be due at the time. However, it was found to be incorrect that the mining right was due for renewal, as Impala's mining right is valid between years 2008 and 2038[99]. This was understood by respondents to be the main reason for the mine's sustainability activities.

In Impala's reports, not much was found relating to the mining licence or mining right. However, there was one particular statement in their SD report, that gave brief details of their mining right, it stated, "Mining Right is 100% for Impala – for 29 773ha of land" (Implats SD report 2016, p. 1). No further details regarding this were provided. Upon further investigation of other Implats reports, the following further details were found in a separate report called Mining Resources and Reserves Statement 2019 the following statement was made regarding the Impala mining right:

[99] DMR licencing records could not be accessed in order to confirm this. Upon further investigation of other Implats reports, further details were found in a separate report called Mining Resources and Reserves Statement 2019 stating this validity period of the current mining rights.

> The mining rights at Impala were converted into new-order rights in 2008 and awarded for a 30-year period, at which time the MPRDA allows for an extension. Impala holds contiguous mining rights over a total area of 29 773ha across 16 farms, or portions of farms." (Implats MRM Statement, 2019, p. 40)

8.2.2 THE CASE OF MAPELA TRADITIONAL COMMUNITY

Most of Mapela respondents (14 out of 19) also knew about the mining licence. Of the five who did not know about it, one was a mine-worker, who was employed permanently as a dump-truck operator, he explained that he had never heard of it before (Respondent 3, 2018).

Amongst those who knew about a mining licence, there seemed to be a sufficient understanding of its purpose and importance. When asked what they thought of a mining licence, one adult male from Ga-Chaba responded briefly and confidently that "It's permission to do mining" (Respondent H). Another youth male responded with, "I've heard if it from a friend. But I've never seen it or know how it works. In my mind, it is a certificate that gives you allowance so that you can mine" (Respondent R, 2018).

One respondent from Mahlogo village elaborated on how he thought the process worked:

> According to my knowledge, I think those guys – when they came from wherever they proposed to DMR the licence. And DMR said it's this and that that is required. They then make a final decision about giving this licence. DMR requires they speak to the community, but also to the Chiefs – actually Chiefs are the first people the companies agree with. Then they go to DMR after that. (Respondent D, 2017)

As in the case of Luka village, the next finding was that none of the respondents had ever seen a mining licence before. One adult female from Ga-Chokwe village recalled the previous failed attempt to have the mine share the mining licence with the community:

> We once went to the mine to ask to see it. And they promised to send it to us. They asked for our email addresses but they never sent it. We asked for a mining licence, SLP, environmental assessment report – none of them were ever shared. (Respondent B, 2017).

There was also a perceived culture of non-disclosure and secrecy by the mine about their mining licence, even with their employees. One respondent who was employed by the mine confirmed this and explained how he had never heard any discussion mentioning a mining licence since he started working for the mine in 2014 (Respondent Q, 2018). Another respondent, who used to be employed as a dump-truck driver, had a more colourful description of how he did not feel empowered to ask about it either:

> When you are starved and hungry you don't ask such questions. But they never offered it. (Respondent H, 2018)

Respondents were eager to share their expectations of the process, even though they did not understand the full details of how exactly the process worked. Their biggest expectation was that the community is consulted and involved in the mining licence review process by the DMR and that their input is taken seriously.

There seemed to be a lack of confidence in the current process, uncertainty as well as speculation and rumours about the state of mine's current licence at that time. This is illustrated by the following excerpts from various respondents:

> We know that the mining licence long expired (around 2010 – 2014). But DMR is doing them a favour. DMR and the mine are the same. We once had a meeting with them, around 2009 June, but nothing came out of it – it was before their license expired. (Respondent A, 2017) Youth Female from Mathlotlo village
>
> DMR is supposed to take the licence back. (Respondent E, 2017, Adult Male in Ga-Chaba village)
>
> I once heard a story that Anglo bought it. (Respondent H, 2018, Adult Male Ex-Mineworker)
>
> In 2015 their licence had expired, and they needed to renew it. And the previous king renewed it for another 25 years. (Respondent S, 2018)

In Amplats reports, there was only mention of a legal licence in addition to the social licence, which could be understood to mean the mining licence, although this was not clear. In describing their relationships with stakeholders, they stated:

> Open and honest engagement with our stakeholders is critical in gaining and maintaining our social and legal licences to operate and, therefore, the sustainability of our business. (AA Sustainability Report 2016, p. 12)

Upon further investigation, further details of the Amplats mining rights were found in another report called Ore Reserves and Mineral Resources Report which provided counter=evidence to the perceptions of community respondents about the expiry of Amplats mining license at the time.

> The Mogalakwena Mining Right covers an area of 37 211ha. This includes the Central Block and Kwanda North Mineral Rights that are now incorporated into the Mogalakwena Mining Rights. Amplats holds a converted Mining Right under the Department of Mineral Resources (DMR) ref LP 50 MR, valid from 23 July 2010 to 22 July 2040. (Amplats Ore Reserves and Mineral Resources Report 2019, p.38)

8.2.3 DISCUSSION – MINING LICENCE, A COVETED DOCUMENT

The concept of the mining licence is well-known by most people in the two settings, its purpose and importance are also understood. However, it is interesting that not a single respondent in these communities had ever seen a physical copy of a mining licence document or has knowledge of the associated validity period. This was not due to a lack of interest or attempt on their part; it seemed that all attempts had failed, from what some respondents shared of their experiences with trying to get hold of this seemingly coveted document.

It is equally interesting that mining companies did not include much content about this document or its related processes in their sustainability reports. The closest to mention or reference to it was found only in the single statements identified in the entire reports of both mining companies. This leads to the conclusion that the details of the mining licence are not part of the lexicon for this kind of reporting and do not make the regular agenda of sustainability with mining company stakeholders. That some information could only be found in a somewhat technical report on mineral resources by the researcher indicates targeting of this information to only competent people who can understand such detail[100].

Associated to this is that amongst of those who did not know about a mining licence also included respondents who were employees of the mining companies. They had never seen this document or heard a discussion about it in the mine. Not only would this imply some internal confidentiality about this key document, but also a certain lack of freedom for employees to ask about it.

This lack of transparency about the mining licence is an indication of the extent to which this kind of legal legitimacy is relevant and is entrenched, both in the operations but also in their sustainability reporting practice. The mining companies' behaviour of confidentiality around the foremost legal device for legitimacy begs the question about its true relevance for legitimation purposes, especially with the community stakeholders.

The communities' perceptions about the lack of integrity and effectiveness in the process through which the mining licence is acquired and renewed further take away from the efficacy of this device as a tool for legitimation. The lack of consultation with the community and the lack of validation of relevant information on the ground by regulatory authorities are both fundamental prerequisites, without which the process cannot be plausible within the community. The lack of community consultation in this process and the general ineffectiveness of the regulatory system in this mining license application process has been a key finding of other studies before (Sebola, 2018; SAHRC, 2018; Corruption Watch, 2017; CER, 2013;).

It is argued further by Sebola (2018) that not only community consultation but community consent is vital before mining rights can be approved, and emphatically made the point that consultation of traditional authorities alone was not sufficient. Several recommendations have been made as a result, that the legislative framework governing this process needs to be improved to explicitly

[100] It was noted that this kind of report is prescribed by JSE Listings Requirements (applicable to both companies), as per the South African Code for the Reporting of Exploration Results, Mineral Resources and Mineral Reserves (SAMREC Code), 2016 Edition. Source: https://www.jse.co.za/content/JSERulesPoliciesandRegulationItems/JSE%20Listings%20Requirements.pdf

incorporate a consent-driven process of engagement with the community as a key requirement (Sebola, 2018; SAHRC, 2018; Huizenga, 2019).

The enforceability of the mining licence also came into question by respondents. The sustainability activities of the mining companies were seen only as a means to an end, merely to enable the mines to have their licences renewed or extended. However, poor sustainability performance was not seen to be linked with implications on the status of the mining licence in any way. Respondents, for instance, did not know of any mining licence being revoked or taken away, for these companies or any other mining company, for that matter.

Similar to the finding of Corruption Watch, respondents also suggested a culture of corruption and collusion between the mining companies and the government. However, this could also be a result of the lack of knowledge and transparency on this subject. The invisibility of the mining licence and its process had the unfortunate impact of creating a lack of certainty and general distrust in the community about this key document. Noteworthy in the discussions with respondents, were the transitive verbs used together with the mining licence, some respondents said ‘to get’ the licence, some ‘to sustain’ their licence, and others ‘to have it renewed’. This choice of words, sometimes used interchangeably to refer to the same process, was clear evidence of the lack of knowledge, certainty and awareness about the true state of the mining licence for the mining companies concerned.

All in all, it seemed that this document is not a key driver for legitimacy amongst community members, only for the government and other legal purposes. However, in mining sustainability literature globally, there is a growing realisation that legal compliance alone is no longer sufficient to ensure mining legitimacy (Huizenga, 2019; Mtero, 2014; SAHRC, 2008).

The mining license construct is still showing signs from its historic pre-democratic notions, as once lamented by Fig (2005) that “apartheid gave firms license to commit vast environmental damage” (p. 601). Has it improved much since then to become more effective in the modern dispensation? The above evidence proves to the contrary, despite the continuous enhancement of the MPRDA with additional measures to complement it. Social labour plans, discussed in the next section, and the mining charter are two such measures.

8.3 WHAT ARE SOCIAL LABOUR PLANS?

Social Labour Plans (SLPs) are documents outlining a mine’s commitment to the Department of Mineral Resources (DMR) for agreed human resources and local community development programmes. They are a prerequisite for obtaining the mining right discussed in the previous section and are linked to it. Once a mining right has been given, the mining companies have to annually comply with the requirements of the Mining Charter as well as the Social Labour Plans.

They are valid for five years and become legally binding as soon as they are approved by the DMR. Mining companies have to prepare them beforehand (upon applying for a licence), and then report every year on progress against targets. Non-compliance to SLP obligations is said to result in the mining right being revoked.

Although Social Labour Plans were a fairly new concept in South Africa at the time[101], respondents in both settings seemed reasonably familiar with them. They were generally brought up in discussions when respondents were asked about what the mine was doing for the community, in terms of sustainability projects. They are seen as a blueprint for local community development and are therefore relevant from a sustainability performance perspective of mining companies. The inclusion of SLP's in the mining regulatory framework was specifically to ensure sustainability for the employees of and the communities around mining operations (Phuhlisani NPC, 2018; Centre for Applied Legal Studies 2017, 2017).

8.3.1 THE CASE OF LUKA VILLAGE

In Luka, initial impressions of SLPs were from the reflections about the lack of engagement of the mines with the community on the so-called SLP items. In addition to this, there seemed to be a negative opinion about SLP projects, the nature of the projects implemented by the mine was described as unsustainable, of low quality and also benefiting only a few and not the whole community. A traditional councillor's description of it was that they were "silly SLPs that will not sustain us" (Respondent 7, 2017).

Only one respondent of Luka shared that he had actually seen an SLP document for the mine before, none of the other respondents had ever seen one. This adult male explained the circumstances around which he got to see this document, which was in response to a community protest to demand visibility of it and what the mine was doing for the community:

> I have only seen a proposed SLP for Impala. And that was because I attended a presentation with DMR and got to see this power-point presentation. We were protesting and DMR were doing this to show us what Impala was doing. This was in 2014. We were fighting using the Public Information Access bill – demanding information. (Respondent E, 2017).

[101] SLP's were introduced following the Mining Charter of 2010, the first phase of SLP's begun only then.

SLPs are also understood to be a vehicle for the implementation of sustainability in the community, as one youth male pointed out confidently, “I know that sustainability is done through SLPs, an agreement between the mining company and the community” (Respondent 9, 2017).

This was confirmed by the traditional councillor during a discussion of sustainability reporting in general, who complained that Implats reported predominantly only SLP items:

> Impala is very good to report on SLP projects. The psychology behind is that they try to make the community to feel that they are being taken care of. When you give the community that you have been mining from R30m to put a water pipe in, only 40 yrs. later, you are just shutting them up. (Respondent 7, 2017)

In Implats reporting, it mentioned that the SLP development process was through an engagement process with community representatives:

> SLP plans were developed through an engagement process with the Mine Communities Leadership Engagement Forum (MCLEF) and are aligned with the municipalities' IDPs. We have continued to deliver on our commitments and engage regularly with key stakeholders in areas of operation. (Implats SD Report 2016, p. 107)

In the same report, the mine also highlighted significant community benefits through SLPs, as well as identified their SLP focus areas –

> ..the communities in which we operate continue to benefit significantly from the implementation of our operations' social and labour plans, which seek to address identified community needs by focusing on infrastructure, access to clean water, health, education and employment. (Implats SD Report 2016, p. 5)

8.3.2 CASE OF MAPELA TRADITIONAL COMMUNITY

There seemed to be a good understanding of Social Labour Plans among the respondents of Mapela village. Similarly, as in the case of the mining licence, there were a few that did not know of it, four out of the 18 respondents did not know about them. The rest understood SLPs, and how they were linked to the permission for the mining company to mine. “We know a little bit about the social plans, but they have never discussed it with us” responded an adult female from Mothlotlo village (Respondent 1, 2017). “Apparently they have to comply with their SLP, in order for DMR to give them permission” explained another adult male from Sterkwater village (Respondent L, 2018).

Respondents also associated SLPs with sustainability activities in general, and the sustainability reporting by the mine, which might be indicative of the kind of reporting that had been visible to the community at the time. Although this was the case, access remained an issue, as one respondent who used to be mine dump-truck driver shared his failed attempt at getting access to it, “Yes, I've seen one [SLP] before, but failed to get hold of it. Once our manager was presenting to us how the mine works, and he shared this, when I asked for it [a copy], he promised to email it to me, but he never did” (Respondent H, 2018).

Another respondent from Ga-Chaba explained how he got to know about SLPs in the first place but that he still did not have access to them outside of this, "… I only knew [about SLPs] after I attended a workshop by Benchmarks [Foundation] explaining what it is. But we've never had access to even that" (Respondent E, 2017).

Only one respondent, an entrepreneur, had actually seen and read an SLP document before, he accessed it from the mine's website. He further reflected that "They don't comply with the agreed SLP. They write up the document in order to comply with the law, but they don't" (Respondent L, 2018).

There were negative opinions about the mine's performance in terms of their SLP. The following additional respondents commented about the lack of employment, business opportunities and enterprise development in general:

> They promised us that in the SLP that 75% local people are employed in the mine. But when you do your research you see there is no such. They also say 30% for business opportunities for local people. In reality, this is less than 2%. So, it's not true, and it's not fair, what they report on. (Respondent D, 2017, Adult Male from Mahlogo village)

> There was supposed to be an enterprise development project, there is a fund available apparently but they have never even told us about it. All I've ever seen them do is invite you to some workshop at some hotel, and give you lunch, and that's it. (Respondent L, 2018, Adult Male Entrepreneur from Sterkwater)

The new traditional authority in Mapela also shared their lack of confidence in the SLP or the municipality IDP process that is linked to it. The New Tribal Authority spokesperson elaborated:

> I have not seen what the SLP process does. There is currently no public participation. People are not governing. There is a lot of instability as a result… There has been no IDP engagement with the municipality or government, we have no idea what the plans are. (Respondent G, 2018).

In their reporting, Amplats included in the report for the year, information relating to their SLP performance, and also mentioned that there had been delays in the past:

> In our communities, the pace of delivering on social and labour plan (SLP) commitments normalised in 2016 after accelerated investment in 2015 to counter prior delays. In South Africa, we invested R354 million (2015: R546 million) in community development on SLPs and in line with mining charter requirements. (Amplats IR 2016, p. 13).

The company also mentioned, in the same report, that a new SLP Phase was about the start, "with the official completion of the first phase of SLPs (SLP1:2011-2016), we have developed, submitted and implemented SLP2 projects for all operations" (Amplats IR 2016, p. 13). However, no further details were included or where the new SLP could be found.

8.3.3 DISCUSSION – "SILLY SLPS THAT WILL NOT SUSTAIN US!"

In both settings, the respondents' familiarity with SLPs, unlike with the mining licence, suggested more visibility or accessibility to them although only a few respondents had seen a physical copy of an SLP document before. There seemed to be a certain relatability about the subject, probably because the very purpose of SLPs was to ensure beneficiation to the community from the mining enterprise. It was also noticeable that the content and language used in the SLP items articulated was simpler and practical enough to facilitate understanding by the community.

Regardless of this, the community's perception of the performance of mining companies against their SLPs was poor. It was interesting to note that when respondents mentioned SLPs, it was followed by a disclaimer that they felt was important to mention - that SLPs did not work, and did not benefit everyone but only a few people in the communities. This was similar to the findings of several studies that have looked into the effectiveness of SLPs as tools for making measurable contributions to the local economic development of communities. These found that this was not the case (Phuhlisani NPC, 2018; Capps & Malindi, 2017; Centre for Applied Legal Studies 2017; Bench Marks Foundation 2013; Capps, 2012).

In addition to poor SLP performance, the lack of consultation and participation of the community in the SLP design and implementation process was a surprising finding, given the fact that communities are the direct beneficiaries of SLPs. A further investigation revealed that the participation of communities was not clearly stated in the legal framework guiding the SLP process, only the SLP Guideline of 2010 specified that mining companies need to consult with the communities before finalising the SLP. This lack of specification of community consultation in the MPRDA and the legal inadequacy of the provision in SLP Guidelines was also the main finding of the various studies mentioned above. This is both a symptom of a lack of proper governance system in its design and implementation, but also a poor reflection on the tendency of mining companies to only respect the legally enforceable provisions of the law, and an obvious focus on compliance for the sake of it. Stanny (2010) alluded to this strategy of mining companies globally, to use compliance as a tool to increase legitimacy and nothing more.

It was noteworthy, although not entirely surprising, that the SLP focus areas of Implats included infrastructure, access to clean water, health, education and employment – all of which were still also the top five mining impacts raised by the respondents of Luka village. This was found to be overwhelmingly confirmatory of the mining impacts described by Luka respondents in chapter 6 of this thesis, which were not aligned with the company's official sustainable development priorities. An implication of this finding is also that the fact that SLPs are based on IDP creates more alignment with community needs and make them more community-centric. However, this alone is not sufficient, without proper participation of the community and an inclusive, transparent and credible legal system and capacity to monitor implementation and ensure SLP performance (Phuhlisani NPC, 2018; CALS, 2017)

The SLP system in South Africa seems to have driven the entrenchment of local economic development into the sustainability agenda of mining companies, as well as their sustainability reporting. SLPs are also likely to be more plausible as practical, measurable contributors to legitimacy from a community perspective, as they pertain directly to the community and have a more direct link to the bigger purpose of sustainability (which is not very apparent with the mining licence). They could be another more effective tool for mining legitimacy, provided the identified challenges around lack of governance, implementation and public participation are addressed in the SLP system.

8.4 WHAT IS A SOCIAL LICENCE?

A social licence, or a social licence to operate (SLO), refers broadly to the community's acceptance and approval of a company's operations in the areas in which it is located (Thompson & Boutilier, 2011; Prno & Slocombe, 2012). Unlike the mining licence, social licence is intangible, tacit, and is not granted by formal civil, political, or legal authorities (Bursey & Whiting, 2015). As indicated in chapter 2, this term was popularised in the mining sector when it was pronounced as a key driver for the sectors' survival (MMSD, 2002). The subsequent proliferation in the usage of the term within the sector, locally and globally, is what makes it relevant in the discussion about mining legitimacy. Both mining companies in this study use this term considerably in their sustainability reporting.

8.4.1 CASE OF LUKA VILLAGE

Questions about the knowledge of the term 'social licence' were met with a noticeable curiosity and eagerness amongst Luka respondents, who all admitted the lack of knowledge about this term. A youth female from Mogono confessed, "It's the first time I've heard of it" (Respondent 5, 2017). An adult male who is a supervisor at the mine also admitted having never heard of the term before (Respondent 11, 2018).

Various other respondents shared the same lack of knowledge but offered some guesses about what it might be. The variety of these responses are shared below, from different types of respondents with various functions in the community - a community elder, a ward councillor, a Kgosana, as well as a businessman:

> Does it mean that they want to be seen to be working with the community? And isn't it that this social licence goes with the mining licence? Once received that would be the end of story. (Respondent 4, 2017)
>
> Usually, I understand this to mean the licence needs to be renewed with DMR. They have to write these lies there so that they can get their licence. (Respondent 8, 2017)
>
> Maybe they use another term for this but I have never heard of it. Isn't it a sort of consultation maybe? (Respondent 18, 2018)

> It's actually just compliance – so they can get their mining licence. Also, the mine comes into our area and negotiates with the King, isn't social licence part of what they agree upon perhaps? It could be a memorandum of agreement between them. (Respondent 14, 2018)

It became important for the interviewer to explain briefly the term 'social licence' as it was used by mining companies in their reporting, and show examples of how it had been used by Implats in the examples of sustainability reports, looked at earlier in the interview process.

Various interesting discussions ensued thereafter. The nature of the social licence was questioned by one respondent – the male elder immediately reflected that given the community's lack of knowledge and involvement in it, it was clearly not something to do with the community, he concluded, "It's not anything that society can do anything about. It's all lies" (Respondent 4, 2017).

The question of permission and enforceability was also brought up, that for this to be a licence of sorts, permission would have to have been given by someone beforehand. One respondent exclaimed that he did not believe the community ever gave such permission before:

> Never! For something to be a licence it needs to be enforceable! We don't give them any licence. If we did, we would have revoked that licence long time ago! When they contaminated our water, and now come to ask us to pay for the same water! When they were underpaying our people. There is just so much that could have led us to revoking it by now. (Respondent 7, 2017).

Upon a further discussion about how this social licence was given or taken away – another respondent, a youth male protested, questioning the lack of community involvement, and lack of enforceability in it:

> The licence has to be acquired by the mine. But the community has no say on it because of traditional leadership and the King, they are the only ones with a say. … I don't know if there is power to take it away. (Respondent 3, 2017).

In the reporting by Implats, a variety of content was found relating to social licence. The mine outlined the Group strategy for Social License to Operate (SLO), described the approach it follows as well as the process in the following excerpts:

> Components of the Group Strategy: Meaningful and sustainable social investment in our communities; Delivering on Social and Labour Plan (SLP) commitments; Adhering to commitments in the President's Framework Agreement; Aligning and positioning the organisation in terms of the National Development Plan; Respecting human rights and interest of all stakeholders; Abiding by the laws of the countries in which we operate; Adherence to all relevant environmental legislation; Preservation of natural water resources and water quality; Optimisation of energy efficiencies and reduction of carbon. (Implats SD Report 2016, p. 11)
>
> In seeking to build and maintain our social licence to operate, we have focused on driving legislated transformation requirements, investing in targeted community interventions and engaging proactively with community representatives and government officials at all levels. (Implats SD Report 2016, p. 14)
>
> Securing the trust and endorsement of our host communities and their traditional representatives is essential to maintaining our licence to operate. (Implats SD Report 2016, p. 27)

A Social licence as an input into the company's Business Model is reflected in the reports with a positive image of a check sign as in the examples in Figure 29 below:

Figure 28: Image representing SLO in reports (Source - AA SD Report 2016, p. 8)

Maintaining a social licence is described as a risk to business (Implats SD Report 2016, p. 1). In the Integrated Report, it is further classified as a group strategic risk and marked as a 'Controllable', where controllable means within the control of the company (Implats IR 2016, p. 7).

Some specific targets are communicated for the maintenance of the social licence as: "The target for 2017 – "Rustenburg $S0^2$ at <16 tpd; Build a further 300 employee houses in Rustenburg; Complete high school and primary school at Platinum Village (Implats IR 2016, p. 11)." Additional key actions were also included towards the achievement of that target:

> Increase and further improve direct engagement with employees, communities and other stakeholders; Deliver on Social and Labour Plan (SLP) commitments; Adhere to our commitments in the President's Framework Agreement; Reduce and manage constrained utility supplies; Align and position ourselves in terms of the National Development Plan (NDP). (Implats IR 2016, p. 11)

It was also noted that at some point, they refer to what they call a socio-political licence to operate, when describing the impact of the challenging global economic conditions:

> These conditions have important implications for our socio-political licence to operate, placing pressure on the Group to balance short-term stakeholder expectations with current financial constraints and longer-term societal value propositions. (Implats SD Report 2016, p. 16)

8.4.2 CASE OF MAPELA TRADITIONAL COMMUNITY

In Mapela, community respondents also did not know about and had never heard of the term 'social licence'. The researcher had to explain where and how this term was used by mining companies globally and show how it had been used in the sustainability reports from Amplats. Despite this, respondents seemed confused by this term, and how it might or might not relate to the mining licence that they knew of.

One respondent had this to say in reflection, questioning what the requirements for a social licence were, and offering a practical suggestion for what a community can do about it:

> ..also, I don't know what the requirements are? But I think us as a community we can come up with our own licence also, as a community. . . . I think it will be a good idea to request a workshop for the social licence, also for prospecting – to empower the community. And once we are empowered, we can issue out the licence ourselves and sell it ourselves to business people / foreigners. (Respondent D, 2017)

Similar to what was found in the reporting by Implats, Amplats had a fair amount of content relating to social licence. The company started with a preamble, phrasing it as an 'on-going licence to operate', "in seeking to earn the trust that gives us our ongoing licence to operate, each one of us at Anglo American, in our daily lives, faces challenges as we endeavour to do the right thing" (AA Sustainability Report 2016, p. 15).

Amplats also shared the Group strategy for SLO, which is explained as being at the heart of its social management framework and social strategy:

> Our social licence to operate (SLO) – the ongoing acceptance and approval of our operations by local communities and other stakeholders that can affect our profitability – is the heart of our social management framework and Anglo American's social strategy. The central tenet to the SLO model is trust, the confidence that our behaviour as a company matches the expectations of those communities and other stakeholders. Key means to establish trust are: the fair distribution of social and economic benefit from our mines, especially employment; effective management of potential negative impacts; and meaningful engagement with us on matters relating to the mine and of concern or interest to them.

It continued to describe its progress so far, in terms of actions they had implemented, and conclude with an acknowledgement that more work still needs to be done in the area:

> In late 2015 and early 2016, we worked on identifying better ways to deliver on these key elements of trust. We explored ways to improve our community equity participation model and access as well as involvement in our supply chain. We looked at how we could contribute more through strategic regional socio-economic and environmental development. We examined how we can better engage and involve our stakeholders, especially communities, in maximising opportunities relating to our mines. We analysed how we can better communicate with our stakeholders. Lastly, we reviewed our approach to risk and impact management throughout our supply chain; and managing community health, safety and security. Much work remains to turn this informed review into best practice, but we believe the foundation is there. We are committed to delivering on these value levers to increase levels of trust and improve our social licence to operate. (Amplats Supplementary report 2016, p. 15).

Like Implats, there is a reference to the social licence to operate as a socio-political licence to operate- "building positive and trusted relationships with the stakeholders and communities around our operations is essential to maintain and strengthen our socio-political licence to operate (AA Sustainability Report 2016, p. 12).

They go on to explain how society gives them the SLO by virtue of their needs, they stated, "Society needs PGMs (platinum group metals) for industrial, environmental and jewellery applications. Society ultimately gives Amplats its licence to operate and legitimacy" (Amplats IR 2016, p. 10). They also explain what they see as dependencies for social licence:

> Our licence to operate depends on our ability to ensure our stakeholders participate in economic benefits generated by our operations, and that our activities leave our host governments and communities with a firm foundation for a sustainable future. (Amplats Supplementary report 2016, p. 16)

They also describe what they see as a threat to the social licence, referring specifically to opposition by local communities, which they also admit was on the rise:

> If local communities actively oppose the existence of our operations, our ability to conduct our activities could be threatened. In South Africa, there are rising levels of dissatisfaction in communities on social delivery, unresolved legacy issues, and a less-than-expected benefit from mining. (Amplats IR 2016, p. 33).

Finally, they make an interesting link, connecting social licence to water, implying certain consequences:

> Without water, we cannot run our mining, processing or refining operations. To maintain our licence to operate, we cannot degrade water quality, or compromise other users' right of access to this precious and finite commodity. (Amplats Supplementary report 2016, p. 25)

8.4.3 RESISTANCE AND LEGITIMACY

Related to social licence is the resistance, protest and activism that is prevalent in South Africa's mining villages. This resistance needs to be unpacked and ventilated for its meaning in the face of mining companies seeking legitimacy within the social systems of which they are part, especially as it has increased in recent times.

In Luka village, respondents referred back to some example of protest actions where the community did something to stand up against the mine or the government concerning the mine. For some, the first memories of the mine were distinctly about the realisation of this 'struggle' and the need to resist and protest against this company that had come into the village and was doing as it pleased. One community elder recalled:

> The mining company arrived here, I was doing Standard 2, that was 1969. I would see the tractors when they were doing prospecting. About 100 metres from my school, there was a prospecting shaft there, almost at the centre of the village. I have known about Impala since then. Even when they started open cast mining, about 1km from where we are, we went there and diffused explosives, because they didn't want to understand that we didn't want that done so close to the village. We had to go there to show them that we meant business. We personally diffused the explosives. (Respondent 4, 2017)

For some respondents, a protest action was synonymous to protesting for jobs. Both respondents, originally from Luka and those who had relocated to Luka for employment purposes, shared memories of when the community had marched to the mine demanding jobs. "They close the roads, say the mine is not doing anything to give them jobs. The youth complain that the mines do not give them jobs, not because of service delivery" (Respondent 11, 2018) one adult Male Mine Supervisor shared.

There were also some ways of preventing permission that the community had used in the past. One respondent, a youth female, shared that the community had found ways to organise the community before in an attempt to delay the processes related to the mining licence, an attempt that seemed to have not succeeded by then.

> Impala is also wanting to build a new shaft, and this was not communicated with the community. But because people now are aware of their rights, they are trying to stand up to them. There are rumours that they are going ahead anyway and shafting underground, without community approval. (Respondent 5, 2017)

This respondent also shared that a letter had apparently been written to the Minister for an investigation to be carried out about how much land was actually given since it seemed that the mine had spread throughout the village. If this is true - the idea of side-stepping community approval seems to take this matter even further than the lack of disclosure and engagement – into the realm of illegal practices presented in the previous section.

As an example, the traditional councillor shared about protest action about the mine's choice of contractors, "Just recently Impala appointed a contractor as part of the SLP project in Baphiring area. People were not happy with the contractor – but it had to come to a shut-down so as to get Impala's attention" (Respondent 7, 2017).

Memoranda seemed to be the primary medium used to communicate demands with the mine. It is not clear what the mine used in return. The impact of social media was also discussed as something that had facilitated the activism, as it had led to the general visibility of issues where there were not before. As the youth male explained:

> They used to succeed for many years, but not anymore with social networks – it's easy for them to be exposed to the world. For instance, when Marikana happened, that helped the world to see the truth. It raised eyebrows. And the world realised that they were ignorant of what was happening. (Respondent 3, 2017).

In their reports, Implats acknowledged knowledge of community activism:

> The resultant community activism in our communities, particularly among the unemployed youth, is compounded by a failure of many of the traditional engagement structures, heightening the pressure on mining companies to ensure effective communication channels with our communities. (Implats SD Report 2016, p. 67).

In Mapela village, when the Mapela community found their own strategies to engage and make the mine accountable through protest, the mine reacted with police violence and arrests. Various respondents from different villages recounted their horrific experiences of this. As one adult female from Mothlotlo village shared earlier a sobering story of how she lost the function of one of her eyes during a community protest in 2014. Another adult female in Ga-Chokwe village shared a harrowing account of how she managed to escape after the police dispersed a protest:

> When we try to speak to the mines, and protest – they call police on us. In 2015 there was a really big strike that went on for about two weeks. It started on day 1 and by day 14 it was tough. They were chasing us with police vans, dogs and rubber bullets. They also had vans with water pressure pipes that they use to hurt us with, and when you wake up after this you get sores from the water pressure. I was one of the activists they were after and this one time I eventually had to run and cross a bridge and get inside water in order to hide from them. I had to hold out a phone in my hand, for what seemed like an hour and a half. There were plenty of them, they were walking towards me carrying

> guns, swearing and walking past the rocks, I had to hold my breath and not even breathe so that they don't hear me. (Respondent B, 2017)

This was also the experience of respondents who were employed by the mine and were part of strike action at some point. Respondent F described how they ended up being jailed from participating in strike action.

> They agreed to give us 20%, of which our employers – contractors were saying they did not get it. Before then about 11 of us were jailed by the police for being on strike, we damaged nothing. (Respondent F, 2018)

In Amplats' reports, there was some reporting on rising levels of social unrests in the Integrated Report:

> ..if local communities actively oppose the existence of our operations, our ability to conduct our activities could be threatened. In South Africa, there are rising levels of dissatisfaction in communities on social delivery, unresolved legacy issues, and a less-than-expected benefit from mining. (Amplats IR 2016, p. 33)

They also reported on protests that had taken place for the year:

> During the year, incidents of community discontent included demonstrations at the Mogalakwena and Amandelbult mines and Twickenham project. We seek to resolve grievances through effective engagement with community leadership. (Amplats Supplementary Report, p. 21)

8.4.4 DISCUSSION – THE FICTION OF SOCIAL LICENCE

It was interesting and curious that despite the noticeable usage of the term 'social licence to operate' in the reports of the companies, its centrality in the social strategies and actions of both companies, it remained an unknown concept amongst all the community respondents in the two settings of this study.

The association of social licence with mining licence by respondents was the only testament to the immediate confusion it creates. It did not help that the mining licence was already established in the experiences of respondents as inaccessible, and perhaps not of direct benefit or relation to the community. Yet the social licence, unlike the mining licence, was bandied about freely and abundantly in mine reports. This begs the question about the point of communication or engagement if intended stakeholders really do not know or understand what mining companies are talking about, and they have not taken the time to educate or create awareness accordingly. This provides further evidence of poor stakeholder engagement discussed in the previous chapter. Nevertheless, the finding is simply that the community is unacquainted with the term, and are unsuspecting of it. This is also indicative of its nascency as many authors have suggested (Owen & Kemp, 2013; Prno, 2013).

Perhaps related to this is the implied assumption or impression of tangibility for the social licence, which could merely result from the basic everyday meaning of the term 'licence' which refers to a tangible permission document. It is possible that this could be the deliberate intention behind the use of this term by mining companies to imply some tangibility where none exists. Moffat and Zhang (2014) also concluded on this constitution of a licence, to be regardless of lack of a tangible document.

Adding to the lack of clarity was how different terms seem to be used interchangeably to refer to the same concept – between just 'licence to operate', 'social licence to operate', and the seemingly emergent 'socio-political licence to operate'. The phrasing of social licence reporting was also found to be contradictory, in parts of the reporting. Sometimes mining companies refer to it as something they are seeking to earn or build still[102], and in other parts, and in the majority of cases, social licence is referred to as something that exists already, that the society has already given to them. This is even though both mining companies also acknowledged that there was still much work to be done to increase the levels of trust and endorsement by communities. Yet trust and acceptance are fundamental prerequisites of social licence, according to Thompson and Boutillier (2011), Prno and Slocombe (2012) and more recently Matebesi (2019).

It is surprising and seems convenient for mining companies to see and even describe social licence as 'on-going'. This seems to defeat the whole purpose of licencing in its traditional sense as giving permission, for a specified time, contingent on certain conditions being fulfilled. Respondents picked up on this construct of 'permission' and the need for 'impermanence', the need for community involvement in giving such permission, the need for it to be enforceable so that it can be given, but also withdrawn, as necessary. These expectations did not seem unreasonable for something referred to as a licence. Owen and Kemp (2017), in their deciphering of the term's definition and meaning, also highlight this characteristic lack of enforceability as an issue.

In its current permutation, there is a clear lack of power and participation of the community in the concept of social licence. It also suggests a one-way process where permission is given, without a corresponding ability for it to be withdrawn when necessary. Some respondents concluded that a social licence had nothing to do with them since there was not anything they could do about it. This

[102] Notable in the language used in these examples of excepts: "In seeking to build and maintain our social licence…" "In seeking to earn the trust that gives us our ongoing social licence"

reveals the tension between what is implied by the term and its meaning in reality, and a discrepancy between its theory and practice

The suggestion about coming up with a community's own alternative social licence seemed to indicate a yearning for this missing power and control by the community. It also shows confidence and knowledge of being rightfully capable to also run with something like this as a community, and bring it to reality. This is interesting because the community had, over the years, found ways of empowering and asserting themselves against mining companies. Much of the resistance and protest action taking place in such communities is evidence of this (Matebesi, 2019; Hill & Maroun, 2015: Chinguno, 2013).

Communities, in both villages studied, seemed to have developed a kind of thick skin over the years, as well as a sense of and mechanism for community power. Almost all respondents could refer to some example of actions where the community did something to stand up against the mining company. For a community of supposed low literacy levels – there seemed to have been significant progress in terms of literacy on matters of collective resistance, protest and activism. This may be due to civil society involvement in these communities, as some respondents alluded. These acts of resistance are clear indications of an attack, push-back, denial or evoking of legitimacy in general. This is in support of a further description of social licence as a metaphor "for the power of social action" (Thompson & Boutilier, 2012, p. 2).

However, the interpretation by mining companies of such community resistance seemed deliberately narrow. Amplats specifically reported about the threat of local communities actively opposing the existence of their operations and acknowledged the fact that this had been happening more and more, but did not make a further connection towards legitimacy. This is a clear example of socio-political legitimacy being under threat. It is baffling how these are not interpreted as a dispute or challenge to social licence. This is proof to the term's limitation as a concept and how it has been used or not used so far in South African mining, in support of Owen and Kemp's (2013) earlier concerns about the emergence of this concept.

The discrepancies in its meaning (as a licence, in the generally accepted understanding of this), status (to be earned, given already, or on-going), nature and form (intangibility, lack of enforceability) for the community respondents, stand in stark contrast with its current usage by mining companies. This renders the concept implausible as a legitimate construct for the social stakeholders it purports to represent. If anything, it only succeeds at being a legitimation tool and rhetorical lever for reality construction for the benefit of the mining companies as suggested by Bursey and Whiting (2015), also as Boiral (2013) suggested of some reporting practices. Based on this some would argue that social license is greenwashing of the social identity of the companies (Ahluwalia & Miller, 2014).

It is relevant to note that in recent times, there has been evidence of the community successfully questioning and calibrating the boundaries of social licence in the much-applauded landmark case of the Xolobeni community, where a previously awarded mining right was eventually withdrawn over lack of proper community consent (Huizenga, 2019). Through such developments, the discrepancies of the social license concept can be slowly addressed and its substance fostered.

8.5 THE ROLE OF GOVERNMENT AND TRADITIONAL LEADERSHIP IN LEGITIMACY

The joint leadership of both the democratic government as well as the traditional authorities are a unique feature of these communal rural villages. They both still need to play an important role in certain aspects of community life in these villages, especially in the legitimising of mining companies in these settings. The democratic government as custodians of the regulatory framework that permits and monitors mining enterprise, and traditional leadership as custodians of traditional communities where land-ownership has to be granted for mining to take place.

8.5.1 CASE OF LUKA VILLAGE

The role of government was seen by respondents as ineffective. Its poor performance was described specifically concerning governance responsibilities, the management and monitoring of processes, the kind of regulatory tools and mechanisms it puts in place for the mining companies.

The role of the traditional structures in as far as mining legitimacy is concerned also centred around the lack of effectiveness in their role as middlemen between the community and the mine. Their role was seen as pivotal as the preferred go-to structure for the mines, despite there being an official engagement forum, MCLEF, that the mine used.

The inclusion of youths and women in traditional leadership was identified as a known challenge. There were concerns about the lack of succession planning for Dikgosana and how the traditional system needed to include youth and not just the older people in the village. It was also a known fact that Dikgosana had a difficult working relationship with the elected Municipal Ward Councillors, most of which happened to be younger and female. The seniority of Dikgosana was observed in all community interactions and somehow accepted as per custom, despite these concerns. An incoming traditional councillor shared his experience with working with Dikgosana in the traditional council:

> As a new incumbent, sometimes people do not agree with your new approach, our new strategy is that we need to engage with both the Dikgosana and also youth. Dikgosana are old people, they are dying and will soon be gone, and there is no succession plan. As new leadership, we are trying to merge the input of older people, adults and youth to prepare for the future. We want proper and

> thorough engagement – which is not always easy in traditional structures. This fight required the strong-willed to be in the forefront. (Respondent 7, 2017)

There was also an issue with power struggles and lack of alignment within the Council of Dikgosana itself. Different clans meet in different Lekgotla meetings, and there can be conflicts between them. One respondent, a businessman, shared an example regarding a R30m water project that has been delayed due to this:

> There are different lekgotlas for different clans. And they are in conflict with each other. There are issues with the current headman of our area that the rest of the headmen are fighting with and they are saying water won't pass via here. As a result, water is not being delivered. (Respondent 14, 2018)

Poor quality of engagement was an issue in the all-important forum and the highest decision-making body called the Kgotha-Kgothe Meeting, where key community decisions are supposed to be made. This is not seen as the effective consultative structure that it is supposed to be. One respondent shared their lack of understandability of the content shared, and also the fact that it does not take into account the age and the literacy level of the villagers (often the elderly). Another respondent shared that these meetings were one-way meetings for the Kgosi and RBN to share with the community what they are doing with the money, but not to consult as such. There was no freedom to ask questions at this meeting. One respondent, the youth female, shared their experience with attending a recent meeting:

> I went there this year - When you ask questions at this meeting, they do not answer questions, they give you a report, they tell you what is written on the report. When you ask about more information or substantiation on the figures in the report, they do not have the information. (Respondent 6, 2017)

Corruption was said to be rampant within the administrative processes of RBN. Excessive bureaucracy in the various tribal structures was cited as a cause for this, whether the contact is initiated with Dikgosana or directly with the staff at the administrative head office.

One respondent went further to suggest that Chiefdom was a foreign construct and therefore there is no real mandate for RBN. He explained that the Dikgosana structure was based on the concept of chiefs which was an imposition of colonialism and the apartheid system and did not exist before then. While evidence of chieftaincy was found to exist in pre-colonial South Africa, the nature and extent of powers of chiefs were found to have been vastly different from how it was later distorted to further the ideals of the 'indirect rule' of colonialism and apartheid (Myers, 2008). In essence, the respondent was questioning the supposed mandate of the Dikgosana, who inherited more powers as part of the colonial system and then went on to be an important part of the traditional structure, and to make ultimate decisions on behalf of the community (in the post-apartheid era). He elaborated:

> We know that the Royal House (quote me), are in ownership of the shares of the Bafokeng people at Impala (about 5%). Some were sold recently, but they still do. They must remember that the RB nation

> is not just the Royal House. When our people came to this land, the very first king was appointed by the people (he wasn't born). They went out to get money, came back and bought their own land back. Whose shares are those – are the shares of the royal house, or are they shares of the nation? When they sell our shares, Impala should have gazette that, they should have given us an opportunity / afforded the change to purchase the shares and buy a stake. They must stop operating like they are an island in our land. They must become part of the operative. (Respondent 7, 2017)

The actual structure of the traditional authority was cited as contributing to the problem. It was said to be top-down, even though the large numbers of Dikgosana involved in the process gave an impression of a bottom-up structure. As mentioned already, it had been argued by some respondents that Dikgosana lack power in this structure. And also, that at the community level, they also operated independently, as autonomous clans that are sometimes in competition or conflict with one another. The example of the R30m water project had been cited by more than one respondent as indicative of the ineffectiveness and conflicts of Dikgosana across their clans.

Lack of collaboration with other community structures was also highlighted as a big problem. For instance, it was a known that Dikgosana do not like to work with or respect Ward Councillors, as they did not consider them legitimate leaders.

In Implats' reporting, the reported indicated knowledge and acknowledgement by the mine of the supposed failure of traditional structures were detailed (Implats SD Report 2016, p. 14).

In terms of the role of government, they acknowledge DMR's regulatory role in the Mining Charter Submission – "Has the company reported the level of compliance with the charter for the calendar year? Documentary proof of receipt of reports submitted to the DMR annually" (Implats SD Report, p. 100).

8.5.2 CASE OF MAPELA TRADITIONAL COMMUNITY

Respondents in Mapela also saw the role of government as ineffective in their regulatory responsibilities, especially about the monitoring of the mining companies. The old traditional authority that had been in place seemed to have failed the community, having been involved in the initial discussions with the mines, and then having been unceremoniously removed from power, and not seeing the need for a handover to the incoming team. Meanwhile, the previous Chief was understood to have been solely responsible for negotiations with the mines and any subsequent beneficiation for the community.

The incoming tribal authority explained painfully the kind of challenge they had to deal with in resolving the issues between themselves, the old traditional authority, the mine and the community. The New Kgosi Spokesperson explained:

> As it relates to mines, there is no official documentation from the first-time mines came here, detailing the agreements for them to start, to the time relocations happened up till now. This is the unfortunate situation in which we find ourselves. (Respondent G, 2018, Adult Male Kgosi Spokesperson)

In the reports, Amplats elaborated on the nature and kind of engagements it had with government:

> Face-to-face meetings with government representatives, open dialogue and ongoing advocacy work through industry bodies, and directly with Tripartite Health and Safety Initiative in South Africa. Participation in inter-governmental and multilateral processes. Compliance with mining licence and related requirements. Contribution to national and international developmental priorities, such as job creation, skills development, public health and (in South Africa) transformation. Taxation policy, including royalty and carbon taxes. Engagement on restructuring involving job losses. Wider sustainability and development agenda, including climate change. (AA Sustainability Report 2016, p. 21).

8.5.3 THE RELEVANCE OF LAND IN LEGITIMACY

The mineral resources of the mining industry are embedded within the land, and while the mining rights permit extraction of the minerals, permission still has to be sought with the owners of the land in question. Land rights, just like mineral rights, have a legal framework within which they need to be negotiated and legitimised. This is the context within which land becomes relevant in mining legitimacy. In Luka village, one youth male set the following scene about the relevance of land for the Luka community:

> Luka was a traditional community, with the ability to sustain itself through agriculture and cattle breeding, but the company has limited this. We have lost a lot of things through the power of traditional structures. What is more important is not just employment but keeping our land. (Respondent 3, 2017)

Another respondent, an adult male from a community-based organisation, BLBA, added to this land context upon sharing his thoughts about the mining company (Implats):

> A company that exploited our people. Came here in the '60s, we were a self-sufficient community. We had our own ways of getting water, we were planting own food. This land was chosen by Bafokeng people because it was good for farming. That's why we were here. (Respondent 1, 2017)

The reference to the self-sufficiency of the village before the mines arrived was often raised by respondents in explaining the standard of living and the state of livelihood in the village, to which the loss of land was blamed. Agriculture and farming are mentioned earlier in the study as mining impacts, and particular activities that the community is no longer able to do on the same scale as before as a result of mining.

There was a widespread belief that the mining companies 'took' the farms in unceremonious ways, described sometimes as 'stolen', or 'seized' by some respondents. This seemed to be associated with whether or not the mines paid for the land at the time or paid some kind of compensation as the law would have required. Where there was some knowledge of a kind of compensation paid, respondents pointed out that this compensation was not complete, or was eventually paid but not to the right people. As these two respondents who were in leadership positions recalled, one an adult female who was a ward councillor, and another an adult male who was a traditional councillor in Luka:

> Impala took our farms; we are no longer farming. They took our land. Some are compensated, some are not. Recalled the same respondent (Respondent 8, 2017)
>
> They just came and exploited us; we didn't have the same knowledge we had today. They saw the resources, saw ways to exploit our people. For years they were not even paying us royalties. They just took and didn't pay anything back to the community. (Respondent 7, 2017)

Discussions about land also led to discussions about the rehabilitation of land by the mining companies. Upon reading an example of the sustainability report where the mine talks about their efforts at rehabilitation of land – one youth female from Mogono retorted in disbelief, she retorted that cracked houses were a good example of the lack of rehabilitation and what they have been fighting Implats for a long time (Respondent 5, 2017). House cracks were mentioned as a major rehabilitation issue by the respondents. The mine was seen to deny the responsibility that their blasting operations are the reason for the widespread house cracks. The traditional councillor echoed in support of this, and suggested that the mine was not telling the truth about the lack of blasting impact that results in house cracks (Respondent 7, 2017):

A statement by one respondent, the youth male, summed up the relevance of the issue of land, and how it may be a construct of power and control in the setting. He lamented, "My hope is that when land is given back, that would give control back to the community" (Respondent 3, 2017).

Similar experiences were shared in Mapela village, various respondents of Mapela claimed that their ancestral land was taken away by the mine without compensation, as one adult male from Sterkwater village lamented before while describing mine impacts (Respondent M, 2018).

Different parts of the community were seeking some kind of recourse from the mine using the legal system, at the time.

> Our cattle and goats – there is no place for them to rear them. Our land was taken away and they didn't even pay is. Even where they've put the dumps, they took it by force from our forefathers who use to plant there and put their cattle and didn't pay them anything. The mine is now negotiating with the lawyers for the community about this after our grandfathers took them to the lawyers, and now they are listening. (Respondent S, 2018, Adult Male Mineworker)
>
> There were some people who went to protest and demand compensation for their land. We heard that they gave them some money – a village next to the mine - Molekana village – some old women (grannies) went to protest there every day – they lied down on the ground preventing the trucks from passing. We heard they were given about R4million eventually. About two weeks back. You have to fight for everything. If you can't fight you won't get anything. (Respondent C, 2017, Youth Female from Ga-Seema village)

8.5.4 DISCUSSION – THE ROLE OF GOVERNMENT AND TRADITIONAL LEADERSHIP IN LEGITIMACY

Both government and traditional leadership are the key decision-makers consulted by mining companies in their search for legitimacy, and so their role makes them legitimate custodians and gate-keepers in the two settings of this study. The perceived level of ineffectiveness in these roles had a direct impact on the mining legitimacy processes and the legitimacy outcomes in the setting. But over and above that, when their very own legitimacy as leaders or representatives of the community is in dispute, it compounds the legitimacy issues in the settings.

The relevance of land in legitimacy discussions is a case in point, illustrative of the compounding effect contributing to a distortion of legitimacy. In the communal areas like the two villages of this study, the complex nexus between mineral and land rights falls into the sphere of government and traditional governance structures respectively, and requires effectiveness at both levels, as well as collectively. Historically, there have also been many land disputes directed at mining companies and also dissent towards the legitimacy of incumbent traditional structures who have played the role of landowners in negotiations with the mining companies on behalf of the community (Phuhlisani NPC, 2018).

The statement about land in Luka (that once the land is given back, power and control will be restored to the community) brought into perspective the relevance of land, the beliefs around how it was negotiated (or taken away), the expectations for some kind of rectification or restoration. Most clearly and crucially, the concept of land emerged as a potential currency for power and control in this context. This makes sense if one considers the fact that traditional leaders were, in both settings, the people who were initially engaged and gave 'permission' for the use of the land to mining companies. It is probably because of this that they continue to command power and influence as a stakeholder group in engagements with the mining companies as found in the previous chapter.

The resultant custodianship of the community's compensation or land royalties from these mining companies seems to have been one of the greatest inefficiencies of this system. It has contributed to a lack of effective public participation and equitable local beneficiation in these settings, in support of the findings of Mnwana and Capps (2015) in a similar communal setting of the Bakgatla Ba Kgafela community in the North West. Similarly, to the findings in Luka and Mapela, they further lamented how traditional leadership had become powerful intermediaries of mining deals, noting how chiefs had come to control the interactions between mining companies and traditional communities (Mnwana & Capps, 2015).

Traditional leadership in Luka and Mapela was believed to put their personal interests ahead of community interests, evidenced by beneficiation from mining deals to traditional leaders and a few black elites (often connected to them) and not the broader community (also a subsequent finding of other authors who investigated the Bafokeng as well as the Mokopane communities of which our two study settings are part (Capps, 2016; Mnwana et al., 2016).

The finding on the systematic lack of accountability and transparency of traditional leadership is also in support of a more recent investigation into issues of transparency and accountability in SA's platinum belt by Pickering and Nyapisi (2017), who concluded thus:

> The problems illustrated by the case of Mapela are symptomatic of the failures of the broader legal and political context in which mining communities find themselves. The lack of transparency and accountability in Mapela arises out of, among other things, an inadequate legislative framework and the increasing abuse of power by the chief. Until these issues are properly addressed by the state, we can expect frustrations in mining communities to continue to grow, making sustainable mining impossible to achieve (Pickering & Nyapisi, 2017, p. 33).

The inefficiencies at a government level are also part of this problem, taking away from the important legislative and governance role in these settings. This inefficiency and dysfunction of governance structures, also called a governance gap, has been observed as prevalent in developing countries (Banerjee, 2008, Campbell, 2012; Lauwo, Otusanya & Bakre, 2016) and that as a result, the region suffers from deplorable social and environmental impacts from corporates. In a study of the effectiveness of CSR in South Africa, the failure of government was identified to result specifically from the fragmentation of the CSR-relevant regulatory environment, the distribution of related government functions between different departments, and poor coordination between regulatory bodies Fig (2005). As we have seen, the nature of legitimacy on various aspects of sustainability requires the interaction of a variety of government departments that have to work together effectively (e.g. the Department of Mineral Resources and Department of Water Affairs, Department of Environmental Affairs need to all work together in the case of mining licence applications and renewals).

In addition, the confluence of the overlapping centres of power resulting from the joint governance of the state and traditional leadership in these settings is another factor. The legislation also needs to evolve to address inherent gaps in the bigger legal framework within which these jurisdictions belong.

All of the factors above, lack of public participation, local beneficiation, accountability and transparency, ineffective governance and inadequate legislation, contribute negatively to the broader construct of how mining companies are legitimised in the two settings.

8.6 CONCLUSION

In investigating mining legitimacy in this chapter, the mining licence was the pre-eminent formal legal construct for mining legitimacy but was found to have limited utility outside of the government and legal framework. It was found to be inaccessible and of less relevance for community stakeholders. Social labour plans in comparison were found to be more useful, practical, measurable tools, that were also of relevance to community stakeholders. They were found to have better potential as a legitimacy tool if implemented properly, and the identified challenges addressed with the SLP system.

The concept of a social licence was found to be entirely unknown to social stakeholders and only useful to mining companies, who are found to be using it as a legitimacy tool for the companies' benefit. It was found to be largely fictional, an invented concept not based on history or fact, and as a result of this to have weakened the construct of legitimacy rather than strengthened it. Resistance, protest and activism by community respondents seem a clear form of language against legitimacy although it has not been interpreted as such by mining companies. Resistance is the closest equivalent to some kind of enforcement of social licence in these settings and is under-recognised, apparently deliberately by mining companies.

Both the role of government and traditional leadership was experienced as ineffective in their custodianship of community interest in dealings with the mining companies, which has impacted negatively on mining legitimacy. A focus on governance (for both structures) as well as rectifying the broader legal framework is critical for the construction of mining legitimacy in these settings, and its integrity.

The incongruency concerning all the above aspects of legitimacy between the community and the mines suggests a legitimacy gap between the value system of the company and that of the larger social system within which it should belong. There is proof of effective legitimation strategies being used by the mining company to gain legitimacy, particularly in terms of compliance with legislation.

However, legitimacy refers to a larger field of norms, values and beliefs in a social system, beyond legalities (Suchman, 1995), and not much has been accomplished on this front. The normative nature of legitimacy requires the incorporation of the community's permission and sentiment as a proxy for the temperature of the social system that the mining companies have joined. It cannot be constructed based on the whims and wishes of mining companies alone. Legal legitimacy is increasingly only the minimum requirement (Bridge, 2004; Moffat & Zhang, 2013), which is indicative of the power shift towards community actors in the mining sector globally (Prno & Slocombe, 2012). Due to the direct susceptibility of communities to the impacts of mining, legislation and guidelines are evolving accordingly, and therefore legitimacy needs to also evolve beyond the narrow legal confines it seems restricted to in these settings.

Social licence emerged to fill that gap, however, its implementation and usage by mining companies have taken away from its potential and has not helped with the development of the normative aspects required to legitimise mining within the social system as legitimacy theory requires (Suchman, 1995).

Mining companies in the two settings seemed to exist separately from the bigger social system of which they are a part; although there was a constant attempt to show congruency (through identified legitimation strategies), this has not been successful. The legitimacy gap has widened, evidenced by rising levels of resistance and protest in these communities. Trust, the central tenet of social licence, according to Thomson and Boutilier (2011), seems a distant ambition. The two mining companies themselves have admitted to the need to build this trust with the local communities.

CHAPTER 9: SUSTAINABILITY REPORTING NOT FOR THE COMMUNITY

9.1 INTRODUCTION

Have the findings and arguments presented in the previous chapters provided a lens powerful enough to have illuminated the practice of sustainability reporting by South African mining from a different perspective? And does this help with a better understanding and interpretation of this practice in this particular setting? What is the value of this study, and what contribution has been made to literature?

This chapter starts with a recapitulation of the original research questions posed for the study in Chapter 1, linking these to the work subsequently carried out in later chapters. This is followed by a summary of the findings and arguments presented in chapters 5, 6, 7 and 8, pulling together the empirical findings and interpretations emerging from the study.

The main part of this chapter is dedicated to the overall conclusions of the study, starting with the broader assertions and generalisations and working towards implications for theory. A summary of what is considered the value of this study to the body of knowledge is then presented.

The last part of the chapter reflects on the research process in hindsight, pointing out the methodological contributions of the study. A discussion of limitations and highlighting of areas for further research conclude the chapter.

9.2 STUDY RECAPITULATION, SUMMARY OF FINDINGS AND ARGUMENTS

9.2.1 Recapitulation of study and original research question

For the most part, the sustainability reporting practice is dominated by the narratives of the mining companies that developed these reports and is only one side of the sustainability picture. This study intended to bring forth a more holistic sustainability picture by incorporating the narratives of the stakeholders from the surrounding communities where mining operations are located.

Through the lived experiences of these community stakeholders, the study set out to answer the main research question on the accuracy and effectiveness of sustainability reporting as a reflection of the sustainability activities and performance of SA mining companies. This was done through an investigation of the sustainability reporting practice from two perspectives. The first was a specific approach that solicited the opinions and perceptions of community stakeholders regarding the reporting practice of mining companies. This culminated into a first research sub-question: 'How accurate and consistent is the sustainability reporting content of South African Mining companies with the reality on the ground?'

The second was a general approach that inquired into the community stakeholders' lived experience of sustainability in general, through the second research sub-question: 'What is the broader sustainability experience of the relevant stakeholders who are affected by company operations and to whom sustainability reporting is targeted?'

9.2.2 Summary of findings and discussions towards the first research sub-question

In Chapter 5, the findings of the study suggested a lack of accuracy and consistency between the sustainability reporting of the mining companies and the sustainability reality experienced by community respondents on the ground. While there was adequate understanding of corporate sustainability, the poor information sharing culture of mining companies resulted in a lack of accessibility to their sustainability reports. The online distribution strategies for the reports were found to be un-inclusive of community stakeholders and not context-sensitive to the socio-economic realities of the setting.

A lack of truth and accuracy was the key finding from community respondents, relating to reporting in general, and also to specific issues identified by respondents. An overwhelming focus on compliance with legal and voluntary codes was noticed, and the use of assurance services from external assurance providers seemed to be standard practice. However, these were not found to have improved the accuracy, credibility or reliability of these reports for community stakeholders. The real purpose for reporting was questioned, reports were found not to be user-friendly and most importantly, not to be targeted at community stakeholders. These findings were all contrary to what the mining companies reported as the principles informing their reporting practice.

These findings provided a direct answer to the first research sub-research. A lack of accuracy was found between the sustainability reporting content and the reality on the ground. The extent to which sustainability reporting content reflects the reality on the ground was found to be lacking, based on the communities' dispute of the truth and veracity of the reporting content.

9.2.3 Summary of findings and discussions towards the second research sub-question

Findings of the broader lived sustainability experience of community stakeholders were split into three different parts, each presented in its own chapter. Chapter 6 looked at the lived experience of mining impacts and the sustainability priorities on the ground. Chapter 7 looked at the experience of stakeholder engagements, the dynamics and relationships involved in the process. Chapter 8 looked at the experience with the construction and management of mining legitimacy and the legitimacy outcomes involved.

Part A: Mining impacts and sustainability priorities

The lived experiences of mining impacts for the community stakeholders, in chapter 6, revealed a variety of basic mining impacts in the two settings. These included the lack of water, different types of pollution, lack of employment, poor infrastructure, overpopulation, and issues with relocations.

The lack of sufficient clean water was one of the top mine impacts for community stakeholders in both settings. However, neither company took formal responsibility for addressing and resolving this impact, as they saw it as the responsibility of the relevant local municipalities in the setting. A lack of detail and some ambiguity in the reporting was found in the mining companies' water usage statements, and a disproportionate focus on water stress as the main water risk facing the mining companies, due to climate challenges.

Different types of pollution still existed in both settings and impacted the health and livelihoods of community stakeholders. While the impact of pollution on surrounding communities was acknowledged by mining companies as unavoidable, not all types of pollution were addressed in their reporting. The pollution impact of the blasting process was denied by both mining companies. Reporting about pollution showed an overwhelming focus on legal compliance with the various environmental regulations. However, the pollution incident reporting was found to be biased and sometimes incomplete. Some omissions were identified, as well as the use of images for reality construction, which was found to be misleading.

The pervasiveness of unemployment was another important impact for community respondents. This problem was found to be more severe in Mapela than in Luka village. A preference for the employment of people from outside the villages, or foreigners, was identified as the main reason for this by community respondents. While statistics showed that the number of people from outside South Africa was not substantial, there was insufficient data to validate the numbers of people from outside of the villages, but still within South Africa, employed by the mines. The mechanisation of operations was found to be the main reason for low employment levels in general in Mapela village, but this was not explained adequately by Amplats and was not understood by community respondents. The issue of unemployment was seen by mining companies to be as a result of the broader socio-economic reality of the country and not as a local issue in both settings.

Poor basic infrastructure was another top impact for community stakeholders. A lack of education facilities and infrastructure, in particular, was a surprising finding, given the low levels of literacy and education in the two settings. Education was also reported as a key focus area in the local development programmes of mining companies, with a noticeable amount of education-related imagery creating an impression of this as a priority in the reporting. In terms of health infrastructure, the community clinics were found to be inadequate for the community needs in each village, even after a recent renovation of the clinic in Luka village. Mine hospitals, for the exclusive use of mine employees, were the only proper health facilities in the two settings. Road, water and sewerage infrastructure were other examples of infrastructure that existed around mine operations but poorly developed in the rest of the community areas.

Overpopulation was a unique impact for Luka village, where the population had escalated rapidly as a result of mining, but Implats was not seen to be taking responsibility for subsequent negative impacts resulting from this in the setting. The indigenous Bafokeng community complained of the overcrowding of, and strain to their already minimal public facilities, increased levels of crime in the village, and a general loss of their culture and heritage. On the other hand, those who originally came from outside of the village, the non-Bafokeng community, complained of the brazen discrimination and ‘othering’ they had to live within the village. This seemed to be a complicated social dynamic, impacting on social cohesion in the community, but was not understood or acknowledged by Implats.

Lastly, the impact of relocations was found to be a unique issue for Mapela village where there was a history of relocations with Amplats. Various complaints were levelled about the actual relocation process of Amplats being below the accepted standard in terms of human rights. The lack of adequate compensation, a forceful and violent approach, the ineffectiveness of community representatives involved, were some of the issues singled out about the relocation process. Those who resisted relocation had to live in inferior, unacceptable living conditions, amid mine dumps, cut off from normal village life and without essential public facilities. Those who were relocated were also not better off in the new neighbourhoods as they had been promised by Amplats. Not only had they been resettled far from the normal village life, but they still had to live with a lack of basic services, like water, and a dysfunctional sewerage system in the new neighbourhoods built by Amplats.

Evident in the above findings is that the most basic impacts of mining remained in the two settings of Luka and Mapela. Disparities were found in how these were reported by the mining companies, the understanding of what constitutes mining impacts and in the sustainability priorities of the settings. The framing of the narrative was found to be divergent between the communities' experiences of impacts as definite occurrences, compared to the mining companies reporting of impacts as potential risks. The wider sustainability context of these impacts on human rights and sustainable development goals was found to be surprisingly absent in the company narratives. Also not reflected in their reporting was the obvious convergence of the different impacts and their collective impact, indicating a lack of recognition and acknowledgement of the bigger integrated effect on community livelihoods, which was abundantly apparent in community narratives.

An extra complication was revealed around the provision of basic services, like water and infrastructure, in a setting consisting of mining companies, government, as well as traditional leadership. Jurisdiction boundaries, often unclear and ambiguous, were used as a reason for mining companies to not take any responsibility for some of these impacts. However, the local sustainability context needs to be taken into account in sustainability decisions, it cannot be ignored. In South Africa, the sustainability deficit left by historic mining operations in such communities needs to be addressed as an inherent part of the cost of mining in these settings.

The above findings and insights provided the answer to the second research sub-question in terms of Part A. The experience of impacts is still one where the most basic impacts of mining remain unaddressed. Also, the sustainability priorities are not aligned between the communities (which are largely influenced by mining impacts) and those of the mining companies. Therefore, the sustainability agenda of mining companies is not informed by community stakeholders necessarily.

Part B: The stakeholder approach of mining companies

Chapter 7 presented some in-depth insights into the stakeholder approach employed by mining companies in their consultation and engagement of stakeholders in general. Community stakeholders experienced consultation and engagement by mining companies as non-existent, explaining that engagement only took place at the initiative of the community. Mining companies, however, included a lot of detail in their reporting regarding the importance of stakeholder management, the types and ways in which this is carried out in engagements with their various stakeholders.

The dynamics of engagement were described to be one way, un-inclusive and siloed along stakeholder lines. The power dynamics were seen to be centred around the mining companies, followed by traditional authorities, who seemed to wield a particular power and influence, then government, and lastly, the communities at the other end of the spectrum. Relationships were also structured along with stakeholder groupings, and varied due to their different, and often conflicting, interests. However, the mine had a noticeably positive relationship with the traditional authorities, a co-operative one with government, while a markedly negative relationship existed between the mine and the community.

The official mine engagement structures in both settings were the mines' preferred representatives for community engagement, even though they were disliked and considered ineffective by the community. In the case of Luka, they were also described as illegitimate and lacking the mandate to represent the community. These structures seemed preferred for the sake of expediency of mine decision-making, which was evident from their blatant lack of interest in the downstream effectiveness of these structures with the constituencies they represent.

The findings in this chapter provided the answer to the second research sub-question for Part B. The experience of consultation and engagement of community stakeholders by the mine was poor to non-existent. Engagement only happened as a result of community initiative, and even then, the engagement dynamics were described as lacking and ineffective, with a bias towards traditional leadership.

Part C: Mining Legitimacy and Social Licence

Chapter 8 presented findings on the experience of mining legitimacy for community stakeholders. The mining licence was known to community stakeholders in the two settings, however, none of them had ever seen a physical copy of the mining licence document before. The apparent secrecy and lack of transparency about this foremost legal permission document, in both the reporting and the company operations of the mining companies, created invisibility, lack of understanding, and lack of trust about its legitimacy. It was found to be relevant only for government and legal purposes.

Social labour plans, on the contrary, were found to have more familiarity and visibility with community stakeholders, the language used in them was found to be simpler, practical and relevant to the community. However, SLP performance by mining companies was described as poor, and the lack of community participation in their design and management was identified as the main shortcoming.

The concept of social licence was found to be completely unknown to community stakeholders, despite its proliferation in the reports of the two mining companies. The lack of tangibility in them as a licenced concept was raised as an issue. The phrasing and usage of the term by mining companies were found to be confusing, inconsistent and sometimes contradictory. The community stakeholders raised concerns of disempowerment due to the apparent lack of community involvement and lack of enforceability in this supposed licence. It was therefore found to be fictional and only used by mining companies as a legitimacy tool for constructing reality.

The ineffectiveness of government and traditional leadership in their respective roles was found to be contributing negatively towards mining legitimacy in these settings. In addition, the legitimacy issues of traditional leadership compounded this problem. The broader legal framework was also found to be inadequate.

The above findings provide the last part of the answers to the second research sub-question. There was no experience of mining legitimacy for community stakeholders. They were currently excluded in the construction and management of legitimacy and therefore also not part of the outcomes achieved. Only legal legitimacy existed, the social legitimacy of mining is absent. Increasing resistance and protest by the community is testament to this, although it is not interpreted in this way by mining companies, deliberately.

The overall answer to the second research sub-question, in summary, is, therefore, the broader sustainability experience of community stakeholders is a) one that is still plagued by the most basic impacts of mining, where the sustainability agenda is not aligned between the communities and the mining companies, b) of not being engaged effectively, and also of lack of power in the engagement dynamics, and c) of being excluded from mining legitimacy processes, while social legitimacy is non-existent.

9.3 CONCLUSIONS OF RESEARCH

9.3.1 Overall discussion

In seeking to answer the overall research question on the accuracy and effectiveness of SR as a reflection of the sustainability activities and the sustainability performance of SA Mining companies, the findings and arguments of each theme presented had to be looked at in totality.

The first component of accuracy requires that SR content is true, free from error or fault, and is consistent with the sustainability reality on the ground as much as possible, in terms of its reflection of the actual sustainability activities engaged in, but also in terms of sustainability performance, in general. The findings of chapter 5, through the specific and generic examples of reporting content that was disputed by community stakeholders, provided evidence that this is not the case. The content was found not to be sufficiently accurate and consistent with the reality on the ground by community stakeholders, both in terms of sustainability activities and also, performance in general.

Furthermore, the lived experiences across different facets of sustainability described in chapters 6,7 and 8, provided additional evidence on the reporting-related aspects of the subjects they presented. The content of information reported on the impacts of mining, the approach to stakeholder engagement and matters of legitimacy was also not found to be sufficiently accurate, nor free from error or fault in comparison to the lived experiences, further providing support for the lack of accuracy and consistency with reality on the ground.

The second component of effectiveness required an investigation into the degree to which the SR practice of these mining companies is successful in producing the results intended, in this case, reflecting the sustainability activities and performance of mining companies. Unfortunately, the lack of accuracy and credibility for community stakeholders takes away from the effectiveness of SR content as a true reflection of sustainability reality.

A broader approach to interrogating the effectiveness of SR requires revisiting the theoretical model developed in Chapter 2 (Figure 3) which enables a basic interrogation into the efficacy of this practice, for the purposes for which it is normally intended. With the theoretical underpinning of the Stakeholder and Legitimacy theories, the practice of SR is broadly about the business making inputs into the political economy, in which they belong, through its stakeholder approach, with the hope of receiving legitimacy outcomes in return. This can be looked at as a typical input-output system where SR is used as an important enabling tool for the inputs of stakeholder engagement and also for enabling the intended outputs of legitimacy in the system.

A slightly updated theoretical model is provided below in Figure 29 below, in order to illustrate the outcome of its application in the two cases of this study:

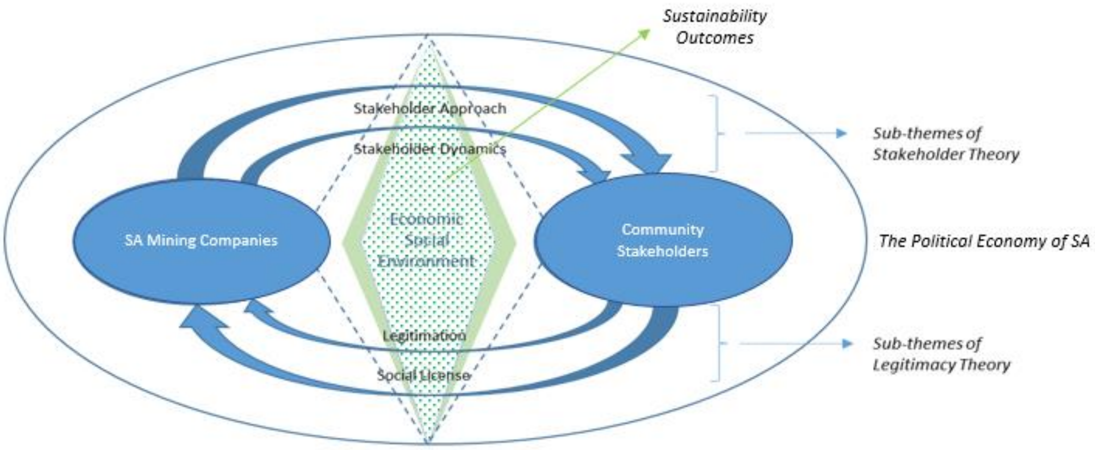


Figure 29: Sustainability Outcomes in the Theoretical Model for SR in SA Mining

The question to be asked is then simply, if the stakeholder approach of mining companies towards community stakeholders was effective, and if legitimacy outcomes were achieved by mining companies from these community stakeholders as a result. The answer is unambiguously negative on both accounts. The findings and arguments presented in chapter 7 provided abundant evidence showing the lack of true stakeholder engagement with community stakeholders. Those of chapter 8 also demonstrated the poor quality of legitimacy outcomes that were achieved in the system as a result. This, therefore, points to the overall ineffectiveness of the SR practice, for the stakeholder engagement and legitimacy purposes for which it is generally intended.

Within the broader political economy of South Africa, still exists some systemic issues that remain unaddressed with the country's neo-liberal agenda that favours commodification and the pursuit of profits (Williams & Taylor, 2000; Desai, 2003; Bond, 2014), in line with Karl's Marx's criticism of the political economy (Marx, 2005). Structural inequalities in terms of race, class, and education are still prevalent in society, that inevitably impact the quality of interactions and dynamics in the wider environment. A poor institutional framework and capacity of government does not provide effective governance in mining. All of these undermine genuine commitments to sustainable development in the mining sector.

9.3.2 Broader Assertions and Generalisations

<u>Implications for Stakeholder Theory</u>

The lack of an effective stakeholder approach in the SR practice of mining companies towards community stakeholders signals a lack of support for the Stakeholder Theory as the basis for their SR practice. And from this, it can be further asserted that the SR practice of the SA platinum mining industry is not implemented for the important purposes of the engagement of community stakeholders. What else then is the reason and motivation for this practice? Findings revealed evidence of mere institutionalisation as a potential driver for this practice, in support of similar findings by Larrinaga-Gonzalez (2007) and de Villiers et al. (2014). The overwhelming focus on global compliance, as well as the level of evolution and maturity of the SR practice in SA mining, shows both an internationalisation of norms through global codes and professionalism in the reporting practice which was a finding of Molate et al. (2014) in support of institutionalism.

Stakeholder inclusiveness, in particular, a key component of the stakeholder approach (Freeman, 1984) is absent, so the SR practice not only fails to demonstrate active and effective engagement of these stakeholders but most importantly, that their inputs have been taken into account into the decision-making of business (Steurer et al., 2005; Cotter, Lokman & Najah, 2011) and in the preparation of reports (Lingenfelder & Thomas, 2011). The result of this is that the sustainability reality, needs and expectations of community stakeholders are not reflected in the sustainability or the SR practice of these SA mining companies.

The broader implication of this is that the corporate sustainability agenda lacks the important 'Subsidiarity Principle' which prescribes that development decisions are made as close as possible to, and in consultation with, the people who are affected by them (Brundtland et al., 1987). Community stakeholders are arguably the primary and key stakeholder grouping in these settings (ICMM, 2012; Nyembo, 2018), and the most ideal constituency within proximity to the mining operations and therefore, with the first-hand experience of the sustainability reality on the ground.

Because of this, the sustainability and the SR practice lacks alignment to the broader sustainability mission towards which it is trying to contribute. The sustainability agenda is not agreed or shared between these parties, to begin with. It is therefore not surprising that the sustainability contribution has been poor in these settings, evidenced by the unsustainable living experiences of community stakeholders. It seems that sustainability progress has not moved beyond addressing the most basic of mining impacts.

Implications for Legitimacy Theory

Mining legitimacy is constructed outside of the key participants of the super-ordinate social system of which mining companies are part, and with which they are hoping to demonstrate congruency. The SR practice of SA mining companies yields only some legal legitimacy as an outcome in these settings, and social legitimacy is glaringly absent. The normative aspects that are essential for the congruency demanded by the legitimacy theory (Dowling & Pfeffer, 1975; Deegan, 2002) are therefore missing. This is potentially the main reason for the legitimacy gap perceived by community stakeholders.

It could also be argued further that full legal legitimacy is also missing, as a result of the identified inefficiencies in the role of government and traditional structures, as well as the inadequacy of the broader legal framework, all of which are key in the construction and management of the existing legal legitimacy in these settings.

The broader implication of this is the lack of sufficient evidence of the legitimacy theory as the most relevant theory in explaining the motivations behind the SR practice for SA mining companies in support of the findings of Molate et al. (2014) in their study of CSR disclosures of mining companies following the Marikana incident. However, there is certainly evidence of legitimacy strategies being employed by SA mining companies in support of the relevance of the legitimacy theory, as has been a finding of many others in the SA mining context (Coetzee & Van Staden, 2011; Loate et al., 2015; Dube & Maroun, 2017).

This study extends those findings by adding that the construct of social licence is used by SA mining companies as a legitimacy tool to close what seems predominantly, to be a social legitimacy gap. They do this by altering the social definition of legitimacy to their benefit, instead of adapting to existing social expectations, in support of Dowling and Pfeffer’s example of a legitimacy strategy (Dowling & Pfeffer, 1975). It has also been found that the SR practice provides an important platform within which to do this reality construction.

Regardless of these efforts, social licence in SA mining is a constructed invention and a legitimacy sham, where key social stakeholders (i.e. the community) have no role or influence in it. These findings are in line with recent findings by Nyembo (2018), bemoaning the lack of what she refers to as ‘community legitimacy’ in a social licence, and who concluded that it was constructed simply to narrow the expectations gap between mining companies and communities (in support of Owen and Kemp’s (2009) initial proposition at the emergence of the concept). My proposition, as part of this study, is to broaden that conclusion to include the legitimacy gap, by deduction.

Legitimacy outcomes are not achieved by SA mining companies until the short-comings of legal legitimacy are addressed, and most importantly, social legitimacy is constructed with the involvement of community stakeholders. Until then, the SR practice will not serve the legitimacy purpose intended with the community stakeholders, and their wide acceptance of mining operations as a legitimacy outcome will remain elusive.

The applicability of both the Stakeholder and Legitimacy theories were therefore found to be lacking in the mining companies’ practice of SR towards community stakeholders, in this particular developing setting of South Africa. Both in the input and output processes of the SR theoretical model developed for the study, the lack of engagement and involvement of community stakeholders was found to be the biggest shortfall.

The implication of this is that sustainability and SR practice fails to be sufficiently context-relevant when the priorities of the context are paramount for sustainable development. Community stakeholders in such mining settings, arguably, bring the greatest local context to the sustainability agenda, and this will be greatly influenced by the socio-economic realities of the setting, where there is also a sustainability deficit from historic mining practices. It is possible that because of the enormity of the sustainable development challenge, as Hilson and Murck (2000) found, SA mining companies find it easier to not directly engage this context but to proceed with the sustainability mission (and SR) by simply following global trends.

This could have great implications for the sustainability approaches of companies in a developing setting like South Africa, with the scale of socio-economic challenges (Visser, 2005) and a variety of historic influences still impacting current realities, that sustainability approaches need to be context-relevant and human-centred as much as possible for them to make a difference, as Cronje and Chenga (2009) recommended in their investigation of why real sustainable development contributions of SA mining do not reach communities. Therefore, without community engagement and involvement, the sustainability and SR practice of mining companies is ineffective.

A further implication could be that the Stakeholder and Legitimacy theories, of western origin, are insufficient as applicable theoretical underpinnings of the sustainability practice in a developing setting like South Africa, due to presence of unique historic, structural, institutional, cultural factors and nuances (Visser, 2005; Dartey-Baah, 2011; Ofori & Debrah, 2012), and that to remain context relevant and human-centred as suggested, there is a need to do more than “transplanting wholesome western theories without contextualising them", but look more to other indigenous theories like Ubuntu and African renaissance as a remedy to the limits of western theories (Cheruiyot & Onsando, 2016, p. 95). These are theories that value the essence of community and its interconnectedness, central to the African value systems and might have more relevance to the setting. However, the exploration of the effectiveness of these theories is beyond the scope of this study.

The Study's Theoretical Contribution

This study contributes to extend the literature on SR and corporate disclosure in general, by bringing forth the voice, and the lived experiences of the often-neglected community stakeholders (Tilt, 2007; Nyembo, 2018) ahead of that of the companies which generally predominates this literature so far.

This study also contributes in extending the literature around Stakeholder Theory by advancing particular confines to its applicability as a motivation for the practice of SR in certain circumstances, most importantly from the empirical perspectives of key stakeholders who should be the main subjects of engagement and also the main targets for SR (Dando & Swift, 2003; Hahn & Kühnen, 2013). The stakeholder approach of mining companies is interrogated in greater detail from this important community perspective and is found wanting. The alternative theory of institutionalisation is advanced briefly as an alternative motivation for sustainability reporting by these companies. A suggestion informed by the evidence of professionalisation of the practice, and overly focus on compliance with global codes, to the detriment of multi-stakeholder engagement. This is consistent with a growing scholarship suggesting the institutionalisation of corporate social responsibility (Norman & MacDonald, 2004; Bondy, Moon, & Matten, 2012; de Villiers et al, 2014) of which sustainability reporting is part.

Similarly, the extent to which the Legitimacy theory is relevant has been delineated by investigating the various processes and devices of legitimation leading to different kinds of legitimacy, and their relevance to the social system and its key social stakeholders. This was over and above simply interrogating the presence or extent of legitimacy strategies used by companies to prove the relevance of legitimacy theory, a popular approach in the majority of studies so far. In addition to this, this study progressed the already existing narrative about legal legitimacy merely not being sufficient but proposed further that social legitimacy is in fact, paramount for the construct of legitimacy in these two settings.

Finally, the study has contributed to the nascent scholarship on social licence by interrogating how it has been used in the sustainability reporting practice on mining in SA (to re-construct the social definition of legitimacy), and also interrogating the corresponding understanding and acceptance of it amongst the community stakeholders on the ground. It also advanced aspects of social licence that need to be addressed for it to become an effective legitimacy construct for community stakeholders.

The Study's Methodological Contribution

Through to use of the case study design, the study allowed the necessary detailed and in-depth investigation into the contemporary phenomenon of SR, within the natural context-specific settings of the two communities where mining operations are located (Yin, 1994; Denzin & Lincoln, 2000). This has brought a rich, real-life perspective into the study of SR in SA mining, and is an important contribution to literature.

A qualitative approach enabled the effective interpretation of subjective data in the form of perceptions and experiences of the community which are difficult to measure quantitatively (Patton,1990; Creswell, 2013). Also, given the low levels of literacy in the study settings, a quantitative approach would not have been suitable and would have failed to produce comprehensive results as a qualitative study was able to achieve (Cronje & Chenga, 2009). A qualitative and bottom-up approach allowed for perspectives and experiences from the ground up that resulted in rich descriptions of data to drive the analysis. The majority of existing studies take the top-down approach and are driven from theory as opposed to experience.

The last key contribution of this study is the extension of the data analysis process to include a counter-analysis of community ground experiences against mining company reporting content. This has resulted in an in-depth juxtaposition and counter-analysis of both sides of the sustainability story. Research based on stakeholder's perspective of SR is not plentiful, especially that from the community stakeholders.

9.4 IMPLICATIONS FOR PRACTICE

The contribution of this study, through bringing a more holistic perspective of the sustainability reality in these mining settings, will hopefully enable a better and shared understanding of the sustainability issues between the frequently conflicting mining companies and their community stakeholders. This will be an important departure point from which the practice of SR can be built to enable further engagement.

The study will be of guidance to practitioners directly involved in the sustainability and SR practice, such as mining companies' sustainable development departments, assurance companies involved in the assurance of SR, consultants involved in the SR or sustainability fields, on improving their SR practice. Various local and international NGOs and civil society with interest in sustainability and related subjects will also benefit from the theoretical insights of this study as they relate to community stakeholders for whom they are advocating.

Beyond the practice, this study has implications for public policy and policymakers, as it relates to the enactment and management of various pieces of legislation necessary to effectively govern these settings. Policies need to be harmonised and integrated for the benefit to all public scenarios, governance mechanisms and capability improved where this study has shown clear inadequacies.

9.5 FUTURE RESEARCH

Future research could look at widening the scope of mining commodities under study, for a more representative view of the SA mining sector and its various mining operations and environments. Also, because different commodities are mined in different geographic parts of the country, these could reveal important contextual nuances beyond those found in this study. Alternatively, this study could be replicated into various other mining settings for comparative analysis.

This study revealed the potential of Social Labour Plans to be a more relevant, practical legitimacy device in mining settings. It would be useful to explore this to some level of detail and determine their viability and plausibility as an intersection of legal and social legitimacy.

Social licence, despite its wide adoption by SA mining companies, is still an emergent concept, there could be some value for both sustainability and SR scholarship in further research on how it could be more effectively constituted and implemented for the benefit of all parties.

Finally, there is a need for future research to look into an investigation incorporating Institutional theory, as well as other indigenous theories for more insight, nuance, and context-relevance in a developing country setting such as the one studied here.

REFERENCES

ActionAid 2018 – *Mining in South Africa – Social Audits baseline Report 2018*. Accessed: https://www.osf.org.za/wp-content/uploads/2019/02/sar-5.3_online.pdf

Adams, C. A. (2004). The ethical, social and environmental reporting-performance portrayal gap. *Accounting, Auditing & Accountability Journal*, 17(5), 731-757.

Adams, C. A., & Evans, R. (2004). Accountability, completeness, credibility and the audit expectations gap. *Journal of corporate citizenship*, (14), 97-115.

Adams, C. & Larrinaga-González, C. (2007), "Engaging with organisations in pursuit of improved sustainability accounting and performance", *Accounting, Auditing & Accountability Journal*, 20(3), 333-355.

Adams, M., Cousins, B., & Manona, S. (1999). *Land tenure and economic development in rural South Africa: Constraints and opportunities*. London: Overseas Development Institute.

Adler, R. A., Claassen, M., Godfrey, L., & Turton, A. R. (2007). Water, mining and waste: an historical and economic perspective on conflict management in South Africa. *The economics of peace and security journal, 2*(2), 32-41.

Ahluwalia, P., & Miller, T. (2014). Greenwashing social identity. Social Identities, 20(1): 1 - 4. doi: 10.1080/13504630.2013.878983

Anglo American Platinum Limited, (2016). *Sustainable Development Report 2016*. Johannesburg: The company.

Baba, S. & Raufflet, E. (2017), Challenging stakeholder salience: lessons from dormant local stakeholders, in Wasieleski, D.M. and Weber, J. (Eds), *Stakeholder Management*, Bingley: Emerald, 159-188.

Banerjee, S. B. (2000). Whose land is it anyway? National interest, indigenous stakeholders, and colonial discourses: The case of the Jabiluka uranium mine. *Organization & Environment*, *13*(1), 3-38.

Banerjee, S.B. (2008), Corporate social responsibility: the good, the bad and the ugly, *Critical Sociology,* 34(1), 51-79.

Baxter, P., & Jack, S. (2008). Qualitative case study methodology: Study design and implementation for novice researchers. *The qualitative report, 13*(4), 544-559.

Bebbington, J., Larrinaga, C., & Moneva, J. M. (2008). Corporate social reporting and reputation risk management. *Accounting, Auditing & Accountability Journal, 21*(3), 337-361.

Bench Marks Foundation (2007). *The Policy Gap: A Review of the Corporate Social Responsibility Programmes of the Platinum Mining Industry in the North West Province.* Johannesburg: Bench Marks Foundation

Bench Marks Foundation. (2018). *Policy Gap 13 – Coping with Unsustainability.* http://www.bench-marks.org.za/research/policy_gap_13.pdf

Bezuidenhout, A. (2008). New patterns of exclusion in the South African mining industry. *Racial redress and citizenship in South Africa*, 179-208.

Bezuidenhout, B. (2015). Enclave Rustenburg: Platinum mining and the post-apartheid social order. *Review of African Political Economy*. 42(146). [Cited 15 June 2018]. Available at: https://doi.org/10.1080/03056244.2015.1087395.

Blumer, H. (1986). *Symbolic interactionism: Perspective and method*. Los Angeles: Univ of California Press.

Blowfield, M. (2010). Business, corporate responsibility and poverty reduction. In *Corporate Social Responsibility and Regulatory Governance* (pp. 124-150). London: Palgrave Macmillan.

Blowfield, M. & Frynas, J.G. (2005). Setting new agendas: critical perspectives on corporate social responsibility in the developing world, *International Affairs*, 81(3), 499-513.

Bohling, K., & Murguia, D.I. (2014). *Sustainability reporting in the mining sector: Why institutional dynamics of reporting disappoint beliefs in its potentials for increased corporate accountability.* Conference on Regulatory Governance between Global and Local, Barcelona, 2014.

Boiral, O. (2013). Sustainability Reports as Simulcra? A Counter-Account of A and A+ GRI Reports. *Accounting and Auditing & Accountability Journal*, *26*(7), 1036-1071.

Bond, P. (2007). When Commodification Annuls the Human Right to Water. Accessed from: https://www2.ohchr.org/english/issues/water/contributions/universities/UniversityofKwaZulu-Natal.pdf

Bond, P. (2014). Elite Transition: From Apartheid to Neoliberalism in South Africa. 2000. *Revised & Expanded edn. London: Pluto*.

Bondy, K., Moon, J., & Matten, D. (2012). An institution of corporate social responsibility (CSR) in multi-national corporations (MNCs): Form and implications. *Journal of business ethics*, *111*(2), 281-299.

Boutilier, R., & Thomson, I. (2011). Modelling and measuring the social license to operate: Fruits of a dialogue between theory and practice. In: *Social Licence*. Berlin: Springer.

Boutilier, R. G., Black, L., & Thomson, I. (2012). From metaphor to management tool: How the social license to operate can stabilise the socio-political environment for business. *International mine management 2012 proceedings*, 227-237.

Bridge, G. (2004). Contested terrain: mining and the environment. *Annu. Rev. Environ. Resour.*, *29*, 205-259.

Brundtland, G. H., Khalid, M., Agnelli, S., Al-Athel, S., & Chidzero, B. (1987). *Our common future.* New York: United Nations, 8.

BuaMC & Bench Marks Foundation, (2017). *Never 'Mined' Health Effects* – Accessed: http://communitymonitors.net/wp-content/uploads/2017/09/Never-Mined-Health-Effects-Rustenburg2017-3.pdf

Buhlungu, S., & Bezuidenhout, A. (2008). Union Solidarity under Stress. The Case of the National Union of Mineworkers in South Africa. *Labor Studies Journal, 33*(3), 262-287.

Burchell, J., & Cook, J. (2006a). It's good to talk? Examining attitudes towards corporate social responsibility dialogue and engagement processes. *Business Ethics: A European Review*, *15*(2), 154-170.

Burchell, J., & Cook, J. (2006b). Assessing the impact of stakeholder dialogue: changing relationships between NGOs and companies. *Journal of Public Affairs: An International Journal*, *6*(3-4), 210-227.

Bursey, D., & Whiting, V. (2015). Rethinking social licence to operate—A concept in search of definition and boundaries. *Environment and Energy Bulletin*, *7*(2), 1-10.

Capps, G. (2012). A bourgeois reform with social justice? The contradictions of the Minerals Development Bill and black economic empowerment in the South African platinum mining industry. *Review of African Political Economy*, *39*(132), 315-333.

Carroll, A. B. (1991). The pyramid of corporate social responsibility: Toward the moral management of organizational stakeholders. *Business horizons*, *34*(4), 39-48.

Centre for Law & Society. (2015). *Contradictions in Legislation on Mining and its Community Benefits*. http://www.larc.uct.ac.za/sites/default/files/image_tool/images/347/FactSheets/MiningandCommunityBenefits_Factsheet_Final_Feb2015.pdf

Campbell, B. (2012), Corporate social responsibility and development in Africa: redefining the roles and responsibilities of public and private actors in the mining sector, *Resources Policy*, 37(2), 138-143.

Campbell, D. J. (2002). Legitimacy theory or managerial reality construction? Corporate social disclosure in Marks and Spencer Plc corporate reports. *Accounting Forum, 24*(1), 80-100.

Capps, G., & Malindi, S. (2017). Dealing with the Tribe: The Politics of the Bapo/Lonmin Royalty-to-Equity Conversion. *Society Work and Development Institute Working Paper*, *8*, 1-44.

Carels, C., Maroun, W. & Padia, N. (2013). Integrated reporting in the South African mining sector. *Corporate Ownership and Control,* 1111**,** 991-1005.

Cavvadas, D. & Mitchell, A. (2012). *Marikana-the causes and wider implications and lessons for the mining industry in Africa*. [online] URL: http://www.fasken.com/marikana-causes-implications-mining-africa/ [Accessed 10 March 2016].

Cawthorn, R. G. (2010). The platinum group element deposits of the Bushveld Complex in South Africa. *Platinum Metals Review*, *54*(4), 205-215.

Centre for Applied Legal Studies. (2016). *The Social and Labour Plan Series: Phase 1: System Design Trends Analysis Report.* Johannesburg: CALS

Centre for Applied Legal Studies. (2017). *The Social and Labour Plan Series Phase 2: Implementation Operation Analysis Report.* https://www.wits.ac.za/media/wits-university/faculties-and-schools/commerce-law-and-management/research-entities/cals/documents/programmes/environment/resources/SLP%20Report%20II%202%20March%202017.pdf

Centre for Applied Legal Studies. (2018). *SLP Mining Community Toolkit* https://www.wits.ac.za/media/wits-university/faculties-and-schools/commerce-law-and-management/research-entities/cals/documents/programmes/environment/resources/SLP%20Community%20Toolkit%202%20March%202017.pdf

Centre for Environmental Rights (CER). (2013). *When Mines Break Environmental Laws.* https://cer.org.za/wp-content/uploads/2013/02/When-Mines-Break-Environmental-Laws1.pdf

Chamber of Mines of South Africa. (2016). *Chamber at Work* [online]. URL: http://www.chamberofmines.org.za/sa-mining [Accessed 13 August 2016].

Charmaz, K. (2006). *Constructing grounded theory: A practical guide through qualitative research.* London: Sage.

Charmaz, K., & Smith, J. (2003). Grounded theory. *Qualitative psychology: A practical guide to research methods*, 81-110. London: Sage.

Chen, W., Boase, J., & Wellman, B. (2002). The global villagers. *The Internet in everyday life*, 74-113.

Cheruiyot, T. K., & Onsando, P. (2016). Corporate social responsibility in Africa: context, paradoxes, stakeholder orientations, contestations and reflections. *Corporate Social Performance in the Age of Irresponsibility-Cross National Perspective*, 89-110.

Chinguno, C. (2013). Marikana Massacre and Strike Violence Post-Apartheid. *Global Labour Journal,* 44**,** 160-166.

Clarkson, M.B.E. (1995), A stakeholder framework for analyzing and evaluating corporate social performance, *Academy of Management Review*, 20(1), 92-117.

Coetzee, C. M., & Van Staden, C. J. (2011). *Disclosure responses to mining accidents: South African evidence.* Paper presented at the Accounting Forum.

Collinson, M., Tollman, S., Kahn, K., Clark, S., & Garenne, M. (2006). Highly prevalent circular migration: households, mobility and economic status in rural South Africa. *Africa on the move: African migration and urbanisation in comparative perspective*, 194-216.

Cook, S. (2011). The Business of Being Bafokeng: The Corporatization of a Tribal Authority in South Africa. *Current Anthropology, 52*(S3), S151-S159. doi:10.1086/657894

Corbin, J., & Strauss, A. L. (1987). Accompaniments of chronic illness: Changes in body, self, biography, and biographical time. *Research in the sociology of health care, 6*(3), 249-281.

Corruption Watch, (2017). *Mining for Sustainable Development Research Programme Report*. Accessed: https://www.corruptionwatch.org.za/wp-content/uploads/2017/10/01678-CW-MINING-FOR-SUSTAINABLE-DEVELOPMENT-REPORT-%E2%80%93-LAYOUT-ONLINE.pdf

Corrigan, C. C. (2019). Deriving social benefits from mining through regulation: Lessons learned in South Africa. *The Extractive Industries and Society*, *6*(3), 940-947.

Cotter, J., Lokman, N., & Najah, M.M. (2011). Voluntary disclosure research: which theory is relevant? *The Journal of Theoretical Accounting Research*, *6*(2), 77.

Creswell, J. W. (2012). *Qualitative inquiry and research design: Choosing among five approaches*: Thousand Oaks, CA: Sage.

Creswell, J. W. (2013). *Research design: Qualitative, quantitative, and mixed methods approaches.* Thousand Oaks, CA: Sage publications.

Crotty, M. (1998). *The foundations of social research: Meaning and perspective in the research process.* Thousand Oaks, CA: Sage.

Dando, N., & Swift, T. (2003). Transparency and assurance minding the credibility gap. *Journal of Business Ethics*, *44*(2-3), 195-200.

Dartey-Baah, K. (2011). Exploring the limits of Western corporate social responsibility theories in Africa.

Dawkins, C., & Ngunjiri, F.W. (2008). CSR Reporting in South Africa. A descriptive and comparative analysis. *Journal of Business Communication, 45*(3), 286-307.

Denzin, N. K., & Lincoln, Y. S. (2000). *Handbook of qualitative inquiry*. Thousand Oaks, CA.: Sage.

De Villiers, C. & Alexander, D. (2014). The institutionalisation of corporate social responsibility reporting. *The British Accounting Review,* 4646**,** 198-212.

De Villiers, C., Low, M., & Samkin, G. (2014). The institutionalisation of mining company sustainability disclosures. *Journal of Cleaner Production*, *84*, 51-58.

Deegan, C. (2002). Introduction: The legitimizing effect of social and environmental disclosures – a theoretical foundation. *Accounting, Auditing & Accountability Journal*, *15*, 282–311.

Department of Mineral Resources, (2010). *DMR Guideline for the submission of a Social Labour Plan.* Accessed from: https://www.dmr.gov.za/Portals/0/social%20and%20labour%20plan_guideline.pdf

Desai, A. (2003). Neoliberalism and resistance in South Africa. (Review of the Month). *Monthly review*, *54*(8), 16-29.

Donaldson, T. (1982). *Corporations and morality.* Cambridge: Cambridge University Press.

Donaldson, T., & Dunfee, T. W. (1999). *Ties that bind: A social contracts approach to business ethics.* Cambridge, Mass.: Harvard Business Press.

Donaldson, T., & Preston, L. E. (1995). The stakeholder theory of the corporation: Concepts, evidence, and implications. *Academy of management review, 20*(1), 65-91.

Dowling, J., & Pfeffer, J. (1975). Organizational legitimacy: Social values and organizational behaviour. *Pacific sociological review*, 122-136.

Dube, S., & Maroun, W. (2017). Corporate social responsibility reporting by South African mining companies: Evidence of legitimacy theory. *South African Journal of Business Management*, *48*(1), 23-34.

Eisenhardt, K. M. (1989). Building theories from case study research. *Academy of management review, 14*(4), 532-550.

Emel, J., Makene, M.H., & Wangari, E. (2012). Problems with Reporting and Evaluating Mining Industry Community Development Projects: A Case Study from Tanzania. *Sustainability*, *4*, 257-277.

The Extractives Industry Transparency Initiative (EITI). (2003). *Statement of Principles and Action 2003. Accessed from* https://eiti.org/document/eiti-principles

Faisal, F., Tower, G., & Rusmin, R. (2012). Legitimising Corporate Sustainability Reporting Throughout the World. *Australasian Accounting Business and Finance Journal, 6*(2), 19-34.

Farlam, I., Hemraj, P. & Tokota, B. (2015). *Marikana Commission of Inquiry: Report on matters of public, national and international concern arising out of the tragic incidents at the Lonmin Mine in Marikana, in the North West Province*. Pretoria: Government Printer.

Farrell, L. A., Hamann, R., & Mackres, E. (2012). A clash of cultures (and lawyers): Anglo Platinum and mine-affected communities in Limpopo Province, South Africa. *Resources Policy*, *37*(2), 194-204.

Fig, D. (2005). Manufacturing amnesia: corporate social responsibility in South Africa. *International Affairs*, *81*(3), 599-617.

Fifka, M.S. (2012). The development and state of research on social and environmental reporting in global comparison. *J Betriebswirtsch 62*, 45-84.

Fifka, M.S. (2013). Corporate responsibility reporting and its determinants in comparative perspective: A view of the empirical literature and a meta-analysis. *Business Strategy Environment, 22*, 1-35.

Fisher, D. R., & Green, J. F. (2004). Understanding disenfranchisement: civil society and developing countries' influence and participation in global governance for sustainable development. *Global Environmental Politics*, *4*(3), 65-84.

Flick, U., Kvale, S., Angrosino, M., Barbour, R., Banks, M., Gibbs, G., & Rapley, T. (2007). *The SAGE qualitative research kit.* London: Sage.

Fonseca, A. (2010). How credible are mining corporations' sustainability reports? A critical analysis of external assurance under the requirements of the international council on mining and metals. *Corporate Social Responsibility and Environmental Management*, *17*(6), 355-370.

Fonseca, A., McAllister, M.L., & Fitzpatrick, P. (2012). Sustainability reporting among mining corporations: a constructive critique of the GRI approach. *Journal of Cleaner Production*, online available at: http://dx.doi.org/10.1016/j.jcelpro.2012.11.050 (accessed July 27 2015).

Fouli, M. (2012). Assessing social responsibility: A qualitative analysis of Appraisal in BP's and IKEA's social reports. *Discourse and Communication*, *6*(1), 55-81.

Frankel, P. (2012). Marikana: 20 years in the making, *Business Report* [Online]. URL: http://www.iol.co.za/business/opinion/marikana-20-years-in-the-making-1.1407448 [Accessed 30 March 2013].

Freeman, R. E. (1994). The politics of stakeholder theory: Some future directions. *Business ethics quarterly, 4*(04), 409-421.

Freeman, R.E. (1984). *Strategic Management: A stakeholder approach*. Boston: Pitman.

Friedman, A. L., & Miles, S. (2002). Developing stakeholder theory. *Journal of management studies, 39*(1), 1-21.

Friedman, M. (1970). The social responsibility of a business is to increase its profits. *New York Times Magazine, 33*, September 13.

Genc, B., & Jerome, J. (2014). Challenges in the South African Platinum Sector. In *Mine Planning and Equipment Selection* (pp. 1361-1368). Berlin: Springer.

Gibson, K. (2000). The moral basis of stakeholder theory. *Journal of business ethics*, 245-257.

Golob, U., & Bartlett, J. L. (2007). Communicating about corporate social responsibility: A comparative study of CSR reporting in Australia and Slovenia. *Public Relations Review, 33*(1), 1-9.

Guy, J., & Thabane, M. (1991). Basotho Miners, Ethnicity and Workers' Strategies. In *Workers in Third-World Industrialization* (pp. 75-104). London: Palgrave Macmillan.

Gray, R. H. (2000). Current developments and trends in social and environmental auditing, reporting and attestation: A review and comment. *International Journal of Auditing*, 4(3), 247-268.

Gray, R. H. (2001). Thirty years of social accounting, reporting and auditing: What (if anything) have we learnt? *Business ethics: A European review*, 70(1), 9-15.

Gray, R. H., & Collison, D. (2002). Can't see the wood for the trees, can't see the trees for the numbers? Accounting education, sustainability and the public interest. *Critical Perspectives on Accounting,* 75(5-6), 797-836.

Gray, R. H., & Milne, M. (2002). Sustainability reporting: Who's kidding who*? Chartered Accountants Journal of New Zealand,* 87(6), 66-70

Gray, R., Kouhy, R., & Lavers, S. (1995). Corporate social and environmental reporting: a review of the literature and a longitudinal study of UK disclosure. *Accounting, Auditing & Accountability Journal, 8*(2), 47-77.

Gray, R., Owen, D., & Adams, C. (1996). *Accounting & accountability: changes and challenges in corporate social and environmental reporting.* London: Prentice Hall.

Green, J., Willis, K., Hughes, E., Small, R., Welch, N., Gibbs, L., & Daly, J. (2007). Generating best evidence from qualitative research: the role of data analysis. *Australian and New Zealand journal of public health, 31*(6), 545-550.

Greene, J. C., & Caracelli, V. J. (1997). *Advances in mixed-method evaluation: the challenges and benefits of integrating diverse paradigms.* San Francisco: Jossey-Bass Publishers.

GRI FAG, (2016) - https://www.globalreporting.org/resourcelibrary/G4-FAQ.pdf

GRI. (2009). *Sustainability Reporting Guidelines 2009.* Retrieved from http://www.globalreporting.org/GRIGuidelines/2009/gri_2009_guidelines.pdf

Guthrie, J., & Parker, L. D. (1989). Corporate social reporting: a rebuttal of legitimacy theory. *Accounting and business research, 19*(76), 343-352.

Hahn, R., & Kuhnen, M. (2013). Determinants of sustainability reporting: A review of results, trends, theory, and opportunities in an expanding field of research. *Journal of Cleaner Production*, *59*, 5-21.

Hamann, R. (2003). Mining companies rope in sustainable development: The 'why' and 'how' of corporate responsibility from a business perspective. *Development Southern Africa*, 20(2), 231-54.

Hamann, R. (2006). Can business make decisive contributions to development? Towards a research agenda on corporate citizenship and beyond. *Development Southern Africa, 23*(2), 175-195.

Hamann, R. (2007). Is corporate citizenship making a difference? *Journal of Corporate Citizenship, 4*(28), 15-29.

Hamann, R., & Kapelus, P. (2004). Corporate social responsibility in mining in Southern Africa: Fair accountability or just greenwash? *Development, 47*(3), 85-92.

Hamann, R., Kapelus, P., Sonnenberg, D., Mackenzie, A. and Hollesen, P. (2005), "*Local governance as a complex system: lessons from mining in South Africa, Mali and Zambia*", The Journal of Corporate Citizenship, Vol. 18, pp. 61-73.

Herremans, I. M., Nazari, J. A., & Mahmoudian, F. (2016). Stakeholder relationships, engagement, and sustainability reporting. *Journal of Business Ethics*, *138*(3), 417-435.

Heyns, A. (2019). Mining Community Development in South Africa: A Critical Consideration of How the Law and Development Approach the Concept "Community". *Law and Development Review*, *12*(2), 561-593.

Hilson, G. (2012), Corporate social responsibility in the extractive industries: experiences from developing countries, *Resources Policy*, 37(2), 131-137.

Hilson, G., & Murck, B. (2000). Sustainable development in the mining industry: clarifying the corporate perspective. *Resources policy*, *26*(4), 227-238.

Himley, M. (2010). Global mining and the uneasy neoliberalization of sustainable development. *Sustainability*, *2*(10), 3270-3290.

Hodge, K., Subramaniam, N., & Stewart, J. (2009). Assurance of sustainability reports: Impact on report users' confidence and perceptions of information credibility. *Australian accounting review*, *19*(3), 178-194.

Hofstede, G. H., Hofstede, G. J., & Minkov, M. (2005). *Cultures and organizations: Software of the mind* (Vol. 2). New York: Mcgraw-hill.

Hogner, R. H. (1982). Corporate social reporting: eight decades of development at US Steel. *Research in Corporate Performance and Policy, 4*(1), 243-250.

Huizenga, D. (2019). Governing territory in conditions of legal pluralism: Living law and free, prior, and informed consent (FPIC) in Xolobeni, South Africa. *The Extractive Industries and Society*, *6*(3), 711-721.

Idemudia, U. (2014). Corporate social responsibility and development in Africa: Issues and possibilities. *Geography Compass*, *8*(7), 421-435.

Institute of Directors in Southern Africa (IOD). (2009). The King Code of Governance for South Africa (2009) and King Report on Governance for South Africa (2009) (King-III), *Lexis Nexus South Africa*, Johannesburg, South Africa

International Council on Mining and Metals (ICMM). (2012). In Brief: Mining's Contribution to Sustainable Development—An Overview London. International Council on Mining and Metals

International Telecommunication Union (ITU). (2009). *Measuring the information society*. Geneva: International Telecommunication Union

International Plant Protection Convention (IPCC). (2007). *Climate change 2007: Synthesis report: An assessment of the intergovernmental panel on climate change*. Available: http://www.ipcc.ch. Accessed on March 5th, 2011.

Jenkins, H., & Yakovleva, N. (2006). Corporate Social responsibility in the mining industry: exploring trends in social and environmental disclosure. *Journal of Cleaner Production, 14(1),* 271-284.

Jensen, M. (2002). Value maximization, stakeholder theory, and the corporate objective function. *Business Ethics Quarterly, 12*, 235-256.

Johansson, R. (2003). *Case study methodology.* Paper presented at the the International Conference on Methodologies in Housing Research, Stockholm.

Jones, T. M., & Wicks, A. C. (1999). Convergent stakeholder theory. *Academy of management review, 24*(2), 206-221.

Jupp, V. (2006). *The Sage dictionary of social research methods.* Thousand Oaks, CA: Sage.

Kaarsholm, P. (2013). Africa Globalized? Multipolarity and the Paradoxes of Time-Space Compression. In *African Dynamics in a Multipolar World* (pp. 144-153). Amsterdam: Brill.

Kaplan, B., & Maxwell, J. A. (1994). Qualitative research methods for evaluating computer information systems in: J.G. Anderson, C.E. Aydin, & S. J. Jay (Eds.), *Evaluating Health Care Information Systems: Methods and Applications* (pp. 45-68). Thousand Oaks, CA: Sage.

Kaplan, B., & Maxwell, J. A. (2005). Qualitative research methods for evaluating computer information systems *Evaluating the organizational impact of healthcare information systems* (pp. 30-55). Berlin: Springer.

Kemp, D., & Owen, J. R. (2013b). Community relations and mining: Core to business but not "core business". *Resources Policy*, *38*(4), 523-531.

Khumalo, S. (2018). A year in strikes: Mines hobbled, buses grind to a halt. Fin24.com. Accessed from: https://www.fin24.com/Economy/Labour/a-year-in-strikes-mines-hobbled-buses-grind-to-a-halt-20181224

Kolk, A. (2003). Trends in sustainability reporting by the Fortune Global 250. *Business Strategy and the Environment, 12*(5), 279-291.

Kolk, A. (2004). A decade of sustainability reporting: developments and significance. *International Journal of Environment and Sustainable Development, 3(1),* 51–64.

KPMG. (2011). *International Survey of Corporate Responsibility Reporting 2011.* Retrieved from http://www.kpmg.com/PT/pt/IssuesAndInsights/Documents/corporate-responsibility2011.pdf

KPMG. (2013). *Global issues and insights*.- https://www.kpmg.com/Global/en/IssuesAndInsights/ArticlesPublications/corporate-responsibility/Documents/kpmg-survey-of-corporate-responsibility-reporting-2013.pdf

KPMG. (2017). *The KPMG survey of corporate responsibility reporting 2013.* Accessed: https://assets.kpmg/content/dam/kpmg/xx/pdf/2017/10/kpmg-survey-of-corporate-responsibility-reporting-2017.pdf

Krippendorff, K. (2004). *Content Analysis: An introduction to its methodology*, 2nd ed. Thousand Oaks, CA.: Sage.

Krippendorff, K. (2004). Reliability in content analysis. *Human Communication Research, 30*(3), 411-433.

Laine, M. (2010). Towards Sustaining the Status Quo: Business Talk of Sustainability in Finnish Corporate Disclosures. *European Accounting Review*, *19*(2), 247-274.

Larrinaga-Gonzales, C. (2007). Insights from neo-institutional theory in sustainability accounting and accountability. *Sustainability accounting and accountability*, 150-167.

Laufer, W.S. (2003). Social Accountability and Corporate Greenwashing. *Journal of Business Ethics, 43*(3), 253-261.

Lauwo, S.G., Otusanya, O.J. and Bakre, O. (2016), Corporate social responsibility reporting in the mining sector of Tanzania: (lack of) government regulatory controls and NGO activism, *Accounting, Auditing and Accountability Journal*, 29(6), 1038-1074.

Ledwaba L. 2020. Bidding farewell to the gods as village makes way for the mine. *Daily Maverick*. https://www.dailymaverick.co.za/article/2020-01-24-bidding-farewell-to-the-gods-as-village-makes-way-for-mine/

Legal Resources Centre (LRC). (2016). *A practical guide to mining affected communities.* Accessed from: https://cer.org.za/wp-content/uploads/2016/05/LRC-2016_Mining_affected_communities_Eng.pdf

Lelieveld, J. (2017). Clean air in the Anthropocene. *Faraday discussions*, *200*, 693-703.

Lenssen, G., Bevan, D., Fontrodona, J., Spitzeck, H., & Hansen, E. G. (2010). Stakeholder governance: how stakeholders influence corporate decision making. *Corporate Governance: The international journal of business in society*.

Lewis, P., Thornhill, A., & Saunders, M. (2007). *Research methods for business students.* London: Pearson Education UK.

Lin, A. C. (1998). Bridging positivist and interpretivist approaches to qualitative methods. *Policy studies journal, 26*(1), 162-180.

Lindblom, C.K. (1994), *The implications of organizational legitimacy for corporate social performance and disclosure*, paper presented at the Critical Perspectives on Accounting Conference, New York, NY, April.

Lingenfelder, D., & Thomas, A. (2011). Stakeholder inclusiveness in sustainability reporting by mining companies listed on the Johannesburg securities exchange. *African Journal of Business Ethics*, *5*(1), 1-13.

Loate, B., Padia, N., & Maroun, W. (2015). Acid mine drainage in South Africa: A test of legitimacy theory. *Journal of Governance and Regulation 4*(2).

Locke, L. F., Spirduso, W. W., & Silverman, S. J. (2013). *Proposals That Work: A Guide for Planning Dissertations and Grant Proposals: A Guide for Planning Dissertations and Grant Proposals.* Thousand Oaks, CA.: Sage Publications.

Lozano, R., & Huisingh, D. (2011). Inter-linking issues and dimensions in sustainability reporting. *Journal of Cleaner Production, 19*(2), 99-107.

Lund-Thomsen, P., (2005). Corporate accountability in South Africa: the role of community mobilizing in environmental governance. *Journal of International Affairs, 18*(3), 619-633.

MacLean, R., & Rebernak, K. (2007). Closing the credibility gap: The challenges of corporate responsibility reporting. *Environmental Quality Management*, *16*(4), 1-6.

Manetti, G. (2011). The quality of stakeholder engagement in sustainability reporting: Empirical evidence and critical points. *Corporate Social Responsibility and Environmental Management* 78(2), 110-122.

Manetti, G., & Becatti, L. (2009). Assurance services for sustainability reports: Standards and empirical evidence. *Journal of Business Ethics*, *87*(1), 289-298.

Manetti, G., & Toccafondi, S. (2012). The role of stakeholders in sustainability reporting assurance. *Journal of Business Ethics*, *107*(3), 363-377.

Manson, A. & Mbenga, B. (2003). The richest tribe Africa. Platinum mining and Bafokeng in South Africa's North West Province, 1965-1999. *Journal of Southern African Studies,* 29(1), 25-47.

Margolis, J., & Walsch, J. (2003). Misery loves companies: Rethinking social initiatives by business. *Administrative Science Quarterly, 48*(2), 268-305.

Marshall, C., & Rossman, G. B. (2011). *Designing qualitative research*. Thousand Oaks, CA*.:* Sage.

Marx, K. (2005). *Grundrisse: Foundations of the critique of political economy*. Penguin UK.

Matebesi, S. (2019). *Social Licensing and Mining in South Africa*. London: Routledge.

Maubane, P., Prinsloo, A., & Van Rooyen N. (2014). Sustainability reporting patterns of companies listed in the Johannesburg securities exchange. *A Public Relations Review, 40,* 153 - 160.

Maurer, J. G. (1971). *Readings in organization theory: Open-system approaches*:. New York: Random House.

McGuire, J. B., Sundgren, A., & Schneeweis, T. (1988). Corporate social responsibility and firm financial performance. *Academy of Management Journal, 31*(4), 854-872.

McIntosh, A. (1990). Rethinking chieftaincy and the future of rural local government: A preliminary investigation. *Transformation: Critical Perspectives on Southern Africa*, (13), 27-45.

Memela, M. (2015). *An investigation into the evolution of sustainability reporting among the JSE top 10 socially-responsible companies* (Masters dissertation, University of Cape Town).

Mining, M. (2002). *Breaking New Ground: The Report of the Mining, Minerals and Sustainable Development Project*. London: Earthscan.

Milne, M. J., & Gray, R. (2013). W (h) ither ecology? The triple bottom line, the global reporting initiative, and corporate sustainability reporting. *Journal of business ethics*, *118*(1), 13-29.

Mining & Sustainable Development Project (MMSD). (2002). *Breaking new ground: mining, minerals, and sustainable development: the report of the MMSD project*. London: Routledge.

Mnwana, S., & Capps, G. (2015). *" No Chief Ever Bought a Piece of Land!": Struggles Over Property, Community and Mining in the Bakgatla-ba-Kgafela Traditional Authority Area, North West Province*. Johannesburg: Society, Work and Development Institute.

Mnwana, S. (2012). *Participation and Paradoxes: Community control of mineral wealth in South Africa's Royal Bafokeng and Bakgatla-ba-Kgafela communities*, East London: Unpublished PhD Thesis, University of Fort Hare.

Mnwana, S., Mtero, F., & Hay, M. (2016). *Dispossessing the dispossessed: Mining and rural struggles in Mokopane*. Limpopo. Working Paper 7, Johannesburg: Society, Work and Development Institute (SWOP), University of Witwatersrand.

Moffat, K., & Zhang, A. (2014). The paths to social licence to operate: An integrative model explaining community acceptance of mining. *Resources Policy, 39*, 61-70.

Moffat, K., Lacey, J., Zhang, A., & Leipold, S. (2016). The social licence to operate: a critical review. *Forestry: An International Journal of Forest Research*, *89*(5), 477-488.

Molate, M. C., De Klerk, M., & Ferreira, P. H. P. (2014). Corporate social responsibility disclosures by South Africa mining companies: the Marikana massacre. *Corporate Ownership & Control*, *11*(4), 311-321.

Mtero, F. (2017). Rural livelihoods, large-scale mining and agrarian change in Mapela, Limpopo, South Africa. *Resources Policy*, *53*, 190-200.

Mujere, J. (2019). Unemployment, service delivery and practices of waiting in South Africa's informal settlements. *Critical African Studies*, 1-14.

Murguía, D. I., & Böhling, K. (2013). Sustainability reporting on large-scale mining conflicts: the case of Bajo de la Alumbrera, Argentina. *Journal of Cleaner Production*, *41*, 202-209.

Mutti, D., Yakovleva, N., Vazquez-Brust, D. & Di Marco, M. N. H. (2012). Corporate social responsibility in the mining industry: Perspectives from stakeholder groups in Argentina. *Resources Policy,* 3737**,** 212-222.

Myers, J. C. (2008). *Indirect Rule in South Africa: tradition, modernity, and the costuming of political power* (Vol. 33). Rochester: University of Rochester Press.

Myers, M. D. (2013). *Qualitative research in business and management.* Thousand Oaks, CA: Sage.

Narsiah, S. (2002). Neoliberalism and privatisation in South Africa. *GeoJournal*, *57*(1-2), 3-13.

Neville, B.A., Bell, S.J. & Whitwell, G.J. (2011), Stakeholder salience revisited: refining, redefining, and refueling an underdeveloped conceptual tool, *Journal of Business Ethics*, 102(3), 357-378.

Norman, W., & MacDonald, C. (2004). Getting to the bottom of "triple bottom line". *Business ethics quarterly*, *14*(2), 243-262.

Nyembo, N. (2018). *Interrogating the legitimacy to enter into a social licence in the mining industry in South Africa: a community perspective* (Doctoral dissertation, University of Pretoria).

Ofori, D. F., & Debrah, Y. (2014). Corporate social responsibility in Sub-Saharan Africa: hindering and supporting factors. *African Journal of Economic and Management Studies*, *5*(1), 93-113.

O'riordan, T., Preston-White, R., Hamann, R., & Manquele, M. (2000). The transition to sustainability: a South African perspective. *South African Geographical Journal*, *82*(2), 1-10.

Owen, D. L., Swift, T. A., Humphrey, C., & Bowerman, M. (2000). The new social audits: accountability, managerial capture or the agenda of social champions? *European Accounting Review*, *9*(1), 81-98.

Owen, D., Swift, T., & Hunt, K. (2001). Questioning the role of stakeholder engagement in social and ethical accounting. *Accounting Forum*, 25(3), 264-28

Owen, J. R., & Kemp, D. (2017). *Extractive relations: Countervailing power and the global mining industry*. London: Routledge.

Owen, J.R., Kemp, D. (2013). Social license and mining: A critical perspective. *Resources Policy*, 38(1), 29-35.

Parsons, T., & Jones, I. (1960). *Structure and process in modern societies* (Vol. 3). New York: Free Press.

Patton, M. Q. (1990). *Qualitative evaluation and research methods*. Thousand Oaks, CA.: Sage.

Pennington, L. K., & More, E. (2010). Sustainability Reporting: Rhetoric Versus Reality? *Employment Relations Record, 10*(1), 24.

Perez, F., & Sanchez, L. (2009). Assessing the Evolution of Sustainability Reporting in the Mining Sector. *Environmental Management, 43(1),* 949-961.

Phillips, N., & Hardy, C. (2002). *Discourse analysis: Investigating processes of social construction* (Vol. 50). Thousand Oaks, CA: Sage Publications.

Phiri, O., Mantzari, E., & Gleadle, P. (2019). Stakeholder interactions and corporate social responsibility (CSR) practices. *Accounting, Auditing & Accountability Journal*, *32*(1), 26-54.

Phuhlisani NPC. (2018). *Mapela Case Study.* Accessed: https://mininginmapela.weebly.com/uploads/1/1/6/9/116993741/mapela_case_study.pdf

Pickering, J. & Nyapisi, T. (2017). A community left in the dark: the case of Mapela: Struggles for transparency and accountability in South Africa's Platinum Belt. In*: Conversations around transparency and accountability in South Africa's extractive sector by Open Society Foundation for South Africa*. Cape Town: OSF.

Porter, M. (1991). Towards a dynamic theory of strategy. *Strategic Management Journal,* Winter Special Issue *12*, 95-117.

Primeaux, S. P., & Le Veness, F. P. (2009). What is fair: Three perspectives. *Journal of Business Ethics, 84*(1), 89-102.

Prno, J., & Slocombe, D. S. (2012). Exploring the origins of 'social license to operate' in the mining sector: Perspectives from governance and sustainability theories. *Resources Policy, 37*(3), 346-357.

PWC*. (2015). SA Mine. Highlighting trends in the South African Mining industry.* 7th ed. Johannesburg: PWC.

PWC. (2019). *SA Mine Report 2019*. Accessed from: https://www.pwc.co.za/en/assets/pdf/sa-mine-2019.pdf

Quigley, L. F. (1974). *The blind men and the elephant*. New York: Scribner/Miller-Brody.

Raufflet E., Baba S., Perras C., & Delannon N. (2013). Social License. In: Idowu S.O., Capaldi N., Zu L., Gupta A.D. (eds) *Encyclopedia of Corporate Social Responsibility.* Berlin: Springer.

Rawls, J. (1971). *A Theory of Justice.* Cambridge. *Mass.:* Harvard University.

Remenyi, D. (2013). *Case study research: The quick guide series*. Reading: Academic Publishing.

Roberts, R. W. (1992). Determinants of corporate social responsibility disclosure: An application of stakeholder theory. *Accounting, Organizations and Society, 17*(6), 595-612.

Rothman, J., & Havelock, R. G. (1980). *Using research in organizations: A guide to successful application.*Thousand Oaks, CA: Sage Publications.

Schwegler, F. (2006). Air quality management: a mining perspective. *WIT Transactions on Ecology, 86.*

Sebola, T. (2018). *The case for community consent as a requirement for the award of mining licences in South Africa (Doctoral dissertation, University of Pretoria).*

Shehata, N.F. (2014). Theories and Determinants of Voluntary Disclosure. *Accounting and Finance Research*, 3(1), 18-26.

Sithole, P., & Mbele, T. (2015). Fifteen year review on traditional leadership: a research paper. Accessed from: http://ecommons.hsrc.ac.za/bitstream/handle/20.500.11910/5547/5136.pdf?sequence=1&isAllowed=y.

Slater, A., Gilbert, S. (2004). The evolution of Business Reporting: Make Room for Sustainability Disclosure. *Environmental Quality Management*, *Autumn*, 41-48.

Smith, D. (2000). Clean Air and a Clean Environment as Fundamental Human Rights. *Colo. J. Int'l Envtl. L. & Pol'y*, *11*, 149.

Soderstrom, N. (2013). Sustainability reporting: past, present, and trends for the future. *Insights Melbourne buseness and economics, 13*, 31-37.

Solomon, J. & Moroun, W. (2012). Integrated reporting: the influence of King III on social, ethical and environmental reporting. *The Association of Chartered Certified Accountants,* 1-56.

Solomon, J. F., Solomon, A., Joseph, N. L. & Norton, S. D. (2013). Impression management, myth creation and fabrication in private social and environmental reporting: Insights from Erving Goffman. *Accounting, Organizations and Society,* 3838**,** 195-213.

Solomons, I. (2014). Platinum strike consequences starting to take shape. *Mining Weekly* [Online]. Available: http://www.miningweekly.com/article/platinum-strike-consequences-starting-to-take-shape-2014-08-22 [Accessed 22 November 2015].

Sonnenberg, D., & Hamann, R. (2006). The JSE Socially Responsible Investment Index and the state of sustainability reporting in South Africa. *Development Southern Africa, 23*(2), 305-320.

Soobaroyen, T., & Ntim, C. G. (2013). *Social and environmental accounting as symbolic and substantive means of legitimation: The case of HIV/AIDS reporting in South Africa.* Paper presented at the Accounting Forum.

South African Human Rights Commission (SAHRC). (2018). *National Hearing on the Underlying Socio-Economic Challenges of Mining-Affected Communities in South Africa (2018)* accessed November 2, 2018, Braamfontein, South Africa. Available at https://www.sahrc.org.za/index.php/sahrc-publications/hearing-reports

South African Institute of Race Relations (2014). *Digging for Development: The mining industry in South Africa and its role in socio economic development*. Johannesburg: The Institute.

Stake, R. E. (1995). *The art of case study research.* Thousand Oaks, CA: Sage.

Stanny, E. (2013). Voluntary disclosures of emissions by US firms. *Business Strategy and the Environment, 22*(3), 145-158.

Statistics South Africa. (2018). *Rustenburg Local Municipality*. [Cited 20 Aug 2018]. Available at: http://www.statssa. gov.za/?page_id=993&id=rustenburg-municipality

Steurer, R., Langer, M. E., Konrad, A., & Martinuzzi, A. (2005). Corporations, stakeholders and sustainable development I: A theoretical exploration of business–society relations. *Journal of Business Ethics, 61*(3), 263-281.

Stoney, C., & Winstanley, D. (2001). Stakeholding: confusion or utopia? Mapping the conceptual terrain. *Journal of management studies, 38*(5), 603-626.

Suchman, M. C. (1995). Managing legitimacy: Strategic and institutional approaches. *Academy of management review, 20*(3), 571-610.

Tellis, W. M. (1997). Application of a case study methodology. *The qualitative report, 3*(3), 1-19.

Tenuta, P. (2010). The measurement of sustainability. *Review of Business Research, 10*(2), 163-171.

Thomson, I., & Bebbington, J. (2005). Social and environmental reporting in the UK: a pedagogic evaluation. *Critical Perspectives on Accounting*, 16(5), 507-533.

Thomson, I., & Boutilier, R. (2012). What is the social license. *Retrieved July*, *10*, 2015. Accessed from: https://www.green-marine.org/wp-content/uploads/2018/06/Ian-Thomson.pdf.

Tilling, M. V. (2004). *Voluntary Social and Environmental Reporting in Rothmans 1956-1999*. Adelaide: School of Commerce, Flinders University.

Tilling, M. V., & Tilt, C. A. (2010). The edge of legitimacy: Voluntary social and environmental reporting in Rothmans' 1956-1999 annual reports. *Accounting, Auditing & Accountability Journal, 23*(1), 55-81.

Tinker, T., Neimark, M., & Lehman, C. (1991). Falling down the hole in the middle of the road: political quietism in corporate social reporting. *Accounting, Auditing & Accountability Journal, 4*(2).

Treviño, L. K., & Weaver, G. R. (1999). The stakeholder research tradition: Converging theorists—not convergent theory. *Academy of management review, 24*(2), 222-227.

Ullmann, A. A. (1985). Data in search of a theory: A critical examination of the relationships among social performance, social disclosure, and economic performance of US firms. *Academy of management review, 10*(3), 540-557.

Unerman, J., & Bennett, M. (2004). Increased stakeholder dialogue and the internet: towards greater corporate accountability or reinforcing capitalist hegemony? *Accounting, Organizations and Society*, *29*(7), 685-707.

United Nations. 2010. *The human right to water and sanitation.* https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/64/292 (Accessed 02 March 2020)

Unterlerchner, J., & Malan, D. (2006). *The corporate response to sustainability reporting*. University of Stellenbosch MBA research project. Retrieved from http://www.usb.ac.za/Media/thoughtleadership/leaderslab/Corporate_response_sustainability_reporting.pdf

Van der Laan, S. (2009). The role of theory in explaining motivation for corporate social disclosures: Voluntary disclosures vs 'solicited' disclosures. *Australasian Accounting Business & Finance Journal, 3*(4), 15A.

Van der Lugt, C., & Malan, D. (2012). *Making the investment Grade: The future of Corporate Reporting. New trends in capturing and communicating strategic value.* Stellenbosch: UNEP, Deloitte, Centre of Corporate Governance in Africa.

Van Wyk, D., Cronjé, F., & Van Wyk, J. (2009). *Corporate social responsibility in the diamond mining industry on the west coast of South Africa.* Johannesburg: The Bench Marks Foundation.

Visser, W. (2002). Sustainability reporting in South Africa. *Corporate Environmental Strategy, 9*(1), 79-85.

Visser, W. (2005a). Corporate Citizenship in South Africa: A Review of Progress since Democracy. *Journal of Corporate Citizenship, 1*(18), 29-38.

Visser, W. (2005b). Revisiting Carroll's CSR Pyramid: An African Perspective. Corporate Citizenship in a Development Perspective. *Journal of Business Ethics*, *56*(2), 163-183.

Visser, W., & Tolhurst, N. (2017). *The world guide to CSR: A country-by-country analysis of corporate sustainability and responsibility*. London: Routledge.

Vos, B.S., & Reddy, T.L. (2014). *The use of environmental sustainability reporting by South African companies to promote environmental sustainability*. Actuarial Society of South Africa's 2014 Convention, Cape Town, 2014.

Wang, L., Awuah-Offei, K., Que, S., & Yang, W. (2016). Eliciting drivers of community perceptions of mining projects through effective community engagement. *Sustainability*, *8*(7), 658.

Welch, C., Piekkari, R., Plakoyiannaki, E., & Paavilainen-Mäntymäki, E. (2011). Theorising from case studies: Towards a pluralist future for international business research. *Journal of International Business Studies, 42*(5), 740-762.

Wilmshurst, T. D. (2004). *Stakeholder Theory: One Grand Theory or Multiple Perspectives? Some Australian Evidence.* Paper presented at the Fourth Asia Pacific Interdisciplinary Research in Accounting (APIRA) Conference.

World Business Council for Sustainable Development (WBCSD). (2002). Sustainable Development Reporting - Striking the balance. WBCSD. http://docs.wbcsd.org/2002/12/SustainableDevReporting-StrikingTheBalance.pdf

World Economic Forum. (2019). *Global Risks Report 2019: Fourteenth Edition.* http:// http://www3.weforum.org/docs/WEF_Global_Risks_Report_2019.pdf (Accessed 02 March 2020).

WWF-SA, 2017. *Scenarios for the Future of Water in South Africa* http://awsassets.wwf.org.za/downloads/wwf_scenarios_for_the_future_of_water_in_south_africa_v7_6_pf_1.pdf (Accessed 02 March 2020)

Yin, R. K. (1994). *Case study research: Design and methods* . Beverly Hills: CA: Sage.

Yin, R. K. (2009). *Case study research: Design and methods*, 4th ed. Thousand Oaks, CA: Sage.

Yin, R. K. (2013). *Case study research: Design and methods.* Thousand Oaks, CA.: Sage publications.

Zadek, S., Evans, R., & Pruzan, P. (2013). *Building corporate accountability: Emerging practice in social and ethical accounting and auditing*. London: Routledge.

APPENDIX A: INTERVIEW PROTOCOL

History in setting

1. How long has the respondent lived and participated in the research setting?
2. What does the respondent know about the research company, and for how long?
3. How does the respondent see their relationship with the research company?
4. How is the respondent affected by the research company and/or its operations?

Understanding of Sustainability and SR

1. What does the respondent know about the concept of sustainability?
2. Has the respondent been exposed to any of the research company corporate reports?
3. What does the respondent know about the concept of sustainability reporting?
4. Has the respondent been exposed to any of the research company sustainability reports, and when?

Accuracy of SR as a reflection of activities and performance

1. Does the respondent think that the research company uses SR to report on their sustainability activities?
2. What is the respondent's experience of these sustainability activities?
3. Which of these does the respondent consider relevant or important than others?
4. What is the respondent's view of what the research company says in their sustainability reports and how does that compare to respondent's view of what they actually do on the ground?
5. What is the respondent's experience of such reporting and of the activities being reported?
6. Are the actions and statements by the research company relevant from their perspective? Do they meet their expectations?
7. Does the respondent think that the sustainability reports are aimed at them?
8. Does the respondent think that what is being said is an accurate reflection of how the company is performing in terms of sustainability?
9. Does the respondent have any examples to share in substantiation of any of the above responses?

Effectiveness of SR for its intended purpose

1. Has the respondent ever been consulted before or during any sustainability activities are carried out in the research company, or the reporting thereof?
2. If so, how has this consultation been done?
3. To what extent has the respondent involved and engaged during that consultation process, or the carrying out of the activities itself?
4. Does the respondent think that their inputs are taken into account into the relevant processes? Is this different for different types of stakeholders?
5. Does the respondent think that SR serves the purpose of communicating the sustainability activities of the research company to their different stakeholders?
6. Does the respondent think there are other reasons for the research company getting involved in the sustainability activities in the first place? And what do they hope to achieve?
7. What does the respondent think the research company hopes to achieve with these, and do they actually achieve that, in their experience?
8. What does the respondent think the research company gets in return for doing this?
9. Has the respondent themselves given the research company anything in return, and what has that look like? Examples.
10. Has the respondent ever not given the research company anything in return, and why not? How has that look like in their experience?
11. Has the respondent heard of the term social license before?
12. What is the respondent's understanding of this term? What does it mean?

13. How does the respondent think this license is given or taken by different stakeholders of the research company, and how exactly is this done in their experience?
14. Does the respondent have any specific examples relating to any of the above questions or responses?

APPENDIX B: PERMISSION LETTER TO CONDUCT RESEARCH

University of Witwatersrand
Wits Business School
2 St. David's Place
Parktown
2193

To Whom It May Concern
Company / Organisation
Address Line 1
Address Line 2
Postal Code

07 August 2017

Dear Madam or Sir

LETTER REQUESTING PERMISSION TO CONDUCT RESEARCH

I am a registered PhD student at the Wits Business School of the University of Witwatersrand. I'm currently preparing for conducting research as part of my PhD studies on the topic 'The Sustainability Reporting Practice of the South African Mining Industry'. My supervisor in this regard is Dr. Renee Horne.

The purpose of the study is to investigate the effectiveness and accuracy of the sustainability reporting practice as a tool for communicating the true sustainability activities of companies, through the real-life experiences of all those involved. In so doing the study will contribute to the growing body of knowledge regarding the meanings attached to the concept of, and experiences of corporate sustainability in the mining communities where company mining operations are located.

I hereby seek your permission to conduct research in your site, and to have access to members of your staff, general employees as well as those that work in the areas of Sustainability or Stakeholder Relations if applicable. To assist you in reaching a decision, I have attached to this letter a copy of the ethical clearance certificate issued by the University, as well as a copy of the research instruments I intend to use in my research.

Should you require any further information, please do not hesitate to contact me or my supervisor. Our contact details are as follows:

- Researcher: Nomathemba Melody Memela – nomathemba@gmail.com; 083 601 6130
- Supervisor: Dr. Renee Horne – renee.horne@wits.ac.za; 011 717 3612

Upon completion of the study, I undertake to provide you with a bound copy of the dissertation. Your permission to conduct this study will be greatly appreciated.

Yours sincerely,

Nomathemba Melody Memela

APPENDIX C: PARTICIPANT INFORMATION SHEET

Participant Information Sheet

Research Study:	The Sustainability Reporting Practice of the South African Mining Industry
Researcher:	Nomathemba Melody Memela (Student Number 0113499G)
Contact Details:	nomathemba@gmail.com; 083 601 6130
Ethics Committee Ref:	Tbc

Greetings Potential Participant,

My name is Nomathemba Melody Memela, a PhD Student from Wits University, currently the main researcher in a study of the Sustainability Reporting practice of mining companies in South Africa. This research hopes to collect the real-life experiences of people living in the communities where company mining operations are located, to understand these and compare them with what is reported in the sustainability reports of the mining companies as an account of their sustainability activities.

This study aims to achieve an objective and holistic understand of the true state of sustainability from the perspectives of all those involved in the practice. This understanding will help all parties work towards a shared understanding and an alignment of purpose with regards to this concept of sustainability – which will in turn help minimise the growing conflicts currently experienced in these mining communities, and the negative impact that has on all parties. This will be of benefit to the mining companies that want to continue with their operations in these communities, the communities that are dependent on these company operations for their livelihood, and the economy at large that benefits from such economic activity.

I would like to invite you to be part of this study. You have been selected because you are an important part of the community where mining operations take place, and you have had some direct or indirect experiences with the mining companies that have been selected for this study.

Participating in this research will require that you attend semi-structured interviews of 2-hours in length, which will be scheduled at a community hall nearest to you in the month of July 2017 (dates to be confirmed). Participation in this research is entirely voluntary, and does not involve any payments. Should you decide not to participate there is also no penalty for this.

This study will be conducted with anonymity and confidentiality, and where some kind of identification is required, pseudonyms will be used for these purposes. Should any part of the research process feel uncomfortable to you as a participant at any stage, you will be allowed to withdraw without any negative consequences.

The results of the study will be reported as part of the dissertation and submitted to the Wits Business School as part of the requirements for the completion of my PhD studies. As part of the normal faculty process all dissertations are made be available and are accessible through the internet. Parts of the research can also be used in any further academic writings and can be published.

Please feel free to contact me should you have any further questions or clarifications about this research or your involvement in the process. A summary of the research will be made available to you should you require.

Yours Sincerely,

Nomathemba Melody Memela
Contact Details: nomathemba@gmail.com (Email); 083 601 6130 (Mobile)

Supervised By: Dr. Renee Horne (Contact Email: Renee.Horne@wits.ac.za)

APPENDIX D: INTERVIEW CONSENT FORM

Consent Form

Please tick to indicate you consent to the following

I have read, or have had read to me in my first language, and I understand the Participant Information Sheet.	Yes ☐	No ☐
I have been given sufficient time to consider whether or not to participate in this study.	Yes ☐	No ☐
I have had the opportunity to use a legal representative, family support or a friend to help me ask questions about and understand the study.	Yes ☐	No ☐
I am satisfied with the answers I have been given regarding the study and I have a copy of this consent form and information sheet.	Yes ☐	No ☐
I understand that taking part in this study is voluntary (my choice) and that I may withdraw from the study at any time without any negative consequences.	Yes ☐	No ☐
If I decide to withdraw from the study, I agree that the information collected about me up to the point when I withdraw may continue to be used for the study.	Yes ☐	No ☐
I understand that there will be no benefits or compensation as a result of my participation in the study.	Yes ☐	No ☐
I understand that my participation in this study is confidential and that no material, which could identify me personally, will be used in any reports on this study.	Yes ☐	No ☐
I know who to contact if I have any questions about the study in general.	Yes ☐	No ☐
I understand my responsibilities as a participant who will be interviewed in the study.	Yes ☐	No ☐
I understand that audio-recording material may be used to accurately recorded the interviewing process and I consent to this.	Yes ☐	No ☐
I wish to receive a summary of the results from the study.	Yes ☐	No ☐

Declaration by participant:

I hereby consent to take part in this study.

Participant's name:

Signature: Date:

Declaration by member of research team:

I have given a verbal explanation of the research project to the participant, and have answered the participant's questions about it.

I believe that the participant understands the study and has given informed consent to participate.

Researcher's name: Nomathemba Melody Memela

Signature: Date: 12/04/17

APPENDIX E: ADMINISTRATIVE CONSENT FORM

Administrative Consent Form

Audio Recording Device Release Form

Study Title: The Sustainability Reporting Practice of the South African Mining Industry

I voluntarily agree to be audio taped during the interview being conducted by the Researcher Nomathemba Melody Memela. I understand that an audio recording device will be used as part of the interviewing process to gather information for the above study.

The audio recording will be kept for approximately one year and will be securely stored at the home of the Researcher. Upon completion of both the data collection and data analysis process, the audio recording will be destroyed.

My Signature Date

Signature of the Researcher Date

Refusal to be Recorded

I do not agree to be audio recorded during the interview conducted by the Researcher Nomathemba Melody Memela. By refusing to be audio recorded, I understand that I may still continue to participate in the study.

My Signature Date

Signature of the Researcher Date

APPENDIX F: ETHICS CLEARANCE FORM

Research Office

HUMAN RESEARCH ETHICS COMMITTEE (NON-MEDICAL)
R14/49 Memela

CLEARANCE CERTIFICATE	**PROTOCOL NUMBER: H17/05/17**
PROJECT TITLE	The sustainability reporting practice of the South African mining industry
INVESTIGATOR(S)	Ms M Memela
SCHOOL/DEPARTMENT	Wits Business School/
DATE CONSIDERED	19 May 2017
DECISION OF THE COMMITTEE	Approved Permission letters are required before data collection can commence
EXPIRY DATE	17 August 2020

DATE 18 August 2017 **CHAIRPERSON** J. Knight
(Professor J Knight)

cc: Supervisor : Dr R Horne

DECLARATION OF INVESTIGATOR(S)

To be completed in duplicate and **ONE COPY** returned to the Secretary at Room 10004, 10th Floor, Senate House, University. Unreported changes to the application may invalidate the clearance given by the HREC (Non-Medical)

I/We fully understand the conditions under which I am/we are authorized to carry out the abovementioned research and I/we guarantee to ensure compliance with these conditions. Should any departure to be contemplated from the research procedure as approved I/we undertake to resubmit the protocol to the Committee. **I agree to completion of a yearly progress report.**

____________________ _____/_____/_____
Signature Date

PLEASE QUOTE THE PROTOCOL NUMBER ON ALL ENQUIRIES

APPENDIX G: PERMISSION LETTER FROM RBN

ROYAL BAFOKENG NATION

ROYAL BAFOKENG ADMINISTRATION
Institutional Governance

P.O Box 1, Phokeng, 0335, Republic of South Africa
1 Direpotsane Street, Phokeng, 0335
Telephone: +27 (14) 566 1200
Email: info@bafokeng.com
Website: www.bafokeng.com

YOUR REF:

5 June 2018

Support for Research Project

This is t confirm that Ms Melody Memela is a researcher who will be conducting a research within the Luka and Kanana community being villages in the Royal Bafokeng Nation.

She will be conducting a research based on the sustainability reporting practice of the South African Mining Industry.

We encourage you to participate in this research and please contact Mme Lebogang Kgongwana at 014 566 1355 for any enquiries.

Regards

Letlhogonolo Masilo (Mr)
Secretary of Council
Traditional Governance

APPENDIX H: SUMMARY OF FIELDTRIPS FOR CASE 1 – LUKA VILLAGE

(Study Location 1 – Case 1: Impala Platinum in Luka Village, Rustenburg, North West)

Research Interview Control Form

Field Trip 1: **Johannesburg to Rustenburg**
Dates: 07 - 09 September 2017
Case Study 1: Impala Platinum / Luka Community in Phokeng (North West)

Date	Time	Interviewee	Stakeholder Type	Venue of Interview
07-Sep-17	12h30	Respondent 1	Male Adult, Community Based Org - BLBA	BLBA Offices, Rustenburg
08-Sep-17	10h30	Respondent 2	Male Adult, Rustenburg Municipality Staff	BLBA Offices, Rustenburg
08-Sep-17	15h30	Respondent 3	Male Youth, Student	Home, Luka Village
08-Sep-17	17h30	Respondent 4	Male Community Elder	Home, Luka Village

Field Trip 2: **Johannesburg to Rustenburg**
Dates: 15 - 16 September 2017
Case Study 1 Continued: Impala Platinum + Luka Community in Phokeng (North West)

Date	Time	Interviewee	Stakeholder Type	Venue of Interview
15-Sep-17	18h00	Respondent 5	Female Youth Mine Staff	Home, Luka Village
15-Sep-17	19h30	Respondent 6	Female Youth, Unemployed	Home, Luka Village
16-Sep-17	11h30	Respondent 7	Male Adult Traditional Councillor	Home, Luka Village
16-Sep-17	14h30	Respondent 8	Female Adult Ward Councillor & MCLEF Member	Home, Luka Village

Field Trip 3: **Johannesburg to Rustenburg**
Dates: 12 December 2017
Case Study 1 Continued: Impala Platinum + Luka Community in Phokeng (North West)

Date	Time	Interviewee	Stakeholder Type	Venue of Interview
12-Dec-17	13h10	Respondent 9	Male Youth Activist, Phiring Section	Home, Luka Village
12-Dec-17	15h30	Respondent 10	Male Youth Mine Worker (Shaft 14)	Home, Luka Village

Field Trip 4: **Johannesburg to Rustenburg**
Dates: 13 February 2018
Case Study 1 Continued: Impala Platinum + Luka Community in Phokeng (North West)

Date	Time	Interviewee	Stakeholder Type	Venue of Interview
13-Feb-18	12h30	Respondent 11	Male Adult Mine Surveying Supervisor (Shaft 14)	Shaft 14 Office, Luka Village
13-Feb-18	14h00	Respondent 12	Male Adult Mine Underground Worker (Shaft 12)	Home, Luka Village
13-Feb-18	16h10	Respondent 13	Male Adult Mine Underground Worker (Shaft 6)	Home, Luka Village

Non-Field Trip: **Interview in Johannesburg**
Dates: 24 February 2018
Case Study 1 Continued: Impala Platinum + Luka Community in Phokeng (North West)

Date	Time	Interviewee	Stakeholder Type	Venue of Interview
24-Feb-18	15h10	Respondent 14	Male Adult Business Man in Luka Village	WBS Seminar Room, Parktown

Field Trip 5: **Johannesburg to Rustenburg**
Dates: 19 May 2018
Case Study 1 Continued: Impala Platinum + Luka Community in Phokeng (North West)

Date	Time	Interviewee	Stakeholder Type & Venue	
19-May-18	13h30	Respondent 15	AMCU Member & Ex-Shop Steward at Impala	Nandos Restaurant, Rustenburg
19-May-18	15h00	Respondent 16	Male Adult, Community Organisation BUA	Nandos Restaurant, Rustenburg

Field Trip 6: **Johannesburg to Rustenburg**
Dates: 08 June 2018
Case Study 1 Continued: Impala Platinum + Luka Community in Phokeng (North West)

Date	Time	Interviewee	Stakeholder Type & Venue	
08-Jun-18	10h37	Respondent 17	Male Elder, Kgosana, RBN Tribal Council	RBN Head Office, Phokeng Village
08-Jun-18	11h23	Respondent 18	Male Adult, Kgosana, Non-MCLEF Member	RBN Head Office, Phokeng Village

APPENDIX I: SUMMARY OF FIELDTRIPS FOR CASE 2 – MAPELA VILLAGE

(Study Location 2 – Case 2: Anglo Platinum in Mapela Village, Mokopane, Limpopo)

Research Interview Control Form

Field Trip 1 : **Johannesburg to Limpopo**
Dates: 19 - 20 September 2017
Case Study 2: Anglo Platinum + Mapela community in Mokopane (Limpopo)

Date	Time	Interviewee	Stakeholder Type	Venue of Interview
19-Sep-17	16h24	Respondent A	Female Adult - Refused Relocation	Home, Mothlothlo Village
19-Sep-17	18h10	Respondent B	Adult Female	Home, Ga-Chokwe Village
20-Sep-17	12h36	Respondent C	Female Youth	Home, Ga-Seema Village
20-Sep-17	14h30	Respondent D	Male Adult - Entrepreneur	Home, Mahlogo Village
20-Sep-17	16h30	Respondent E	Male Adult - Activist	Home, Ga-Chaba Village

Field Trip 2 : **Johannesburg to Limpopo**
Dates: 05 - 06 June 2018
Case Study 2: Anglo Platinum + Mapela community in Mokopane (Limpopo)

Date	Time	Interviewee	Stakeholder Type	Venue of Interview
05-Jun-18	14h30	Respondent F	Male Adult, Ex-Mine Worker	Car, Sterkwater & Mothlothlo Village
05-Jun-18	16h30	Respondent G	Male Adult, New Tribal Authority Council Rep	Home, Magope Village
06-Jun-18	11h15	Respondent H	Male Youth, Ex-Mine Worker	Home, Ga-Chaba Village
06-Jun-18	12h45	Respondent I	Female Youth, Clinic Volunteer	Mapela Clinic, Fothane Village
06-Jun-18	13h20	Respondent J	Female Adult, Mapela Clinic Doctor & Manager	Mapela Clinic, Fothane Village
06-Jun-18	14h30	Respondent K	Female Adult, Ex-Mapela Clinic Manager	Mapela Clinic, Fothane Village
06-Jun-18	15h20	Respondent L	Male Adult, Entrepreneur	Business Forum Offices, Sterkwater Village

Field Trip 3 : **Johannesburg to Limpopo**
Dates: 29 August 2018 - 31 August 2018
Case Study 2: Anglo Platinum + Mapela community in Mokopane (Limpopo)

Date	Time	Interviewee	Stakeholder Type	Venue of Interview
29-Aug-18	13h45	Respondent M	Male Adult, Ex Security Guard	Business Forum Offices, Sterkwater Village
29-Aug-18	14h31	Respondent N	Female Adult, Relocated Community Member	Business Forum Offices, Sterkwater Village
29-Aug-18	15h10	Respondent O	Male Elder, Relocated Community Member	Business Forum Offices, Sterkwater Village
29-Aug-18	16h23	Respondent P	Male Adult, Mine Management Staff	Park Hotel Mokopane - Garden
30-Aug-18	18h43	Respondent Q	Adult Male, Mine Engineer	The Vein Tavern - Ga-Chaaba Village
30-Aug-18	19h19	Respondent R	Male Youth, Unemployed	The Vein Tavern - Ga-Chaaba Village
31-Aug-18	10h26	Respondent S	Adult Male - Mine Dump Truck Driver	Mokopane Shoprite Parking

APPENDIX J: EMAIL CORRESPONDENCE REQUESTING PRINT COPIES OF SUSTAINABILITY REPORTS

1. Correspondence with Implats:

Request for Print Copies of your SD Report Inbox ×

Melody Memela <nomathemba@gmail.com> Tue, Sep 12, 2017, 2:26 PM
to francios.naude

Hi there,

I wonder if you can help.
I'm a student of Corporate Sustainability studying with Wits Business School, I was wondering if you have any extra print copies of your sustainability reports that I could come collect please. I'm looking at the years 2014, 2015, and 2016 specifically.

I know you have provided these in PDF format on your website, but it would be easier to work with colour printed bound copies instead.

This would be a great help, please assist.

Regards,
Melody Memela
083 601 6130

Melody Memela <nomathemba@gmail.com> Tue, Sep 12, 2017, 2:26 PM
to tebogo.llale

Hi there,

I wonder if you can help.
I'm a student of Corporate Sustainability studying with Wits Business School, I was wondering if you have any extra print copies of your sustainability reports that I could come collect please. I'm looking at the years 2014, 2015, and 2016 specifically.

I know you have provided these in PDF format on your website, but it would be easier to work with colour printed bound copies instead.

This would be a great help, please assist.

Regards,
Melody Memela
083 601 6130

Melody Memela <nomathemba@gmail.com> Tue, Sep 12, 2017, 2:22 PM
to investor

Hi there,

I wonder if you can help.
I'm a student of Corporate Sustainability studying with Wits Business School, I was wondering if you have any extra print copies of your sustainability reports that I could come collect please.
I'm looking at the years 2014, 2015, and 2016 specifically.

I know you have provided these in PDF format on your website, but it would be easier to work with colour printed bound copies instead.

This would be a great help, please assist.

Regards,
Melody Memela
083 601 6130

Tarryne Rautenbach <tarryne.rautenbach@implats.co.za> Tue, Sep 12, 2017, 2:41 PM
to me

Hi Melody

I will what I have in stock. I know we didn't have many left.
Our new one is due next week for 2018.
Will revert soonest.

Regards

Tarryne Rautenbach
PA Corporate Relations

Impala Platinum Holdings Limited
No 2 Fricker Road, Illovo ,Johannesburg, 2196
Private Bag X18, Northlands, 2116
South Africa

Melody Memela <nomathemba@gmail.com> Tue, Sep 12, 2017, 3:03 PM
to Tarryne

Thank you so much for your prompt response.
I would be happy to come and collect whatever you have.

Regards,
Melody

Melody Memela <nomathemba@gmail.com> Oct 16, 2017, 12:31 PM
to Tarryne

Morning Tarryn,

Just a follow-up to see if you were able to find any extra copies of your SD Reports at all?
For previous years 2015 / 2016 or current year 2017?

Regards,
Melody
083 601 6130

2. Correspondence with Amplats:

Request for Print Copies of your SD Reports Inbox ×

Melody Memela <nomathemba@gmail.com> Sep 12, 2017, 3:29 PM
to irene.caddy

Hi there,

I wonder if you can help.
I'm a student of Corporate Sustainability studying with Wits Business School, I was wondering if you have any extra print copies of your sustainability reports that I could come collect please. I'm looking at the years 2014, 2015, and 2016 specifically.

I know you have provided these in PDF format on your website, but it would be easier to work with colour printed bound copies instead.

This would be a great help, please assist.

Regards,
Melody Memela
083 601 6130

Melody Memela <nomathemba@gmail.com> Sep 12, 2017, 3:30 PM
to emma.chapman

Hi there,

I wonder if you can help.
I'm a student of Corporate Sustainability studying with Wits Business School, I was wondering if you have any extra print copies of your sustainability reports that I could come collect please. I'm looking at the years 2014, 2015, and 2016 specifically.

I know you have provided these in PDF format on your website, but it would be easier to work with colour printed bound copies instead.

This would be a great help, please assist.

Regards,
Melody Memela
083 601 6130

Chapman, Emma <emma.chapman@angloamerican.com> Sep 12, 2017, 4:57 PM
to me

Hi Melody,

As part of our sustainability commitments, we have a policy to only send hard copied to shareholders who have requested them. We don't actually have any hard copies internally at all.

Sorry we can't help this time.

Kind regards,

Emma

APPENDIX K: PICTURES OF MINING IMPACTS

Plate 1: An image of blasting in Ga-Chaba village, about 800 meters from the open-pit.

Plate 2: A set of images along the route to Mothlotlo Village

Plate 3: The first sight of community life in Mathlotlo village

Plate 4: Children playing in Mathlotlo village

Plate 5: A tin shack built by the mine in replacement of a mud house that collapsed

Plate 6: Some of the visible cracks in Nthate Masheane's new home in Sterkwater village

Plate 7: Cracks in a neighbouring house in Sterkwater village

APPENDIX L: DATA ANALYSIS

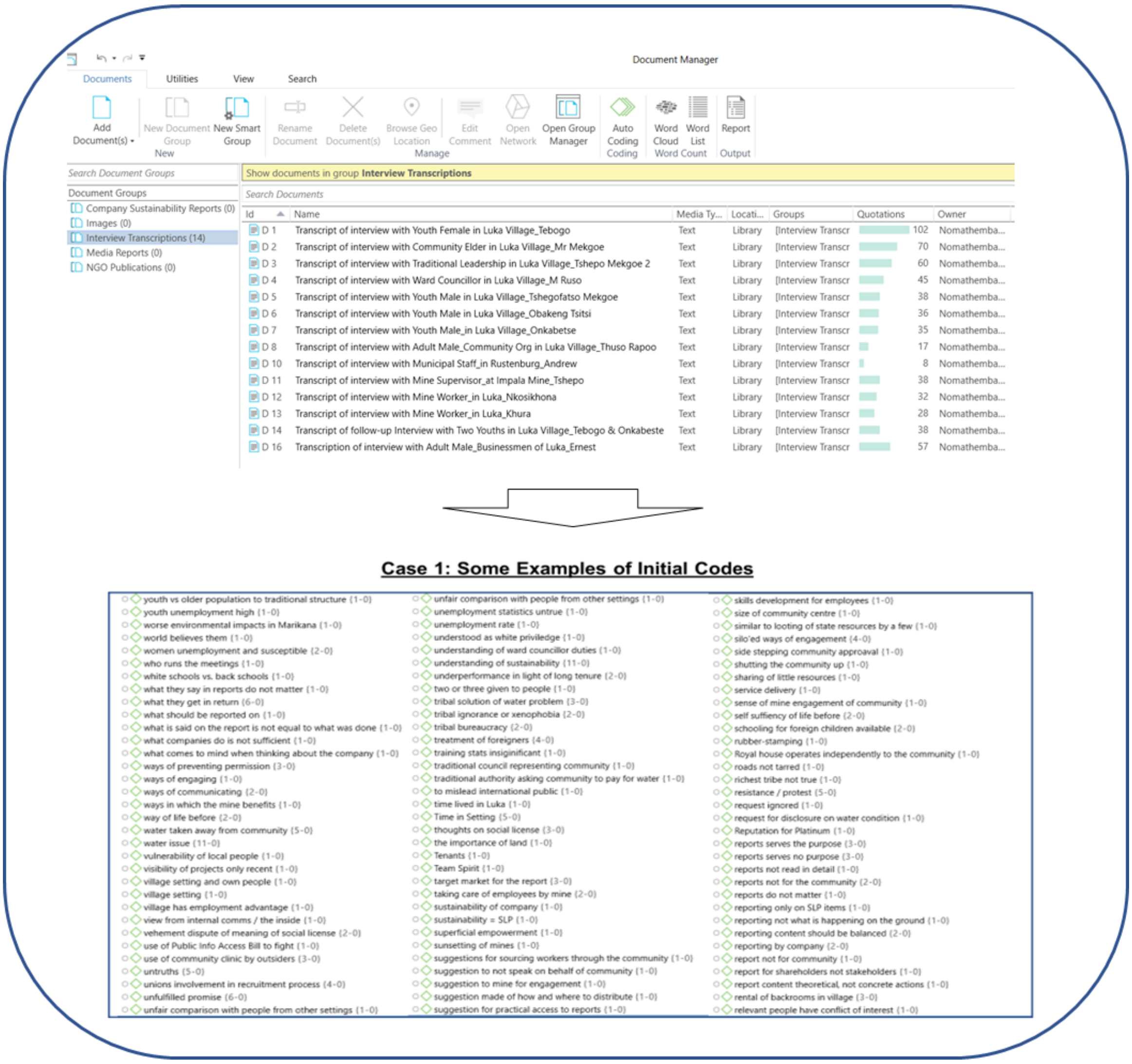


Figure L1: First cycle coded documents and examples of resulting initial codes

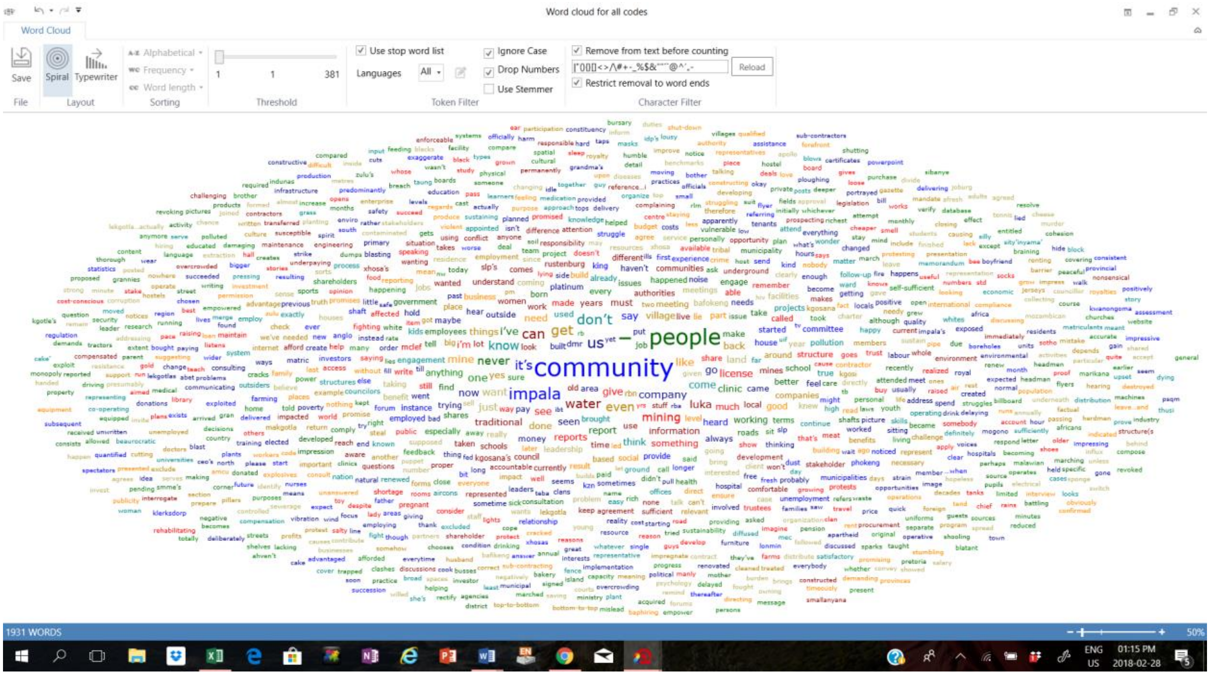


Figure L2: Word Cloud after 1st Cycle Coding

Case 1: Focussed Codes / Code Groups

- about the community (79)
- about the mine (46)
- consultation / invitation by mine (15)
- creating of perception / reputation (6)
- employee health (4)
- employee safety (2)
- employment practices (29)
- engagement by mine (46)
- estimated rating for sustainability performance (15)
- examples of information/truths/untruths (15)
- examples of projects (12)
- expectations (11)
- exploitation by mine (7)
- feelings about the mine (14)
- first memory/thoughts of mine (16)
- house cracks (3)
- impacts (39)
- inaccessibility of information (14)
- inaccurate reflection / information (10)
- ineffectiveness of MCLEF (18)
- ineffectiveness of regulation (22)
- ineffectiveness of traditional structures (30)
- information sharing / distribution (18)
- involvement of community organisations (1)
- known projects (12)
- lack of – (shortage / absence) (36)
- lack of knowledge (12)
- main purpose for reporting (14)
- mine accommodation and housing (5)
- mine benefit - return (8)
- mine strategies (40)
- mining license (13)
- mining practice illegal (7)
- no – (2,5pages long) (38)
- overpopulation and over-crowding of community facilities (8)
- participant profile (16)
- percentage of truth in reports (8)
- pollution / impact of pollution (12)
- promised made by mine (3)
- relationship between government and mines (4)
- relationship between mine and community (2)
- relationship with kgosanas / traditional authority / RBN (11)
- relationship with kgosi / royal house (6)
- relationship with municipalities and ward councillors (3)
- relevance of land (5)
- rental accomodation in village (4)
- reporting by mine (40)
- reports serve no purpose/serve purpose (9)
- resistance / protest / activism to bring about change (14)
- role / involvement of municipality (15)
- role of government (11)
- skills development (2)
- social labour plans (SLP's) (8)
- social license (17)
- stakeholder dynamics (8)
- stakeholder power (9)
- start of sustainability activities by mine (2015?) (6)
- state of (un)employment (9)
- state of community clinic (9)
- state of education / schooling (12)
- state of enterprise development (9)
- state of infrastructure (4)
- state of land rehabilitation (1)
- state of outsiders in community (26)
- state of water (15)
- state of women in community (5)
- relationship between mine and community (2)
- relationship with kgosanas / traditional authority / RBN (11)
- relationship with kgosi / royal house (6)
- relationship with municipalities and ward councillors (3)
- relevance of land (5)
- rental accomodation in village (4)
- reporting by mine (40)
- reports serve no purpose/serve purpose (9)
- resistance / protest / activism to bring about change (14)
- role / involvement of municipality (15)
- role of government (11)
- skills development (2)
- social labour plans (SLP's) (8)
- social license (17)
- stakeholder dynamics (8)
- stakeholder power (9)
- start of sustainability activities by mine (2015?) (6)
- state of (un)employment (9)
- state of community clinic (9)
- state of education / schooling (12)
- state of enterprise development (9)
- state of infrastructure (4)
- state of land rehabilitation (1)
- state of outsiders in community (26)
- state of water (15)
- state of women in community (5)
- suggestions made to mine (9)
- Sustainability Priorities (34)
- traditional authority (RBN) (17)
- understanding of sustainability & SR (4)
- union involvement in community (5)
- way of life before the mine (6)

Figure L3: Example of focus codes / code groups