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MA Research Report

Prepared for the Department of Sociology, University of the Witwatersrand, Johannesburg

The relation between environmental protection and 'development': a case study of the social dynamics involved in the proposed mining at Xolobeni, Wild Coast.

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August 2010

DECLARATION

I, Andrew G. Bennie, hereby declare that this research report is my own original work and that where I have made use of others' ideas I have referenced accordingly.

_____

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16 August 2010

ABSTRACT

This research report analyses the social dynamics involved in a proposed project to mine the sand dunes along a 22km stretch of the Wild Coast for titanium products, named the Xolobeni Heavy Minerals Sands Project. The proposal has been presented by a small Australian mining company, Mineral Commodities (MRC), and its local subsidiary, Transworld Energy and Minerals Resources (TEM), and would directly impact an area of the Wild Coast known as Mgungundlovu, situated in the Amadiba Tribal Administrative Area. It has become a highly contested process, with the affected communities ultimately rejecting the proposal.

The report aims to analyse these social dynamics through the frame of 'development' and its relation to environmental protection. It argues that participation is central in 'development' and that in this case study, such participation is crucial in highlighting the centrality of subsistence livelihoods, based on local natural resources, to the people of Mgungundlovu. That is, 'development' options should be based on the recognition of the importance of local livelihoods in this instance, and not on their destruction for 'development' to occur.

The report begins with a discussion of the notion of 'development' and adopts a critical view of it that acknowledges its socially, historically, and discursively constructed nature. It also adopts a sceptical view of 'sustainable development', which largely fails to analyse power relations and social inequality. It therefore proposes the discourse of environmental justice as a more suitable alternative to analysing the relationship between power, participation and 'development'. The report presents two case studies in order to provide a comparison with the case of Xolobeni, and it then describes the local social context. Given this context, it then moves on to analyse the extent to which the environmental management regime in South Africa allowed for participation by the affected communities. Following this, it analyses the roles played by the various social actors in terms of participation, power, environment and 'development'.

The research finds that participation in 'development' by the affected communities was minimal, and that the process was instead driven by particular interests and broader discourses of the relation between environmental protection and 'development' that position the environment in

opposition to ‘development’ and prioritise economic growth over the local social, cultural and environmental context. The degree of control exercised by the affected residents over the dynamics surrounding the proposed mining have therefore been minimal, and have instead been driven by institutions of the market and state, disconnected from local needs. This in turn highlights the role of power in ‘development’.

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ACRONYMS

ACC	Amadiba Crisis Committee
ACCODA	Amadiba Coastal Community Development Association
ANC	African National Congress
CONNEP	Consultative National Environmental Policy Process
DEAT	Department of Environmental Affairs and Tourism
DLA	Department of Land Affairs
DME	Department of Minerals and Energy
DMR	Department of Mineral Resources
EIA	Environmental Impact Assessment
EJNF	Environmental Justice Networking Forum
ESIA	Environmental and Social Impact Assessment
EWT	Endangered Wildlife Trust
LAT	Legal Assistance Trust
LRC	Legal Resources Centre
MPRDA	Mineral and Petroleum Resources Development Act
MRC	Mineral Resources Commodities
NEMA	National Environmental Management Act
NGO	Non-Governmental Organisation
PGDP	Provincial Growth and Development Plan
SAFCEI	South African Faith Communities' Environment Institute
SALS	Southern African Legal Services

SIA	Social Impact Assessment
SLP	Social and Labour Plan
SDI	Spatial Development Initiative
SWC	Sustaining the Wild Coast
TEM	Transworld Energy and Minerals
WESSA	Wildlife and Environment Society of South Africa
WWF	World Wildlife Fund
WSP	Wet Separation Plant

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Chapter 1

INTRODUCTION

This research report analyses the social dynamics involved in a proposed project to mine the sand dunes along a 22km stretch of the Wild Coast for titanium products, named the Xolobeni Heavy Minerals Sands Project.[1] The proposal has been presented by a small Australian mining company, Mineral Commodities (MRC), and its local subsidiary, Transworld Energy and Minerals Resources (TEM), and would directly impact an area of the Wild Coast known as Mgungundlovu, situated in the Amadiba Tribal Administrative Area. It has become a highly contested process, with the affected communities ultimately rejecting the proposal. The dynamics surrounding the proposed mining have been characterised by the pursuit of narrow interests, unequal power relations, and a lack of participation by the affected communities. Over and above these dynamics, the situation has been located within the notion of 'development'[2] by the actors involved. That is, those who are in favour of the mine argue that it will bring 'development' to the Pondoland region, while key actors opposed to it argue that it will destroy the local environment and the livelihoods of the affected population, and that it is therefore the 'wrong kind' of 'development'. That is, the debates around the mining signal more than only orientations around anti- or pro-mining, but varying conceptions of 'development' and the relation between 'development' and the environment.

Given the high levels of poverty in the Transkei and its history of marginalisation under the homeland system, 'development' is top priority in the minds of policy makers, politicians and businessmen in the region. However, 'development' in the Wild Coast region in particular has been beset by contesting interests, differing claims to 'development', insecure land rights and

[1] A note on names: The tribal administrative area in which the proposed mining falls is known as Amadiba. The coastal strip of Amadiba is known as Mgungundlovu, which is divided into five villages, which are divided by five rivers. These five rivers designate the five blocks into which the proposed mining would occur. The mining would begin in the Kwanyana Block, named after the Kwanyana River, which contains Xolobeni village. As such, the mining project is referred to as the Xolobeni project, and as such the area has come to be widely called Xolobeni. This report will variously refer to these names, as it is what it is referred to by various actors.

[2] This report makes us of 'development' in inverted commas because of its historically, socially and discursively structured nature. As such, it is informed by specific meanings which can vary from place to place and over time (as will be more fully discussed in Chapter 2).

institutional tensions (Hofstatter, 2007). In 1996 the Wild Coast Spatial Development Initiative (SDI), with the Department of Environmental Affairs and Tourism (DEAT) as its key driver, laid a framework for tourism as a primary 'development' strategy for the region. Part of this 'development' involved the planning of the N2 toll road to open up the area for tourism and 'unlock' 'development'. However, environmental groups believe that local people will not benefit from the road and it will open up the area to massive environmental degradation. The potential for ecotourism to bring improvements to the lives of the people of Pondoland has also suffered a setback, as it has largely been stalled by nepotism and institutional conflict, and many of the people of Pondoland who had hoped that the N2 would help to bring improvements to their lives have associated ecotourism with the blockage of the road (Hofstatter, 2007).

The Department of Environmental Affairs also tabled the proposition of the Wild Coast National Park, also known as Pondo Park, which would extend from Port Edward down to Port St Johns. On the other hand, business leaders and politicians have aims to institute large resort developments, commercial agriculture and commercial real estate. In the meantime, little has happened on the Wild Coast that has brought wide scale benefits to its inhabitants. The desire for 'development' on the part of these inhabitants and politicians is thus high. However, this 'need' for 'development' opens up the space for a host of dynamics and power relations to emerge and for existing relations of power to become visible. In this climate, it is necessary to examine these dynamics and the roles played by the various actors in 'development'.

The central thesis of this report is that participation in 'development' is essential. In this case study, such participation is crucial in highlighting the centrality of subsistence livelihoods, based on local natural resources, to the people of Mgungundlovu. However, participation in the case of the proposed mining was minimal. This was reinforced by an Environmental Impact Assessment (EIA) process that failed to ensure that the affected communities were able to meaningfully participate in decision making that would integrally affect their lives. This lack of participation also extended beyond the EIA process to the more general social dynamics. The process has been skewed by powerful actors aiming to take advantage of the benefits accruing from the proposed mining. At a broader level, the project is supported by a conceptualisation of 'development' that is grounded in notions of economic growth and investment, in which the

actors in the market, mediated by the state, are viewed as the drivers of 'development'. This leaves little control in the 'development' process for those it will most directly impact. It would involve significant social and ecological impacts and consequent disruptions to the ability of the local residents to continue securing an important part of their livelihoods from the land. Furthermore, the low number of people that the mining is likely to employ means that there is little chance for affected inhabitants to replace their loss of livelihood with formal employment. The project has therefore been located within a specific 'development' paradigm, and driven locally by particular interests, such that it is disconnected from the needs of the inhabitants of the area.

An important aspect of this report is an interrogation of the 'sustainable development' paradigm. Key criticisms of the term have arisen, which point to how it is easily incorporated into neoliberal approaches to 'development' through its emphasis on economic growth (Sachs, 1999), how it is politically neutral, and how it consequently ignores issues of social inequality and power (Brechin *et al*, 2003). Furthermore, its analytically and empirically vacuous nature means that it can be institutionally reconfigured to promote 'development' at the expense of the environment (Hajer and Fischer, 1999). In essence, the term has been used to allow for the continuation of 'development' without having to interrogate the content and practice of 'development' itself, such that 'sustainable development' has become about 'sustaining development' (Bellamy-Foster, 2002) (the criticisms of the 'sustainable development' paradigm will be expanded upon in Chapter 2). This was apparent in this research, as the mining was justified by pro-mining actors as promoting 'sustainable development', while the environmental movement argued that it did not promote 'sustainable development'. The reason for this difference was not just about the facts of the mining, but about the underlying assumptions of what constitutes 'sustainable development'. It therefore indicates how easily particular interests can be incorporated under the rubric of 'sustainable development'. As an alternative, this report promotes the notion of environmental justice, which is specifically aimed at seeking out the power relationships and conditions of social inequality that influence differing experiences of the environment. It thus provides a more critical view on 'development'.

1.1. RESEARCH QUESTIONS

1.1.1. Main Research Question

What are the social dynamics involved in the proposed mining at Xolobeni, Wild Coast?

1.1.2. Subsidiary Research Questions

The above research question was broken down into a number of subsidiary questions in order to address the question of 'social dynamics' (the questions are presented in the order in which they are addressed through the chapters):

1. What are the main socio-economic characteristics of the Amadiba community?
2. What are the potential social and environmental impacts of the proposed mining?
3. Did the post-apartheid environmental management regime allow for local participation in decision making in the Xolobeni case?
4. Who are the main social actors in the mining controversy?
5. What interests and conceptions of 'development' and environmental protection do the main social actors involved in the proposed mining represent?

1.2. RESEARCH RATIONALE

Nature is in crisis. The historical trajectory that human 'development' has taken poses a significant threat to nature. According to a United Nations report, humans have damaged about two-thirds of the earth's life support systems (cited in Cock, 2007a). The world now suffers from acute environmental problems such as global warming, depletion of the ozone layer, loss of biodiversity, and pollution (Mittelman, 1998). Over the last fifty years, one third of arable land, and one third of tropical forests, have been degraded worldwide, a quarter of the available fresh water, as well as a quarter of fish reserves, have disappeared, and there is an alarming extinction rate of plant and animal species (Sachs *et al*, 2002). The causes of these trends are predominantly human. As such, many of our environmental problems today are largely social in

origin. One of the most important social-structural processes is that of 'development'. The way that 'development' itself is conceived and has been practiced is therefore centrally implicated in the current global ecological crisis, a process that has lead to 20% of the world's population consuming 70-80% of the world's resources (Sachs *et al*, 2002). The current global situation therefore illustrates that the dominant 'development' paradigm that has been promoted since the Second World War is socially and ecologically unsustainable.

Thus the rationale for this study is embodied in the following quote:

> Wise choices about the future entail understanding the inter-relationships between the needs of communities, social, political and economic forces, and the capacity of the environment to support these. It means allowing for a flexibility of scope in planning which is determined by local conditions and needs, rather than by political and economic agendas driven by 'one size fits all' ideologies (Payne and King, 2008: 11).

As Fig (2007) argues, South Africa's current environmental thrust in terms of technological choices is unsustainable in terms of equity, empowerment and environmental protection. These policies also "commit South Africa to a development path which favours greater centralisation of power, the enclosure of the commons, and the dangers of a security state" (Fig, 2007: 226). This is linked to a development path that favours economic growth as a prime goal, yet growth has devastating health, environmental and distributional impacts (UK Sustainable Development Commission; in Lyons, 2009).

Furthermore, South Africa currently experiences an unemployment rate of around 23% (Labour Force Survey, 2009). South Africa's 'formal economy' is therefore unable to sufficiently absorb the active labour force. Pushing people from a dependence on local livelihoods and into an economy already incapable of providing the country's workforce with adequate employment raises questions around the viability of such a move. Secondly, the environmental impacts of the dominant 'development' paradigm in South Africa (see Bond, 2002) clearly signal the need for a shift to a more heterogeneous consideration of local environmental, social, political and economic conditions rather than a homogenising and 'top-down' set of practices in the name of 'development'. This study could contribute to a greater understanding of 'development' dynamics and outcomes in South Africa.

Cock and Webster (1994) show how development projects are often flawed by two factors: a neglect of the social and political impacts of planned interventions and inadequate levels of public participation. They articulate a crucial link between participation and development; that development that brings about real benefits has to be based on meaningful participation by those it is aimed at. They also highlight such a link between participation, development and democracy: "Participation is a requisite of democracy. A society is democratic if and only if all members can participate in an informed way in discussions of political and policy issues" (Cock and Webster, 1994: 91). 'Development' that does not include participation in the planning stages thus may undermine and harm those it is meant to benefit. This study will therefore contribute to a more critical understanding of the need for participation in 'development'.

The dangers of planned interventions that do not take account of local economic, cultural and social conditions is illustrated by Ferguson (1994) in his study of the Thaba-Tseka Project in Lesotho. What his study highlights is the importance of power in determining developmental outcomes. When affected communities lack power they also lack the ability to influence the direction of, or stop, a particular intervention; excessive power on the part of those implementing the intervention leads to outcomes that are in their interests rather than the communities it affects. As such, it is necessary to examine the broader political context of power relations in order to understand potential developmental outcomes. This highlights an important tenet of this study – to examine the various social actors, the roles that they have played, the power that they have practised, and the understandings of 'development' and its relation to the environment that they represent.

1.3. RESEARCH METHOD

1.3.1. Research Design

The overall research strategy was qualitative, with a small amount of quantitative data obtained through the small-scale survey to gain a basic profile of the local communities. The research involved, firstly, undertaking a review of secondary literature on the theme of 'development' and on two main discourses on the relation between environmental protection and 'development':

'sustainable development' and environmental justice. Primary sources, namely newspaper articles, were also gathered and perused in order for the researcher to learn as much as possible about the dynamics around the proposed mining before undertaking data collection. Such preliminary research also allowed for the main social actors to be identified. They were identified as:

- Community
  - The communities of Mgungundlovu
  - Amadiba Crisis Committee (ACC),
- Xolco (TEM's BEE partner in the project and purportedly a representative organisation of the communities)
- MRC/TEM
- State
  - Department of Minerals and Energy (DME)[3]
  - Department of Environmental Affairs and Tourism (DEAT)
  - Local Government
- Civil Society
  - Sustaining the Wild Coast (SWC)
  - Social Worker (John Clarke)[4]
  - Legal Resources Centre (LRC)

Two research trips were undertaken to the Amadiba area, where the researcher stayed in the village of Sigidi for two weeks over June and July 2009, and a week and a half in November 2009. A small-scale questionnaire conducted with residents, observation and interviews were undertaken on the first research trip. The interviews were conducted with local key informants, such as anti-mining activists, members of the Amadiba Tribal Authority, members of the ACC, those involved in Amadiba Adventures, and with local residents. A second research trip to the

[3] After the April 2009 elections, the DME was split into the Department of Energy and the Department of Mineral Resources (DMR). For lack of confusion, this study refers to the DME, and because most events took place before April 2009.

[4] It may seem odd to assign the role of a significant social actor to a single person, but John Clarke has played a significant role in the opposition to the mine by linking with the vitality of the communities' resistance.

area was undertaken in November 2009, in order to conduct additional observation and interviews with local residents. Further key informants were interviewed, such as local municipality officials, the Chairperson of Xolco, a former director of Xolco, and a local botanist. In total, 21 small-scale surveys and 15 interviews were conducted with community members, as well as numerous informal conversations. The purpose of these methods was to collect information on local livelihood practices, perceptions of the environment and of 'development', and residents' views on the proposed mining.

Between June 2009 and February 2010, interviews were conducted with key informants based in Johannesburg and Pretoria. In September 2009, a trip was undertaken to the Eastern Cape to interview officials from the Department of Economic Development and Environmental Affairs (DEDEA), a Department of Land Affairs (DLA) official, and Sarah Sephton from the Legal Resources Centre in Grahamstown. No interview could be secured with the DME's Eastern Cape Regional Office. A total of 27 key informant interviews were conducted for this research.

The research involved the extended case study method. While the results of case studies are usually believed to produce results that are not generalisable, Burawoy (1998) provides the extended case method as a technique to produce knowledge that can apply to society in general. He argues that integrating in-depth interviews with observation allows the researcher to extend his/her observations over time and space. Such examination of a social situation then allows for the identification and articulation of a micro-process, which through further examination and analysis may be linked to external, macro-forces (Burawoy, 1998). This study therefore involved analysing the social dynamics in a small case study and then linking these dynamics to broader societal processes by linking it to literature on 'development', state policies and conceptions of 'development' at the national level, power relations and so forth. This meant engaging with primary documents such as environmental legislation and policy documents. The extended case method also aims to extend theory (Burawoy, 1998). As such, literature on 'development' and environmental protection was continually engaged with during data collection in the field and while writing in order to guide the areas of investigation in the research, to compose findings and observations into a social process, and locate such a process within a

wider social context. While time limits of the research report did not allow for the fulfilment of the depth and intensity required by Burawoy's extended case method, this method nonetheless provided the logic and method of the study.

1.3.2. Sampling and Access

The respondents identified for this study were key informants from the various sectors involved in the dynamics around the proposed mining, mentioned above. These key informants were chosen for their involvement around the proposed mining. Non-probability and purposive sampling was therefore utilised to select the sample, as respondents were selected based on their ability to provide information relevant to the study rather than their representativeness (Maxwell, 1998; Neuman, 2000). Snowball sampling was primarily use based on the contacts established at the beginning of the research. Community members themselves were randomly selected. Access to the area was negotiated in the first instance through two anti-mining activists and members of the Amadiba Crisis Committee (ACC). A Tribal Authority meeting was then attended at the customary place where such meetings occurred, known as Komkulu, the day after arrival at the research site in June 2009 to seek permission to conduct research in the area, which was granted.[5]

1.3.3. Data Collection Techniques

Consistent with the extended case method, the following research techniques were used: in-depth interviews, observation, a small-scale survey and an analysis of primary and secondary data.

In-depth Interviews

In-depth interviews were conducted with the key informants. Interviews provide in-depth, coherent and dense information (Weiss, 1995), which is suited to the theoretical and complex nature of the relation between environmental protection and 'development' in contemporary

[5] When I arrived at the Tribal Authority I initially had to wait outside for about half an hour while my guide and translator informed the Tribal Authority of my presence. There was some deliberation, but I was eventually called in and was greeted by a somewhat cold atmosphere by faces full of suspicion and apprehension. I was told to explain why I was there, which I did in English and my translator translated into Xhosa. The reason for the suspicious welcome was that they thought I was someone coming to tell them why they needed the mining, but after I made clear that that was not what I was there for, but wanted only to listen to people's views on the mining, I was granted permission. I subsequently developed good working relationships with the members, of whom I interviewed a few.

South Africa, that involves different power relations, interests and understandings. The in-depth interview allowed respondents to develop their own trains of thought around a complex issue and gave them more range to provide greater detail on points of interest (Greenstein *et al*, 2003). Key informant interviews predominantly took the form of semi-structured interviews, while in-depth interviews with community members used the frame of the open-ended questions in the questionnaire (see Appendix C), but explored these issues more deeply in a less structured manner. Key informant's names are provided, while community respondents were assigned a code, beginning with A1.

Observation

Observation, where the researcher observes events and normal life within the setting of the research subjects without participating in their activities (Robson, 2002), was carried out. The researcher's identity was therefore openly recognised, and allowed for informed consent (Greenstein *et al*, 2003) and for the building of trust with the research subjects, thus helping the researcher to access social processes which might otherwise be hidden. The importance of carrying out observation was to augment the interviews that were conducted so as to not rely only on second-hand information that might have been coloured by normative prescriptions (Burawoy, 1998). This observation involved attending two SWC board meetings and accompanying a delegation of the ACC to update the King and Queen of Pondoland of latest developments on the mining issue. It also involved community observation on the research trips in June/July and November 2009. This allowed the researcher to gain a closer understanding of the way of life of the Amadiba community so as to better understand what is potentially under threat and their understandings of, and relation to, the land, and to connect these facets to community members' views on the proposed mining and debates around 'development'.

Small-scale Survey

Twenty-one small-scale questionnaires were randomly undertaken to members of the Mgungundlovu communities. A survey is well suited to gauging general attributes of a population (Buckingham and Saunders, 2004). The small-scale survey collected basic

information on the demographics of the community such as main sources of livelihood, income generation and their attitudes towards the proposed mining. This will provide an important prelude to better understanding the community under study.

Primary and Secondary Document Analysis

Important primary documents that were utilised included legislation such as the National Environmental Management Act 107 of 1998 (NEMA), the Mineral and Petroleum Resources Development Act 28 of 2002 (MPRDA), the *White Paper on Environmental Management* Policy, the EIA regulations released by the DEAT (2006), and other policy papers. A thorough analysis of the EIA documentation was also undertaken. Meeting minutes and various correspondence letters between the various actors also provided an important source of information. This allowed for a constant moving back and forth between the research findings in the case study and the environmental management regime in South Africa so as to connect the specific and local experience of 'development' and environmental protection to a more general level, and vice versa. Newspaper articles also provided an important source of primary literature.

Secondary data analysis included a thorough review of the literature on 'development', environmental protection, and the relation between the two, so as to strongly embed the research within the existing theory and to constantly reflect on how the findings contradicted or extended such theory, as Burawoy (1998) recommends. Furthermore, secondary literature provided an important source to present a comprehensive description of the local social context, by linking the survey and observation results to such secondary literature.

1.3.4. Ethical Issues

An important consideration for this research was to ensure that the rights and welfare of respondents was protected. This was a particularly pertinent issue in this research, given the contestation and accusations of manipulation, intimidation and lack of consultation.

The following ethical guidelines were adhered to in this study:

- It was made clear to subjects that participation was voluntary, with no consequences if subjects chose not to participate or to withdraw from the study at any time.

- No harm was brought upon participants and sensitivity to issues and experiences was adhered to.
- Confidentiality of respondents was guaranteed. All community respondents remain confidential in the report. Key informants were asked whether or not they wished to be identified in the research report, and their wish was honoured with no consequences for them.
- The purpose of the study was made clear to respondents.
- Care was taken to explicitly ask permission for the interviews to be tape recorded. Only one key informant declined, and so the tape recorder was not used.
- Opportunity was provided for participants to obtain appropriate information about the nature, results and conclusions of the study.

  (Adapted from Babbie and Mouton, 2001).

1.3.5. Limitations of the Study

- It is important to keep in mind that this proposed mining has been a highly contentious issue, and so limitations in terms of interviews were encountered. An important limitation of the study was that no person directly connected to the mining from the DME was interviewed. A number of attempts were made to set up an interview. After getting hold of somebody, the researcher was told to email the questions in order to be reviewed first. After doing so no reply was given, and subsequent phone calls yielded no results. Attempts were again made in early 2010, but the researcher was told that the DME could not comment on the matter because it was under appeal. One interview was conducted with a DME official, but this official was not directly involved in the Xolobeni issue, and so the interview centred around more general issues relating to environmental management with regard to mining. As such, newspaper reports served as a primary source of information on its conceptions of the relation between environmental protection and 'development'.
- No interview could be obtained with a representative of Transworld Energy and Minerals Resources (TEM), the mining proponent. As such, newspaper reports served as a primary

source of information on its conceptions of the relation between environmental protection and 'development'.

- Interviews with community respondents were conducted through a translator. Meanings and information may therefore have been lost in the translation from Xhosa to English and vice versa.
- The demographic character of the researcher may be identified as a limitation.
- Bank (2005) describes how local community members that have become relatively frequent recipients of the attention of 'development' workers and researchers may become adept at 'handling' these people. Given the high amount of interest generated by the case of the proposed mining and the consequent journalist, as well as previous and existing 'development' initiatives, the researcher was careful to bear such a probability in mind.
- The study generated primarily qualitative data, which has been criticized for being 'soft' and unable to generalize in the same way that quantitative design makes possible (Greenstein *et al*, 2003). However, attention must be kept in mind of Burawoy's extended case study method, described under 1.4.1.

1.3.6. Report Structure

- **Chapter 2** provides a historical overview of the rise of 'development' theory and practice so as to offer a theoretical context to the research.
- **Chapter 3** presents two comparative case studies; namely Anglo Platinum's PPL mine in Limpopo Province and the case of St Lucia.
- **Chapter 4** presents a detailed description of the research site.
- **Chapter 5** addresses the question of the degree to which the environmental management regime in South Africa allowed for participation by the affected communities.
- **Chapter 6** analyses the roles played by the main social actors and their conceptions of the relation between environmental protection and 'development'.
- **Chapter 7** concludes the research report.

Chapter 2

DEBATING 'DEVELOPMENT': A HISTORICAL OVERVIEW OF 'DEVELOPMENT' THEORY, POLICY AND PRACTICE

2.1. INTRODUCTION: The Rise of 'Development' Theory and Practice

The notion of 'development' is a historically, socially and discursively constructed concept that has meant different things at different points in history and in different spaces. The concept tends to be a vague one, thus allowing it to refer to a range of projects and processes (Matthews, 2004a). Some have also argued that it is a vacuous concept, making it susceptible to all manner of discourses and practices being included under its umbrella (Sachs, 1999). It therefore lacks a single clear definition and has been subject to much contestation, its practice and meaning nuanced and accentuated by the global forces through which it has been mediated and the local sites where it has been practiced and has produced particular effects. Nonetheless, after the Second World War, there was an overall consistency in the assumptions that underlay the dominant discourse of 'development' exercised by institutions and states of the 'First World' onto the 'Third World', based on the discourse of modernisation and linear progress. In the latter half of the twentieth century, however, an impasse in 'development' theory and a crisis in its practice was reached, as there was increasing discontent over the theoretical content of 'development' and the adverse effects that much of its' practice had produced.

This chapter aims to provide a historical overview of 'development' theory, policy and practice. It will end this overview with a discussion of the more current critical debates about the meaning and practice of development by examining the notions of power, participation and democracy in relation to 'development.' It argues that despite the widespread criticisms of 'development' discourse and practice, to disparage the potential gains desired by the communities presented in the AmaDiba case study through 'development', real or perceived, may risk potentially denying local agency and denigrating local social aspirations. This study therefore adopts an approach to 'development' that is historically located and grounded in an appreciation of ecological limits (and opportunities) and social justice.

The origins of development as an intentional practice aimed at shifting a society from an existing state of dislocation and chaos to a superior state of order lie in Enlightenment thinking and the social disorder given rise to by the intense social transformations taking place in Europe in the nineteenth century (Cowen and Shenton, 1995). Central to the notion of 'development' is therefore, firstly, the idea of modernity, which 'development' is tasked with achieving, and secondly, the perceived existence of an inadequate organisation of a society, to which 'development' must be applied as a remedy.

However, as Watts argues, "the idea of development as a specific domain of enquiry and state intervention is of relatively recent origin" (Watts, 1995: 54). It is only in the post-World War Two era that there was an exerted and intentional effort towards the creation of institutions tasked with the practice and dissemination of 'development' on an international scale, specifically to the nations of the so-called Third World. The decolonisation of European colonies of Africa, Asia and Latin America ignited a wealth of disciplines and experts aimed at studying and understanding the societies that were emerging in these regions. 'Development' has therefore come to be associated with economic, social and political change in the countries of Africa, Asia, and Latin America (Hulme and Turner, 1990).

The discourses and institutions that came to constitute the international 'development' apparatus were principally concerned with how to modernise the societies that had become the objects of 'development.' Putting aside the contested nature of the term modernity, in economic terms it has typically been associated with processes of industrialisation, urbanisation and the increased use of technology within all sectors of the economy (Willis, 2005). The mainstream understanding of 'development' has therefore been integrally linked with economic progress and the achievement of 'modernity'. These promises proved attractive to the new African governments in the post-war period of decolonisation, who viewed the phase of 'development' as a break from, and replacing, the phase of colonialism. As such, they increasingly came to articulate their postcolonial aspirations through the discourse of 'development' (Crush, 1995).

However, the discourse and practice of 'development' since the Second World War has widely failed to bring about the promises of modernity and improvements in the lives of the people on

whom it has focused on the one hand, nor to bring about a more equitable global order of nation states on the other (Ferguson, 2006: 176-193; Sachs, 1999; Escobar, 1995). This has led to an alleged impasse in 'development' theory and a crisis in 'development' practice (magnified by the 'Lost Decade' of the 1980s) (Watts, 1995). Consequently, much critical reflection has arisen on the ability of the dominant view of 'development' as a practice to bring about modernity, on the notion of 'development' itself, and even a reappraisal of the value and meaning of modernity as a goal of 'development.'

Despite this skepticism towards 'development' and the resulting appeals ranging from 'grassroots development' to proclamations of the 'end of development' and hence 'alternatives to development', the dominant invocation of it still inspires much state policy. In post-apartheid South Africa, the state recurrently expresses its role and policies in terms of delivering 'development' (Crush, 1995), culminating in its vision of a 'developmental state' tasked with achieving "a sustained development based on an inclusive growth path" (ANC, 2010: no page number on html version). The modernising and linear assumptions of 'development' as a process and a goal has thus not eluded the minds of state policy makers nor many people who have come to view themselves in terms of 'development' and who often desire it on their own terms rather than reject it (as will be shown in the case of the proposed mining at AmaDiba). As Crush argues, they began to fight "not against development, but about it" (Crush, 1995: 11).

2.2. A HISTORICAL OVERVIEW OF 'DEVELOPMENT' THEORY AND PRACTICE

2.2.1. Modernisation Theory and Linear Progress Models

Throughout the phases outlined above, the conventional practice of 'development' as conceived by dominant 'development' institutions and states has maintained a teleological, linear view of 'development' embracing notions of progress, economic growth and the role of science in a process of modernisation over time. However, there has been a constant reconfiguration of the perceived respective roles to be played by the state, market and civil society in achieving such ideals through 'development' (Peet and Watts, 1993).

Modernisation theory took precedence after World War Two until it was challenged by dependency theory and other theories of 'underdevelopment' in the 1960s. A key theorist of modernisation theory was Walt Rostow (1959), who theorised on the stages of economic growth that national economies passed through in order to reach an endpoint of 'modernity' or 'high mass-consumption', in which the key factor was capital formation (Blomstrom and Hettne. 1984). A key characteristic of modernisation theory was therefore its vision of linear progression combined with hierarchical progression (Ferguson, 2006). It was assumed that the global hierarchy between nation states was a result of some of them simply positioned behind on the temporal scale of progress. Furthermore, social and economic change was viewed as a basically endogenous process (Blomstrom and Hettne, 1984: 21). In the post-war, modernisation era the state was thus viewed as playing an important role in the 'development' of national societies by implementing policies and strategies that imitated the industrial powers that in time would lead them to achieve greater political and economic stature on the world stage. As Ferguson argues, "In this way, the narrative of development mapped history against hierarchy, developmental time against political economic status" (Ferguson, 2006: 177). That is, progress would occur through time, with ascension on the global hierarchy the result.

This linear and evolutionary growth model shows how early 'development' thinking was dominated by the view that changes in national economic structure would result in the modernisation of those societies. However, after such economic progress seemed slow to occur in the newly independent states, "non-economic barriers" to progress were identified (Moore, 1995: 23). This highlights another premise of modernisation theory – the crude theorisation of polar opposites, of the traditional society and the modern society. It was agreed by modernisation theorists and practitioners that a precondition for economic development and for a shift from a traditional to a modern society to take place was for the appropriate modernising values to be instilled in the target populations (Coetzee, 2001). Hence contact with and emulation of the 'developed' Western societies would benefit such traditional societies. The goal was therefore modernisation: "the total transformation that takes place when a traditional or pre-modern society changes to such an extent that new forms of technological, organisational, or social characteristics appear" (Coetzee, 2001: 30).

Modernisation theory faced a wealth of sharp criticisms, not least of which was its ahistorical and deterministic reasoning that viewed 'traditional' societies as rigid and immutable to change, which undermined their flexibility and complex relations. Furthermore, the division of societies into polar opposites of 'traditional' and 'modern' negated any considerations of the complexity and differentiation within certain societies (Coetzee, 2001; Webster, 1990). Furthermore, the tenets of modernisation theory largely ignored the ecological effects of economic growth and industrialisation. As such, the world is currently faced with an ecological crisis (see Kovel, 2007; Sachs, 1999; Sachs *et al*, 2002 etc). The practice of 'development' based on modernisation theory has thus largely failed to benefit those upon whom its tenets were bestowed.

2.2.3. The Rise of Neoliberalism

The shift from state-led capitalism to market-led capitalism in the late 1970s was due mainly to the crisis of over-accumulation that caused a profit-squeeze in the industrial capitalist economies, beginning in the 1960s (Walton and Seddon, 1994). The oil price shock and rising interest rates on international lending ultimately led to the debt crisis of the early 1980s. Given the control that many First World countries, most notably the USA, exerted in the IMF and World Bank, the institutions became an important means for such First World countries to influence Third World economic policy. In order to recover existing debt the international financial institutions imposed neoliberal economic reforms on 'developing' country debtors through structural adjustment policies, which according to these institutions became the "only acceptable strategy for development" (Walton and Seddon, 1994: 16).

In the era of market-led capitalism, the state was consigned to playing a minimal regulatory role over economic activities and to the enforcement of law and order. The basic premise of the neoliberal 'development' doctrine is that the liberalisation of economic activity, including labour markets, coupled with the globalisation of production systems and finance would result in the optimal allocation of global and national resources towards production. This would stimulate economic growth, leading to a reduction of poverty and income disparities between and within the countries of the global economy (Pillay, 2002). Consequent neoliberal reforms,

based largely on the principles of the Washington Consensus, included reductions in government deficits, liberalisation of foreign exchange and import controls, exchange rate devaluation, greater foreign private investment and anti-inflationary measures (Peet, 2003). Thus as a reaction to the debt crisis, there was a shift of power away from the state and towards the market (Moore, 1995). The market came to be viewed as the most efficient and accurate means through which to optimally distribute 'scarce resources' in the pursuit of 'development.' In turn, this depended on the formulation of effective domestic, market-oriented policies, which revolved around securing an orderly and secure environment for market transactions to take place. This illustrates a continued conception of the forces of 'development' and 'modernisation' as endogenous to national societies.

However, free market reforms have not occurred only through homogenous imposition by international financial institutions. The perceived enticing prospects offered by the liberalisation of economies, as well as other domestic dynamics, also led many governments to voluntarily adopt such a growth path, including South Africa, primarily through its adoption of the *Growth, Employment and Redistribution Strategy* (GEAR) (Bond, 2002; Pillay, 2002).

At one level, the neoliberal path to 'development' has experienced widespread failure in bringing about 'developmental' outcomes in 'developing' countries, including the GEAR policy in South Africa (Pillay, 2002). Recent criticism has also highlighted how the vision of 'development' through free market reforms simply ignores historical evidence indicating the strong role that the state has played in orchestrating the advancement of industrial capitalism in what are now termed the 'developed' countries, including the East Asian 'Tigers' (Chang, 2005). At a second level, the neoliberal policies imposed on, and in some cases chosen by, many African countries has produced dire human and social consequences, including increased social dislocation and polarisation, rising unemployment, insecurity, poverty and inequality (see Bond, 2002; Ferguson, 2006; Peet, 2003; Stiglitz, 2002; Walton and Seddon, 1994 etc.). Furthermore, the neoliberal approach radically subordinated environmental concerns to the edicts of economic growth and 'development', intensifying the global ecological crisis (Hallowes and Butler, 2002).

A number of criticisms of 'development' discourse have arisen and a wealth of alternative conceptions to the dominant 'development' discourse have resulted, including perspectives that stress the centrality of power in influencing the nature and outcomes of 'development', that focus on the relationship of participation and democracy to 'development', and that call for an end to the problematic of 'development' altogether, instead advocating 'alternatives to development' or a 'post-development era.' There have also been renewed calls for 'development' to be reconfigured within a greater appreciation of ecological concerns.

2.2.4. Democracy, Participation and Power in 'Development'

The topic of the relation between democracy and 'development', and the role of participation in 'development', has been given much academic attention. Mugyenyi (1988) argues that because both the building of democracy and 'development' are costly exercises requiring significant amounts of resources and capacity, 'developing' countries, in which governments typically have limited funding, should focus their fiscal attention towards industrialisation and 'development', after which democracy will follow "to protect the accomplishments of development" (Mugyenyi, 1988: 179). Democracy is thus initially placed in opposition to 'development.'[6]

On the other extreme, 'post-development' theorists argue for the 'end of development' and 'alternatives to development' rather than 'alternative development' (Escobar, 1995; Rahnema and Bawtree, 1997; Matthews, 2004b). They argue that the negative effects of 'development' are intrinsic to the process and not unintentional side-effects. A prominent writer in the 'post-development' tradition is Arturo Escobar, who argues that the discourse of 'development' needs to be overcome, that all conceptualisations of 'development', even those calling for 'grassroots development' and the like, remain within the discursive category that has constructed the Third World in a particular way and so exercised a form of power on an object of knowledge. As such, continuing with the use of the word, and practice of, 'development' continues in this stream of

[6] "We suggest that *development leads with democracy in tow.* For developing countries, the democracy in tow must be of the minimalist variety regardless of their political sloganeering and other democratic pretensions. Given the allocation of resources between development and democratic demands, development should take precedence over democratic demands. Rural electrification and access roads should take priority over expanding the participation of rural folk in major policy decisions such as those affecting the infrastructure industry" (Mugyenyi, 1988: 182; original emphasis).

thought, and fails to examine nor escape "the foundations of an order of knowledge about the Third World" (Escobar, 1995: 214). Whereas 'post-development' writers do not call for an end to striving for improvements in people's lives, they call for change "that could leave them free to *change the rules and the contents of the change*, according to their own culturally defined ethics and aspirations" (Rahnema and Bawtree; 1997: 385; original emphasis).

'Post-development' theory has been criticised on many fronts, but as Ziai (2004) argues, two variants of the 'post-development' critique of 'development' need to be distinguished: the neo-populist variant, which contains dangers of reactionary populism and to which most criticisms of 'post-development' apply,[7] and the sceptical variant, which shows a more constructive convergence towards radical democracy. This second view offers a more 'practical' or 'workable' perspective on 'development' than the neo-populist version, aiming to "transfer the power of defining the problems and goals of a society from the hands of outside experts to the members of society itself" (Banuri, 1990: 96; cited in Ziai, 2004: 1054). This provides a useful basis for the present study.

Thus a more moderate path between those who oppose democracy as an obstacle to 'development' and those who propose the abolition of the theory and practice of 'development' may be envisaged. One of the most important writers to conceptualise democracy and 'development' as inseparable components is Amartya Sen (1999), who argues that the ends of 'development' should not justify undemocratic and authoritarian means. Rather, the goal of 'development' should be achieved through free human agency,[8] facilitated by the provision of adequate social opportunities to ensure the realisation of human capabilities. This human capabilities approach has become integral to the United Nations Development Programme's (UNDP) *Human Development Reports* and is embodied in its concept of 'human development',

[7] Such criticisms revolve around an uncritical stance on the part of some 'post-development' thinkers towards local communities and traditions and disregard for local dynamics of power and domination, a complete rejection of modernity and 'development', a static view of culture that thus opens the way for "enlightened authoritarianism," and vehement critique but little by way of constructive alternatives (Ziai, 2004: 1049-1053).

[8] Sen states that, "Freedoms are not the only primary ends of development, they are also among its principle means" (Sen, 1999: 10).

which it defines as "the expansion of people's freedoms to live their lives as they choose" UNDP, 2009: 14), and is measured through the Human Development Index (HDI).[9]

A further useful manner in which to approach the theme of participation in 'development' is provided by Williams (2008), who adopts a Gramscian perspective by conceptualising the distinct but interrelated and connected realms of state, market/economy, and civil society. Real participation in 'development' is characterised by civil society, through local organising committees and other organisations, exercising power over the nature and activities of the state and economy, what she calls a 'counter-hegemonic' path to 'development' (Williams, 2008: 38). Important in understanding this vision of participation is the distinction between representative/political democracy and participatory democracy. The representative view of democracy offers a narrow conception in which democracy is seen to be embodied by the existence of institutions, inhabited by elected political elites, that primarily serve to manage social and political pluralism and produce policies that are in the best interests of society at large (Williams, 2008: 21). Conceptions of participatory democracy, on the other hand, focus on the augmentation of people's and communities' abilities to make and implement decisions in the political and economic realms. In this sense of participatory democracy people therefore have greater capacity to actively participate in the social, economic and political realms of social life, thus exercising decisive control over their local circumstances (Williams, 2008).

In contrast to Mugyenyi's argument that 'development' should take precedence over democratic demands, the importance of democratic participation (as well as the role of power) in 'development' is further illustrated in Ferguson's (1994) analysis of the failure of a 'development' project in Lesotho. He shows how a 'development' project not based on local participation but on a pre-existing bureaucratic blueprint can result in outright failure to achieve the intended outcomes. However, in his study, an unintended result of the 'development' project was the extension of bureaucratic state power. That is, the 'development' project failed as a result of a discursive framework that was incognizant of the local social and cultural context. The result was not 'development', but greater state control over the population of the study area.

[9] The HDI is: "A composite index measuring average achievement in three basic dimensions of human development: a long and healthy life, access to knowledge and a decent standard of living." (UNDP, 2009: 15).

Central to this study is the notion of participation, and it should be distinguished from other forms of 'public involvement.' Participation can be defined as "a process by which stakeholders influence decisions which affect them" (Hughes, 1998: no page number), thus bringing the public into the decision making process. *Consultation*, on the other hand, involves a process whereby stakeholders are informed of the intentions and effects of a planned project to allow for better decision making by the organisation implementing the project, but have very little to no control or influence over the process. The difference between consultation and participation is therefore the degree to which those involved in the process are able to "influence, share, or control the decision making" (World Bank; in Roberts, 1995: 224). For the purposes of this report, then, participation involves those directly affected by a project becoming involved in actual decision making, while consultation refers to simply being told about the intentions of project planners and being allowed to raise issues, with little direct decision making exercised by affected communities.

Beyond the importance of participation, the results of the 'development' project examined in Ferguson's work highlights the role of power in the practice of 'development', which can be discussed on two levels. Firstly, at an abstract level, Escobar argues that "development can best be described as an apparatus that links forms of knowledge about the Third World with the deployment of forms of power and intervention, resulting in the mapping and production of Third World societies" (Escobar, 1995: 213). Although Escobar may be criticised for such a broad and all-encompassing assertion, what these two authors illustrate is the important role that power plays in 'development.' Those aiming to 'bring development' often interpret the site and people of reception through a particular discursive framework that constructs the problem in a specific way that may not objectively reflect existing reality. Furthermore, as Ferguson (1994) shows, the practice of 'development' also has the potential to introduce new structures of power and subordination.

Secondly, the manner in which 'development occurs can be a reflection of broader relations of power in society, and can reflect the interests of those 'doing' the 'developing'. In this regard, Wright (in Cock, no date) provides a useful way to conceptualise power by distinguishing three

forms of power. Economic power is "based on the ownership and control of economic resources," state power is "based on the control of rule-making and rule-enforcing capacity over a given territory," and social power is "rooted in the capacity to mobilise people for cooperative, voluntary action of various sorts in civil society" (Wright, quoted in Cock, no date: 10). One may argue that the process and outcomes of 'development' will depend largely on the balance of these various locations of power. In order to ensure participation in 'development', the pursuit of justice and the protection of nature, a strengthening of social power is necessary (Cock, no date). Power and participation are thus integrally linked in the 'development' process, as the environmental justice movement in South Africa is integrally aware.

2.2.5. Environment and 'Development'

Sachs (1999) argues that the 'development' era has produced two important results: firstly, a heightened polarisation of the world between rich and poor, 'developed' and 'underdeveloped' countries. Secondly, it has produced a crisis of nature, in that the dominant 'development' path based on ever-increasing production has meant that the global economy has "outgrown the capacity of the earth to serve as mine and dumping ground" (Sachs, 1999: 25). The stratifying social and ecological effects of the dominant paradigm of 'development' highlight the need to reconceptualise 'development' in relation to ecological limits within a broader frame of the interconnections between humans and their environments. This section will provide an overview of the various cultural and institutional conceptions of the relation between humans and nature.

'Sustainable Development'

'Sustainable development' endorses the discourse of ecological modernisation,[10] and was defined by the World Commission for Environment and Development (Brundtland Commission) as "development that meets the needs of the present...without compromising the ability of future generations to meet their own needs" (WCED, 1987: 8). The concept arose at a time when countries of the North were asserting the importance of the environment while those of the South

[10] The ecological modernisation view has as its core orientation the concept of "sustainability". It asserts that society should adopt preventative measures to avoid the environmental harm that economic activity results in rather than curing after harm has already been done. That is, ecological modernisation can be profitable, for instance, through increased efficiency and development of new technologies (Harvey, 1999). It thus presents an instrumental view of nature and a reliance on technology to solve environmental problems (Cock, 2007a)

were expressing their rights to 'development.' The Brundland Commission therefore developed the concept to bridge the discursive and practical gap that existed between environment and 'development,' nature and justice.

However, as will be discussed below, its vagueness has also allowed for different meanings and interpretations of the term 'sustainable development' and for many divergent, and dominant, interests to be presented through it (Hajer and Fischer, 1999; Sachs, 1999). It has therefore been easily incorporated into the neoliberal approach to 'development' (Bond, 2002). Sachs (1999) identifies three main perspectives on sustainable development: the contest perspective, the astronaut's perspective, and the home perspective. It may be argued that the contest perspective most embodies the presently dominant practice of 'sustainable development' in the neoliberal era, but there is a degree of overlapping between the approaches.

The *contest perspective* acknowledges that 'development' should be spatially restricted to the countries of the North. A central concern is how to integrate environmental concerns with concerns for economic efficiency and accumulation, and protection of the environment becomes a vehicle for economic growth through new business opportunities and pressure to utilise resources in more economically efficient ways. The environmental predicament is thus seen as a result of the inefficient allocation of resources. There has thus been a shift from protecting nature to protecting the productivity of natural resources for economic use. 'Development', instead of nature, is now the principle object of concern and the perceptual frame has shifted from "the conservation of nature to the conservation of development" (Sachs, 199: 33), or from 'sustainable development' to 'sustaining development' (Bellamy-Foster, 2002).

The principle concern of the *astronaut's perspective* is 'planet earth', a collection of clouds, oceans, continents and biogeophysical processes, devoid of states and cultures. It constructs the planet as a single biophysical system and as a scientific and political object. The earth is therefore seen as an entity to be managed in order to address pollution and degradation, and because pollution affects the entire globe, global multilateral agreements need to be arranged in order to rationally manage global affairs in line with environmental concerns.

The *home perspective* on sustainable development, on the other hand, is more local in its concerns, focusing on local livelihoods. The crisis of justice features prominently in this view through its emphasis on the unequal and pernicious effects of the dominant 'development' model. It is particularly concerned with control by peasant and indigenous communities over their natural resources, a control that is curtailed and diminished by the demands placed on those resources by the global consumer classes through the "growth economy" (Sachs, 199: 38), spurred by the need for 'development'. Important in this perspective is a questioning of the intensification of distance and a return to the notion of place grounded in local moralities. Bellamy-Foster, for example, argues that the current environmental crisis is due mainly to a "radical loss of place" commensurate with the spread of global capitalism, which inculcates a reductionism that excludes all values except those that serve an instrumental end, "thus dissolving all collective and ecological modes of existence, and with them any sense of inhabiting a particular locale with a particular ecology" (Bellamy-Foster, 2002: 85). The *home perspective* thus perceives a link between the crisis of justice and the crisis of nature by emphasising the importance of the state of social institutions and power inequalities in human society through which environmental degradation is mediated.

A Critique of 'Sustainable Development'

Cock (2007b) argues that the current environmental crisis is linked to the results of the current development paradigm, social injustice and exclusion, in two ways. Firstly, the poor and powerless are the most negatively affected by pollution and resource depletion. Secondly, the richest 20% of the world's population consume 80% of its resources. The Johannesburg Memo (Sachs *et al*, 2002), which was written for the Johannesburg Summit on Sustainable Development, thus calls for 'wealth alleviation' rather than 'poverty alleviation', highlighting overconsumption in the industrialising countries and inequalities of power as the main problems of environmental degradation and lack of environmentally successful 'development' for the poor populations of the world. The nature of the current ecological crisis is therefore intricately linked to the current 'development' paradigm that encourages economic growth and increased consumption, and would therefore inevitably imply a rethinking of the current economic system.

However, the concept of sustainable development as it is currently practiced within a neoliberal paradigm does not imply any alternative form of 'development.' Indeed, it has displayed a notable lack of engagement with 'development' theory, due largely to its origins in the northern environmental movement, and as such largely reflects the tensions within that movement (Adams, 1995). Hence it has been linked to 'development' in ways that fail to critique the dominant 'development' model but rather serve to legitimate it. Due to the vagueness of both the concept of 'sustainable' and of 'development', it has been easily incorporated into neoliberal approaches in the pursuit of economic growth (Sachs, 1999). In the words of Bellamy-Foster, "Sustainable development...is essentially the same things as economic growth" and 'sustainable development' has become about "sustaining development" (Bellamy-Foster, 2002: 79).

As such, the words the discourse uses, such as 'needs' and 'generations', are socially neutral and ignore any class considerations around social inequality. Many discussions around 'sustainable development' call for a combination of economic growth, social equity and environmental protection, but such formulations do not provide any meaningful guide for local application, nor do they recognise the inherent political and social tensions between the three objectives (Brechin *et* al, 2003). Nor does it demand any reduction in the consumption of resources and the generation of pollution by the rich minority (Cock, 2007b). Rather, it emphasises the importance of economic growth. However, this fails to acknowledge distributional issues in terms of poverty and environmental problems, nor the ability of the planet to sustain infinite growth. Through an approach based on ecological modernisation, it offers technicist and reformist solutions to problems that have much deeper structural and political sources, relying on science to solve environmental problems. It recognises the need to preserve nature not as "a treasure to be preserved," but to ensure the continued productivity of natural resources for economic use. Nature is therefore reduced to a store of economic resources to be efficiently allocated in pursuit of optimal production. As Adams argues, "The success of mainstream sustainable development is due very largely to the compatibility of the technocratic, managerial, capitalist and modernist ideology it draws from northern environmentalism with Western economic development theory and development practice" (Adams, 1995: 93).

Cock therefore argues that environmental justice is a more viable alternative to 'sustainable development' because it recognises the links between human actions and the environment and the ways that unequal social relations manifest themselves in nature, thus further impacting reciprocally on human relations. The environmental justice movement therefore places inequality at the centre of its analysis, which directly challenges the dominant discourses, and recognises that the impacts of environmental hazards tend to be socially and spatially differentiated parallel to the distribution of wealth. Furthermore, the environmental justice discourse is more cognizant of "how power relations define and reproduce development itself" (Hallowes and Butler, 2002: 52). This study therefore situates itself within an environmental justice perspective.

2.3. CONCLUSION: A Critical Approach to 'Development'

This research therefore takes the position of 'alternative development', or a 'critical' approach to 'development', while remaining mindful of the relational and historically, socially, politically and discursively structured nature of the meaning and content of 'development' and its practice thereof. As Saul (2006) argues, to reject any idea or practice of 'development' is too totalising and denies the material gains that have been made through 'development', such as technology and medicine. As such, to avoid "losing the baby when we throw out the bathwater" (Sutcliffe; in Saul, 2006: 35), instead of completely doing away with any idea of 'development' one needs to understand the ways in which 'development' has been mediated through a global terrain of inequalities of power and wealth. In Saul's conception then, the problem is not 'development' in and of itself, but the manner and context in which it has been practiced and the results of which have arrived in forms that reflect such inequalities, which result to a large extent from the dominant global capitalist mode of production.[11]

In South Africa, however, the relations through which 'development' has been mediated have also occurred at the national level, not necessarily as strongly connected to global forces of capitalism, but through the ideologies and goals of apartheid social engineering. The historical

[11] This assertion is not intended to preclude an appreciation of such other non-economic potential aspects of subordination as culture, knowledge, gender, ethnicity and so forth.

legacy of Bantustans and their designation as a site of 'development' practice from the early 1900s, and their portrayal in later apartheid years as in the interests of 'development' in general (see Beinart, 1984 and Tapscott, 1995 respectively; and as will be discussed in greater depth in Chapter 5), thus precipitate an approach to overcome the historical effects of social and economic subjection, as well as present realities of inequality. Furthermore, to disparage the potential gains desired by the communities presented in the AmaDiba case study through 'development', real or perceived, may risk potentially denying local agency and denigrating local social aspirations. This study therefore adopts an approach to 'development' that is historically located and grounded in an appreciation of ecological limits (and opportunities) and social justice, as will be expanded upon in the following chapter.

Chapter 3
COMPARATIVE CASE STUDIES

3.1. INTRODUCTION

This chapter will provide two brief case studies so as to draw tentative comparisons with the proposed mining at Xolobeni. The case of St Lucia briefly describes the opposition to a proposal to mine the sand dunes of the Eastern Shores of Lake St Lucia by Richards Bay Minerals (RBM). A key feature of the environmental movement that opposed such mining was its race and class character, which illustrated a concern for plant and animal species but little regard for the social needs of the former inhabitants that had been removed from the area to make way for various colonial and apartheid plans. This represents a key difference to the environmental movement organised around the proposed mining at Xolobeni, which has illustrated a greater awareness of the link between environmental issues and social issues. The case of Anglo Platinum's Potgietersrus Limited (PPL) mine in Limpopo Province illustrates the potential future that awaits the people of Mgungundlovu if the mining were to go ahead. It illustrates the decrease in quality of life and the struggles that communities surrounding the mine face largely as a result of the mine-associated activities of PPL.

3.2. ST LUCIA

In the late 1980s, Richards Bay Minerals (RBM), co-owned by Rio Tinto and what is now BHP Billiton, began processes aimed towards mining the dunes of the Eastern Shores of St Lucia for titanium, but a strong environmental campaign eventually halted these plans. However, the battle that ensued between mining supporters and conservationists highlighted a number of social and environmental questions. The conservationist argument illustrated different interests and concerns in relation to the environment, particularly between a mainly white, affluent public body concerned with strict biodiversity and species conservation on the one hand, and communities that had been dispossessed of the land in question, on the other. Although the land rights of local forcibly removed local communities did come to feature in the debates over

mining and tourism (Walker, 2008), the struggle to prevent this project from occurring involved a strong environmental argument that largely ignored the realities of local black populations that had been removed from the area around Lake St Lucia under various colonial and apartheid directives.

St Lucia is situated on the northern coast of KwaZulu-Natal and is an area rich and natural and cultural heritage. St Lucia Estuary is the largest in Africa and serves as an important breeding ground for turtles and for other fish and marine species. The sand dunes that separate the lake from the ocean are the highest coastal dunes in the world, and the area contains a number of natural ecosystems, including swamps, lake systems, wetlands, and coastal forests (Magi and Nzama, 2010). It was also recognised by the Ramsar Convention as containing four wetlands of international importance and was designated as a World Heritage Site in 1999. St Lucia is situated in what was formerly known as the Greater St Lucia Wetland Park, which was renamed in 2007 to become the iSimangaliso Wetland Park, the third largest National Park in South Africa.

The St Lucia area has a history of forced removals, beginning under colonialism to make way for 'Crown Land'. Until this time, the people living there had practiced shifting agriculture and through utilising local resources altered the landscape in ways that did not jeopardise the underlying integrity of the ecosystems (Thompson, 2002). In 1927 a nature reserve was proclaimed over Lake St Lucia and in 1938 this was extended to the Eastern Shores, thus further restricting access to these areas for local residents (Walker, 2008). Also around this time, the beginnings of the resort town of St Lucia were established at the estuary mouth, which meant that homesteads in this area had to shift north and the community as a whole lost their access to the estuary mouth. In the 1950s, 25 000 hectares on the Eastern Shores were demarcated for the Cape Vidal Forest Reserve and only those willing to work for the Department of Forestry on the pine plantations it had established in the reserve were allowed to remain in the area, while the rest were removed (Walker, 2008). From the 1950s to the 1980s, about 1 200 households were dispossessed from their land in what is now known as the iSimangaliso Wetland Park (Walker, 2008). In the 1970s, the Department of Minerals and Energy then granted prospecting rights for titanium mining on the Eastern Shores to RBM and other companies.

From the beginning of the St Lucia controversy, the important role played by public opinion and action was illustrated. In 1989, RBM announced in a small Zululand advertisement that it was going to mine the dunes of the Eastern Shores for titanium. The government had already quietly granted permission based on an initial impact study. However, after *The Star* newspaper started a petition with the then Wildlife Society and another newspaper that gathered 360 000 signatures, and the Campaign for St Lucia was started, the cabinet ordered a full environmental impact assessment (EIA) study to be conducted (*Saturday Star*, 1993).

The EIA was the largest EIA ever conducted in Africa and cost about R4 million. The two forms of land use that it examined were tourism and mining, and although those that conducted the EIA were of the belief that both tourism and mining could co-exist (Kruger *et al*, 1997), the review panel established to make a ruling on the EIA made a decision against the mining and in favour of tourism. This panel was composed of five appointed specialists that were independent of the proposed mining operations and was instead appointed to act in the public interest. This is contrasted to the present situation with regard to proposed mining projects, where the department concerned with mining, the DME, reviews and makes decisions on EIAs.

The environmental movement that mobilised against the mining proposal included the Wildlife Society (now WESSA), the Save St Lucia Campaign, the Zululand Environmental Alliance and the St Lucia Action Group. Even international conservation bodies became involved and pressured the National Party government of the time not to award the right to mine. In 1991 the president of the International Wilderness Leadership Foundation met with the then Minister of Environmental Affairs and asked him to intervene (*The Star*, 1991) and in 1993 the Ramsar Convention released a report which urged against the mining (*The Star*, 1993). These environmental groups made successful use of petitions and strong media campaigns, combined with an impending ANC administration eager to display its environmental credentials, to successfully halt the mining plans. However, a key feature of these groups in the St Lucia struggle was that they failed to adequately consider the plight of the previously removed, poverty-stricken black population that were staking claims to the land that they had lost. In their protestations to the mining, they mainly emphasised the biodiversity value and biological significance of saving St Lucia, as well as the importance conservation of the area played to the

national and international interest based on St Lucia's unique ecosystems and tourism credentials. These justifications were therefore based on elevating the arguments for protecting St Lucia above the history and the existing rights and needs of the surrounding rural populations. As organisations, their orientation was illustrative of a tendency in South Africa for mainstream environmental organisations to focus on issues of species loss and habitat destruction with very little attention directed towards social needs (Cock, 2006). As one activist from Save St Lucia Campaign said, "It was nothing deliberate, but the people haven't been foremost in the minds of the Campaign for St Lucia" (quoted in Marais, no date: 34).

As a response to this situation, a small group of people developed the 'People and Parks' programme which, according to an informant that was involved in this programme, as well as the Save St Lucia Campaign (SLC) and the Group for Environmental Monitoring (GEM), attempted to bring communities and the conservation lobbies closer together "in ways that would open up dialogue, showcase some of the good practice that was emerging, give people creative ideas for how to include people in conservation and not this very narrow bureaucratic approach to conservation which had been very much grab land, fence it, preserve whatever's inside it and not worry about the rest of the country" (Fig, Interview, Johannesburg, 17/10/2009). The rights of local people therefore did eventually come to be considered in the debate of mining and tourism at St Lucia, but only later in the process.

The EIA was significant because it was the first EIA in Africa that involved a high degree of public participation (Kruger *et al*, 1997). However, while the interested and affected parties represented a wide range of sectors, local communities were weakly represented and participation by them was marginal. As Thompson argues, "The major shortcoming was the limited terms of reference of the EIA, which failed to accommodate the complexity of issues involved in land-use options for the area" (Thompson, 2002: 204). This can largely be attributed to the technical, expert-driven nature of the EIA which aimed towards consensus rather than highlighting differentiation and points of division.[12]

[12] "The design of the process excluded adjacent communities by producing an 'expert-led outcome instead of developing consensus over the issues' in order to build a common vision. Thus, while the realities facing the 'affected parties' were claiming victory for 'saving the dunes', the realities facing the 'affected parties' presented complex and serious problems needing to be resolved before a decision should be made on what land-use option or

Although efforts were eventually made to include the relevant communities in some way, it did not take into account the history of dispossession (see Walker, 2008) and the consequent land claims from local communities (Kruger *et al*, 1997). Eventually the review panel's decision on the proposed mining did emphasise the importance of social justice and the rights and entitlements of local communities, but these communities were not included in decision making during the impact assessment process and nor was there a representative of the communities on the review panel (Koch, 1993; *Mail and Guardian*, 1995). The lack of participation and consideration for local community members was further illustrated by the fact that when community members attended the panel hearings on the EIA to give evidence, they thought that the panel was dealing with their land issues and was there to give their land back to them (Fig, Interview, Johannesburg, 17/10/2009).

Reinforcing this inadequate consideration of local communities was the social impact assessment (GEM, 1993). In this regard, the EIA further excluded local communities as "[n]o proper evaluation was made of human benefit offered by the wetlands, something entrenched as much in the rights of local people as in the spiritual integrity of wilderness itself" (Kirby, 1993). The EIA was therefore also criticised for not taking into account the sense of place factor in considering the option to mine.

The review panel eventually made a decision against the mining and in favour of tourism, given that "[m]ining would constitute a 'leap in the dark' in disturbing a system of unique and special value" (Kruger et al, 1997: 29). This decision was therefore based largely on the 'precautionary principle' – the notion that decisions should only be made based on the knowledge that potential actions will not cause environmental harm (Kruger *et al*, 1997). In this way, the potential environmental consequences of the mining option were strongly considered by the body set up to review the EIA. More broadly, the decision against mining was based on two considerations. Firstly, intrinsic value of the Greater St Lucia area because of its ecological characteristics. A second consideration was the sense of place indicated by commentators on the issue and by

options should be implemented on the Eastern Shores...In short, the processes of the EIA had not allowed for the complex and changing social and political dynamics of the issues involved" (Thompson, 2002: 204).

representatives of communities who had lived there before removals to make way for state forests. In 1996, the new ANC administration ruled against the mining option in favour of developing tourism in the area.

This case study also illustrates a contrasting role played by the ANC to that it has played in the Xolobeni case study. Because of sanctions against South Africa and the consequent short supply of foreign exchange, it was the policy of the pre-1994 government to expand the mining base of the country in order to earn foreign exchange (Thompson, 2002). The Department of Minerals and Energy was therefore determined that the mining should go ahead and that it would make the decision before the new ANC government took over the administration of South Africa.[13] However, the ANC responded that, "In the context of the impending political transformation in South Africa, it is presumptuous in the extreme for the present apartheid minority government to make a unilateral decision on an important international issue such as the mining at St Lucia" (quoted in Kirby and Pooley, 1993). This illustrates how the EIA tool is inserted into a context characterised by contesting political and economic dispositions and the interests of particular actors in the process. With the same EIA report, the NP government wanted the mining to go ahead while the ANC was of a different view. In this case, it was a particular image that the new ANC government aimed to promote. As a representative of the ANC at the time declared, "When we are in government it will not be business as usual with regard to the environment. We are committed to the principal of sustainable development. The outcome at St Lucia strengthens this resolve." (quoted in Koch, 1993). An important difference that will be shown with regard to the proposed mining at Xolobeni is that in contrast to this focus on the environment, the state sector concerned, the DME, has shifted the debate from the environment to a focus on 'development'.

3.3. ANGLO PLATNUM'S POTGIETERSRUS LIMITED (PPL) MINE AND SURROUNDING COMMUNITIES

Anglo Platinum's mining operations in Limpopo are situated in the Bushveld Mineral Complex, which covers a distance of 400km from North West province, across Limpopo and into

[13] The then Minister of Minerals and Energy, George Bartlett was adamant on this point, stating as justification that "South Africa is a mining country...Mining is what this country has always done and will always do" (quoted in Kirby and Pooley, 1993).

Mpumalanga, and contains 88% of the world's platinum and palladium reserves. Anglo Platinum is the world's largest platinum producer. It controls 60% of the world's known platinum reserves and is responsible for 40% of the global supply of the mineral (ActionAid, 2008). In 2007, it recorded a profit of US$1.75 billion, aided by an increasing world demand for platinum for its use in catalytic converters in car exhausts. In 2008, its profit increased to R17.7-billion. Of this, it spends about 1% on 'local economic development' (ActionAid, 2008). The PPL mine was established in 1991 and has proven extremely profitable to Anglo Platinum, making an operating profit of R3.56 billion between 2005 and 2007.

The province in which the PPL mine is situated is the poorest in the country in terms of average income. Two-thirds of the Limpopo's population live in poverty, while 40% live in 'ultra-poverty', which is defined as living on an income of less than R2 717 per year (ActionAid, 2008). The communities living around the PPL mine are highly dependent on subsistence farming, including cultivation and livestock keeping, which takes place on communal land. The unemployment levels are high and most gain cash incomes through social grants, aside from farming. The level of basic services is very low, and water is accessed mainly from boreholes and streams.

Given the prosperity experienced by Anglo Platinum and its PPL mine, and the negative social indicators describing Limpopo Province and communities surrounding its mining operations, one may expect that its mining activities would provide significant social and economic benefits to surrounding populations. However, a report conducted by the NGO, ActionAid, finds that "not only are many communities' livelihoods being destroyed, people are also struggling to access decent water supplies, housing and land...Fourteen years after the end of apartheid, a new wave of displacements is occurring in South Africa, as poor villagers are being forced to make way for the 'new gold' – platinum." (Action Aid, 2008: 7-8).

As PPL expands its operations, through the construction of a large tailings dump for example, it encroaches onto surrounding communities' living space and agricultural land, which results in inhibited access to natural resources by affected communities. Because of this, communities have to be relocated. In 2007, phased relocations from Mohlohlo, consisting of Ga-Puka and Ga-

Sekhaolelo villages, began and involve relocating 10 000 people. The terms of the relocation, however, are contested by many villagers, including the amount of compensation provided for relocation, the loss of agricultural and grazing land, the amount of land available in the new villages and so forth. In 2003, 7000 residents of Ga-Pila village were relocated to make way for the expansion of the PPL mine. Each family was offered R5000 to move and a new house in the village to which they were relocated. However, twenty-eight families refused to move and their water and electricity were consequently cut off (Dor, Interview, Jubilee, Johanessburg, 20/10/2009). Furthermore, the areas to which they are moved often lack basic services. These sites are also higher up in the hills and so the land is less fertile and the water less accessible (Dor, Interview, Jubilee, Johannesburg, 20/10/2009), and there is insufficient access to land for grazing cattle and growing crops (Mayher, forthcoming).

Along with removals, many graves have been exhumed to make way for mine extensions, with little regard for their integrity. In the case of one village, Sekuruwe, "Beautiful gravesites that were more than 60 years old that had been set under trees with stone formations around them were removed with construction equipment, in violation of regulations for exhumation of graves of this age" (Mayher, forthcoming: 6). Furthermore, little respect is afforded to the bodies being reburied, with empty coffins and the wrong bodies sometimes being put back into the ground. Given the importance of the role ancestors in the cultural practice of the affected people, this has significant implications for long-held traditions (Mayher, forthcoming).

A common action on the part of Anglo Platinum is to obtain a lease agreement on land inhabited and farmed on by local residents without any involvement or consultation by these residents and then proceed to fence off such land, in some cases with high security fences (ActionAid, 2008: 34). The result is that villagers who have refused to relocate are cut off from access to their most important resources, as boreholes and land are enclosed into a space now the property of Anglo Platinum. This has also happened to the villages of Ga-Chaba and Ga-Molekane, of which there are no plans to relocate them but still live adjacent to the mine. Where water has been delivered by PPL as a result of these obstructions to water access, delivery has been irregular and unreliable (SAHRC, 2008). In the village of Ga-Molekane, an independent water expert commissioned by Action Aid found that the water was unfit for human consumption. However,

Anglo Platinum rejects this claim, arguing that its own tests show that elevated levels of nitrate in the water are from the nearby pit latrines at the local school and not the mine (SAHRC, 2008).

The most important source of livelihood for the communities living around the PPL mine is land. However, it is a central issue around which much of the contention has arisen as people are separated from an important source of production. For example, the villages of Mohlohlo were removed from their land to make way for mine expansions, and thus removed from their principle source of livelihood. When villagers that remained at Ga-Pila attempted to plough land that had been fenced in by Anglo Platinum but was lying idle, they were arrested for trespassing (ActionAid, 2008: 19). Although they have been allocated land at their new relocation sites, this is in the form of household plots only, with no communal land, and the larger farms that have been provided by PPL are more than 40km by road from the relocated villages. Furthermore, the 1 230 hectares of potential grazing land at one relocation site is provided to the section 21 companies (which will be discussed), not the broader community (ActionAid, 2008: 27-28).

Furthermore, at Ga-Chaba village (which is not planned for relocation), hundreds of hectares of community farming and grazing land was fenced off to make way for expansion plans. The result is that around 300 households have much less land available to them, and community members claim that the remaining land is less productive than that claimed by PPL. This means that villagers are no longer as capable of feeding their families and therefore have to spend more of what little cash income they generate on buying food (ActionAid, 2008: 34). These are common patterns of discontent expressed in all affected villages, resulting from the enclosure of previously common resources to be directed towards the production needs of an individual entity. These acts constitute clear obstructions to environmental justice, as access to resources becomes extremely unequal, or such access is lost, through extremely undemocratic means.

Serious effects on the land, water and air in the area around the mining operations have also been documented (Mayher, forthcoming). According to the ActionAid report, a report commissioned to test water quality in the area found that there was serious water pollution at four sites around Anglo Platinum's mines and was unfit for human consumption. The water contained high levels of total dissolved salts, sulphate and nitrate, which was attributed to the mining activities

(ActionAid, 2008). One of the villages, Ga-Pila, has also had its water source, important for household use and agriculture, cut off by operations related to mining (Dor, Interview, 20/10/2009).

Anglo Platinum claims that a vast amount of consultation is undertaken with affected communities to ensure that the new sites to which they are resettled are at least as satisfactory as their previous settlements.[14] However, such a claim stands in stark contrast to the evidence presented in the ActionAid report and by a report produced by the South African Human Rights Commission (SAHRC, 2008). A key mechanism for community consultation is section 21 companies, of which there are 15 around the PPL mine. These are not-for-profit companies, set up by Anglo Platinum under South African company law in order to represent the communities. However, these have been formed by Anglo Platinum without consultation of communities. However, they are the only 'community organisations' that Anglo Platinum deals with. Thus when Anglo Platinum refers to consultation with the community, it refers to consultation with the section 21 companies. However, community members do not feel that these companies are representative of them as there is little to ensure accountability, both financially and in terms of democratic control (ActionAid, 2008: 16). However, when consultation does occur, the ability of communities to engage effectively is hampered by the imbalance of information and resources. As the Bench Marks Foundation noted in a report on the platinum mining industry in the North West Province, "The problem [regarding consultation] is that there is a vast imbalance in knowledge, resources, wealth and power that underpin such engagements, and most communities are often cowed by the sense of expertise presented by corporations at such gatherings" (Bench Marks Foundation, 2007: 16).

Furthermore, in undertaking its plans, Anglo Platinum also tends to co-opt local leaders. For example, in 1993, Anglo Platinum signed lease agreements with the local Chieftainess for three farms used for agriculture by the Ga-Puka community. It paid the Chieftainess an R850 000 lump sum and R5000 rental for each farm per year. However, the Ga-Puka community claim they have seen none of this money (Mayher, Interview, ActionAid, Johannesburg, 25/08/2009).

[14] For example, with regard to the relocation of the Mohlohlo communities the company states that, "The move, necessitated by the expansion of operations at the mine, is the culmination of years of consultation and negotiation involving the communities, tribal authorities and local and provincial government" (cited in ActionAid, 2008: 25).

As with the case of Xolobeni, the role of DEAT has been minimal, while the role of the DME has largely related to accommodating the mining companies. According to an activist working with affected communities, DEAT's response to queries is that there is little it can do in relation to the DME (Mayher, Interview, 25/08/2009). This is illustrative of the power that the mining department has been given in relation to environmental regulation of the mining industry, where the DEAT is limited to a commenting authority in terms of the actual mining activity (discussed in Chapter 5). That is, in terms of environmental management, the authority responsible for environmental regulation of the mining industry is the DME.[15] But as Mayher argues, "[DME] is rolling out the red carpet for mining companies" (Mayher, Interview, 20/08/2009). It is very insular and unresponsive towards the complaints of communities and activists. As another activist described, the DME is "unapproachable...essentially it's a closed door" (Dor, Interview, 20/10/2009).

Furthermore, allegations of state politicians benefitting from the mining and dislocation of communities have been rife. For example, the former Premier of Limpopo, having allegedly known that Anglo Platinum would be relocating certain communities, bought a nearby farm and then sold it to Anglo Platinum as a relocations site for a profit of R1 million (*Mail and Guardian*, 2009). As Mayher emphasised, "So when Gapila community writes to the Premier of Limpopo but the Premier is profiting off of your relocation, you're screwed. How are you going to get anyone to listen to you if that's what they're willing to do? I mean, with full knowledge of the relocation" (Interview, 25/08/2009).

In response to the intrusions of mining activities and the actions of government and mining companies, local communities have formed local structures aimed at providing support to communities and challenging the perpetrations committed against them. In this regard, outside organisations have also played an important role. Activists formed a local Jubilee branch, called the Jubilee Mokopane Platinum Committee, which engages in activism and provides logistical support to communities that are under pressure in terms of removals, arrests and so on. Organisations like ActionAid and Jubilee have assisted communities based on a number of

[15] See Appendix A for an explanation of environmental management and mining in South Africa.

strategies (Dor, Interview, 20/10/2009). These have included helping communities become aware of what their rights are, assisting in terms of information about understanding the mining processes occurring around them and helping them assert to mining companies that they have to be given sufficient time and information to understand potential activities emanating from the mine that will affect them. In this regard, the human rights lawyer, Richard Spoor, has played a key role in defending communities against the mining companies, for example, after they have been arrested for various reasons, and in challenging companies for their human rights abuses. According to Mayher, "the most important thing that we're trying to do, and really the community is driving this, but basically, is trying to empower the communities to – not empower them, I hate that word – but support the communities in their work to be able to be listened to and have a voice in their lives and things like that" (Mayher, Interview, 20/08/2009).

Mobilisation has also been a key factor. Jubilee and ActionAid have been involved in supporting communities in organising and mobilising local structures through which they can engage the mining companies on a stronger footing and demand their rights. Linkages have then been created between affected communities through linking the village level structures and then linking these structures to Jubilee structures at regional level. Steps have also been taken to put them in contact with other communities from other parts of the country that are similarly affected by mining. Preparations are also being made to officially pose legal challenges to the MPRDA as unconstitutional because it does not ensure adequate consultation and because it does not adequately ensure the rights of access by communities' to natural resources. Jubilee has also attempted to play a developmental role by establishing alternative local 'development' options, such as re-establishing the importance of agriculture, demarcating heritage sights and other local alternatives to mining (Dor, Interview, 20/10/2009). A key feature of resistance to the perpetrations of the mining companies in Limpopo has thus been the importance of forming networks that transcend the local context and link with outside actors and regional networks.

An important feature of the Jubilee movement is its political orientation, which recognises the need to challenge the broader structures of neoliberalism and the bias towards capital in much South African policy and state action. This has its roots in Jubilee's establishment, which was directed towards lobbying for the cancellation of South Africa's debt to the World Bank and IMF

that was incurred by the apartheid regime (Dor, Interview, 20/10/2009). From an environmental justice perspective, this task of analytically situating the processes illustrated by the above case study within broader structures of power and inequality is important. The patterns of removals and closing off of access to natural resources represents example of 'enclosure', which is one of the mechanisms of environmental injustice (Hallowes and Butler, 2002). This essentially involves the "appropriation of a common resource" and can involve the state or private interests seizing a common asset, often by force, and the state legitimating the new possessor (Hallowes and Butler, 2002: 55). Such a process is clearly evident in the above case study, with Anglo Platinum appropriating resources previously utilised by the communities, and the state supporting this process through active involvement, passivity, and a policy framework designed to secure the interests of private mining companies. Harvey (2005) has similarly described such a procedure as "accumulation by dispossession". It is therefore important to situate the above case study and the proposed mining at Xolobeni within broader social forces, such as a 'development' path based on intensive resource extraction among other environmentally abrasive practices. That is, from an environmental justice perspective, it is necessary to locate specific cases of enclosure and injustice within a broader frame of reference that questions wider structures of power and economic dominance.

3.4. CONCLUSION

The case of the struggle to prevent mining at St Lucia has highlighted important facts about the roles played by the various actors. It indicated the importance of public mobilisation in protecting South Africa's natural environment against projects that would disturb the ecological integrity of these spaces. However, it also showcased the conception of most of the environmental organisations involved that focused on the arguments of habitat protection at the expense of social needs. The status of the rural populations living around St Lucia was eventually only highlighted by the 'People and Parks' lobby and recognised by the review panel's decision on the mining. While the EIA was criticised on many fronts, it had nonetheless undertaken a relatively in-depth investigation of a mining option as well as a tourism option, which allowed for a balanced assessment to be made, including by the public. However, the

final decision over whether to mine also indicates the importance of the prevailing political and economic context in influencing the processes and outcomes of 'development'.

The case of Anglo Platinum's PPL mine served to briefly illustrate some of the potential dynamics and effects of mining operations on local communities, specifically with regard to quality of life and local livelihoods. It argued that such a situation should be linked to patterns of power and inequality and their interaction with the practice of 'development'. It has provided a warning to future mining prospects at Xolobeni, where, as will be shown, there are social dynamics that would most likely divert any potential benefits away from the affected communities and leave them in a situation similar to that described in this case study.

Chapter 4

RESEARCH SITE

4.1. INTRODUCTION

This chapter aims to provide a description of the research site where the proposed mining would be located and would most directly impact, namely Mgungundlovu, situated in the Amadiba Tribal Area in Pondoland. It provides a brief geographical description of the area and then moves on to describe the social context by discussing demographic characteristics, the levels of service provision, and the main sources of survival of the people of Mgungundlovu. These descriptions are situated within the argument that it is empirically and analytically inaccurate to conceptualise the communities of Mgungundlovu in strictly 'traditional' terms as this may risk posing the them in a way that is inconsistent with their desires in relation to 'development'. However, it goes on to illustrate the people of Mgungundlovu's strong connections to the land and the consequent centrality of land in local conceptualisations of social, political and economic change. These two qualifications are important in understanding local conceptions of 'development' as well as what kind of 'development' may be appropriate for the area.

The chapter will conclude by using this description of the local social context to raise questions as to the viability of imposing a 'development' project like the proposed mining onto a community, with the implicit assumption that it is a blank slate, and that they will be 'developed' as a result. This relates to Ferguson's (1994) argument on the 'unintentionality' of 'development' outcomes that are produced out of the interaction between the discursive content of 'development' programmes and local social institutions and discourses.

4.2. GEOGRAPHY AND ECOLOGY

The site of the proposed Xolobeni Mineral Sands project is situated in Pondoland on the Wild Coast of the Eastern Cape, about 250km south of Durban. The nearest coastal town is Port Edward, which is about 8km North of the northern-most boundary of the proposed mining tenement area. It is situated within the Mbizana Local Municpality, which falls under the OR

Tambo District Municipality. The admininstrative centre of the local municipality is the town of Mbizana, situated about 60km north-west of the proposed mining area.

The site of the proposed mining falls within the Amadiba Tribal Area. The Amadiba area is divided into two zones: the coastal zone (Section 24), also known as Mgungundlovu, and the inland zone (Section 21). While there is a single chief for the whole of AmaDiba (currently Chief Lunga Baleni), below the chief there are two headmen, one for each zone. The reason for this goes back to the 1800s when the magistrate for the area decided, after surveying the boundaries of AmaDiba on horseback with the chief at the time, that it was too large an area for a single chief to administer, and so required that the area be divided in two with a headman to administer each (Zekulu, Interview, Mtentu Village, 08/07/2009). The result was the coastal zone (Mgungundlovu) and the inland zone. As the proposed mining will operate on the coastal dunes of AmaDiba the current research was primarily carried out in the villages of Mgungundlovu.



Fig 4.1. The red sand dunes of the Kwanyana block, with huts in the foreground (November 2009)

The AmaDiba area falls within the Pondoland Centre of Endemism (PCE), a coastal belt that covers 1880 square kilometres and extends inland from the sea for about 16km. It is an area of high biodiversity, and is regarded as the second most species rich floristic region in South Africa (GCS, 2007a). For example, certain studies have revealed 2 253 plant species in the area, of

which just under ten percent are endemic[16] (Payne and King, 2008). As a result of South Africa being a signatory to the International Convention on Biological Diversity, a National Biodiversity Strategy and Action Plan was drawn up and identified the Maputaland-Pondoland-Albany Biodiversity Hotspot area as a priority area for biodiversity conservation.

The Wild Coast's dramatic coastline, scenic beauty and rich floral features attract many South African tourists as well as a high number of international tourists every year, and as such it has been designated in a number of policies and programmes towards tourism development as the central 'development' strategy of the area. Such programmes and policies include the Wild Coast Spatial Development Initiative (SDI) (which identifies Nature Tourism Development Sites based on a number of criteria), the above mentioned National Biodiversity Strategy and Action Plan (which aims to link conservation with poverty alleviation and 'development'), the Mbizana Coastal Tourism Development Framework (which designates the coastline that falls under the municipality as a Tourism Development Area, congruent with the Wild Coast Spatial Development Framework), and the Eastern Cape's Provincial Growth and Development Plan (PGDP) (which is a provincial plan specifying the Eastern Cape's 'development' path aimed towards poverty alleviation and designates the Wild Coast towards tourism development).

After turning off the tarmac road that heads from the coastal town of Port Edward to the administrative centre of the local municipality, Mbizana, and onto the gravel road to Amadiba, upgraded before the April 2009 national elections, one travels through a short stretch of undulating hills and up into the flatter scenery of the inland area of Amadiba. However, on the first research trip over June and July 2009 the upgraded road soon ended and the remainder of the drive to the northernmost coastal village of Sigidi involved winding around the piles of sand deposited in order to be used in improving the road, but which had been left untouched since the elections. From an aesthetic point of view, the inland landscape is not unduly dramatic, characterised primarily by grassland dotted with clumps of alien blue gums, as well as maize fields and homesteads. In summer, however, the grassland turns a rich green. The predominant grass is *Ngongoni* grass, or *sour veld*, a very unpalatable grass and represents "the last

[16] Meaning they are only found in this area and nowhere else in the world.

successional stage of overuse" (Abbot, Interview, Port Edward, 15/09/2009). It dominates as a result of overgrazing and excessive *veld* burning, a practice undertaken to generate new grass for grazing cattle but which means that the grass is eaten before it can seed new plants.

The flat-lying Devonian sandstones of the Msikaba Group form this inland plateau, which rises approximately 100m above sea level, two to three kilometres from the coastline (GCS, 2007a). The closer one moves to the coast, the more lush and interesting the scenery becomes. The flat grassland of the inland plateau gives way to views of deep gorges and more undulating landscape. Outside of the gorges and valleys, the predominant vegetation cover remains the Pondoland-Ugu Sandstone Coastal Sourveld, which covers about 95.7% of the proposed tenement area (GCS, 2007a). The topography of the area is determined largely by the underlying Msikaba sandstone, which dips at a low angle towards the east (GCS, 2007a). The scenery of Mgungundlovu is also punctuated by the homesteads that comprise the coastal villages. These villages are not clusters of buildings in a restricted area as one might imagine a village to be, but comprised instead of family homesteads (of anywhere from one to five or six huts) dispersed over the countryside,[17] bound by a river gorge in the North and the South and the coastline on the East.

This coastal belt is thus intermittently interrupted by the larger rivers of the area, dividing the Mgungundlovu area into five villages as well as the five mining blocks (see Fig. 1 below). The project tenement area for the proposed mining begins at the Mzamba River in the North and extends South for about 21km to the Mtentu River. From North to South the five main rivers are: the Mzamba, the Mphalana, the Mnyameni, the Sikhombe, the Kwanyana and the Mtentu. The five villages within each block formed by these rivers are: Sigidi, Mdatya, Xolobeni, Mpindweni and Mtentu.

[17] This arrangement is due largely to the fact that Mgungundlovu was not included in betterment planning under apartheid (an important component of which was the clustering of dwellings in the hope of improved production and easier service delivery). Resistance to the betterment schemes was concentrated largely in the coastal zones of the Transkei and was often successful, such that about 45% of the Transkei was not subject to betterment (McAllister, 2003).

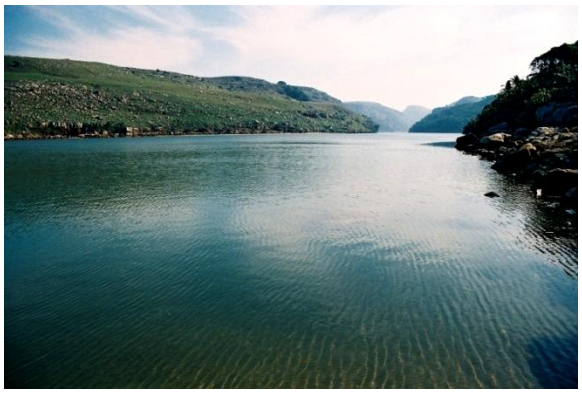


Fig. 4.2. Mtentu River Estuary

These rivers result in estuaries where they meet the coastline, which harbour a relatively high, but varying, number of fish species (ranging from 13 to 21 species recorded in the ecological impact assessment for the larger estuaries, GCS, 2007a: 4-104-164) and provide an important space for juvenile fish, once hatched in the ocean, to return and develop until mature enough to breed (GCS, 2007a: 4-112).

The area also boasts a high number of wetlands, which supply important ecosystem as well as human services. According to the environmental impact assessment undertaken for the proposed mining, the wetlands in the area are in a very healthy condition. Wetlands form an important link between terrestrial and aquatic ecosystems and provide a base of the food web which many other species depend upon. They also provide food, water and shelter for mammals and migrating birds, and provide a habitat for amphibians and reptiles for almost their entire life cycle. Wetlands provide further important functions such as improving water quality and are used by the inhabitants of Mgungundlovu for water supply, a source of natural resources, cultivation and irrigation and serve as part of the tourist attraction of the area (GCS, 2007a: 4-164-197). The wetlands also contribute to the cultural life of the local communities, as vegetation collected from wetlands is used for making reed mats, the inner lining of roofing for huts, and for the baskets out of which the traditional beer, *mqombothi*, is consumed, amongst other uses.

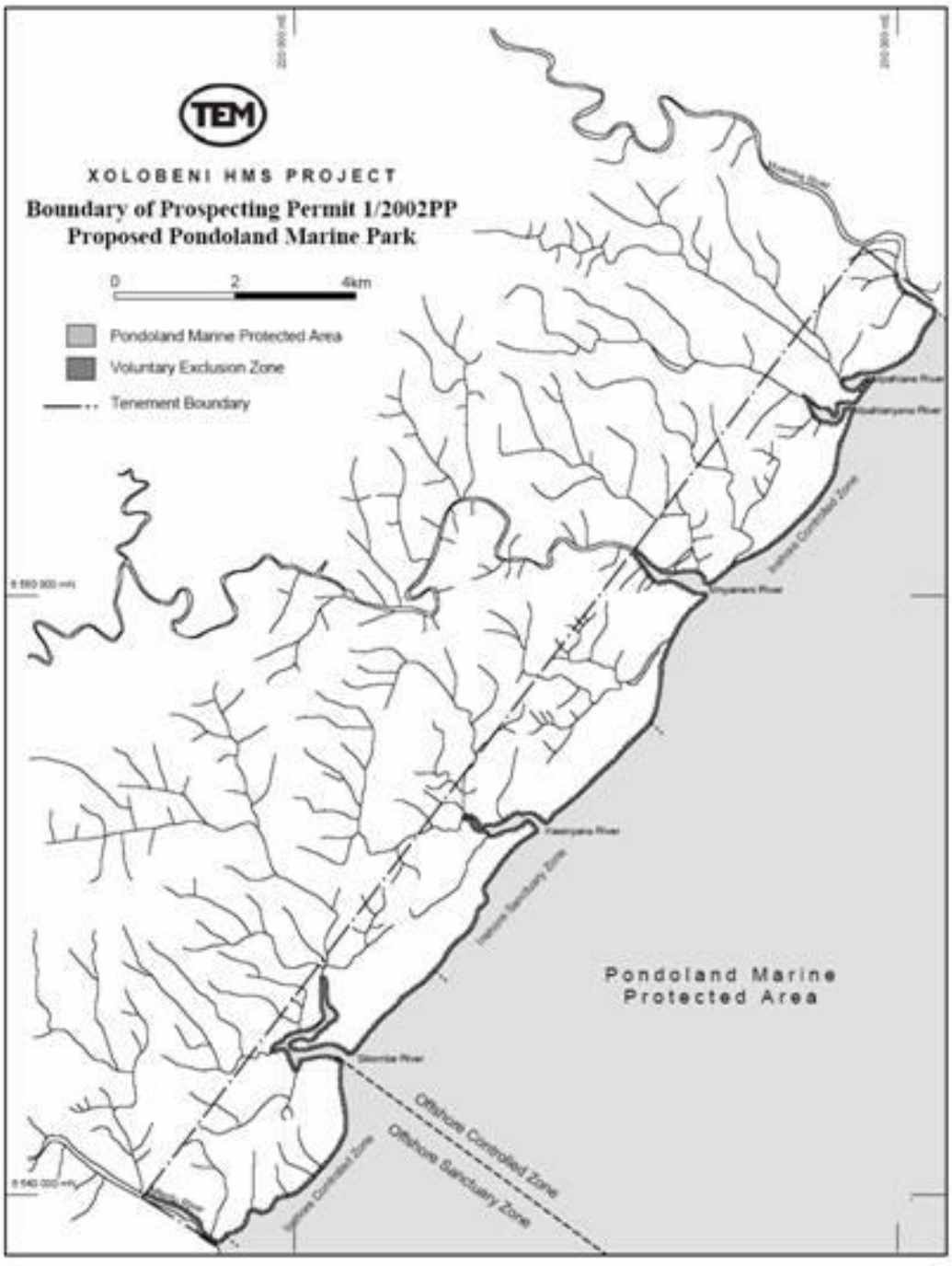


Fig. 4.3. Map of the mining tenement area, extending from the Mzamba River in the North to the Mtentu River in the South.

Source: www.wildernessfoundation.org/wildcoastproject



Fig. 4.4. Mzamba River Estuary, with a wetland in left of picture

The forest within the gorges, known as scarp forests, constitute about 1.7% of the tenement area and contain a rich array of endemic species (GCS, 2007a). The coastal plains and dunes are lushly covered in rich and varied subtropical greenery known as Northern Coastal Forest, which contains a high degree of biodiversity (Abbot, Interview, Port Edward, 15/11/2009; GCS, 2007a). The EIA, apparently ignorant of the irony, notes that although it is the least threatened of the general vegetation types, this Northern Coastal Forest is "still under threat on coastal dunes of KwaZulu-Natal (due to mining)" (GCS, 2007a: 4-43).

While the EIA identifies that floral diversity is relatively low in grassland areas, it is high in dune forests, gorges, wetlands and around estuaries, ranging from 190 species in some areas to 507 species in others, including a number of rare and endangered species (GCS, 2007a:448-76). The area also houses 143 endemic floral species.[18] However, the EIA reports a scarcity of faunal species, which it attributes to human activity.

The topography of the coastal band of two to three kilometres wide reveals distinct evidence of a human footprint that is a result of many years of interaction between natural processes and gradual human transformation of the local environment towards the fulfilment of human needs. However, according to the EIA, the local natural environment is not in pristine condition due to human activity. For example, it argues that "Inappropriate management practices have led to the loss of floristic diversity and an increase in the unpalatable grass *Aristida Junctiformis*" (GCS, 2007a: 4-37). The predominance of this tough and less nutritious grass in grassland areas

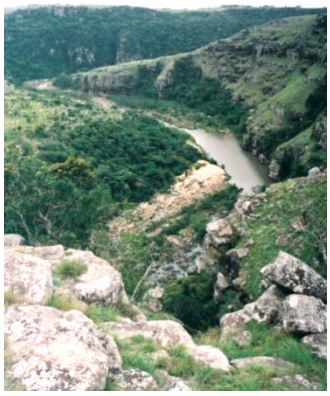


Fig. 4.5. Mnyameni River Gorge

demonstrates the ambiguity between the attitudes of the local people towards the land, one the one hand, and the exigencies raised by a dependence on the land as an important source of survival in a limited area together with social and economic pressures, on the other. However, despite certain signs of ecological strain (and the broader social context in which this should be situated) the local environment provides an essential source of survival to the communities of Mgungundlovu, and of this they are aware. Thus although scientific assessments, such as number of faunal and floral species currently present in grassland habitat, may illustrate signs of ecological pressure, there is a distinct awareness amongst those interviewed and interacted with of the relation between the health of the land[19] and that of the people, and defence of the land has been integral to their resistance to the proposed mining.

4.3. SOCIAL DESCRIPTION

Various descriptions of the people of Mgungundlovu in articles, reports and verbal accounts refer to them as a 'traditional' people living a 'traditional way of life.' However, this is not necessarily a true portrayal of the affected communities. Firstly, the 'isolation' that this notion tends to convey does not correspond to the noticeable presence of the modern, for example in the everyday dress of the people, in the cell phones carried by some, in the packets of sweets eaten by children, in the crates of glass Coca-Cola bottles stacked next to a hut waiting to be sent for recycling in return for a deposit, and in the products sold in the occasional *spaza* shop (most of

[19] The people of the area do not refer to the 'environment' but the 'land'.

which are found inland). Secondly, at a conceptual level the stagnation and rigidity that this description implies cannot be held to be accurate in light of historical changes in the area and of Pondoland and Transkei in general.

In terms of analysis and of understanding local perceptions of 'development', it is important that this notion of 'tradition' be interrogated. 'Traditional' has been conceived by schools of modernisation theory and linear progress models to describe 'pre-modern' societies as culturally oriented towards the past and therefore unable to adjust to new circumstances. They are hence positioned as static, inflexible and immutable to change (Webster, 1990). These characteristics are viewed as an impediment to progress, which may only be achieved once a prior change in the values, attitudes and norms of the people has occurred (Webster, 1990). This notion of 'tradition' is contrasted to that of the 'modern', in which people are oriented towards cultural progress rather than tradition, are forward-looking and innovative and make decisions based on rational calculations (Webster, 1990; Coetzee, 2001). However, in reality it is difficult to clearly distinguish between mutually exclusive categories of modernity and traditionality (Coetzee, 2001). For example, instead of a retrogressive reaction to the dynamics introduced by colonialism, since Pondoland's first contact with colonial administration and its subsequent annexation in 1892 it has been shaped by, and responded to, the dynamics of colonial and apartheid integration (Bundy 1988[1977]; Beinart, 1982). As Colin Bundy describes of the South African peasantry in the late 19th century, "there was a substantially more positive and successful response by black agriculturalists to market opportunities than has usually been indicated, and...hundreds of thousands of African peasants met the new demands of the state and of landowners by adapting their existing farming methods rather than entering wage labour on the terms of the white colonists" (Bundy, 1988[1977]: xxiii).

Thus it may be tempting to depict the Amadiba community as living within an age-old mode of 'tradition', and to justify protestation to the proposed mining based largely on this depiction. However, it is important to locate the Amadiba area within a broader political and economic context and resulting changes that have been and continue to be induced in local dynamics (Wolpe (1972) represents a seminal work in establishing this link). The above discussion is important for present analysis as conceptualising the Amadiba community as a 'traditional'

community defending their 'traditional' way of life risks portraying them as thoroughly contented with their current position and as resistant to change. If the term 'traditional' is utilised, then it is accurate only in a very limited cultural sense to describe a defence of certain cultural and social institutions and practices. These may be enduring or those that have changed over time in response to new exigencies, which themselves may contain enduring elements. This defence however does not consequently imply a prevention of change in social organisation, nor preclude an understanding of the relevant society's relationship to a broader political economy and resultant changes induced in the nature of that society.

In this vein Beinart has also demonstrated how the people of Pondoland historically responded to new opportunities as well as the role that 'traditional' social institutions played as a resource with which to deal with the impositions of colonialism. This extends to the present, in which it is important to note that an important part of rural household survival is the management of resources in response to present demands as well as anticipated demands of the future (Neves and du Toit, 2008). Beinart's description of Pondoland's incorporation into the South African economy is thus very apt to describing the present-day situation in Mgungundlovu:

> The people of Pondoland were by no means unresponsive to the opportunities and pressures which accompanied colonisation. At issue were the terms on which they were incorporated, the degree of control which they could exercise within their community in the face of larger social forces which they could hardly influence. Protection of communal access to resources provided one of the best means of defence...
> ...While the arrival of traders modified the social organisation of production and the relationships between chiefs and people, it by no means dissolved central institutions in the society (Beinart, 1982: 3-4).

The rural areas of the Eastern Cape have thus long been penetrated by "the distribution networks of metropolitan capital" (Neves and du Toit, 2008: 11). As Neves and du Toit continue to argue, in the present day rural Eastern Cape context

> the region and its inhabitants continue to be characterised by the tension – or the *idea* of the tension – between traditionalism and modernity (Bank and Minkley, 2005). It is a critical tension which traverses social and kinship relations, how individuals constitute domesticity, households and make decisions. (Neves and du Toit, 2008: 11-12)

Thus while there is a strong defence of the local environment and social institutions, this is not because of a fear of the unknown, but because of the important symbolic and practical resources that such recourse provides. Furthermore, such a strategy interacts with a desire for some of the promises that modernity has to offer, such as jobs and government services.

4.3.1. Population

According to the National Census 2001, the population of the Mbizana municipality is 244 986, and that of the Amadiba area totals 28 303 (GCS, 4-334). The population by gender is about 55% female and about 45% male. The area experiences low education levels, with 27% of people with no formal education, and 0.8% with Grade 12 and 0.1% with tertiary education (GCS, 4-334). Furthermore, according to age, 46% of the total population is younger than 15 years of age, and about 50 percent fall into the 'economically active category' aged between 15 and 65 years of age. This occurs within a context of the Mbizana Municaplity in which 71.5% of the 'economically active' population is unemployed and 88% of households live below the 'minimum poverty level', specified as R1290 for a household of four people (SARPN, 2008). Thus the conventional statistics present a picture of an area that is economically depressed and experiencing severe poverty. While this is true for much of the Transkei, in the present case study consideration of such statistics need to be coupled with a consideration of local dynamics linked to understandings of poverty, means of subsistence, the centrality of land, and 'development', as will be alluded to below and more fully discussed in the following chapter.

4.3.2. Services

According to those interviewed and spoken to in Mgungundlovu, the main priorities of the area are improved roads, clinics, schools and easier access to shops for basic foodstuffs. In this regard, government services are virtually absent. The roads around Amadiba are in very poor condition, as are the schools. The Mbizana Municipality's Integrated Development Plan (IDP) estimates that over 32 000 school pupils in the district attend below minimum norm classrooms and over 94 000 learners do not have access to school libraries (Mbizana Local Municipality, 2007). Clinics are very far away from the coastal villages. A clinic was recently built about 12km inland from the nearest coastal village, Sigidi, but which most people have to walk to. There is no electricity supply to the area, and as such the main forms of lighting are candles,

although a small amount of households also use paraffin lamps. Some households also have small solar panels which they use to charge a battery to power a radio or television, which usually lasts long enough to watch a game of soccer. Households with such solar facilities are very few and far between, however. No households have running water, but fetch their water from nearby rivers and springs in large 20 litre buckets. All households surveyed use wood fires for cooking, except for one which also made use of a gas stove. There are also no flush toilets. Out of the five villages in Mgungundlovu, only the village of Sigidi boasted pit latrines that had been installed by the local municipality in 2007, which the Sigidi community had been requesting since 1994. This illustrates the absence of government services and the difficulties that the communities face in attempting to attain them. This lack of services is tangibly experienced by community members. As one informant said, "government is very far away from us" (A1, Sigidi Village, 29/07/2009).

4.3.3. Sources of Livelihood

The people of Mgungundlovu depend on highly diversified livelihood strategies based on production, extraction, wages, remittances and government grants. Hadju (2005: 236-238) provides a useful typology of what she calls *local security strategies.* This typology, based on fieldwork in a coastal Pondoland village, highlights four important strategies undertaken by households for achieving security. First, *job security* involves working for a wage in order to buy household necessities. Second, *formal institutional (government) security* refers to the drawing of government grants, which may be in the form of pensions, child grants or disability grants. Third, *informal institutional (social) security* involves the dependence on family and friends for the provision of basic needs, which may thus be said to be based largely on the existence of social networks, and includes wage remittances. Fourth, what Hadju terms *environmental security* involves utilising natural resources for securing basic needs and includes fetching drinking water, collecting firewood, fishing and collecting seafood, and selling harvest from the garden. This typology is a useful one in the present case study as all these strategies are present in pursuing household livelihood security.

While the basis for household sustenance is subsistence food production, all households surveyed did have some form of cash income. Following Hadju's typology, four sources of cash

income and of livelihood may be identified in Mgungundlovu. However, it is important to note that the employment of these various strategies varies between households, as some for example do not have access to wages while others lack access to remittances. Firstly, some households interviewed had at least one person that earned a wage, for example, through driving a local taxi or working at the Wild Coast Sun. Secondly, all households received income from government grants in the form of a pension, child support grant or disability grant. The second two sources of livelihood will be discussed in greater depth.

Environmental/Land-based sources of livelihood

Thirdly, and very importantly, while the post-1994 era in South Africa has witnessed a general decline in homeland agriculture (Bank and Minkley, 2005), the production of food for household consumption continues to provide a central source of sustenance for the households of Mgungundlovu. While the AmaDiba area is historically integrally connected to, and integrated within, the capitalist economy of South Africa (as Wolpe (1972) argues) the local base of production remains non-capitalist in nature as the people have not been separated from the land as their primary means of local production. The basic unit of production is the household, and as such the division of labour is primarily along gender lines. Virtually all households grow their own maize, and most households have a vegetable patch in which they grow a range of foods including bananas, yams (a root vegetable, locally known as *amadumbe*), sweet potatoes, onions, tomatoes, cabbage, carrots, beans and pumpkin. The only food that households indicated they buy is that which they cannot produce such as rice, salt, cooking oil, tea and sugar. Households mostly bake their own bread, but sometimes buy it, such as when they have returned from the fields at the end of the day and do not have the time or energy to bake it. All homesteads have a number of various types of animals and livestock, which include chickens, cattle and goats. Cattle in particular as well as goats are important household resources, as they provide a range of benefits including milk, skins, meat and status. Chickens also provide occasional meat for eating, eggs, and the reproduction of the chicken flock.



Fig. 4.6. Women selling sea shell necklaces, Sigidi Village, June/July 2009.

In terms of extraction, households collect firewood (the main source of fuel for cooking and heating) in nearby forests and collect water from streams and springs. Access to the ocean also provides an important extractive source of sustenance to many households. As von Maltitz, referring to the coastal communities along the Wild Coast, describes, "Access to marine resources means that these communities gain far greater resource value from natural resources than is typically found in other communal areas of the country" (von Maltitz, 2005: 4). Households in which a person fishes consume fish quite often, while those households that do not have anyone that fishes may buy it occasionally from those who do fish. Some women that were met sold sea shell necklaces, to tourists that might come to the village (which is very seldom since the demise of the community tourism initiative, AmaDiba Adventures, which will be expanded on in Chapter 6) or in the nearby town of Port Edward.

Small amounts of produce are also sold amongst villagers. For example, there may be people who do not grow cabbages and so will buy them from someone who does, or someone may not grow carrots and so buy them, and so forth. Produce is also sold in the nearby township of Ebenezer, north of the Mzamba River, a township that sprang up around the node of the Wild Coast Sun Resort as a result of people arriving in the hope of finding employment there.[20] An important source of the AmaDiba people's survival is therefore local food

[20] The basis of the Wild Coast Sun Resort lies in the dispossession of a large area of communal land to make way for the resort in the early 1980s under the auspices of the then ruler of the Transkei, Kaiser Matanzima.



Fig. 4.7. Women and younger girls in Sigidi village preparing grass for thatching, November 2009

production, while the small portions of cash income contribute to paying for the food they cannot produce, clothes and other small amenities.

Social rules govern much of the resource use in Mgungundlovu. For example, to ensure that water for drinking and household use is not contaminated various water sources are designated for various activities. Larger rivers and streams are where cattle may drink and people may wash clothes and the like, as the sources of these rivers occur further inland and so the local community has no control over or knowledge of what the uses are further upstream. On the other hand, local springs are strictly reserved for collection for household use only. Furthermore, the local forests provide an important source of firewood for heating and cooking and it is generally understood that only dead wood may be collected.[21]

[21] However, there is evidence of strain in terms of the gathering of this resource in forests, as larger trees are cut down for fuel. It is difficult to pinpoint the source of this, but a lot occurs in the Mzamba gorge, which borders the township of Ebenezer, and so it is suspected that much of the cutting of old trees is done by people from here seeking fuel for cooking and the like.



Fig. 4.8. A typical vegetable garden in Mgungundlovu, June/July 2009

Informal Social Security/Social Networks

The existence of social networks and norms of reciprocity at Mgungundlovu may be conceptualised within a broader frame of social capital. Social capital is composed of social networks that are characterised by norms of trust and reciprocity (Stone, 2001). Importantly, these social networks and norms of trust and reciprocity often serve as means through which individuals and households gain access to resources necessary for survival or undertaking certain activities (Portes, 1998).

High levels of social capital are evident at Mgungundlovu as social networks underlain by trust and reciprocity provide important means of household reproduction and community security. Some households had a person engaged in migrant labour and sending remittances back to the home. Migrant labour has historically been part of complex strategies on the part of rural households to secure resources (Neves and du Toit, 2008), which is part of a greater pattern in southern Africa, where for generations migrant labour has been incorporated into the livelihoods of millions of rural people, playing a fundamental role in this regard (Potts, 2000). However, only seven out of the 20 households surveyed had access to remittances, which reflects a broader decline in migrant labour due to retrenchments in the urban working sector and processes of de-industrialisation (Bank and Minkley, 2005; Ngonini, 2007). Thus some households also had migrants who had returned from urban jobs such as mining.

People make use of a number of local informal social networks in daily activity which contributes to the reproduction of the communities as a whole. For example, most households

own cattle or goats, while some do not. However, a lack of cattle is not necessarily an obstacle to household sustenance, as it is a norm for those who own cattle to lend them to those that do not in order to cultivate their fields. It is in fact a source of social prestige for men to be able to lend their cattle for use by others. There thus exist distinct forms of social networks that ensure that no one in the community is bereft of a basic level of survival. A range of further examples can be cited from conversations and interviews conducted. If for example, a person does not have tomatoes, he or she can simply go to a neighbour, in return for which the person will promise to give some carrots back when they are ripe; or if a household's maize is finished before the next harvest, it is a norm for neighbours to supply them with maize until a new harvest. If a household does not have kraal manure to fertilise their fields, they can obtain it from someone who does with no expectation of imbursement. These networks of reciprocal exchange allow households to obtain necessary resources and hence provide an important source of survival for many rural households in South Africa (Neves and du Toit, 2008).

Informal networks within and between families and between friends and neighbours thus provide an important source of assistance to individuals and households. As has been discussed, an important household resource is gained through remittances from migrant and wage labour. Such kin-based networks assist in the household's stock of resources and hence its ability to reproduce itself. Such informal networks within households that are underpinned by trust also include the task of childcare that is informally shared among members of the household. For example, children whose mothers are away from the household either on a daily basis for work or on a more long-term basis due to involvement in migrant labour are cared for by those that remain present in the household, such as a grandmother or aunt.

The existence of reciprocity is also indicated in the assistance in the agricultural fields that community members sometimes provide to others, especially with weeding. For example, a man working in his field in the village of Sigidi illustrated the social aspect involved in production as well as reciprocity:

> If I'm on my way back from the field and I pass somebody in their field who is in trouble with the weeds I will stop and help them to take the weeds out. It's a way of

> having conversation with other people because sometimes it's very far, it's not easy to visit each house (A10, Sigidi Village, 23/11/2009).

In reply as to whether he could go to another homestead and ask for help in his field:

> If the weeds are over then you will go and ask somebody to help you because he will help you because then next year maybe he's the one who is in trouble with the weeds (A10, Sigidi Village, 23/11/2009).

The term that describes this notion of reciprocity is *isandla sihlamba esinye*: "one hand washes the other." That is, there exists a back-and-forth motion of assisting one another, a moral basis of reciprocity that informs concrete actions of mutual assistance that provide a certain sense of communal solidarity. Another man from the village of Kwanyana illustrated the social basis that underlies much of the practice around labour and production:

> I feel very happy for people to come and help me, because it's our way, our old way, because if you have a lot of weeds and the people don't want to come and help, it will seem you are not helping other people, but if you call the people and they come it seems they are still happy with the other people (A11, Kwanyana Village, 24/11/2009).

A more concrete social practice that demonstrates the social nature of production and the norms of social reciprocity that still appear to be evident in the area is the existence of *ilima*, or co-operative work groups, which are based upon the existence of a network between neighbours in which a homestead in need of labour asks other homesteads for assistance. A day is then organised where all those willing will arrive and assist with the required work. This is reciprocated by the family of the relevant homestead with the provision of *mqombothi* at the end of the day. According to McAllister (2003) this practice of *ilima* has arisen as a response to particular economic, social and historical exigencies and there is a distinctly moral basis underlying it: **"**one has to be aware of the particular cultural, historical and economic conditions in terms of which co-operative work emerges and, secondly, of how co-operative work is integrated into the socio-cultural milieu of those who participate in it" (McAllister, 2003: 2). That is, "[co-operative labour] is not merely labour, in a utilitarian sense, but an integral part of the social and moral context in which households exist" (McAllister, 2003: 10). There is thus evidence of a relatively high level of social capital in Mgungundlovu, which informs many local actions and strategies of production and reproduction.



Fig. 4.9. Women cooking innards of slaughtered cow at celebration of son taking over the head of the household one year after father's death, Mdatya Village, June/July 2009

4.3.4. The Importance of Land

The people of Mgungundlovu are thus integrally dependent on their surrounding natural environment for survival. Cock (2007) argues that one of the main reasons for the current environmental crisis is the separation between humans and nature that has been engendered by the processes of modernity, such that humans largely fail to see the link between their social actions and their ecological consequences. Furthermore, Bellamy-Foster (2002) argues that the current ecological crisis can in large part be traced to the loss of a sense of place. For most of human history ecosystems formed the basis for human existence and community, where "ways of life involved a close and intricate relationship between culture and nature" (Dasmann; in Bellamy-Foster, 2002: 83). However, this changed with the advent of the modern capitalist world, where energy and resources began to be extracted from all parts of the globe, with little connection between its point of extraction and point of use. The community in this case study, however, are not separated from nature, as their survival is directly connected to the land. An old man who had fought in the Pondo Revolt[22] described the importance of the land in the following way, which expressed notions of connection to the land as well as the rewards for caring for it:

[22] The Pondo Revolt occurred in the early 1960s and was largely a response to the imposition of the 1956 Bantu Authorities Act, which aimed to reconstitute "the power of the chiefs (under white authority) and subordinated to them the headmen, who had previously been formally independent of their control. The new source of chiefly authority...sought expressly to limit popular participation in decision-making and to place local government in the hands of a conservative elite" (Southall, 1983). Central to the Pondo Revolt was the perception of how the Act would affect their relation and access to the land as a result of the increased authority of the chiefs..

> It's because we don't want to squash ourselves and we want our livestock to get enough land, and to make sure our children, they have land to build their own houses. Because there is no inheritance other than land for them, it is the only thing for them to inherit. The land is forever, but the money will disappear. After you sold out your land, what are you going to eat? That's why I choose the land, because the land is forever. The cause of tsotsies is because they need money because the money it doesn't belong to us. If you don't have money you become a tsotsi, that's why these days we see a lot of tsotsis because they need money. But the land is still there. It's different where you are ploughing yourself than where you use the oxen, because on the part where you use the oxen you just rush to finish, but where you use your own hands you make your garden very nice. And you can see at the time when you are harvesting it's a lot of maize on that side, but on that side where you rushed its few maize. The money is the sin, money is making people rush instead of looking after their land (A9, Sigidi Village, 21/11/2009).

The above indicates an awareness of the land as an important resource for human survival, as well as a dependable and constant one. In contrast to Ngonini, who finds that many ex-migrants who have returned to their rural Eastern Cape villages "look to the future with fear and hopelessness, shrouded by uncertainty" (Ngonini, 2007), this old man demonstrates the measure of certainty and constancy that a dependence on the land provides. Many similarly expressed this sentiment in the vein of: "The mining will go, but the land is here forever. Then what happens after the mining is gone?" (A3, Xolobeni Village, 26 June 2009). This also illustrates the role that land plays in economic and social security, a role of which in this regard was historically elevated in the face of insecure urban migrant labour (Potts, 2000). Furthermore, in the interview with the old man above, although questions did not always refer to the land, his narrative was centred on the land which provided a pivot for the history of his own life and that of the area that he described. Much of this history revolved around the Pondo Revolt of the early 1960s, which saw wide scale protest and violence against the perceived effects of the 1951 Bantu Authorities Act, was largely about how access to and relations to the land of ordinary Pondos would be affected by the imposition of the act (see Mbeki, 1964; Southall, 1983; Turok, 1960). Land has therefore occupied, and continues to occupy, a central role in conceptualisations of history as well as present social, political and ecological exigencies.



Fig. 4.10. View of part of Xolobeni Village, Kwanyana, with cultivated fields in left of picture, November 2009

For some the land forms part of a self-understanding that is linked to an awareness of their survival based on the land. As one respondent said: "I am a farmer, it is what I do" (A, Xolobeni Village, 01/07/2009). For another respondent:

> The land is part of me. Everything I am using is from the land. We use the grass for thatching the houses, it comes from the land. My parents are also buried on this land and my livestock feed on the grass from this land. Everything is from this land. If you destroy the land, you destroy your life (A10, Sigidi Village, 23/11/2009).

The notion of the land and the people's connection to it is thus an important part of the identity of many of those living on the coastal area of Mgungundlovu. This sense of identity, what may be termed 'place identity', embodies how physical and symbolic attributes of a location contribute to a person's sense of identity (Devine-Wright, 2009). An old women in the village of Xolobeni expressed a similar sentiment that included both reliance upon the land as well as a sense of identity linked to this reliance:

> The land is very important. You see the beans outside; I got it from this land. And the land is very important because even now I'm going to collect the branches to fix the kraal. Without those trees on this land you are nothing, because if you don't have those trees how can you make the kraal? (A12, Xolobeni Village, 24/11/2009)

There is thus a distinct awareness amongst those interviewed of the fact that their survival is integrally connected to the land. Following Escobar (1998), one may argue that the conceptions of the environment held by the people of Mgungundlovu embody the biophysical, the human, and the supernatural spheres, such that the land is seen as producing means of subsistence, as a

place in which humans live and gain social sustenance and identity, and as a place where their ancestors are buried and still inhabit. There is thus no strict separation between society and nature, as is prevalent in modern societies (Escobar, 1998; Cock, 2007a). The notion of the supernatural aspect to the environment was expressed by one respondent, who referred back to the early 1990s and the drilling of the ground in another area:

> There was a people, I don't know what they were doing, but they were drilling on the mountain. There is a mountain on the other side, it is called Ntabezulu. On that day they were drilling there was a big storm and big rain and thunder. And the land was shaking a little bit and we just ran away. That's why we are scared of letting those people come dig here. Underneath there is a big snake that is holding the land. Those people they touched that snake. If you disturb that snake and if it moves then the land will shake. That's the reason for shaking the land. And after they went, it rained the whole week without stopping (A13, Xolobeni Village, 24/11/2009).

The above discussion illustrates a conceptualisation of nature by inhabitants of Mgungundlovu that is grounded in an appreciation of the inseparable link between themselves and their material means of existence gained from the land and which is grounded in a sense of place. Bellamy-Foster (2002) describes this as an 'ecological morality' based on a 'sense of place.' The notion of place describes "physical aspects of a specific location as well as the variety of meanings and emotions associated with that location by individuals or groups" (Devine-Wright, 2009). Furthermore, this notion of place and a community grounded in a specific place plays an important role in constituting community and individual identity, which is illustrated in the sense of identity that many of those interviewed expressed in relation to the land. Drawing from Aldo Leopold (in Bellamy-Foster, 2002), one might label the morality that exists in Mgungundlovu a 'land ethic'. The awareness expressed by those interviewed of the interconnection between themselves and nature dwell comfortably with Leopald's description of the land ethic:

> All ethics so far evolved from a single premise: that the individual is a member of a community of interdependent parts...The land ethic simply enlarges the boundary of this community to include soils, waters, plants, and animals, or collectively: the land (in Bellamy-Foster, 2002: 87).

This sense of place can have important ecological implications as it is grounded in an awareness that people live not only in sites of consumption but sites of production as well (Bellamy-Foster,

2002), which has important implications for arguments around global 'development', as the severing of this link has been an important component of a global ecological critique. This critique highlights the disconnection of "people from all sense of being native to some place and all ecological roots" (Bellamy-Foster, 2002: 88) as a key provocation to the world's current ecological predicament (see also Cock, 2007a). This line of thought manifests itself in the assertion that 'development' needs to be reconceptualised and articulated within an appreciation of, rather than in spite of, local ecological and social parameters. In the case of Mgungundlovu, one may therefore argue for a 'development' strategy that will not disrupt the local nature-society connection but will instead capitalise upon it.

4.3.5. Social Differentiation

Portes shows that one function of social capital may be that of social control through rule enforcement, the main result of which is to render overt controls unnecessary (Portes, 1998). Many of the people of Mgungundlovu express pride in the feelings of safety that they experience in their communities and the lack of crime in the area. However, there are signs of minor ruptures in terms of social control and adherence to norms and expectations that parents and older generations anticipate. However, this should not necessarily imply a decline in terms of 'community', as instead of representing an idealised homogenous and harmonious unit, the very nature of community is characterised by internal divisions and contestation (Bozzoli, 1987). As Dalby and Mackenzie (1997) argue, community should be viewed not as a static and homogenous geographical entity but as a social and political process. Thus it is important instead to note divisions and points of divergence within communities, but which do not necessarily signal a breakdown in community solidarity. As Dalby and Mackenzie continue to argue, "political struggle may be an important part of the process of constructing community identity, and in particular...identity is both contested and reformulated in local arguments about how a 'community' should respond to a 'development' initiated, organised and financed by corporations and agencies based outside the locality" (Dalby and Mackenzie, 1997: 100). This means that power relations and contestation are an inherent part of any community and that the formation of a community identity, and personal identities in relation to that community, is often crystallised and strengthened in response to a perceived threat, such as mining (Divine-Wright, 2009; Dalby and Mackenzie, 1997). This notion will be expanded upon in the following chapter.

A rupture in forms of social control may be illustrated by a household in Sigidi, where concern surrounded one of the 14 year-old sons, who it was believed had been smoking marijuana (*dagga*) since about the age of ten. In a household near to the one in which the researcher was accommodated, there was concern that a 15-year old son was getting involved with this boy, and was associating with men who occasionally rob hiking tourists near the Mzamba River mouth.

A further division in the social structure occurs with regard to division between the youth of Mgungundlovu and the older generations, who perceive that the younger generations no longer want to farm the land. According to a woman in Xolobeni Village:

> Some of the young people don't like to work in the garden, but some of them still work in the garden. Those ones that don't want to work in the garden they say they want to work for the white people instead of working in the garden because they said it's very difficult to work in the garden than to work for somebody else (A8, Xolobeni Village, 20/11/2009).

An old women also expressed a similar sentiment:

> The kids they don't want to work in the garden because they just want the money. Even if there is nobody working, just only the pension, they want food from the shop, not from the garden. If you try to advise them to go to the garden they take you as a person you don't like them. It is because of this money, because they know there is money, but before the money they know they going to get the food from the garden. Even if you don't have the money, the kids they don't understand that. Even if the food is finished then I go borrow from the shop and pay later (A12, Xolobeni Village, 24/11/2009).

While the ability to obtain food from the local *spaza* shop without immediate payment demonstrates the existence of trust, there appears to be a decline in social capital in terms of the ability to secure common expectations between some of the youth of the area and those of the older generations. It appears that while the older generations encourage continuity in agricultural household production, this consensus is not as widely held amongst the youth of the area, who instead appear to desire jobs and the ability to purchase food over the option of household cultivation. However, even this distinction among youth is not uniform, both with

regard to cultivation and with regard to those who support the mining because of the perceived employment opportunities it will offer, and those youth who are opposed to it. For example, severe tension has previously broken out in some schools over the mining issue, sometimes breaking out into physical fights (particularly at Xolobeni Secondary Senior school).

As has been mentioned, a gendered division of labour in the community is clearly evident. This division of labour may be more broadly situated as part of an existing gender regime. According to Connell (2006), gender may be defined as "a pattern of social relations in which the position of women and men are defined, the cultural meanings of being a man and a woman are negotiated, and their trajectories of life are mapped out" (Connell, 2006: 839). The 'gender regime' refers to the overall pattern of such gender relations in a specific context. An important component of a gender regime is the gendered division of labour, as well as the patterns of authority and control along gender lines, the way in which emotions and human relations are organised along gender lines and the cultural and symbolic values and expectations ascribed to the genders (Connell, 2006).

According to the prevailing gender regime it is the task of the women in the household to perform the bulk of the socially reproductive labour, including cultivation of the fields, grinding of maize into maize meal, cooking, washing of clothes, cleaning of the home and tending of the homestead's vegetable garden, and the more emotional work of child care. Collecting firewood and water is usually undertaken by the younger females. On the other hand, men that are not away for work take care of cattle and undertake the occasional heavier tasks. However, the division of labour with regard to working the fields is less definite as both men and women were observed undertaking this task. The reason for this sometimes blurred distinction in productive and reproductive tasks between the genders also lies in a broader political economy of labour migrancy induced by the colonial and apartheid governments to induce rural inhabitants to move to towns and work in industry (see Webster, 1986; Letsoalo, 1987: 29-39; Wolpe, 1972; amongst others). This created mainly male 'worker-peasants' who were not fully proletarianised due to the connection they maintained with their rural homes and the land (an intentional part of migrant labour policy; see Wolpe, 1972; Potts, 2000), and 'farmer-housewives', who maintained household production in the homelands (Potts, 2000).

However, while gender divisions are still apparent, it is also important to note the changes that have occurred in 'traditional' gender roles. As Connell (2006) shows, the patterns of gender relations that a gender regime embodies may shift and incorporate new divisions of



Fig. 4.11. Younger women on her way back to her homestead with firewood, Sigidi Village, June/July 2009

tasks, which may set off new dynamics in terms of the gendered relations of power and the existing cultural expectations of gender differences. The changing nature of activities undertaken by women as a result of male heads of household departing for urban areas in the stream of labour migrancy, which resulted in women undertaking a broader range of productive and reproductive activities, such as ploughing the maize fields and planting the maize, is widely documented. Presently gender roles continue to adjust as women assume greater responsibility for securing resources toward household survival. Ngonini (2007) has described these changing dynamics in two villages in the Mbizana region, with an important result being an increase in women turning to migrant labour as retrenched male miners return to their rural homes bereft of access to monetary income. Furthermore, women are also increasingly becoming the foremost agents in 'development' activities as the principle mediators with the numerous 'development' organisations active in the Transkei since 1994 (Bank, 2005). The importance of the role of women in securing household resources is apparent in Mgungundlovu where it is predominantly women that are active in local non-farm livelihood strategies that generate cash income such as the selling of fresh produce and crafts. Furthermore, a high degree of women are the principle actors in the various projects instituted by the Simbhademe programme (a 'development'

programme established by SWC in the Mgungundlovu region, which will be discussed in greater detail in Chapter 4), such as vegetable gardens and a fresh chicken distribution scheme.

While there is a very low level of inequality in the area, there is evidence of it. One of the clearest signs of this appears to be the material possessions of each homestead, as well as the structures in which they are housed. The modern feature of a square structure in the homestead with two, three or four rooms in it appear to be located in those homesteads with greater access to monetary resources, mostly from migrant and wage labour. This is consistent with a general pattern in the rural areas in the Eastern Cape that is linked to the imperative of 'building the homestead,'[23] whereby non-farm resources often gained through migrant labour are channelled back into homestead infrastructure and agricultural production (McAllister, 2003; Neves and du Toit, 2008; Sharp and Spiegel, 1990). These apparently more well-to-do homesteads display a greater level of material possessions in the form of modern chairs and table, television and radio (linked to a solar powered battery), even a gas-powered freezer in one homestead, and a greater number of cattle, as well as more housing structures. Further inland there are located a few houses that resemble those that would be found in urban areas. One is owned by the chair of the AmaDiba Crisis Committee (ACC, a community committee formed in opposition to the proposed mining) who is also a local businessman operating a taxi business, and due to his consequent resources, also owns a tractor that he rents out, with himself as driver, to those who can afford to pay him to plough their fields. Another of these inland houses visited was owned by a teacher, hence with significant access to monetary resources in comparison to most in Mgungundlovu, but the household was still committed to growing their own food. The inequalities in access to money therefore appear to manifest themselves in the contrasting structure of homesteads, as incoming cash supports a shift from 'traditional' building material and design to a desire for a more 'modern' structure (as well will be discussed later with regard to local conceptions of 'development', this desire may also be a marker of an awareness of social inequality on a more societal scale).

[23] This practice can be seen as manifested within gender relationships and is sometimes a source of conflict, as men aim to 'build the homestead' by investing in agriculture so as to secure future rights and status, while women are often more concerned with ensuring daily subsistence for themselves and their children (Sharp and Spiegel, 1990). A similar process of contestation over the use of household resources along gender lines is illustrated by Ferguson (1994) in his study of a region of Lesotho.

4.4. CONCLUSION

This chapter has provided an overview of the social and ecological context of the Mgungundlovu area in which the Xolobeni Mineral Sands Project is proposed. It interrogated the notion of 'traditional' and whether it is apt in describing the communities of Mgungundlovu. This is important for analytical purposes as it allows for an acknowledgement of the contemporary exigencies facing the communities and the consequent form of 'development' that they desire. Following on from this, the chapter described the central means of subsistence of the communities of the area and provided an account of the social organisation of the area and its link to the local environment. It is in this context that options for 'development' that genuinely aim to benefit the lives of the people of Mgungundlovu need to conceptualised.

This description leads to the argument that this chapter hopes to make, based on the ideas of James Ferguson (1994) in *The Anti-Politics Machine.* This concerns the 'unintentionality' of 'development' outcomes whereby discursive systems embedded in 'development' projects interact with existing social institutions of the 'development' site to produce results that vary from the original aim. One may ground this assertion within the notion that social life, the context within which such projects are inserted, is highly complex and not reducible to fixed assumptions that can be altered or manipulated at will. That is, a particular project can present itself with specific aims, but the outcomes tend to be vastly different from those aims:

> ...conceptual and discursive systems link up with social institutions and processes without even approximately determining the form or defining the logic of the outcome. As one cog in the "machine," the planning apparatus is not the "source" of whatever structural changes may come about, but only one among a number of links in the mechanism that produces them (Ferguson, 1994: 275).

Thus the benefits of 'bringing development' to the people of AmaDiba through the proposed mining is more complicated than the absolute predictions of the proponents of the mine imply, given the social alterations it is bound to induce. It is not only the existing forms of social organisation that such a project will come into contact with, but also that of to a large extent unwilling population that itself has mobilised against the mining, thus adding to the change and complexity of social dynamics, which further complicates the matter of 'developmental

outcomes.' The implication of this is that in order for projects aimed at 'development' and improving the lives of a certain group of people to be successful, they should be designed through local, grass-roots participation so as to ensure that they are embedded within local social discourses and aspirations. The environmental management regime in South Africa makes provision for such participation in 'development', which is linked to an appreciation of the multiple experiences and meanings of 'environment'. However, the realisation of these ideals in practice warrants further attention, which the following chapter will turn to.

Chapter 5

ENVIRONMENTAL MANAGEMENT AND PARTICIPATION IN SOUTH AFRICA

5.1. INTRODUCTION

The core of environmental policy in South Africa is the Constitution, which lays out the environmental rights of all citizens. This chapter aims to examine the extent to which the environmental management regime in South Africa has allowed for participation by the AmaDiba community in decision making in 'development'. It will do so by focusing on the extent to which one of the key instruments of the post-apartheid environmental management regime, the environmental impact assessment (EIA), made provision for participation by the AmaDiba community. It concludes that participation by the community was minimal, and that although this may be due to legislative weaknesses, the reasons for a lack of participation linked to an EIA should be analysed in relation to broader power relations and the social, economic and political context in which the EIA as an instrument of 'development' operates.

The Constitution of South Africa (Act No. 108 of 1996): Section 24 of the Bill of Rights asserts that everyone has the right to an environment that is not harmful to their health or wellbeing, and to have the environment protected through legislative and other measures for the benefit of present and future generations. Such measures include i) the prevention of pollution and ecological degradation, ii) the promotion of conservation, and iii) the securing of ecologically sustainable 'development' and use of natural resources while promoting justifiable economic and social 'development'. The Bill of Rights also espouses 'sustainable development', which is the South African government's overarching environmental policy. According to the *White Paper on Environmental Management Policy* (DEAT, 1997), environmental policy in South Africa seeks to give effect to the rights in the Constitution that relate to the environment, as well as that of public participation. The need for 'sustainable development' and to balance the needs of people with environmental integrity is also acknowledged by the 1998 *White Paper on Minerals and Mining Policy*.

5.2. ENVIRONMENTAL POLICY AND PARTICIPATION IN SOUTH AFRICA

This section will provide an overview of the environmental management policy in South Africa, specifically with regard to its provision for public participation. It will begin with a discussion of the understanding of the environment that forms the basis for environmental policy and then with the conceived role of participation in 'development' that corresponds to this conception. To this end it is important to understand what concept of environment is promoted. While the environmental policy framework in South Africa may adopt a specific definition of the environment, it needs to be considered whether the mandated forms of public involvement and its practice are aligned, or whether the context of existing power relations and economic forces create a disjuncture between the two elements.

5.2.1. The Concept of 'Environment'

Principles of social and environmental justice began to be incorporated into South African environmental policy in the late 1980s and early 1990s with the development of the Integrated Environmental Management (IEM) procedure (Scott and Oelofse, 2005). However, the post-apartheid environmental legislative framework was reconstructed through the Consultative National Environmental Policy Process (CONNEP) and eventually embodied in the National Environmental Management Act (NEMA). The result of CONNEP, the *White Paper on Environment Management Policy*, employed a holistic view of the environment, which included both 'natural' factors as the natural environment that includes all natural resources and forms of life and 'non-natural' social, political, cultural and economic factors that influence people's relations to the environment as well as their influence on it. As such, it acknowledges the link between humans and nature: "People are part of the environment and are at the centre of concerns for its sustainability (DEAT, 1997: no page number). The NEMA continues this theme by stating that "Environmental management must place people and their needs at the forefront of its concern, and serve their physical, psychological, developmental, cultural and social interests equitably" (RSA, 1998: Section 2(2)).

5.2.2. Participation

Important in the principles of environmental management policy in South Africa is public participation. The *White Paper* emphasises participation as one of the guiding principles of environmental management in South Africa (DEAT, 1997: no page number), which includes working with interested and affected parties in civil society. This importance accorded to the role of public participation in environmental decision making is reinforced by NEMA, which states: "The participation of all interested and affected parties in environmental governance must be promoted, and all people must have the opportunity to develop the understanding, skills and capacity necessary for achieving equitable and effective participation" (RSA, 1998: Section 2(4)(*f*)). Chapter 5 of the act, which sets out the provisions for environmental impact assessment (EIA), further highlights the importance of public participation, in that environmental management tools should "ensure adequate and appropriate opportunity for public participation in decisions that may affect the environment" (RSA, 1998: Section 23(2)(*d*)).

A framework therefore exists in South Africa in which participation in environmental management on the part of affected communities is central. What is required, however, is an analysis of the extent to which these principles of participation are realised in practice and the extent to which such practice coalesces with the conception of 'environment' that the environmental policy framework in South Africa adopts. In order to achieve this, the remainder of this chapter will focus on environmental impact assessment (EIA), a key environmental management tool espoused by the legislation and the key medium through which participation in environmental decision making and 'development' is supposed to be achieved.

5.2.3. EIA Regulations

In order to fulfil the obligations for environmental impact assessment required by the NEMA, in 2006 the Department of Environmental and Affairs and Tourism (DEAT) released the 'Regulations in Terms of Chapter 5 of the National Environmental Management Act', which serve to regulate the relevant processes for activities requiring environmental authorisation, including public participation processes. However, there is a disjuncture in the definition of participation embodied in the NEMA and the *White Paper* and the stipulations in these regulations. In contrast to the *White Paper* and NEMA, it provides a narrow definition of the

public participation process as "a process in which potential interested and affected parties are given an opportunity to comment on, or raise issues relevant to, specific matters" (DEAT, 2006: 8). The regulations outline the steps to be taken by impact assessment practitioners: notice must be provided to potential interested and affected parties through, for example, notice boards placed conspicuously around the area where the activity is to take place, newspaper advertisements (at least one in a provincial or national newspaper) must be placed, written notice must be given to the owners or occupiers of land adjacent to the proposed activity, and so forth. In terms of 'participation' by interested and affected parties, the requirements are that all facts relevant to the application are made available to interested and affected parties, that interested and affected parties are given sufficient opportunity to comment, in meetings and in writing, on the application and that these comments are recorded, and that a register is taken of all interested and affected parties (DEAT, 2006: 44-49). No provision is made for active participation in projects by those who will be affected. Instead, a decision on a proposed project is made by the DEAT based on the EIA including the public consultation programme. In the case of mining, however, environmental authorisation is given by the Department of Mineral Resources (DMR) (formerly the Department of Minerals and Energy), but still follows the NEMA guidelines.

5.3. ENVIRONMENTAL IMPACT ASSESSMENT

Section 5 of the NEMA mandates the compiling of an EIA and environmental management plan (EMP) by any party planning to engage in activities that effect the environment, such as mining. The aim of such EIA is to assess the environmental, social and economic impacts of 'development' projects (Scott and Oelofse, 2005), and is a well established procedure in South Africa. It also may include social impact assessment (SIA) (together they may be called a social and environmental impact assessment – ESIA).[24] EIA is therefore a planning tool that aims to identify, predict and evaluate, and inform interested and affected parties of, the likely impacts of a proposed project and its alternatives (Ortolano and Shepherd, 1995).

EIA serves as a means to introduce environmental considerations into project planning processes, a consideration that was eminently lacking in most infrastructure and 'development'

[24] However, SIA is not mandatory in South African environmental legislation.

projects until its establishment (Ortolano and Shepherd, 1995). For Morrison-Saunders and Fischer (2006: 19), EIA was therefore "introduced as an advocacy instrument for the biophysical environment in project decision-making." It therefore is seen as an environmental protection tool as well as an instrument for strengthening environmental management processes. A number of fields of assessment have subsequently come to be included in EIA such that it not only focuses on the ecological impacts of a project, but includes technology assessment, demographic impact assessment, social impact assessment, health impact assessment and risk assessment, among others.

A brief synopsis of the EIA process in South Africa is necessary. Once an entity that plans to undertake activities that will significantly affect the environment, it must appoint an environmental practitioner, or environmental consultant, who must begin the assessment process with a scoping report, which identifies the probable impacts worthy of study and so determines the terms of reference for impact assessment (Barrow, 1997). This identification of probable impacts is carried out through the interaction between interested and affected parties, technical specialists, non-governmental agencies and representatives of relevant government departments (DEAT, 2006; Ortolano and Shepherd, 1995). The interested and affected parties are identified through the scoping report and by advertising the proposed development in newspapers, over radio and by advertisements placed in and around the proposed project site. Once a scoping report has been accepted by the competent authority, the second phase of environmental impact assessment may proceed, in which an attempt is made to predict the impacts of a proposed project. This involves specialists undertaking studies in the relevant areas identified in the scoping report and producing specialist reports. Using these specialist reports, the environmental assessment practitioner, or environmental consultant, compiles an EIA report, which details the predicted impacts of the proposed activity. Once this has been approved, an EMP must be compiled, which details the course of action to be undertaken based on the results of the impact assessment process, which may include measures to mitigate environmental damage, the procedures involved in the proposed activity and how they will be structured in order to avoid environmental harm, the social effects of the project and so forth.

Once the Minster of Mineral Resources has taken account of the comments and concerns of interested and affected parties and approved this EMP, she or he may then award the mining right to the applicant. All other government departments are subject to the NEMA regulations and authorisation for projects by DEAT. The DMR is the only government department in which the Minister is entitled to grant environmental authorisation and not the Department of Environmental Affairs. This appears to be an anomaly that is linked to the historical power of the mining sector in South Africa due to its contribution to the development of the South African economy. When environmental management policies and jurisdictions were drawn up in post-apartheid South Africa, the mining sector managed to secure self-regulation in terms of being the final authority on decision making (Smit, Interview, DEAT, Pretoria, 19/02/2010). That is, the DEAT is not the final authority on environmental authorisation, as with other sectors. Some have described this as the DMR being 'both player and referee'. However, the sector still refers largely to the NEMA to guide its actions, mostly in terms of the fact that the MPRDA requires an EIA to be conducted in line with Chapter 5 of the NEMA. As one DMR representative said, "If the consultant knows what they are doing or they want to do a good job then they will follow the NEMA guidelines" (Ugwu, Interview, DMR, Pretoria, 19/02/2010). Therefore, although the NEMA may be followed, it is still the DMR that provides final authorisation, and not the DEAT.

5.3.1. EIA and 'Development'

Falling within patterns of ecological modernisation (discussed in Chapter 2), EIA is based on the notion that the effects of human actions on the environment can never be fully ascertained and that actions affecting the environment should therefore be based on a precautionary, before-the-fact approach, and on principles of sustainable development. This gave impetus to the rise of impact assessment practices and management that were aimed at regulating the environmental impacts of human activity (Treweek, 1995). In this respect, EIA was originally conceived of as a tool to protect the environment against the biophysical manifestations of 'development' through the management of the environment and the 'development' process. Much of the literature on EIA is consequently concerned with how to ensure that the practice of impact assessment can genuinely improve decision making and the lives of those that are affected by projects while maintaining ecological integrity. However, the literature also indicates that its practice often fails to reflect such ideals. In this regard it has been widely criticised for the fact that it is susceptible

to pro-'development' manipulation, such that it favours 'development' over the environment and hence fails to protect the environment. For example, according to Mckillop and Brown, with regard to mining, "despite EIA, large-scale mining often results in degradation of the biophysical environment and in the social marginalisation of affected communities" (Mckillop and Brown, 1999: 407).

As a result, the practice of EIA often reflects the relationship between power and 'development'. While it follows a rational-scientific model, decisions in reality are rarely as 'value-free' or 'technical' as this approach would portend, but rather are significantly affected by existing locations of power and agency, corporate sponsors, and interest group politics (Ortolano and Shepherd, 1995). The EIA itself may even be viewed as an instrument of power through its use of sophisticated techniques and methodologies that cohere around a technocratic and positivist paradigm (Cock and Webster, 1996). In this vein, Reilly (2009) argues that EIA is aligned to questions of power and dominance by its promotion of a particular type of 'development', by its association with economic production, by its power to influence the allocation of resources and by its promotion of the dominant norms and values in society. What this indicates is that the EIA is often an instrument of the dominant 'development' paradigm, and as such is not a neutral technique.

EIA is therefore situated within a broader social, economic and political context, importantly determined by the prevailing dominant 'development' discourse. As such, its practice and effects are integrally determined by existing locations of power and interests that are to a large extent rooted in the hegemonic 'development' paradigm. For example, Scott and Oelofse argue that in South Africa, "[despite] promulgation of some of the world's most progressive legislation, environmental assessment practices remain firmly located within a neo-liberal paradigm, which dominates society and economy" (Scott and Oelofse, 2005: 446).

One of the foremost criticisms of EIA is that it is often strongly aligned to the interests of the project sponsor, and that these interests strongly determine the courses of action (Ortolano and Shepherd, 1995). EIAs are often only undertaken later in the project planning stage, after the decision has already been made to implement a project (Barrow, 1997). According to Ortolano

and Shepherd, "EIA is typically done after planners and decision makers begin advocating a particular proposal, and EIA serves largely to suggest mitigations for a project already selected." Thus, "project proponents often view EIA as a requirement to be completed, a hurdle to be jumped along the way to project implementation" (Ortolano and Shepherd, 1995: 14). Such economic self-interest is difficult to avoid in the EIA process, as a proponent will only present a proposal that is economically profitable, and hence economic considerations are inherent to any EIA process (Morrison-Saunders and Fischer, 2006). According to Reilly, "financial control [by the developer] means that decisions concerning impacts, public involvement and mitigation strategies can be manipulated by economic and/or political power to ensure that a development project take place" (Reilly, 2009: 34). This economic interest may also have an impact on the consultants that undertake an EIA as they are paid by the project proponent to undertake the assessment. This concern was expressed by a representative of the Wildlife and Environment Society of South Africa (WESSA):

> I think it's very difficult to be one hundred percent independent when you know where your bread and butter is coming from...
> ...just having read a lot of EIA reports, you can see it in the way they write, you can see that they lean towards development, you know what I mean. I've never read a report where the guy says, 'Ey, I don't think this development should go ahead.' There's always a clause about mitigation – we can go ahead but then we just need to do this and this and this...
> ...this independence thing is for me a misnomer, personally. I really do believe that. (Barnes, Interview, WESSA, 23/09/2009).

In the present case study the socio-economic benefits purported in the EIA themselves are highly questionable and the ecological impact severe. Therefore, as will be discussed in a following chapter, the mining is being vigorously promoted by narrow economic interests specifically, and the interests of 'development' more generally, but not necessarily by goals of genuine socio-economic improvement. This illustrates further how the practice and results of EIAs are often strongly influenced by the project proponent.

A further criticism of EIA is that it focuses only on the project level and as such the regional (and even global) effects are ignored (Ortolano and Shepherd, 1995; Vanclay and Bronstein, 1995). This factor can serve to obscure the broader relations of power in which the EIA is embedded and the interests it can serve. Hallowes and Munnik therefore argue that "EIAs are a

way of securing the appearance of consent to the elite future but they carry the risk of opening that future to contestation" and hence "[t]he focus on the detail of single projects to the exclusion of the broader implications and cumulative impacts narrows the scope of contestation and thus manages the risk" (Hallowes and Munnik, 2007: 190).

Whereas EIA is integrally linked to power and the dominant 'development' paradigm, it has also been viewed by powerful actors as an impediment to 'progress' and 'economic development', as indicated in 2005 by then President Thabo Mbeki's assertion that environmental laws were delaying 'development' and contributing to "a quite considerable slowing down of economic activity" (Macleod, 2006). In some cases, these laws are simply bypassed, as illustrated in the case of the construction of the De Hoop Dam on the Olifants river in Limpopo, where although the EIA process had not been completed, the Minister of Public Enterprises, Alec Erwin, stated that "there has been progress on environmental authorisation to the satisfaction of relevant parties" (Quoted in Macleod, August 4, 2006). These cases of a conception of 'development' versus the environment do not only raise questions about the acts of certain political figures. They illustrate the link between power and 'development' and the consequent influence on processes such as EIA and the way that 'development' is constructed by the powerful in opposition to the environment instead of being viewed as dependent upon it. As Worthington commented, "Most cabinet members do not seem to understand that there is no conflict between ecologically sound and people-friendly development" (Worthington, 2006).

The above discussion highlights the fact that EIA is not a neutral tool by virtue of its purportedly objective, scientific techniques of assessment, but is rather rendered somewhat uneven in its impact by its insertion into particular contexts that are characterised by an imbalance of social, economic and political power. As will be discussed in the following section, its use of highly technocratic and positivist methods are themselves factors of power that skew the effects of the role played by EIA. EIA is always caught up in relations of power and its ability to ensure participation by affected communities should be analysed along such lines.

5.3.2. EIA and Participation

As has been discussed above, the environmental management policy in South Africa mandates that participation should be carried out through the EIA process in all projects affecting the environment. This requirement for participation should be viewed as part of a broader thrust to deepen democracy in post-apartheid South Africa (Scott and Oelofse, 2005) as well as part of the context of environmental justice that the NEMA advocates in order to ensure that the ecological effects of projects are not inordinately placed on the poorer and less powerful segments of society.

The literature around participation and environmental impact assessment highlights the various benefits of participation in the impact assessment process. While they will not be elaborated upon here, an important factor is that involving affected communities in decision making has been shown to enhance the success and positive results of projects to local communities (see Roberts, 1995; Hughes, 1998; Burdge and Vanclay, 1995; Cock and Webster, 1996; Barrow, 1997; Scott and Oelofse, 2005). On the other hand, the result of not ensuring adequate participation is well illustrated by Ferguson (1994) with regard to a 'development' project in Lesotho, as discussed in Chapter 2, the culmination of which was project failure.

An important factor influencing the degree to which participation by local communities is ensured is power. Scott and Oelofse (2005) argue that although environmental legislation in South Africa is progressive socially, environmentally and politically, environmental assessment practices remain a set of technical procedures embedded within neoliberal and ecological modernisation paradigms that view the free market and science and technology as the optimal means for solving environmental problems. Furthermore, in practice, participation tends to constitute a legitimising process with marginalised groups playing a very limited role (Scott and Oelofse, 2005). The potential for participation by local inhabitants to influence decision making is therefore curtailed. This is because, firstly, the often complicated and technical nature of discussions at public meetings means that community members simply do not understand what is being told to them (Cock and Webster, 1996; Hughes, 1998). Secondly, because technical analysis is viewed as scientific it carries great legitimacy and hence is a source of power (Cock and Webster, 1996). Thus the outcome is based on the work and input of specialists rather than

participation. In this way 'development' occurs according to existing imbalances of power relations and reproduces unequal distributional patterns of both the positive and negative effects of a project.

5.3.3. Social Impact Assessment (SIA)

This chapter argues that SIA is a central component in participation and in realising the definition of environment espoused by environmental management policy in South Africa, which acknowledges the social, political and cultural aspects of the environment. A social impact assessment, designed correctly and including qualitative techniques, may be well suited to this task. The EIA process tended to focus insufficient attention on the likely social, cultural and economic impacts on affected communities (Cock and Webster, 1996). The SIA arose largely as a response to this dilemma and has now become an important component of environmental impact assessment. In this regard it provides a counter-balance to the often technical nature of an EIA by attempting to involve affected populations directly into the planning of a project (Derman and Whiteford, 1985).

Burdge and Vanclay provide a comprehensive description of the definition and scope of social impact assessment:

> Social impact assessment can be defined as the process of assessing or estimating, in advance, the social consequences that are likely to follow from specific policy actions or project development, particularly in the context of appropriate national, state, or provincial environmental policy legislation. Social impacts include all social and cultural consequences to human populations of any public or private actions that alter the ways in which people live, work, play, relate to one another, organise to meet their needs, and generally cope as members of society. Cultural impacts involve changes to the norms, values, and beliefs of individuals that guide and rationalise their cognition of themselves and their society (Burdge and Vanclay, 1995: 32).

SIA therefore involves studying the potential social consequences of planned 'development' projects or policies that have been designed to induce some kind of change in society. This analysis of possible change requires an examination of the interrelationships among the social, economic and environmental variables (Derman and Whiteford, 1985). Critical to understanding such social and cultural conditions by an SIA is a methodology that is based on participation by those likely to be affected by the project (Cock and Webster, 1996), which gives such groups

greater control over their social, economic and natural environments (Derman and Whiteford, 1985).

A crucial element that an SIA should take cognisance of is existing power relationships. For this reason, Cock and Webster (1996), Burdge and Vanclay (1995), Derman and Whiteford (1985) and Scott and Oelofse (2005) argue that an SIA should be conducted by a social scientist, making use of social science methodologies, including a qualitative and participative approach so as to complement the primarily quantitative, technocratic nature of much of an EIA (Cock and Webster, 1996). Because power plays a crucial role in determining how the benefits of a project are distributed in a particular social setting, the role of the social scientist is crucial in analysing existing power relations in order to facilitate effective public participation.

The following section will briefly discuss the potential social and environmental impacts of the proposed mining at Xolobeni. Given these potential impacts, it will then move on to focus on the degree to which the principles and conception around the environment and its social, economic and cultural components contained in the NEMA translate into practice in the process of participation by the affected community. This will be carried out by focusing on the nature of the consultation process undertaken as part of the EIA for the proposed mining at Xolobeni.

5.4. SOCIAL AND ENVIRONMENTAL IMPACTS

5.4.1. Environmental Impacts

TEM plans to mine about 360 million tons worth of sand dunes along the Xolobeni mining tenement area. About 5% of this sand contains heavy minerals, of which about 65% are commercially viable (GCS, 2007a). The predominant mineral contained in the sand dunes is ilmenite, and they also contain rutile, zircon and leuxocene. Ilmenite, rutile and leucoxene are used as titanium feedstock, predominantly for use in paint pigments. Zircon is used in ceramic and specialist glass. It is the Kwanyana, Sikombe and Mnyameni blocks that contain the bulk of these resources (GCS, 2007a). Overall, the mining would involve digging up about 885 hectares of land.

Although the EIA conducted for the proposed mining appears to downplay the environmental impacts of the proposed mining, it is clear that a project that will involve disturbing and removing 885 hectares of land in an environmentally sensitive area will have significant impacts. For example, the mining would involve the removal of all vegetation in the mining area, which will expose large amounts of soil. With the prevalent wind that occurs along the wild coast and the relatively high rainfall, there is the threat of the numerous wetlands in the area being smothered by siltation through wind and water erosion. This could inhibit the photosynthesis of plants and cause stress on the aquatic systems of these wetlands.[25] Furthermore, many species of animals such as small mammals, frogs, lizards, snakes and birds that are dependent on the numerous wetlands as habitats and sources of food would also be affected, as well as by the noise and disturbances caused by the mining operations (GCS, 2007a). There is also major potential for increased siltation of estuaries due to run off and wind erosion of exposed sand dunes, which would impact significantly on the sensitive ecosystems that estuaries house. Furthermore, despite the presence of mitigation measures, tailing spills and leaks inevitably occur with mining operations, which can cause a loss of biodiversity in water systems.

According to preliminary estimates in the EIA, the proposed mining would consume 13-15 million cubic metres of water per year (GCS, 2007a). In order to secure a water supply to the mining operations and the Wet Separation Plant (WSP), TEM plans to construct two weirs, for example on Mtentu river (it is not clear which river the other weir would be built on). Such alteration of water flow is known to threaten the ecological sustainability of rivers and to negatively impact water ecosystems (GCS, 2007a).[26] TEM also plans to dig boreholes as sources of water, and given the amounts of water it plans to use, would affect the groundwater levels of the area. Groundwater levels will further be reduced by the mining activity itself. In some places, the groundwater levels will be reduced by 5 metres, and on average by 3 metres (GCS, 2007a). This is caused when the mining digs below the upper level of the groundwater, in which

[25] In a number of respects with regard to adequately attempting to predict environmental impacts the EIA is incomplete and recommends that further studies be undertaken. In many respects then, it provides insufficient data to make environmental sound decisions. Regarding wetlands it states that further studies should be undertaken so as to establish the functioning and the services that these wetlands provide.

[26] Proper studies were not undertaken as part of the EIA process; the EIA recommended that follow-up studies be carried out to determine what the full effects of building a dam or weir would be on the aquatic ecosystems downstream.

case water flows into the area being mined, reducing the overall groundwater level of the surrounding area. This also has possible implications for residents of the area, who rely solely on springs for household water consumption (as has been discussed in Chapter 3).

The removal of 885 hectares of sand dunes means that top soil and vegetation containing a number of floral species, including about 143 endemic species, will have to be removed as the mining activities burrow their way into the mineral-rich sands. In Kwanyana block alone, 374 plant species were recorded (GCS, 2007a).The plan contained in the EIA and EMP is that the topsoil will be stored and returned and the disturbed dunes rehabilitated. However, an independent soil expert commissioned by the ACC and the Legal Resources Centre (LRC) found that there were a number of factors that EIA overlooked and that impact heavily on the ecological sustainability of the area. Studies have shown that titanium can play an important role in enhancing the ability of plants to absorb nitrogen and so helps in activating the plant's metabolic processes (Meyer, 2009). Removing the titanium from the soil may therefore noticeably affect the performance of pioneering species planted for rehabilitation due to a nitrogen deficiency. According to Meyer (2009), this may possibly explain why the 'rehabilitated' sand dunes at Richards Bay on the KwaZulu-Natal coast north of Durban have shown a lack of succession of plants beyond the Acacia trees planted there. Furthermore, the EIA states that topsoil will be stored and then replaced into the mined area with little to no impact. However, Meyer disputes that there would be little difference between the soil qualities before and after mining:

> ...the very act of disturbing and aerating the top soil will result in degradation of organic matter through oxidation with the release of carbon dioxide and other global warming gases to the atmosphere. The proposed reclamation procedure through layering will only exascerbate compaction in these soils, preventing deep root development as well as poor drainage conditions at depth...The impression is given that the 'Dry mining' as opposed to the 'Wet dredge mining'[27] has minimal impacts on soil quality yet the removal of the clay, organic matter, and even the mined heavy minerals will have the effect of narrowing the particle size distribution and increasing the compaction hazard, especially at depth (Meyer, 2009: 7).

[27] The usual method for mining of this sort has been the wet dredge mining, where a dam is built so that the sand can be mixed with water and pumped into the Wet Separation Plant. The fry mining method, proposed for the Xolobeni project, rather involves scrapers gathering the sand, which is mixed separately with water and pumped to the Wet Separation Plant (WSP).

Mass disturbance of soils results in nutrient loss and the replacement of soil and consequent compaction means that it is difficult for plants to establish their roots and so the re-establishment of a high biodiversity is unlikely. The assumption that soil can be removed then replaced with little to no effects is thus highly questionable. As one informant, a botanist, averred, "You can re-vegetate, but you can't rehabilitate" (Abbott, Interview, 15/11/2009). This type of mining has even been suspended in New-South Wales in Australia because of its severe and permanent environmental impact. Authorities there have realised that they generally cannot restore mined areas to pre-mining conditions and that they are unable to reconstruct the complex soils structures and water table variations, as well as the many plant configurations that depend on these underlying features. Therefore despite claims of rehabilitation and minimal environmental impact of the mining, there is great potential for significant environmental impacts, including those that cannot necessarily be anticipated. As Meyer concludes, "it is impossible to recreate the ecology of the area's indigenous vegetation or even achieve the same crop yields under a system of small-scale or large-scale agriculture following soil reclamation following mining" (Meyer, 2009: 8). Thus the social impacts in terms of the ability of residents to continue securing their livelihoods from the land will also potentially be affected.

5.4.2. Social Impacts

There are a number of potential social impacts associated with the proposed mining activities. These impacts have the ability to disrupt social networks and relations, as well as how people secure their livelihoods and relate to the environment. The potential impacts are numerous.

Essentially turning the Mgungundlovu region into an industrial area would most likely have highly negative influences on resident's quality of life, as although the EIA proposes mitigation measures, there would still most likely be a high amount of dust caused by the mining operations and the heavy trucks passing on the road, which could also lead to health impacts.[28] There would be 64 trucks passing per day, making 2.7 trips per hour, 24 hours a day, 7 days a week for the lifespan of the mine (GCS, 2007a). Furthermore, the mining activities and the wet separation

[28] The effects of dust would be magnified in winter when the area is dry, combined with the high winds of the Wild Coast and the fact that the area has very sandy soils that are easily susceptible to creating dust. This was well experienced by the researcher, with a light car causing a major amount of dust.

plant would run 24 hours a day, 7 days a week, and there would be constant noise and light emanating from these activities, which would also severely impact the resident's sense of place.

The influx of job seekers, construction workers and mine workers is also likely to cause major social impacts on the communities of Mgungundlovu. This influx could lead to prostitution, drug and alcohol abuse, increases in crime (GCS 2007a), and the consequent impacts on social relations and networks that these changes imply. A further key potential impact of an influx of job-seekers who cannot find employment on the mine would be its impact on natural resources. Already areas such as the forests of the Mzamba River gorge, bordered on one side by Ebenezer township, are under pressure from indiscriminate cutting of trees for fuel (Abbott, Interview, 15/11/2009). The influx of workers would thus likely cause environmental impacts that would then impact directly on the ability of present locals to secure their livelihoods through the use of local resources.

Given existing dependence on the land and close connections to it (described in Chapter 3), one of the most significant consequences for residents of Amadiba would be relocations and loss of land. The EIA predicts that of the 335 huts in the first block to be mined, Kwanyana, about 62 are likely to be affected and 43 are located within the demarcated mining area. These people will thus have to be removed, which TEM claims will be based on negotiation and compensation.[29] However, the case of Anglo Platinum has shown that communities are often relocated to marginal sites with minimal opportunity for households to sustain themselves once the generally humble compensation payment has been spent.

Furthermore, the mining will occur predominantly on grassland currently used for grazing and cultivation, and so poses a significant restriction on people's incomes and subsistence. Access to dune forests, an important source of resources, as well as beaches will be affected by the mining operations. This issue of the threat that mining would pose to access to land and other resources was a key worry for respondents, and the potential for it to occur is well illustrated in the case of the Anglo Platinum mine in Limpopo Province. Furthermore, it is unclear how or if this reduced local resource base will be supplemented by increased economic opportunities, as it appears that

[29] However, in September 2008 the social impact assessor, Tony Barbour, attempted to interview households as part of the plan for relocation and compensation, but he was threatened by some of the villagers and so had to leave the area (*Sunday Tribune*, 2008).

the mining operations will employ very few local people (this will be discussed further under Section 5.5.2). The fact that mining operations provide few jobs to surrounding communities is a common complaint by mining-affected communities in South Africa (Mayher, forthcoming). It will in all likelihood lead to an ecologically degraded environment and communities that are pushed towards greater dependence on economic resources beyond the land. As Kennedy points out regarding the social and ecological effects of mining internationally, "Mining companies are notorious for engendering dependency amongst communities around major resource projects, a debilitating and humiliating trajectory for people (Kennedy, 1998: no page number on html version).

One can assume that there would also be changes induced in the local social context that are not as easily quantifiable. As Ferguson (1994) has shown, outside interventions such as 'development' projects introduce technical procedures that cannot help but cause social and political changes in the societies onto which they are thrust. With the people of Mgungundlovu's lives, culture and identity so closely linked to the land, changing their material conditions of existence would essentially change the social institutions and sets of social practices that have evolved out of their interactions with their local surroundings and the forces of history. Hence it would mean changing or even destroying a society and a mode of existence: rules, norms, livelihoods, practices, events and identities.

5.5. THE XOLOBENI IMPACT ASSESSMENT PROCESS AND PARTICIPATION

Groundwater Consulting Services (GCS) (Pty) Ltd, an "independent environmental consulting firm" (GCS, 2007a:1-2), was contracted by Transworld Energy and Minerals Resources (TEM) to conduct the environmental impact assessment for the proposed Xolobeni Mineral Sands Project in 2007, which included the compilation of the scoping report, the EIA and the EMP. GCS then contracted Mazizi Msutu and Associates to conduct the community consultation process. The social impact assessment (SIA) and the social and labour plan (SLP) were conducted by an environmental management consultant, Tony Barbour.

The EIA outlines the various socio-economic and environmental impacts of the mine. It is worthy to note, however, that many of the environmental studies were incomplete and provided inconclusive information. This factor was the focus of much criticism of the EIA by various parties, including the Legal Resources Centre (2008) and various interested and affected parties.[30] The EMP summarises the potential environmental and socio-economic impacts of the proposed mining that were identified by the EIA and proposes mitigation and management strategies to deal with these impacts. An important management strategy proposed is the rehabilitation of the mined areas. It sets out the measures by which it will do so, so as to ensure "re-establishment or enhancement of pre-mining conditions" (GCS, 2007b: 3-11). It argues that these land forms will be restored so that they are suitable for "sustainable development projects', "conservation and ecotourism initiatives", "improved subsistence agriculture to supply domestic needs', and "grazing by livestock, especially cattle" (GCS, 2007b: 3-11).

The SLP is a requisite of the MPRDA and the South African Mining Charter, which requires mining companies that plan to mine in a specific area to detail how they will contribute to skills development of their workforce and to the 'socio-economic development' of the area in which they operate and the areas from which the majority of their workforce is sourced. The SLP states that TEM will work together with the OR Tambo District Municipality and Mbizana Local Municipality to assist with service provision to the area, including roads, schools and a clinic, and the establishment of two all-purpose community centres (TEM, 2007). It also states that TEM will provide two bursaries a year to local students and a job offer upon qualification and twenty scholarships per year to Grade 11 and 12 students over the lifespan of the mine, which will cover school fees and textbook costs. The above will amount to a 5.69 million rand investment over the first five years (TEM, 2007).

As part of the 'public participation' component of the impact assessment and SLP, various meetings were held through the scoping and EIA phases between May and November 2007, and were aimed at interested and affected parties such as relevant government sectors, NGOs, the local communities and the general public. However, participation by the communities affected

[30] GCS (2007a), 'Issues Trail', Section 6 pp. 7-129.

by the mine was minimal. As the Legal Resources Centre claimed, "the public consultations held were a sham" (LRC, 2008: 12). Three factors may be identified that inhibited the potential of community members to participate in decision making regarding the proposed mining: the location of the meetings, the character and content of the meetings, and an insufficient social impact assessment. These will be dealt with in turn.

5.5.1. Location of meetings

Six meetings were held as part of the scoping phase. However, the manner in which the meetings were conducted was not conducive to ensuring that the affected communities could become meaningfully involved in, and understand, the process. To begin with, no meetings were held in the mining tenement areas and hence those areas to be directly affected by the mining. Instead, the majority of meetings held in the AmaDiba area occurred in the inland zone. For activists of the AmaDiba Crisis Committee (ACC), this was intentional, as they argue that the majority of people living inland are in favour of the mine and that the consultants, influenced by Zamile Qunya (the 'head' of the local pro-mining lobby) were aware of this and so were steered towards holding the majority of scoping and draft EIA and EMP report-back meetings at inland locations (Mbhutuma, Interview, ACC, Sigidi Village, 30/06/2009). Furthermore, no meeting was held at the Mgungundlovu Tribal Authority, or Komkulu, the traditional meeting place of the Mgungundlovu communities. A project aiming to ensure participation by those affected should be aware that local processes of decision making are reinforced and defined by cultural sanctions, rules and norms, and as such, a process that aims for participation should aim to include these from the beginning of the process (Derman and Whiteford, 1985). This omission can serve as an important hindrance to participation, as those affected are not engaged in the manner to which they are accustomed (Hughes, 1998).

Furthermore, most community members did not receive proper notice of the meetings and so did not attend them. This is indicated by the registers of the various meetings in which a very small amount of community members were indicated as present. In order to advertise the EIA process, the GCS consultants placed advertisements at the beginning of the AmaDiba road, at the turn-off

from the main tarred road, and at the Kwanyana area from September 2007[31]. They also placed advertisements in a number of regional and national newspapers in the first half of May 2007. The EIA states that because most people in the area do not have access to a newspaper in their own language, flyers written in Xhosa were distributed at various locations in and outside the AmaDiba area. However, no indication is provided of how residents were notified that the flyers were available. Moreover, no notice was provided in means other than writing, such as a local radio broadcast or locally established structures of communication. This omission occurred despite the emphasis in the scoping report, EIA and EMP on the low school education and literacy levels in the area. This use of written media to communicate information is a key means through which non-literate groups are marginalised from EIA (Hughes, 1998), and is indicated by the low awareness and attendance of meetings by community members.

Furthermore, for a resident from Xolobeni village to reach any of the six meetings held as part of the scoping phase, the drive by car ranged from 1.5 hours to 3 hours. It is also alleged that transport was provided by GCS or TEM to community members known to be supporters of the mining (LRC, 2008; Mbhutuma, Interview, ACC, Sigidi Village, 30/06/2009; Dlamini, Interview, ACC, Port Edward, 16/09/2009). The result was that of the 37 meetings held by GCS over the scoping and EIA review phases, only two were held within the mining tenement area. When community members were asked for the purpose of this research about EIA meetings, many of them were not sure what the researcher was referring to, which indicates a lack of awareness of the occurrence of meetings, and secondly, what the meetings were concerned with. Because of this, this research was able to obtain few first-hand accounts from community members of the experience of meetings.

5.5.2. Content and structure of meetings

As shown by the minutes of the various meetings allegedly held with community members, participation by community members in terms of decision making was non-existent. Roberts (1995) provides a continuum of public involvement that begins with the least participative form

[31] That is, site notices were only put up 4 months after advertisements were placed in newspapers. According to the EIA, such notices were originally not put up "due to the size and remoteness of the area" (GCS, 2007a: 6-3) until the assessment practitioners were instructed by the DME to do so at the AmaDiba road turn-off and at Kwanyana.

of *persuasion*, which involves "the use of techniques to change public attitudes without raising expectations of involvement", to self-determination, which refers to a situation where the public has complete control over decision making and consequent results (Roberts, 1995: 230). According to this continuum, the type of public involvement undertaken by GCS may be described as *information feedback*, where an organisation provides the details of its intentions with the aim of receiving the public's comments on those intentions. This is evidenced by the fact that the minutes of some meetings show that community members raised concerns about what would happen to their land as a result of mining and that although they resided in the areas to be directly affected by the mining operations, they had not been consulted. The minutes indicate that no replies were provided. This, however, corresponds with the requirements for public participation, which only make it necessary to take note of the public's comments and issues raised but not necessarily to respond to them as they arise. Thus it appears that meetings involved one-way communication from the consultants and project proponents to the community members present at the meetings. Furthermore, public meetings aimed at community members failed to provide the opportunity to establish mutual objectives, but rather consistently opened with the chair of the meeting describing the agenda and aims of the meeting. There is also little indication that any attempts were made to address concerns raised during public meetings nor to ensure that affected members were made to understand the process, and based on this understanding, experience a level of involvement. As Sarah Sephton of the Legal Resources centre asserts:

> ...it's insufficient to just hold a meeting and think that you're consulting. People need to understand what the issues are and be able to comment on them fully in order to say that you have consulted with them (Sephton, Interview, Grahamstown, 16/09/2009).

One women in the village of Mdatya had attended an EIA meeting, but felt that those who attended were simply provided with information, such that meetings took the form of *information feedback* instead of engendering genuine participation:

> Those consultants didn't explain exactly what. I remember one meeting, even at that meeting the consultants didn't explain what it's all about, they just gave us those documents, that's it (A4, Mdatya Village, 27/06/2009).

She also described how documents in the form of the EIA and scoping report were provided at the Tribal Authority for community members to view. However, they were written in English and in a technical language:

> I was seeing those documents talking about the EIAs, but the problem it was written in English and we didn't understand what it said. And sometimes they sent those documents to the school for those people who are close rather than someone to come and explain about those documents (A4, Mdatya Village, 27/06/2009).

This medium of communication is highly questionable given that the majority of those living in Mgungundlovu are illiterate. Furthermore, the combination of illiteracy and the technical language of the EIA are important ways in which the EIA becomes an instrument of power and serves a marginalising role for local communities (Cock and Webster, 1996; Hughes, 1998).

Furthermore, despite claims of mitigation and rehabilitation of the sand dunes after mining has been completed, to many of the people in AmaDiba, the issue is that their land will be destroyed. The technical language of rehabilitation and environmental management introduced by the environmental practitioners in meetings had little connection with local discourses of their relations to the land. A resident of the Kwanyana block, who attended an EIA meeting, felt strongly about this. Asked whether he understood what was said in the meeting, he replied that he had understood. However,

> I didn't want to even to listen to them, because I'm not interested in what they were talking about. I understood what they were talking about, they were going to take the trees and all of this, but I don't want to listen, I'm not interested...I don't want to listen to anyone talking about the mine, because I protect this land. It doesn't matter how you can take the trees and put them back, I don't care, as long you not talking about this land... I was born and bred on this land. If I let somebody come and destroy this land how can I survive? The land is like my mother and father to me (A11, Xolobeni Village, 24/11/2009).

It also appears that information provided in meetings were inaccurate and misleading. For example, it was claimed by John Barnes (managing-director of TEM) that "it was unlikely that

people would be forced to relocate."[32] However, according to the EMP, "The loss of land or access to farmland...represents a potentially significant impact" (GCS, 2007b: 3-43). Furthermore, the impression was given in meetings that the mining would provide significant employment opportunities to the local population. In contrast, the EMP states:

> The potential local employment opportunities associated with the proposed development may be somewhat reduced by the low education and skills levels in the area. This was confirmed during the household surveys and focus group meetings. The issue of available and appropriate skills will, therefore, need to be addressed in order to maximise the employment opportunities for the local community during the operational phase. This represents one of the key challenges facing the mine. In this regard the issue of impact equity needs to be taken into account. *The community who will be most severely impacted by the proposed development are unlikely to benefit significantly from the permanent employment opportunities associated with the mine* (EMP: 2007b: 3-52) (emphasis added).

This situation is also highlighted in the EIA report:

> In an area with high unemployment and poverty levels any opportunity to create additional employment is regarded as a positive impact. However, as indicated above the potential direct employment opportunities for the local community are likely to be limited. The potential opportunities for locals will improve with the implementation of the bursary and training requirements set out in the SLP. However, the benefits of training will only accrue to locals if they are employed in the first place (GCS, 2007a: 7-51-52).

That is, it is stated that the inhabitants of the area affected by the mining have very low formal school education levels. Therefore TEM will contribute to improving this situation through the provision of bursaries and training programmes, as laid out in the social and labour plan. However, only two bursaries will be provided per year (TEM, 2007). After acknowledging that TEM has a minimum Grade 10 employment policy and that employment opportunities for local people will therefore be minimal, the SLP goes on to state that TEM will still aim to employ 60% of their workforce from local communities. How the local communities will benefit through education and employment opportunities is thus unclear and riddled with contradictions.

[32] Minutes of meeting at Mgungundlovu Tribal Court, 18 May 2007, Appendix N.

Furthermore, indirect employment opportunities in security, transport and catering are cited as an important beneficial consequence of the mine, as, it is claimed, businesses and service provision enterprises will inevitably arise in response to the capital injection and new economic activity in the area. It also is not clarified how "the issue of available and appropriate skills" will "be addressed". The complexity and vexed nature of the provision of job opportunities to local communities was not related to community members at meetings, but were instead informed simply that the mine would provide jobs. Much of the public involvement process was therefore skewed by the control of information by the proponents of the project and their ability to make use of it in a selective manner.

With regard to possible relocations, those households that would have to be relocated to make way for mining activities were not consulted or engaged with in terms of decision making over the possibility or the terms of relocation. This is acknowledged by the EIA report: "Due to uncertainties regarding the outcome of the Record of Decision and whether security of tenure would be obtained it was not possible to consult with all households in the tenement area that may need to be relocated" (GCS, 2007a: 10-3). This illustrates the degree to which community members were excluded from decision making processes, as it claims that consultation may be done only *after* a decision has already been made over the proposed mining.

Active misinformation extended to the highly contentious issue of Xolco and the existing balances of power that its existence and composition illustrates. Whereas it is consistently claimed by TEM, Xolco and the impact assessment reports that Xolco is a community organisation representing the people of Amadiba, when a community member asked in front of other community members in a scoping meeting what kind of role Xolco would play in terms of community 'development' projects, the reply was that first and foremost Xolco is the official BEE partner of TEM and is therefore primarily concerned with the operational requirement of the mine and that "how Xolco will work with the local community was a separate issue all together, which had nothing to do with the mine operations."[33] This response not only represents an explanation that is contradictory to the normal marketing of the proposed mine by its proponents, but an avoidance of analysing the existing balance of power that exists in the

[33] Minutes to scoping meeting held at AmaDiba Tribal Authority, 13 June 2007, Appendix N

AmaDiba region. This issue of existing power relations is a central one, as the benefits of a proposed project will to a large extent be distributed according to the existing constellations of power (Derman and Whiteford, 1985). As will be described in Chapter 6, Xolco is composed of local elites who appear to support the project because of the personal financial rewards that it offers. They have managed to engage in local and regional networks of power and resources and hence have contributed to manipulating the processes around the proposed mining, including the public involvement process. Effective participation should take account of and highlight existing imbalances in power relations, and act to ensure that the involvement of those such as women, those with limited access to resources, and those with lower education levels, are engaged on a meaningful level. However, the public involvement procedures neither addressed nor considered the existing imbalances of power in relation to the proposed mining and were instead prejudiced in favour of those with the ability to influence and manipulate the process.

For Hughes (1998) and Burdge and Vanclay (1995), public meetings are insufficient for ensuring participation, as they are easily affected by power relations, allowing elites to participate while preventing others from becoming involved. According to certain activists, meetings (specifically the scoping meeting at Mgungundlovu Tribal Court)[34] were controlled by the 'leader' of the local pro-mining local, Zamile 'Madiba' Qunya, and people were not allowed to make more than one comment (Mbhutuma, Interview, ACC, Sigidi Village, 30/06/2009; Dlamini, Interview, Port Edward, 16/09/2009). It appears that the consultants appointed to undertake the public consultation process were aware of the problems in this regard. Referring to a heated meeting at which community members found out about Xolco in 2007, one of the consultants said, "I am not surprised the meeting was tense. In May we had community meetings and there were problems then" (quoted in *Sunday Tribune*, 2007). The power relations and contestation in the communities was made clearly evident to the consultation practitioners when an ACC member, Nonhle Mbhutuma, was physically evicted from the EIA meeting at the Xolobeni pre-school in November 2007 by Basheen Qunya, the 'community liaison officer' for TEM and who is also involved in Xolco, after she queried why the meeting was taking place at the pre-school and not

[34] This meeting at Mgungundlovu Tribal Court was originally not scheduled as part of the scoping phase, but due to local protest about no meetings being held in the tenement area, it was arranged at the last minute. The only notice that local community members received about this meeting was through one of the ward councillors who purportedly drove around announcing it through a loudspeaker on the morning of the meeting. As such, it was poorly attended (Mbhutuma, Interview, 2009).

at the traditional meeting place of Mgungundlovu, known as *Komkulu.* The consultation practitioner himself, Mazizi Msutu, had to physically intervene to calm down an angry Nonhle Mbhutuma, who was then allowed back into the meeting (*Daily Dispatch*, 2007). The consultants were thus made clearly aware of the tension surrounding the proposed mining and the heavy-handed tactics of some of the central pro-mining actors, yet no measures were taken to address these issues. Furthermore, no mention is made of the existing contestation in any of the assessment documents, including the minutes of the meeting concerned.

The nature of the public meetings held with the affected communities as part of the impact assessment process thus failed to ensure their meaningful participation in decision making. Apart from the obscure locations and means of providing notice of the meetings, the meetings themselves were 'shallow' in the sense that they served as a platform for community members to be informed of processes already underway, without the communities' involvement in decision making. Community members were only given a chance to comment on processes that they had minimal control over, and there is little indication that the comments and concerns raised had any impact on the decision making process.

However, despite these deficiencies in participation, the Department of Environmental Affairs regulations on environmental impact assessment were fulfilled, as were the requirement by the MPRDA that consultation take place, that issues and comments be recorded and an indication be provided that such issues have been addressed. The omissions discussed above did not prove problematic to the DME, who approved the EIA report and EMP before deciding in July 2008 that the licence to mine would be granted.

Moreover, the fact that the DEAT's required levels of 'public participation' as per its impact assessment regulations were fulfilled is indicated by the fact that neither the Eastern Cape Department of Economic Development and Environmental Affairs' (DEDEA), which indicated that the public participation evident was satisfactory, nor DEAT's comments on the EIA and EMP, which were submitted to the DME in December 2007,[35] raised any objections to the public

[35] Incidentally, DEAT's comments were almost not considered by DME, as they were submitted after the stipulated period for submission of comments, "due to an administrative error that occurred during the festive season (when

participation process. This reflects Hughes' argument that although guidelines on public involvement should clearly explain why various participants should become involved as well as how to ensure that their involvement is effective, "on the whole, they do not advocate the types and level of stakeholder involvement that are likely to yield meaningful results" (Hughes, 1998: no page number). These regulations therefore do not give effect to the principles of participation embedded within the NEMA. However, as will be discussed, analysis should not be restricted to technical details of stakeholder involvement, but also directed more broadly towards factors of power and the political and social relations that are difficult for public involvement processes to avoid.

5.5.3. The social impact assessment

It has been discussed above how the public involvement process failed to ensure adequate participation by the affected communities and how local means of community interaction and decision making were not taken account of, most notably in the failure to hold meetings that were culturally and socially suitable from the communities' points of view. While it is not a legal requirement that a social impact assessment is conducted (although the MPRDA does require the EMP to contain a description of the socioeconomic conditions of those to be directly affected by a mining operation), a social impact assessment was carried out and contained in the EIA report. However, this insensitivity to the local cultural and social context and inattention to existing power relations illustrated through the public involvement process was reinforced by the social impact assessment. Whereas a socioeconomic assessment provides statistical details on employment levels, poverty levels, demographics and so forth (Burdge and Vanclay, 1995) a social impact assessment should aim to explain the social context of the area by focusing on social, cultural, political and economic variables in a holistic manner that disaggregates the relevant population in an attempt to provide a nuanced and detailed study of the social context (Cock and Webster, 1996).

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the comments were due) and could in all likelihood be attributed to the fact that we were at the time functioning on a skeleton structure" (Correspondence between DEAT and John Clarke, Dated 11 April 2008).

GCS appointed Tony Barbour to undertake the specialist social impact assessment. The original social impact assessment specialist study provided to GCS described a relatively wide range of potential positive and negative impacts. However, in the EIA report, this information was split between a section on the socio-economic impacts and a section on the SIA. In the SIA section the only potential impacts included were traffic and noise impacts.[36]

Whereas Scott and Oelofse (2005), Cock and Webster (1996) and Burdge and Vanclay (1995) argue that it is essential that a social scientist, using social science concepts and methodologies, conduct the social impact assessment, the practitioner in this case, Tony Barbour, had no formal social science training (as indicated by his *curriculum vitae*), but has "18 years of experience in the field of environmental management" (Barbour, 2007).[37] At the time of the Xolobeni SIA he had conducted 20 previous SIAs and he is the author of the 'Guidelines for Social Impact Assessment for EIA' (2006), which was commissioned by the Department of Environmental Affairs and Development Planning (DEA&DP) in the Western Cape.

In terms of methodology, the SIA employed both quantitative and qualitative data collection techniques. Quantitatively, it made use of the 2001 Census data to contribute to an understanding of the local social circumstances by providing information on demographics, the economic context characterised by low incomes and educational levels, poverty and unemployment (Barbour, 2007). Moreover, the likely impacts identified consisted of traffic and noise impacts.[38] The noise and traffic impacts were measured and assessed in terms of scientific criteria such as decibel levels and the probable levels of response that increasing decibel levels may illicit. The potential social implications of increased noise and traffic were not considered, and were instead reduced to a set of scientific criteria.

[36] It is not clear why this was the case, as the practitioners from GCS that were involved in the Xolobeni EIA no longer work there and so could not be contacted for this research. The researcher's contact at GCS also did not know why the SIA was split as such.

[37] Barbour (2007) refers to the original social impact assessment report submitted to GCS, while reference to the SIA integrated into the EIA report will be indicated by GCS (2007a).

[38] A separate section in the EIA that deals with possible socioeconomic impacts of the mine details probable impacts such as influx of workers from outside the area, increased alcohol and drug use, increased crime and so forth. However, such impacts are not analysed in terms of existing social structures of the affected communities and what effects these factors might have on those social structures. The impacts are dealt with in a mechanical manner that fails to capture the social context of the area.

A survey of 132 households in Mgungundlovu was also undertaken in 2007, which was the only research method that directly engaged the inhabitants of Mgungundlovu. It mainly covered the inhabitants' sources of livelihood and the service levels in the area. The surveys themselves were thus not sufficient as social science tools aimed at a nuanced and detailed investigation of the local social context. Furthermore, these surveys were not carried out by social scientists or specialists, but by 12 local youth that were given two days of training and capacity building before undertaking the survey (Barbour, 2007). The information gathered in this survey was included in the SIA in the EIA report in the form of describing the levels of income, service levels, education levels, and to highlight that the potentially affected communities live a 'traditional' way of life that is highly dependent on subsistence farming (GCS, 2007a). Key concerns associated with the proposed mine, which include influx of outsiders in the communities, increase in drug and alcohol abuse, loss of farmlands, resettlement of households, impacts on loss of access to resources, lack of information on the structure of the agreement with Xolco, and so on, are listed in the SIA section and discussed in the 'Socio-economic Impacts' section of the EIA.

In terms of qualitative methodology, focus group meetings and interviews were conducted. However, although a qualitative methodology is supposed to allow for a more participative approach, participation by affected community members was minimal. The SIA admits that "Due to the deadlines for submission set in terms of the MPRDA it was not possible to consult with all key interested and affected parties, including the households in the tenement area that may need to be relocated" (Barbour, 2007: 2). This lack of participation is a severe shortcoming of the SIA and serves as a hindrance to a thorough contextualisation of the relevant social context.

The focus group meetings were conducted with predominantly outside organisations and institutions, which included the Wildlife and Environment Society of South Africa (WESSA), Department of Water Affairs and Forestry (DWAF), the Wild Coast Sun, Mbizana Chamber of Commerce, Chiefs, Tourism Operators, Port Edward Business Forum and Tourism Operators, Sustaining the Wild Coast (SWC), Eastern Cape NGO coalition, Transkei Land Services, ESKOM, and Mbizana Municipality (GCS, 2007a: 6-6 and Appendix M). Therefore, no focus

groups were held directly with community members. While entities such as the chiefs, tourism operators, the Transkei Land Services and SWC may be seen as closely aligned to, and therefore representative of, the inhabitants of Mgungundlovu, organisations should not be viewed as substitutes for the voices of community members themselves (Bozzoli, 1987). For example, viewing chiefs as representative of their constituencies ignores the historical role played by the institution of traditional leadership in securing 'indirect rule' under apartheid as well as the current contestation over the existence of this institution under a constitutional democracy (see Mamdani, 1996; Ntsebeza, 1999; Mashele, 2004; amongst others). Furthermore, the issue of who the legitimate chief of the AmaDiba area is was a contested issue at the time that GCS conducted its consultations, which none of the impact assessment documentation makes mention of. The 'chiefs' that GCS consulted with, and who support the proposed mining, were contesting for the position of chief, while the apparently legitimate chief that is recognised by the communities and by the Premier's office of the Eastern Cape (LRC, 2008) is Lunga Baleni. However, he has not actively supported the proposed mining and according to him, "I support what the people want." However, he has not been consulted at all (Baleni, Interview, Port Edward, 30/06/2009). The focus groups conducted therefore were not conducive to a comprehensive representation of the social and cultural interests of the potentially affected community members.

An attempt to understand local social relations and exigencies was attempted through the use of interviews. However, these were conducted with teachers of the area (it is not clear how many), the majority of whom, it is alleged, are not from the area and are in support of the mine (Mbhutuma, Interview, ACC, Sigidi Village, 30/06/2009). These interviews therefore depended on secondary accounts from teachers rather than direct interaction with the people likely to be affected by the proposed mining. Further qualitative methodology in terms of the use of social science concepts and literature based on other similar experiences is also noticeably absent in the SIA. While many of the impacts identified do draw on the author's experience of other similar projects, which is an important part of an SIA (Ortolano and Shepherd, 1995), these impacts are not linked to an in-depth analysis of the local social context, for example, through the use of social science concepts. Thus while the author draws on past experience with other similar projects, no solid evidence is provided in the form of reference to literature on the subject. The reference list of the SIA has only 9 references and none of them are social science or academic

work. The nature of the qualitative methodology employed hence did not lead to a more contextual, nuanced and thorough account of local social circumstances and power relations, as much of the literature on SIA argues for.

The overall approach and information provided in the SIA may be described as a socioeconomic assessment rather than a social impact assessment. Through its quantitative approach and shallow qualitative approach, instead of providing a comprehensive social study that "facilitates a decision-making process to choose between alternative possibilities" (Burdge and Vanclay, 1995: 32), the SIA appears to have been restricted to identifying the need for the proposed mining based on the apparently high poverty levels of the area. This portrayal of poverty is thus positioned to justify the potential positive impact of the mining:

> TEM is committed to maximising the potential socio-economic opportunities for the local area and community in which the proposed mining operations are located. Specifically, TEM is committed to reducing poverty and social upliftment of the mining area and relevant labour sending communities through its contribution to local development programmes and initiatives. (GCS, 2007a: 3-33).

However, even in this regard the SIA contains internal contradictions. In the original SIA specialist report submitted to GCS, as in other parts of the EIA and EMP, it is acknowledged that few people from the local communities will be employed by the mine due to low education levels, but in the version of the SIA included in the EIA report it is stated that the "majority of employees will be from the local community and are expected to find residue in the region" (GCS, 2007a: 4-353). The SIA in question thus presents itself as aligned to the dominant 'development' paradigm by promoting the sort of 'development' represented by the proposed mining, and to the interests of the developer by its consistent reference to the overall benefits that the mine will bring. However, the links that the SIA constructs between the mine and community benefits are tenuous, such as the assumption that providing bursaries to two students from the area per year will benefit the community because once educated these people will return with their skills and help improve their communities (Barbour, 2007). These questionable

assumptions and the neutrality of the SIA were noted and questioned by some of the interested and affected parties.[39]

The insufficient nature of the SIA for the proposed mining may also be linked to the broader framework relating to impact assessment. SIA occupies a minimal role in the environmental management regime in South Africa and more specifically within EIA, which remains primarily technocratic and scientific (Weston, 2004). According to a representative of the Environmental Quality and Protection division of the Department of Environmental Affairs, the division responsible for reviewing EIAs,

> The weakness of the EIA is that it doesn't take the um...in the first place it doesn't take social issues that clearly into consideration because it's more of a scientific tool. The social issues are not as easily measurable, so it's a bit cloudy. So I think that's a weakness. Not of the process but I think if the people who drive the process, the social issues are a bit difficult to deal with. Scientific stuff is much more easier to do (Smit, DEAT, Interview, Pretoria, 19/02/2010).

This echoes Scott and Oelofse's assertion that "Environmental assessment remains a set of technical procedures, with little emphasis on the equity principles embedded in NEMA" (Scott and Oelofse, 2005: 446). This weakness in EIA with regard to social issues was expressed somewhat bluntly by the same representative of the Department of Environmental Affairs:

> You might find that a lot of other resistance, there's some resistance about something, some complaint about something. Now they suddenly complain about something, like stupid things, like an underpass. 'Where they going to graze their cattle?' Something like that. There might be some stupid thing that they complain about, and you think now 'Hell man, the EIA did take care of that.' But that thing that comes out, it's not really a scientific EIA problem, it's a social problem that is manifesting into something else, and you'll find that it becomes a hell of a problem, because socially, the rivers and things in that area has got some other value for the people. They go there and they *hanna hanna*, they *kuier* with the girls and all sorts of things down the river. If you now have suddenly got a lot of *okes* working in the river, now that opportunity where the young ladies and the men can *kuier* and so on is now suddenly lost. Now that's a *moerse* cultural problem now. It's a social problem, the whole *bladdy* system is *deurmekaar*. But that manifests into a story about the water quality or a story about something else. So that is where we

[39] GCS (2007a), 'Issues Trail', Section 6 pp. 7-129.

> need guys like you in the EIA, the social guys, because there's a social thing attached to it...That is a big, big problem with EIA. (Smit, DEAT, Interview, Pretoria, 19/02/2009).

This links to Burdge and Vanclay's (1995) assertion that one of the main problems with SIA is the existence of an 'asocietal mentality' – "an attitude that humans do not count" (Burdge and Vanclay, 1995: 46) – on the part of management of relevant agencies involved in the 'development' process, including government officials and 'development' practitioners and planners. These people are often unaccustomed to, or even antithetical to, the social methodologies and processes that are very different to those of the physical sciences. This attitude was expressed by an official of the DMR, involved in environmental approvals. According to this official, a lack of technical knowledge on behalf of the community and therefore an inability to fully understand the issues presented through the impact assessment process is problematic in terms of consultation. However, instead of advocating efforts made to ensure that local populations gain the ability to participate to a greater degree, she argued that the state should step in to act in the best interests of such populations. As long as the issues raised are recorded then informed decision makers in the state apparatus, once in possession of this information and due to their expert knowledge may make decisions that are in the best interests of the community concerned:

> There are some objections that they can't be substantiated – and remember mining projects are projects that have a positive economic impact, and because mining is one of those strategical issues that puts our country in the limelight.
> If there's something flawed or because now I'm more of a technical person which a person on the ground cannot even, even if you can have that sketch, but doesn't think about the emission...
> So for any project before it can be ticked off we are relying on these other experts to protect now the people on the ground. Because if they have registered they were consulted, yes it was registered, but were they conversant with the issues? They can't. I mean, I can sit there and role out the representation and they just enjoy, they don't even see themselves fitting. Or because of that at that point their expectations are huge then you find like the first round it was well taken, but because the issues there, they didn't even have the ability. (Ugwu, DMR, Interview, Pretoria, 19/02/2010).

In this sense then, community participation and understanding is a less important component as long as there exists a benevolent state bureaucracy to make optimum decisions on behalf local communities. The result of such an 'asocietal mentality' is that SIAs are expected to provide

little more than information on demographic changes, employment levels and so forth, thus excluding a comprehensive social analysis. The lack of this analysis, and the participation that it should be based on, is thus a noticeable shortcoming of environmental management practice in South Africa.

5.6. CONCLUSION

This chapter found that there were a number of barriers to participation by the affected communities in the Xolobeni case study, which included inability to attend meetings, the structure of the meetings held and the manner in which they were conducted, and a deficient social impact assessment. Overall, there was therefore an unwillingness on the part of the impact assessment practitioners to meaningfully involve the affected population, and as such the resulting EIA report and EMP was strongly in favour of 'development'. This 'development' was poorly related to local concerns and needs, but rather arose out of a discursive focus on the poverty of the area and the consequent need for a 'development' project like the proposed mining to assist in lifting the area out of its perceived economic stagnation. This 'solution' was also to a large degree unrelated to local social, environmental aspirations and 'developmental' aspirations (discussed in Chapters 3 and 6). Furthermore, the social impact assessment that was conducted by an impact practitioner with no evidence of social science training and was not based on in-depth research and participation by those the project would most directly affect. As such, the interests of the project proponent to a large extent determined the nature of the EIA report and EMP, which illustrated the adverse impacts that the mining would have on the natural and social environment, but was still promoted in favourable terms, such as in the social impact assessment.

Participation was defined in Chapter 2 as the ability of individuals and communities to make and implement decisions in the economic and political realms. The manner in which the EIA and its associated consultation processes was conducted was not conducive to real participation in 'development.' However, while weaknesses exist in the regulatory requirements for participation, this chapter does not propose that the solution hence is to simply improve those regulations. Rather, it sought to highlight the social and economic relations in which EIA functions and its pressure to find in favour of 'development' without deliberate consideration of

local social context, instead undertaking ‘consultation’ as a matter of procedure without any meaningful effort made towards actual participation by affected communities, nor to ensure that consultation noticeably affects the nature of the project.

The EIA therefore played a role in ‘development’ that perpetuates the ‘top-down’ approach to ‘development’ that in practice corresponds with the current state discourse on ‘state-led development’, and which pays little attention to local knowledge (see Greenstein, 2009), rather than an approach where, as the social worker and SWC member John Clarke proposes, “people become protagonists of their own development and seek to articulate their own development aspirations” (Interview, Johannesburg, 03/04/2009). It may therefore be argued that a principle means through which the EIA was aligned to the hegemonic ‘development’ paradigm was through its promotion of the mining as a ‘development’ option and its failure to adequately consider tourism as an alternative option to the mining, despite the environmental and social impacts that would most likely be associated with the proposed mining.

Therefore, although the relevant legislation in South Africa mandates public consultation and thorough environmental assessment, the actual results in terms of community participation in ‘development’ warrant closer attention and analysis. This is illustrated by how the meaning of ‘environment’ promoted by the environmental management regime in South Africa was neglected in the EIA practice, which through its technocratic and procedural approach to public involvement obscured the social and cultural aspects of the environment, thus preventing the principles of environmental policy in South Africa from being realised. This demonstrates the impact that the prevailing approaches to the relationship between poverty and ‘economic development’, and existing interests and constellations of power, have on the ability of the EIA to ensure meaningful participation on the part of local communities. This theme will be explored in greater depth in the following chapter through further analysis of the roles played by the main social actors.

CHAPTER 6

THE RELATION BETWEEN ENVIRONMENTAL PROTECTION AND DEVELOPMENT: THE ROLES OF THE VARIOUS SOCIAL ACTORS

6.1. INTRODUCTION

This chapter aims to examine the roles played by the various social actors in the proposed Xolobeni Mineral Sands Project and their conceptualisations of the relation between environmental protection and 'development'. It argues that those in favour of the proposed mining have cohered around a conceptualisation of 'development' that subordinates environmental concerns, but still in the name of 'sustainable development'. The practice of 'development' in this case has been severely skewed by existing power relations in which the affected communities have been marginalised from participating in the process. Instead, it has been directed by narrow interests that stand to benefit from the proposed mining and by conceptualisations of 'development' that emphasise economic growth over social and environmental concerns. From an environmental justice perspective, this case illustrates the interconnected relationship between environment, 'development' and power, and it calls for this perspective to be prioritised so as to better analyse how this relationship is constructed.

6.2. BACKGROUND

Contestation and competing claims to 'development' have been well illustrated in the Amadiba area where the proposed mining would be situated. Amadiba Horse and Hiking Trails, also know as Amadiba Adventures, was initiated by the NGO Pondocrop in 1997. Its aim was to involve community members in its operation and management and so provide an alternative to large-scale, investor-driven 'development' that could supplement local livelihoods, rather than replace them. In 2000, the Amadiba Coastal Community Development Association (ACCODA) was established as a trust that was principally concerned with 'development' in the Amadiba area, the promotion of sustainable resource use practices, and with maintaining close communication with the communities. Amadiba Adventures provided various forms

employment to locals as cleaners of the camp sites, tent owners, security guards, camp keepers, horse owners, caterers and tour guides. For many involved in Amadiba trails, the cash income provided a welcome supplement that allowed them to enhance their cultivation practices by buying inputs such as fertiliser and seeds, and so for those involved with the trail it augmented existing livelihood sources instead of replacing them. However, the operations of Amadiba Adventures slowly dwindled until it now virtually no longer exists. There is the widespread perception that the enterprise was deliberately sabotaged by the chair of ACCODA trust, Zamile Qunya, a former ANC councillor and businessman, when the mining opportunity appeared so that it could not be seen to provide an alternative to such mining. He then formed Xolco, the BEE partner to TEM and apparently the communities' representative organisation. There has since been a great deal of conflict and division within the communities, even dividing parents and children in some cases. There were also widespread allegations of manipulation of people known to be anti-mining, as well as deaths that community members have attributed to anti-mining activities.

The right for TEM to begin mining the Kwanyana Block of the mining tenement area was granted by the DME on 14 July 2008. However, the public and the affected communities only became aware of the decision on 4 August 2008 when an announcement appeared on the Australian Stock Exchange website listing for MRC, the Australian parent company of TEM. There has thus been a myriad of discrepancies in the granting of the licence. However, after realising the level of objection to the mining by the affected communities and the fact that they had not been properly consulted, the Minister of the DME withheld the awarding of the licence, and there has since been no clarity on the status of the decision. The remainder of this chapter will present the roles played by the main social actors in the case and their conceptions of the relation between environmental protection and 'development'. Their roles will be analysed along the lines of environment, 'development' and participation.

6.3. THE ACTORS

6.3.1. Community[40]

This section will attempt to convey the meaning of 'development' as propounded by the members and activists of the AmaDiba communities. It will attempt to show the link between the material conditions of existence and the ideological conceptions of 'development' – that the principle and inherent idea of 'development' is largely informed by their understanding of, and concrete relations to, the land and their conditions of existence. But on another level, many also understood development to include the provision of government services. It was therefore found that such conceptions existed at two, what initially appeared to be ambiguous, levels: firstly, an understanding that was integrally connected to social and environmental experience and the notion that they were not poor; and secondly, one that emphasised service delivery by government and jobs. These will be explained through the notions of 'inherent' and 'derived' ideas.

In *Ideology and Popular Protest*, George Rude provides a distinction between inherent and derived ideologies. Rude (1980: 28) defines inherent ideology as a "traditional element - a sort of mother's milk ideology, based on direct experience, oral tradition or folk-memory and not learned by listening to sermons or speeches or reading books." The second he defines as a set of ideas and beliefs that are borrowed from others, or 'outside', and take the form of more structured ideas, which may be political or religious. These two ideologies always mix – there is therefore not an empty slate onto which new ideas may simply be grafted. A fixed distinction thus cannot be drawn between the two; as Rude (1980: 29) notes, "there is no one-way traffic but constant interaction between the two."

A criticism may be levelled that for empirical research it is not entirely clear how to distinguish between these two aspects of ideology (Sinclair, 1983). Furthermore, given changing cultural and social formations, what was once derived might later become part of an inherent ideology. As Bozzoli (1987) argues, the cultural, economic and other forces that bound many communities

[40] Using the word 'community' is not supposed to imply homogeneity. Rather, it is used to describe the potentially affected populations.

together before the industrial revolution in South Africa to a large extent were never fully destroyed or transformed, and now become recreated by people in specific settings. Thus, she argues, "inherent ideologies may exist, with modifications of course, over time and place" and "the question is how what is inherent *interacts* with what is derived, rather than whether the inherent persists at all" (Bozzoli, 1987: 18). It is therefore necessary to understand how the idea of 'development' based on inherent conceptions linked to local conditions and means of existence links with the notion of 'development' that is based on a more modernist, derived ideology of access to jobs and modern government services and jobs.

It is important, however, to understand the background to 'development' in the former homeland regions of South Africa in order to contextualise current local conceptions of 'development' and its relation to the environment. Black South Africans were historically subjected to 'development' through the policies of apartheid social engineering, and so experienced specific conceptions of the relation between environmental protection and 'development'. The protection of the environment in South Africa was historically associated with, firstly, the fortress conservation method where spaces deemed in need of protection were fenced in and preserved for white South Africans to experience nature as a leisurely pastime, while the removed populations were denied access to the resources on which they previously depended. Due to this method of conservation, environmental issues came to be seen by much of the black majority as a white concern for endangered animals and plants that resulted in their displacement, subjection and marginalisation (see Brechin *et al*, 2003; Hughes and Beinart, 2007; Cock and Fig, 2002).

The homeland system was a second important mechanism through which many black South Africans experienced 'development'. In this regard, 'development' to a large degree described state policy towards the Bantustans. As a discourse, it played a strong legitimating function for white apartheid rule, as it was the discourse through which much apartheid state policy towards the black majority was filtered (Tapscott, 1995), including conceptions and practices of conservation that were linked to 'development' (see Beinart, 1984). With the above discussion in mind, attention will now be turned to local conceptions of 'development'.

In answer to the question of what 'development' the people of Amadiba wanted, respondents highlighted the need for services such as roads, clinics, better schools, and electricity by some, on the on hand. Furthermore, for many of them, improvement in their lives appears to be synonymous with 'development'. Some were not asked 'What kind of development do you want here?' but 'What improvements would you like to see in Amadiba?' In answer to both questions, the desire for improved services was stated. The idea of services is therefore important in local understandings of 'development'.

On the other hand, respondents indicated a desire for 'development' that was based on local social and environmental realities in which the role of participation in 'development' was central. They highlighted their desire for government services but also called for 'development' that did not disturb their current social organisation and modes of sustenance. As one respondent stated, "We want development that doesn't remove us, to develop between us, not remove us" (A2, Xolobeni Village, 25/06/2009).

Notions of 'development,' and the consequent reasons for not wanting the mining, revolved largely around the expected threat that mining would present to access to natural resources, especially the land. As was discussed in Chapter 3, the land has played a historically important role in the political economy of Pondoland, illustrated by the Pondo Revolt of 1960, which was essentially about the perceived influence that the co-option of chiefs by the apartheid state would have on communal access to land. The defence of communal access to natural resources has also been a central feature throughout Pondoland's incorporation into colonial and apartheid South Africa (Beinart, 1982). The same respondent above illustrated a narrative of loss linked to the land and a consequent reason for defending it against the proposed mining:

> The land is very important to me, because if you, because I have an experience – because I'm old – I saw that land is taken by the Wild Coast Sun, and the Wild Coast Sun it took the land and chased the people out. And those people left their graves inside there, and it's difficult for them to go inside. They took a big piece of land, and other land is not used. Where the Pondo Sugar Plantation happened, even on that place the people they were moved out and if you've seen now there's no sugar plantation, no nothing. But the people they lose their land, they lose everything, they are squattered in one place. And even their cattle, they lose their cattle because they don't have enough space to feed their cattle (A2, Xolobeni Village, 25/06/2009.

Jabulani Mboyisa, a sangoma from the southern-most affected village of Mtentu and member of the ACC, further illustrated a defence of the local environment, as it is linked to people's self-conceptions through their connections to their ancestors. It also illustrates a notion of 'development' that is grounded in a sense of place:

> The community's environment, is the way of their living...we are living with our ancestors, our ancestors are around, our ancestors they don't like noise. And also our graves they are all over. And also our environment more especially, all these mountains, all this beauty, all this forestry, you can't find other lands as this land. See? I'm very scared of the thing. The molers, I am very scared of the molers.[41]
> That thing is gonna kill our nation, that thing is gonna kill our environment, that thing is gonna kill our culture. Our culture is different than the culture of the other areas. We believing the way we live in, we believing to the ancestors, the people were living with them here. All our energy, all our energy is from the ancestors. I born here, my mother born here, my gran of my mother, she born here. And then now that thing of the tourism, it open the people. People understand, because people they making crafts, they making their things. And the beauty of the land, it's like that. And then more especially the stars. When the time, when they arriving those trucks now, how we going to see them when there's dust everywhere? The dust is enough man, it's enough.

'Development' is therefore viewed as a process that should not induce cultural and social disruptions and should not interfere in the way that people relate to each other and to their natural surroundings. As was discussed in Chapter 3, there is a clear awareness among those interviewed of the link between themselves and the land that sustains them and the importance of ensuring that their felt dependence on this land should not be hindered by its potential destruction through activities such as the proposed mining. All those interviewed and surveyed were largely opposed to the mining because they felt that it would affect their ability to secure their livelihoods through agriculture, livestock keeping and accessing other natural resources. Local, inherent discourses around conceptions of nature and 'development' therefore cohere around a sense of place and the notion that 'development' should not result in undue social and ecological disruptions that may threaten communal access to natural resources. Many respondents therefore also highlighted the importance of participation in the 'development' process. As the secretary of the AmaDiba Tribal Authority, Mandla Ndovela, stated on the television documentary show *50/50*:

[41] By "molers" he is referring to mining, which burrows under the ground like a mole.

> Rich does not mean to change our lives, but improve with what our ancestors left us with instead of just jumping to something which we cannot control or we cannot guide. We don't mind if we live like this as long as we know how to manage what we have, and then we can improve it, if it's possible (*50/50*, 2007).

An important addition to understanding local conceptions of 'development' is the question of being poor. All those interviewed were adamant that they were not poor. As one informant stated, "Being rich does not mean having the big car or having the big house" (Mbhutuma, ACC, 30/06/2009). Another respondent insisted that, "We are not poor. We have enough food and water and shelter. We are rich" (A7, Xolobeni Village, 02/07/2009). Linked to this explanation is the notion of social capital. Some argued that part of the reason they did not view themselves as poor was because what one did not have one could always obtain from a neighbour or relative (this issue of social capital and social networks was more fully discussed in Chapter 3). The idea of not being poor is therefore not only tied to the notion of material satisfaction, but also to broader relations of caring, trust and reciprocity.

One may argue that there is a contradiction in the idea of not being poor yet wanting improvements such as jobs and increased cash income and so forth, and of desiring a type of 'development' that does not damage their environment or hinder their access to it for their survival, yet also wanting utilities such as roads, clinics, and improved schools. This situation may be understood in terms of inherent and derived ideologies.

Desiring government services may be described as evidence of a derived ideology. In post-apartheid South Africa, 'development' came to embody new features, most importantly that of service delivery. Through various ANC policies, programmes, electoral mandates and speeches since 1994, previously marginalised South Africans have been promised the gains of modernity (see Mbeki (2004) for some of the thinking behind the mechanics of modernising South Africa). One of the most important documents in this regard was the ANC's *Reconstruction and Development Programme* (RDP) (ANC, 1994), which emphasised the widespread provision of services such as water, housing, sanitation, electrification and health care to previously marginalised South Africans. These factors have consistently been emphasised by successive ANC administrations and continue to inform what many people expect from the government in

terms of 'development'. These broader factors appear to have influenced their derived ideas of 'development'.

The desire to maintain existing social institutions and forms of organisations, based within a perception of the local environment as a central source of their survival and a sense of identity, might be analysed as an inherent ideology. The view of wanting government services is not necessarily contradictory to this, but can be explained in terms of a derived ideology, as discussed above. This analysis therefore allows one to perceive an interaction between these two ideologies that produces a nuanced view of 'development' that is locally grounded as well as politically informed. For example, desiring jobs and 'development' while maintaining that they do not live in poverty is not necessarily a contradiction. The communities may be cash-poor, but this should not necessarily classify them as 'poor' or as "living in abject poverty in mud huts" (*Financial Mail*, 2007), as some journalists have described. This is because they satisfy many of their needs outside of the cash economy and on levels that are not reducible to economic capital. As Spoor and Clarke argue, "They may be cash-poor but have endowments of wealth that are the envy of cash-rich city visitors" (Spoor and Clarke, no date). The notion of poverty therefore depends largely on the discourse through which it is being interpreted. Within the dominant discourse of sustainable development and ecological modernisation, poverty is constructed as the condition of being without 'development', within a development discourse in which forms of accumulation are naturalised as progress (Hallowes and Butler, 2002: 58). One should therefore be wary of labelling those who satisfy many of their needs outside of a market economy as poor and of viewing a so-called 'lack of development' as illustrative of poverty. As Ferguson (1994; 2006) has shown, the discourse of 'development' acts largely to depoliticise poverty, such that poverty is seen to be a result of a lack of 'development' (and a lack of 'development' a sign of poverty) rather than a result of historical social and political processes that give rise to the powerlessness that underpins poverty.

Notions of 'development' therefore need to be placed within a broader social and political context. Ferguson (2006) argues that the tendency for analysts of Africa to focus on the question of cultural difference and emphasise the details and virtue of particular African cultures risks precluding an analysis of the question of material inequality. Following the logic of Ferguson's

argument, local aspirations for 'development' should not be seen as a contradiction of cultural conditions or of a capitulation to Western-style consumer aspirations, but rather as illustrative of a local awareness of broader social inequality. Ferguson even makes the initially uncomfortable claim that "The persistence of cultural difference...can come to appear as the token not...of brave cultural resistance, but of social and economic subjection" (Ferguson, 2006: 20-21). This is relevant for the purposes of this study given the history of subjection of the homeland areas through apartheid policies. While in the present case study the inherent ideas of 'development' are based within notions of community and ecology, it is worth noting that the construction of community is often a response to a political struggle, and that this community identity is contested and reformulated under particular social and political conditions (Dalby and Mackenzie, 1997). Although the people of Mgungundlovu reflect a desire for 'development' that is rooted in the local context and that will not induce drastic alterations in social organisation, one should not lose sight of the fact that the social conditions of the Transkei and the Wild Coast reflect the existence of material inequality in South Africa that is a result of historical political and economic inequality, as well as more recent neoliberal policies that have largely failed to bring about desired transformations and in fact have worsened the living conditions for many (Bond, 2002). The aspirations identified in this study may thus be described as "a powerful claim to a chance for transformed conditions of life – a place-in-the-world, a standard of living, a 'direction we would like to move in'" (Ferguson, 2006: 19).

6.3.2. MRC/TEM

Mineral Commodities (MRC), formerly Minerals Resources Commodities, is based in Perth, Australia and is listed on the Australian Stock Exchange. In addition to planning the proposed Xolobeni Mineral Sands Project, it has acquired mining rights for the Tormin Mineral Sands Project on the West Coast of South Africa. The proposed Xolobeni Mineral Sands Project is managed by its wholly-owned subsidiary, Transworld Energy and Minerals Resources (TEM). TEM's managing director, John Barnes, is the former chief exploration geologist for Richards Bay Minerals (RBM), which operates a similar dune mining operation at Richards Bay and attempted to mine the sand dunes at St Lucia.

The principle of participation in TEM's approach has been evidently lacking. While the managing director of TEM attended some of the scoping meetings with communities, it has been discussed in Chapter 5 how these occurred on terms set by TEM and the public participation consultants and due to a number of other factors did not ensure participation. TEM has actively avoided direct participation with the communities and embarked on misinformation about its involvement in this regard. It established Xolco without any consultation with, or the knowledge of, the affected communities, but with two key people, namely Zamile 'Madiba' Qunya (the chair of ACCODA) and a lawyer from Port Elizabeth, Max Boqwana. However, it repeatedly claims in the media and in the EIA documentation that Xolco is representative of the communities of Amadiba, and it has refused to engage directly with the communities or their structures, such as the ACC, despite explicit invitations to do so. This practice by mining companies of creating community structures, with individuals selected by such companies, and then only engaging with these structures is a common practice on the part of many mining companies (ActionAid, 2008; Mayher, Interview, ActionAid, Johanesburg, 25/08/2009), as was illustrated in the case of Anglo Platinum's PPL mine in Limpopo. For example, after the formation of Xolco in June 2006 MRC's public relations consultant, the Maverick Group, issued a media statement claiming that "the Tribal Authority of the Amadiba Community, community leaders, Ward Councillors and representatives of the OR Tambo Municipality stated emphatically that they strongly support the proposed mineral sands mining project in the area." It also states that "the Xolobeni community will own 26% of the mine through the community trusts represented by BBEE company, Xolco."[42] Most community members did not even know that Xolco existed until a meeting in 2007 where they were told by the members of Xolco that it had been formed, and were informed about who the members had elected to be directors of the company (this will be discussed in detail later).

TEM and MRC have promoted the proposed mining largely on the basis that it will provide much-needed 'development' to an area of desperate poverty, as the mining will include important services such as electricity, clinics, and improved roads and schools.[43] It has therefore often presented itself as undertaking a project that is largely motivated by a need for local

[42] The Maverick Group. Media Statement on behalf of Australian Mining Company – MRC. Monday, 2 July 2007.
[43] However, as has been discussed in Chapter 4, the plans laid out in the Social and Labour Plan for providing these amenities are lacking in detail and commitment.

'development'. In 2007, the Managing Director of MRC, Patrick Caruso, lamented the state of Pondoland: "It's an area that's been forgotten. South Africans should hold their heads in shame" (*Sunday Tribune*, 2007c). He further lamented the travesty of a minnow mining company having to highlight the "underdevelopment, desperation and chronic social injustice" (*Sunday Tribune*, 2007c) that the people of the area had been abandoned to. He argued that South Africa would be the loser if the mining right was not granted: "It would mean the doors are not open to do business in your country" (*Sunday Tribune*, 2007b). In this understanding, the market and the private sector are viewed as the primary agents for 'development' and the solution to "desperation and chronic social injustice." It illustrates a congruency with a neoliberal 'development' paradigm in which countries should open themselves up to the global economy so that the optimum allocation of resources induced by the market mechanism and the private pursuit of profit will lead to economic growth and 'development' through trickle-down effects (Peet, 2003; Moore, 1995). As the managing director of TEM, John Barnes, asserted, "this presents an opportunity to transform Pondoland into an economic hub" (*Mining Weekly*, 2007).

This conception of the mechanism and process of 'development' is linked to a particular construction of the environment. TEM and Xolco have consistently claimed in public domains such as the media that the area to be mined is severely degraded and hence the rehabilitation measures once the mining is completed will leave the local environment in an even healthier condition than it is at present. For example, it argues that the exposure of the red sands at Kwanyana is due to extreme erosion caused by human farming practices. However, this is highly disputable, as many people claim that it is a 'blow-out', which is a natural phenomenon (Abbot, Interview, Port Edward, 15/11/2009).[44] Continuing in this vein, a finding of the EIA that inappropriate management practices have led to a loss of floral diversity has largely informed TEM's justification of the proposed mining. As John Barnes maintained, "Nobody else has tabled an alternative plan that will bring employment, water, power, improved roads, healthcare and education,[45] while restoring a vast area of land left devastated by agriculture" (quoted in

[44] A blow-out is caused by a specific combination of factors. For example, a path may have been worn by animals or humans, then combined with a specific wind direction and topography that channels the wind appropriately, the vegetation is slowly eroded by the wind to open up an area like the Kwanyana red sands (Abbot, Interview, 15/11/2009).

[45] This assertion ignores the existing land use planning frameworks that have been developed for the Wild Coast – which will be discussed in conjunction with the discussion on DEAT – but that have encountered obstruction and

Mining Weekly, 2007). The notion that the area is environmentally degraded has thus been used to justify the entrance of TEM to bring 'sustainable development'. It is described as 'sustainable development' because it will provide both infrastructure and an improved environment through rehabilitation. As Barnes described,

> We have long-term sustainable development plans for after the mining has ceased, which will encompass agriculture, tourism, and possibly others, like biofuel projects. We will have a broad-based programme of work, and, already, even when mining commences, will start a project to maintain and promote tourism through Mtentu rest camps in the area, which are currently dilapidated and in need of repair[46] (quoted in *Mining Weekly*, 2007).

The EIA conducted for the proposed mining also indicates TEM's construction of environment. As was discussed in Chapter 5, the EIA did not include local participation and nor take account of local discourses and modes of relating to the environment. As such, it was largely aligned to interests of the project proponent and to the dominant 'development' paradigm through its promotion of 'sustainable development'. This was based on the discourse of ecological modernisation, which views the exploitation of the environment in profitable terms through increased efficiency by the use of technology (Harvey, 1999). As the former CEO of MRC, Alan Luscombe, explained, "MRC is intensely environmentally aware and has developed technology that will carefully replace vegetation and rehabilitate mined areas as it moves through the concession" (quoted in Etkind, 2006). It is also important to note that a number of other activities not directly part of the mining, such as road building, electricity supply construction, waste disposal, a heavy minerals smelter and so forth were not conducted as part of the EIA and so an examination of the overall impact of the environment was diminished. This may be an intentional strategy to present a minimal apparent impact on the environment, but it also

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delay due to the pursuit of specific interests by actors and by differing claims to 'development' (see Hofstatter, 2007).

[46] This illustrates a further ambiguity in TEM's public information dissemination, which ignores and de-politicises the dynamics behind the downfall of the tourism operations in the Amadiba area, which as has been shown, may be linked to the actions of pro-mining interests and their subsequent sabotage of the operations. It also contradicts the Environmental Management Plan (2007b), which makes clear that the horse and hiking trails and the main camps at Kwanyana and Mtentu will no longer be able to operate as a consequence of the mining. It argues that tourism can be promoted through having employees of the mining company accommodated in the camps, but which will decline once the road is improved and it is easier to get in and out of the area. It further unconvincingly states that tourism can be promoted through educational school tours, birder groups and government officials (GCS, 2007b).

represents a view on the environment under ecological modernisation that nature can be broken down into parts and each part effectively managed along principles of economic efficiency.

The overall view of TEM and MRC toward the environment and 'development' thus falls within the mainstream approach to 'sustainable development' that emphasises 'development' but diminishes environmental consequences by incorporating them into the discourse of ecological modernisation. In this conception the solution to environmental degradation is the greater exploitation of resources through purportedly more 'efficient' means. Concerns for the environment are therefore linked to concerns for economic efficiency and accumulation (Sachs, 1999). However, in the present case study, despite TEM's and its proponents' assertions of environmental efficiency, it is clear to many opposed to the mining that it will cause severe environmental impacts. In the pursuit of profit and accumulation, concerns for the environment and the people it will affect have been overridden.

6.3.3. Department of Minerals and Energy (DME)[47]

In the events surrounding the proposed mining, the Department of Minerals and Energy (DME) has taken a position on 'development' that belittles the role of participation and emphasises 'development' over the environment. The DME officially conforms to the policy of sustainable development, as confirmed by the MPRDA and the *White Paper on Minerals and Mining Policy.* However, in this case study, the DME's practice in relation to sustainable development has emphasised economic growth over the environment and as such has narrowly promoted mining at Xolobeni despite opposition and evidence of the destructive effects that it would have on the local environment, and the dubious claims by pro-mining supporters about its effect on the welfare of the affected population.

With regard to participation in 'development', the DME has not promoted such participation and instead appears to have taken the view that the decision of whether or not to authorise the mining

[47] Instead of organising the discussion of the state into the three tiers of national, provincial and local government, discussion is organised according to the main actors and the bodies that they represent. So for example, the discussion of the DME covers both national and provincial levels, as does the discussion of DEAT. The discussion of local government covers the regional and local municipalities. Furthermore, the architecture of the environmental management regime in South Africa with regard to mining means that the DME is the final authority with regard to mining authorisation.

should be the decision of the DME alone, independent of public opinion and local opposition. Until the point of deciding that the mining licence would be granted in August 2008, the DME undertook no consultation with the affected communities, nor with other organisations opposed to the mining. This disregard for consultation and participation in 'development' was indicated by the fact that from the time the mining right application was submitted together with the environmental impact assessment documentation until the awarding of the mining licence, all those interested in the decision could not gain any information on the progress of the decision, including the Legal Resource Centre (LRC), the representatives of Amadiba Crisis Committee (ACC). Instead, the eventual decision that the mining licence would be granted was announced on the Australian Stock Exchange website without the knowledge of interested sectors such as the communities or the environmentalist lobby (LRC, 2008). Furthermore, a cost-benefit analysis comparing the benefits of tourism and mining was undertaken jointly by DEAT and DME in 2005. However, DME has never publicly released the results of the subsequent report, arguing that it contained fine financial details of MRC and would compromise the company's bid to mine. However, according to a DEAT official, "it was common knowledge coming out of that cost-benefit analysis that some of the figures coming from there indicated not a lot of local guys will get jobs on the mine" (Naude, Interview, Protected Areas Planning and Development, DEAT. Pretoria, 03/11/2009).

Furthermore, the DME vigorously promoted the mining and attempted to de-legitimise opposition to it as being the result of an elite white concern for the environment. In On 15 August 2008, a marquee was set up and catering provided at Xolobeni in order to host a celebration at which the Minister of the DME, Buyelwa Sonjica, was going to announce the granting of the mining licence. In her speech to the gathered communities, she lambasted environmentalists for attempting to halt progress by objecting the awarding of the mining licence. She also connected this to the case of dune mining at St Lucia, in which she argued that an opportunity had been lost: "We lost St Lucia – us, as the government. We gave it up, but what is happening in St Lucia today? It has been declared an exclusively white area, and only rich, white people go there." She went further to ask, "Why do we need permission to mine natural resources? Why do we have to wait for people to teach us about nature? They come here to play, while we are hungry" (*Sunday Tribune*, 2008). At the same meeting, Sonjica stated,

> It has been a difficult decision to take. Both mining and tourism projects will go ahead. The area to be mined for now is only Kwanyana block. The main objectors have come from Germany and Switzerland. These are tourists who visited the area, then they wrote to me and President Thabo Mbeki, pleading with me not to grant the mining rights to the company, so we will not be told by them what to do. Both tourism and mining will co-exist in the area (*South Coast Fever*, 2008).

Before Sonjica visited the Amadiba area to announce the granting of the mining licence, her department spokesman stated that the application process and the relevant environmental assessment documentation were all in order. This was confirmed by the Deputy Director-General of mineral regulation at the time, Jacinta Rocha, who claimed that the mining right application was "faultless" (*Mail and Guardian*, 2008). This would therefore include community consultation. However, after visiting the affected communities to announce the awarding of the mining right, Sonjica announced that consultation had been insufficient and that she would arrange another meeting with the communities for them to air their views. At this meeting she announced that the awarding of the mining licence would be withheld pending further consultation and an appeal hearing. However, the appeal hearing only took place in March 2010, a year and a half later, and proper consultation with the communities is yet to occur. Furthermore, at the same meeting, she indicated that consultation would make little difference to the DME's decision over the awarding of the mining right:

> We are going to mine in this area at Kwanyana. I will give you a chance to ask questions but, one thing is for sure, we are going to mine (*Sunday Tribune*, 2008).

Sonjica therefore constructed the environment as a white affair, and a concern of those who oppose it as attempting to block progress. In this way, environment is positioned in opposition to 'development', with environmental concerns viewed as an obstacle to 'development'. Her initial intention to award the mining licence despite the possible ecological impacts illustrated in the EIA and concerns raised by Interested and Affected Parties indicates a disregard for the environmental concerns. Furthermore, the comments submitted by the Department of Environmental Affairs to the DME illustrated grave ecological concerns over the mining, as well as the inability for tourism and mining to co-exist. Furthermore, the granting of the licence contravened, or did not take into account, a number of pieces of environmental legislation, such

as the National Environmental Integrated Coastal Management Bill, the Transkei Decree No 9 of 1992 (which states that no 'development', including the removal of plants or soil, may take place within a one kilometre zone from the coastline without a required permit), the Protected Areas Act, and others. However, the fact that the department planned to award the mining right nonetheless illustrates its disregard for the natural environment in the face of the prospect of the generation of economic value and growth. That is, the DME has emphasised economic growth over ecological constraints. Deputy Director-General of the DME at the time, Jacinta Rocha, argued that a strong environmental campaign had saved the dunes at St Lucia from being mined but that in the case of Xolobeni, the DME would not be swayed by public opinion:

> People argue that ecotourism is the best option for the people there, but where has ecotourism ever attracted major investment? Mining helps to pay the Kruger Park's electricity bills. Without the capital that mining brings, you couldn't have parks like Kruger (*Mail and Guardian*, 2008).

This illustrates the dismissive attitude of the DME towards participation in 'development', and a view that sees it as the DME's job to decide what is good for 'development' and people, namely mining to generate capital. Hence development is best orchestrated by the state and the market. This conception of the need to exploit the environment and manage the effects for economic gain was reinforced by the Department of Mining's Regional Manager for the Eastern Cape, Nomvuyo Ketse: "We do care for our special places as much as they do. But what we are interested in is what value the applicant is going to bring in" (quoted in Rogers, 2007). This illustrates a resourcist perspective, in which a certain level of destruction of the environment is necessary and may be managed in pursuit of 'development'. In this view, natural resources only have value once they have been converted into capital (Sachs, 1999) by, for example, mining them.

Therefore, in addition to a lack of participation the DME has also pushed its own 'development' agenda that is not linked to the aspirations of those such as the affected communities. Referring to the contribution that mining generally makes to the South African economy, Sonjica has argued that "mining is the goose that lays the golden egg" (Clarke, 2007). In this vein, in response to a written question, she told Parliament in 2008 that she had taken the decision to grant the mining right for the Xolobeni Mineral Sands Project because it was of 'national

interest' and would promote economic growth. It would thus also lead to the expansion of opportunities for historically disadvantaged communities to benefit from the exploitation of mineral resources (I-Net Bridge, 2008). The DME has therefore emphasised economic growth, and for natural resources to fuel this growth, regardless of ecological constraints, which have been interpreted as an elitist white concern. It further appears to have identified its primary aim as the need to promote mining as widely as possible in the pursuit of this growth. As has been noted elsewhere, "[a] factor favouring mining [at Xolobeni] is the tendency of the department of minerals and energy, based on its recent track record, to be more accommodating to business and much less sympathetic to the environment than the new ANC administration of a decade ago" (*Sunday Independent*, 2007).

A further important theme in promoting 'development' on the Wild Coast by the DME has been arguing that the people of the area experience high poverty and hence 'development' is required as a solution to this poverty. For example, Jocinta Rocha argued that the region around the proposed mining desperately needed 'development' because it was one of the poorest regions in South Africa (*Mail and Guardian*, 2008). Buyelwa Sonjica also argued that part of the decision for granting the mining licence was because of the socio-economic baseline of the area which indicated a huge need for poverty alleviation (I-Net Bridge, 2008). However, this discourse is at odds with local conceptions of poverty. As has been discussed above, community members are adamant that they are not poor or living in poverty. Sonjica found this out first-hand when she visited the proposed mining area for a second time to hear the views of the people of Amadiba. Nonhle Mbhutuma, a key anti-mining activist, described her visit:

> ...the minister stood up and speak. Before she speak, she said, 'Ok, I'm here to listen for you what is bothering you. I'm not coming to make any speech today, I'm just coming to listen you people, because I heard you not happy, I never knew about that.' And the people they started speaking, telling them why they are not happy, why they are doing toyi-toyi on that day [the day the minister came to announce the awarding of the mining licence]. And the minister, after the people they speak, she stood up and respond on what they saying, she said, 'Ok, I heard all of you. And some of the thing it's new for me. As a person I'm working on papers, I never heard all of some these things you mentioned today. But development is very important for you, because you are poor...' Jo! She didn't finish. The people shouted at her. They ask 'Who are the poor? Are you coming with that bullshit you doing at the crèche there? You shoving us

> with the guns. You call all the police to kick us on our land. Are you calling us poor? Who told you that?' And the minister said, 'No, no, no, I'm sorry, I didn't mean to say that. *Some* of you are poor but some are not poor, I know that.' And the people said, 'Who told you that – some are poor and some are not poor?' and she said, 'Ok, you are not poor. I apologise about that. I never say it again.' Ja. And she just sit down and listen [to] the other people, because they just give the people chance to speak.

In its notion of 'development', the DME has illustrated a very narrow vision of participation, whereby democratic practice is confined to formal political institutions (Williams, 2008), which then, given the all-powerful and benevolent policy making apparatus of the state is able to determine optimum outcomes for its poor citizens (Ferguson, 1994). However, even this ability appears to have been overcome by the DME's overriding determination to see the mining occur, over and above the interests of those it will most directly affect. It has vigorously promoted mining at Xolobeni despite opposition by the affected communities and calls for alternative options, such as tourism, that will genuinely benefit the affected populations and offer an ecologically suitable option. It even refused to sanction requests for a detailed study comparing the potential benefits of tourism and mining respectively as part of the EIA studies. Its vision of 'development', which involves promoting mining irrespective of local conditions and competing claims to 'development', has therefore been one that is disconnected from local environmental and social realities and instead views the natural world as a store of assets that must be converted into economic capital in order bestow 'development' upon people.

In terms of the relation between environmental protection and 'development', while the government's official policy is that of 'sustainable development', it has promoted a view that prioritises national economic growth, which is divorced from ecological constraints, as a central component of 'development'. The environment is therefore constructed in relation to how 'development' is conceptualised. In the case of the DME, the environment is constructed as an inhibition to 'development'. As Hallowes and Butler argue, "while the concept of *environment* is being democratised and de-racialized [in South Africa], its reconstruction is intimately connected with global environmental discourses, which, in turn, are intimately connected with developmental discourses" (Hallowes and Butler, 2002: 57). Environment has therefore been constructed in a way that reflects what it has been decided the aim of 'development' should be: economic growth. This frame of thinking illustrates what Hallowes and Butler further describe as

"not so much a discourse of environmental management as a discourse that tends to exclude environmental concepts" (Hallowes and Butler, 2002: 57).

6.3.4. Department of Environmental Affairs and Tourism (DEAT)

The general 'development' planning process for the Wild Coast emphasises tourism as a key 'development' driver for the region and in this regard has been spearheaded by the Department of Environmental Affairs and Tourism (DEAT). The framework for the 'development' of the Wild Coast began largely with DEAT's establishment of the Wild Coast Spatial Development Intiative (SDI) in 1996. For this reason, although the DEAT has not played a strong role in the dynamics around the proposed mining, it will be discussed, as the 'development' context and history of the area relates strongly to DEAT's activities and the mining strongly contradicts the planning framework that has been established for the Wild Coast.

The DEAT identified tourism as a key 'development' driver on the Wild Coast and has enacted, or is in the process of developing, a number of programmes in this regard, including the Wild Coast SDI, the National Biodiversity Strategy and Action Plan, the Provincial Growth and Development Plan (PGDP), the Policy Guidelines for Tourism Development on the Wild Coast, and the Wild Coast Strategic Environmental Assessment, among others. The SDI has four main components: construction of the N2 toll road, tourism development, clampdown on illegal cottage development, and the establishment of a consolidated conservation area. Situated under the umbrella of this planning framework, DEAT aimed to introduce the Wild Coast National Park, which would have cemented the status of tourism as the main 'development' strategy on the Wild Coast. The reason the DEAT supports the construction of the N2 toll road is that it would help to open up the Wild Coast region in order to facilitate tourism development (Naude, Interview, 03/11/2009).

According to an official from the Eastern Cape Department of Economic Development and Environmental Affairs (DEDEA), the orientation of the department towards environment and 'development' are based on 'sustainable development' and the principles embodied in NEMA (Pienaar, DEDEA: Senior Manager for Impact Management, Stutterheim, 16/09/2009), which as has been discussed in Chapter 5, embodies a participatory and holistic conception of the

environment that includes the realm in which people satisfy their social, cultural and economic needs. An official from the same department defined 'sustainable development' as:

> something that is not going to result in harm to the environment, to the extent that it's going to be damaging the environment irreparably. It's development that is harmonious with the environment, and the development is not something that is going to be a fly-by-night thing, its sustainable development, it's something that is going to continue over a time period, continue to provide the economic benefits to the communities without harming the environment, or with minimal harm to the environment (de Villiers, DEDEA: Senior Manager for Compliance and Enforcement, Stutterheim, 16/09/2009).

For members of DEAT then, 'sustainable development' is viewed in terms of what is "harmonious with the environment" and that is enduring, bringing lasting benefits to communities. Linked to this understanding, most of DEAT's activities on the Wild Coast embody a participatory approach that emphasises capacity-building on the part of communities and community based natural resource management. This approach adopted the view that 'economic development' is based on the protection of natural resources, and hence the 'development' strategy of tourism, which does not threaten such protection but builds upon it:

> The protected environment creates the vehicle for a lot of opportunities around development, so we don't see it [environmental protection and development] separately. A protected area creates a lot of opportunities for people around it...So the protected area is sort of the haven of the natural resources, but it needs to be, the benefits flowing from that needs to be expanded to the communities living there (Naude, Interview, DEAT: Protected Areas Planning and Management, Pretoria, 03/11/2009).

At the official announcement of the plans for the National Park, the then Eastern Cape MEC for Economic Affairs, Environment and Tourism, Andre de Wet emphasised that "The Wild Coast National Park will be a concrete demonstration of how conservation, social upliftment, and tourism are best achieved together" (quoted in DEAT, 2005). As has been mentioned, the eventual aim of DEAT was to establish the Wild Coast National Park, what has also been referred to as Pondo Park, which would be an "open protected area" (Naude, Interview, 03/11/2009). This means that there would be no closing off of the area, but it would alter the status of the area directed towards tourism development and disallow environmentally sensitive operations.

However, capacity-building and participation by some potentially affected communities may have been deficient, as there occurred contestation and misunderstanding over the park, particularly in the context of the proposed mining. DEAT therefore commissioned a study into these local dynamics, which found that communities were "not ready for that establishment of that protected area, and that a lot more work needs to take place before we should go there" (Naude, Interview, 03/11/2009).[48] DEAT has therefore suspended its plans to establish the Wild Coast National Park.

Regarding its role more directly in relation to the mining, DEAT has played a somewhat 'passive' role, a factor that has been publicly noted and even raised in parliament.[49] This may be partly due to the fact that it is not a direct authority in decision making on environmental authorisation for proposed mining operations. The only apparently significant role that it has played in this regard is by issuing official comments on the draft EIA and EMP, which it raised serious problems with. These included the environmental impacts of the proposed project. However, these comments were submitted past the deadline for submission of comments, which the DME eventually did take into consideration. The view of the department is that "mining is a short-term economic activity with long-term negative impacts where the ecotourism in the area has an unlimited life span."[50] However, this is the only concern for the affected populations that the DEAT raised. It did not have any comments regarding the public consultation process which, as has been shown in Chapter 5, failed to allow for the participation of the affected communities. It concluded that "This department has grave concerns with regard to the proposed mining developments in the area and object to it."[51]

[48] A seemingly important factor inciting this reticence on the part of local communities to accept the National Park was the spreading of rumours (allegedly by Zamile Qunya and the pro-mining group) that it would involve a fence being erected, lions and elephants introduced, and the people kicked out (Naude, Interview, 03/11/2009). The historical legacy of fortress conservation in South Africa, which many black South Africans experienced in terms of loss of land and resources (Cock and Fig, 2002), was therefore used by the 'head' of the local mining supporters, Zamile Qunya, to ward off a possible threat to the commencement of mining operations.

[49] The Democratic Alliance's (DA) spokesman on environmental affairs argued in parliament that the Minister of Environmental Affairs, Marthinus van Skalkwyk, had been too cautious in his written replies to questions in parliament over the proposed mining and urged him to "put up a bigger fight in cabinet to persuade fellow ministers to oppose dune mining plans for the Wild Coast." (*The Mercury*, 2007).

[50] Correspondence from DEAT to the Regional Manager, DME. p. 6. No date.

[51] *Ibid*, p. 5.

In contrast to an environmental justice perspective and the principles of the NEMA and *White Paper*, the DEAT's comments on the EIA do not consider the economic and social aspects of the environment. The concerns of the DEAT remain within a discourse of ecological modernisation and do not consider issues around the distributional impacts of the ecological and social results of the mining (apart from indicating its preference for tourism over mining). A core issue that it does not mention is that the people who would be most directly affected by the mining and who are the least capable of avoiding its impacts were inadequately consulted, and the entity designed to represent them consists of local elites who, by narrowly securing possible future financial benefits for themselves, would be able to escape the possible social and environmental impacts of the proposed mining.

6.3.5. Local Government

Both the OR Tambo Regional Municipality and the Mbizana Local Municipality have vigorously supported the proposed mining. Representatives from the municipalities also promoted the mining based on a perceived poverty experienced in the area. Those in local government agree that the Pondoland region, and indeed the Transkei, needs 'development', and that the mining will be a key factor in bringing this much needed 'development'. However, there is little consideration as to the process of this 'development' and what the likely effects may be, apart from the fact that it will 'bring development'. In this regard, participation was viewed ambiguously by those interviewed from Mbizana Municipality, and environmental considerations appear to have played a minor role in conceptualisations of 'development'.

The framework in which the Mbizana Municipality conceives of 'development' views it as primarily driven by the market and the state. The Mbizana IDP (2007) identifies two key aspects of delivery, namely that focused at stimulating economic growth and that focused on improving services. It calls for investment to stimulate economic growth, but acknowledges that the municipal area does not easily attract investment. The municipality will therefore play an important role as a catalyst to attract such investment. With regard to improving service delivery, it states that it will work together with other stakeholders to improve levels of access to services. It therefore aims to stimulate economic growth by attracting investment which will provide the municipality with greater resources. These aims cohere well with the proposed mining project,

which will cost an estimated R590 million, and therefore represents a "significant investment in the region" (GCS, 2007a). As an official from the municipality stated, "We must create a conducive institutional environment and then the private sector will be there to invest and implement. The private sector will implement economic development and we must have good policy and legislation for that" (Gxumisa, Interview, 17/11/2009).

In terms of participation by people in such a 'development' process, there appeared to be an ambiguity in terms of the importance and role of participation. When asked what the importance of participation in 'development' was, representatives from the Mbizana Municipality emphasised that it was very important; that they should listen to the people to hear what it is that the people desire. However, there is a key contradiction in the notion of participation expressed by the two officials interviewed. For example, when asked how important participation was in the formulation of the municipality's IDP (Integrated Development Plan) and in other 'development' activities, the Community Development Manager for Mbizana Municipality and the Tourism Officer stated that participation was very important. The Community Development Manager said that, for example, the primary desire that communities expressed to him through community meetings was electricity, amongst other services (Mazingisa, Interview, Mbizana Muncipality, Mbizana, 17/11/2009). However, when asked why it appeared that many community members were opposed to the mining, both officials stated that it was because they did not understand the issues properly and therefore needed to be 'educated' about the benefits that mining would bring them. That is, when procedural issues such as service delivery are concerned, participation is highlighted as important, but when a project that the municipality has already decided upon is concerned, but which communities oppose, then it is because they are ignorant and need to turn to "listening and understanding how other people are planning for you" (Mazingisa, Interview, 17/11/2009).

The position of the municipality is that tourism and mining can peacefully coexist and that both should therefore be promoted. However, the tourism that the Mbizana Municipality proposes, and what was presented at an investment conference hosted by the OR Tambo Municipality, was that based on large-scale, investor-driven tourism, including resorts and housing estates in the one kilometre zone between the beach and where coastal communities live (Gxumisa, Tourism

Officer, Mbizana Municipality, Interview, 17/11/2009). However, this is in contradiction to the municipality's Tourism Development Framework, which divides the Mbizana coastline into nodes for tourism development, from first order nodes to third order nodes. First order nodes are designated towards sea-side towns with relatively large hotels and so forth, while third order nodes are designated towards camps, small accommodation facilities and lodges that will have minimal environmental impact. The whole of the tenement area falls within a third order node.

Furthermore, the feeling amongst villagers is that their local councillors are not responsive to or representative of them. In the post-apartheid South Africa, councillors were envisaged in the *White Paper on Local Government* (RSA, 1998) to extend participatory democracy to South Africans. However, the perception amongst villagers is that local government is a distant entity. This was confirmed by the secretary of the tribal authority:

> I think our municipalities, because they now are also the government, they still have a lot to learn because up to now we don't see, what you call, what do our municipalities are helping us. Or sometimes what is good or what can they do in order to help us. Sometimes they think short-minded or something like that, I don't know, because we've done ten years now with municipality, but no person can say I'm proud of the municipality (Ndovela, Interview, 25 July 2009).

The general view of local government is that the proposed mining will 'bring development'. According to the Mbizana Community Development Manager, referring to the mining in Richards Bay,

> Talk to the community there, they are so happy. The roads are being tarred, not just gravel roads, the ones that we build because we don't have money; as Mbizana we are a small municipality. These people are tarring roads and there was quite a good package in the Amadiba area for the socio-economic development from the mining giant, TEM...
> ...So after 22 years, it's from common thinking, people would have been elevated to another level of economy. It's probable, you leave people with BnBs [Bed and Breakfasts], their own hotels, with their own small farms, you see. You'll revive their ability to stand on their feet from that side (Mazingisa, Interview, 17/11/2009).

These views, and the association of poverty with a lack of 'development', were echoed by the Mayor of the OR Tambo District Municipality, Zoleka Capa, who asked the question,

"Limpopo and Mpumalanga are famous for their tourism and mining. Why can't we have mining here, where there is so much poverty?" (*Financial Mail*, 2008). At the meeting in August 2008 where Buyelwa Sonjica planned to announce the awarding of the mining licence at the Xolobeni school grounds, Mayor Capa announced that as government, OR Tambo municipality was fully behind the proposed mining because it would bring much needed 'development' to a poverty-stricken area (*South Coast Fever*, 2008). Although local discourses deny the existence of poverty, the 'development' discourse of local government consistently renders the image of poverty as a condition of being without 'development', thus justifying 'development' as a remedy to the problem of poverty.

The environment has also been disregarded by local government as an obstacle to progress and an elitist, environmentalist concern. As the Community Development manager of Mbizana Municipality expressed:

> You see in South Africa there are people who call themselves environmentalists. Fortunately I am one of them. But I don't think the way they think. You cannot for instance expect a poverty-stricken area like that one, that if there is a mineral that is discovered there, it must stay like that unused, just because certain sections of the population are enjoying it. That is completely out of step...
> ...And we heard that there is a mobilisation of some sort, of the local people by the environmentalists, which was not a very good sign because it means they [the environmentalists] don't have an interest for those communities. They will remain slaves for another hundred years, I'm telling you. Because they will never be able to do things for themselves, because this matter [mining] is boosting them to the next level. So I think you may eradicate poverty in that way (Mazinginsa, Interview, 17/11/2009).

In a similar vein, speaking at a conference in Mthatha organised to discuss the proposed N2 toll road, mayor Capa expressed disdain for the contents of the EIA and the issues it covered: "The list is long; it includes ants and flies" (*50/50*, 2006). Environment is thus constructed as an impediment to progress and as representing concerns for flora and fauna over the wellbeing of people. A view is therefore presented of the need to overcome environmental considerations so as to achieve 'development'.

6.3.6. XOLCO

The case of Xolxo illustrates the close link between the interests of actors in the state and those with private financial interests that are disconnected from the interests of communities that 'development' is supposed to benefit. Whereas proponents of 'development' often assume a blank slate onto which 'development' may be delivered, the controversy around Xolco highlights how the practice of 'development' enters into a social context that is characterised by particular networks of power, which redirect the benefits of 'development' in directions that may vastly differ from the intended course.

In 2003 Xolco was established by TEM as its BEE partner and was given a 26% share in the Xolobeni Mineral Sands Project. However, it was not established through consultation with the affected communities. It is not clear how those involved in Xolco linked with TEM, but it appears that it was through the ACCODA trust, of which Zamile Qunya is the chairperson. The founding directors of TEM were Zamile Qunya, a former ANC councillor and now a businessman who owns several catering, transport and construction companies and mostly does work for the Eastern Cape government; and Max Boqwana, a lawyer from Port Elizabeth. Those that established Xolco were therefore more powerful individuals with positions in structures that allowed them to link with the state and private sector.

Xolco has been at the centre of local controversy over the proposed mining, regarding its perceived role in the downfall of Amadiba Adventures, its non-representative nature and its perceived corruption and manipulation. After the EU programme and Pondocrop pulled out from its activities in local tourism, support to tourist ventures such as Amadiba Adventures also ended and so there occurred a skills vacuum, which some, such as a member of Xolco, claim is the reason for the downfall for the Amadiba Adventures (this is verifiable, given that the EU project largely failed to ensure participation by and capacitation of those involved in the project. See Wright, 2005). However, it is also believed by others that ACCODA, headed by Zamile Qunya, deliberately cut ties with and expelled Pondocrop from the area, the entity that provided support to Amadiba Adventures (Mbhutuma, Interview, 30/06/2009), after the proposed mining opportunity presented itself. It therefore appears that the initiative was deliberately sabotaged by Xolco and its pro-mining supporters, particularly Zamile Qunya, so that tourism could not be

seen to be providing an alternative to mining. Such sabotage included apparent corruption.[52] Furthermore, the OR Tambo Municipality halted a joint deal between Wilderness Safaris and the Mtentu community to upgrade the tented and hutted camps at Mtentu estuary opposite the Mkambati Nature Reseve and instead promoted its own 'development' agency, Ntinga, as a joint partner, which led to Wilderness Safaris pulling out of the deal. It is alleged that Zamile Qunya had pressured the council to block the deal so that it would not jeopardise his mining interests (*Financial Mail*, 2007). After this, Qunya then changed the composition of the Accoda board so that eleven out of twelve were mining supporters. Furthermore, a local fly-fishing operation that operated at the Mtentu estuary in the summer season, Ufudu, injected about R140 000 to R150 000 into the Mtentu community per year through wages and R70 000 to Accoda. However, the operator, Ben Pretorious, pulled out of the venture when he realised that Accoda was not distributing the proceeds in any way after community members began questioning him about where the money from Ufudu was going.

Furthermore, it was only at a community meeting in January 2007 that the communities found out about Xolco and asked questions as to why Qunya was Chair of Accoda (an entity concerned with tourism promotion) as well as Xolco (concerned with mining). Qunya therefore resigned from Xolco and retained his chairmanship of Accoda, but he is still very much involved as part of Xolco. Furthermore, Ehlobo Heavy Minerals, which was established by former Department of Trade and Industry director-general, Alistair Ruiters, and Rafiq Bagus, the former adviser to the former Public Enterprises Minister, Alec Erwin, and was poised to become TEM's senior BEE partner, pulled out of the project after the allegations of sabotage and manipulation began to surface. Qunya and Boqwana subsequently resigned as directors and began selecting new directors. The new chairperson of Xolco became Nomangesi Malunga, an employee of the OR Tambo Municipality. Furthermore, the brother of Zamile Qunya, Basheen Qunya, is employed by the Mbizana Local Municipality as a driver, and the current chairperson of Xolco, Zeka Mnyamana (who was previously an anti-mining activist), is on the ward committee for the ward that covers the northern section of Mgungundlovu (Mnyamana, Interview, Ebenezer, 23/11/2009).

[52] For example, an accountant commissioned by the EU programme found that large sums of spending could not be accounted for (*Moneyweb*, 2006). Community members also wondered where the funds generated by tourism were going, as they were not seeing the benefits.

The depth of Zamile Qunya's links with local government is further illustrated by his attempt to co-opt Nonhle Mbhutuma, a vociferous anti-mining activist, by attempting to entice her with a job at Mbizana Municipality in 2007. A few days after making the proposal he came back to her and told her that a job with a R15 000 per month salary was waiting for her. All that she had to do was prepare a CV and gather her relevant documents together so that it would look like due process had been followed in appointing her. Although she at first considered taking the job, given her unemployed status and the significance of the salary to a member of a relatively cash-poor household, she turned it down in favour of pursuing her anti-mining activism (Mbhutuma, Interview, 30/06/2009). Xolco is thus intricately tied up within local power networks that filter through the state and private sector. However, it has also illustrated a 'development' outlook, and has used the discourse of 'development' to call for the need for mining in the area.

The Chairperson of Xolco, Zeka Mnyamana, emphasised that he was a part of Xolco because of the needs of the community that involvement in the mining could satisfy: "...when the mine comes it will change our lives, really. There will be work opportunities..." As he further explained:

> They need that tar road and it will take us easy to the towns...
> ...as our government say, everyone must have the same life, everyone must have assets, through goods, shopping, everyone must have a good water, water sanitation....
> ...We are hoping that we will have this partnership with TEM, we are hoping that we will have money, we will make money. We will come to the community as ACCODA did. We will come to the community, and the community will decide what to do with the money. We are not directors. We are not Xolco to decide for the people. We are not the Xolco to force the people to like the mine (Mnyamana, Interview, Ebenezer, 23/11/2009).

The above indicates a number of issues. It represents, as with all other community members encountered, the lack of services in the area and a consequent desire for them. It also indicates an awareness of inequality and an explicit desire to achieve a certain standard of living: "as our government say, everyone must have the same life." However, while the aims of the director of Xolco in this regard are similar to many in the communities of Mgungundlovu, he diverges on the means to attain it. That is, through the exploitation of the environment in order to bring

'development'. The mining is thus viewed as an important vehicle for 'development', which was promoted by one of the original directors of Xolco, Max Boqwana:

> We want to make sure that equity participation, skills transfer and development come from the local community. In addition, we want to make sure that this project goes beyond the 22 years life-of-mine, and has a legacy of skilled people and development of secondary and tertiary industries around the area (quoted in *Sunday Tribune*, 2007b).

Representatives of Xolco designate images of desperate poverty in the Amadiba region as illustrating the dire need for the proposed mining to occur. Furthermore, concern for the environment is constructed as anathema to the eradication of poverty and the promotion of 'development'. When asked about environmental concerns at Amadiba, the Xolco chairperson answered, "There is no environment there" (Mnyamana, Interview, Ebenezer, 23/11/2009). The former chairperson indicated a similar stance:

> At Xolobeni we are not talking about an area that is pristine anyway. There is environmental degradation taking place, huge arid patches of land are developing, estuaries are silting up because of wind blowing sand from degraded areas into these estuaries and wetlands, and the local community is burning the dense shrubbery along the beaches and taking it for firewood for survival in winter. We are talking about the scenic beauty of poverty, where people die before reaching the clinic because the roads are so bad (quoted in *Mining Weekly*, 2007b).

However, while such members of Xolco illustrate a concern for widespread 'development' of the area and its people, the structure and relations of Xolco to the community indicate the contrary. As has been mentioned, the broader communities played no role in its formation nor in electing its members. The 26% share that Xolco has in the proposed mining operations it has to pay for at a cost of $18 572 981 (Barbour, 2007). 60% of its dividends stream will be directed towards paying this share off, while 40% will go towards the five 'community trusts' that have purportedly been established.[53] Furthermore, there is no evidence of any legal mandate binding Xolco to pass on its earnings to the communities. The posture of Xolco as an organisation representing narrow economic interests and not those of the communities was confirmed by a

[53] These include the Xolobeni Hospitality Trust, Xolbeni Furniture Manufactures Trust, Xolobeni Agricultural Development Trust, Xolobeni Blocks Trust and Xolobeni Campsite Trust.

former director of Xolco and principle of Baleni Secondary School, Pitso Msebane,[54] who resigned after he realised that Xolco was not aiming to confer widespread benefits on the people of Mgungundlovu. He came to this conclusion after he and a few other directors contacted a lawyer, who analysed the relevant documentation and informed them that none of it, including the Social and Labour Plan, legally ensured that the affected communities would see any benefits. After Zamile Qunya found out about this he became angry and told him that he should leave Xolco if he had a problem. As Mr Msebane explained:

> We received calls in the evening. David (also known as Zamile Qunya) was insulting us; he was saying we are not educated, we call somebody to explain to us who has talked to John Clarke the other way round. So we said we can't understand the mining issues, we are not educated to be the jack of all trades. So if we don't understand we have a right to call somebody to explain to us. 'Madiba' (aka Zamile Qunya) said no we must go away from Xolco if we don't do this and we said no problem, we will go because there is friction here. The people don't understand this, we don't understand as leaders and when we asked somebody to explain to us you said we are stupid. We better leave it. That is how I picked up and left Xolco because there was no truth (Msebane, Interview, Port Shepstone, 19/11/2009).

There have also been strong allegations of manipulation and intimidation directed at Xolco and Zamile Qunya and attempts by them to control access to information. For example, when the proposed mining first began attracting media and public attention, journalists were barred from entering. An archaeologist from Wits University was also prevented from making her way to the red sands of Kwanyana where she was conducting research on the Sangoan artefacts that occur on the dunes. It is alleged by community members and activists that Xolco has also engaged in fraudulent tactics in order to try and make it look as though the mining has widespread support among the affected populations. For example, it has submitted lists to various government departments with thousands of signatures on it which were obtained by distributing lists at community meetings for people to sign if they wanted electricity, or by obtaining signatures from people living further inland from the proposed mining site. It seems that Xolco used such a list when it went with a delegation of about 50 people to the DME offices in Pretoria in December 2007 and handed over a petition with the names of 4000 people on it demanding that the DME "ignore the cries of the environmentalists" and award the mining licence (*Mining Weekly*, 2007a).

[54] Mr Msebane provided permission to use his real name.

Furthermore, in reply to the appeal against the awarding of a mining licence drafted by the Legal Resources Centre (LRC) on behalf of the Amadiba Crisis Committee (ACC), Xolco produced a list of about 2000 people's names and signatures that allegedly support the mining, in August 2009. However, these were clearly fraudulent, as many of the names were those who were no longer alive or community members that had no knowledge of the fact that their names were on such a list. Even the name of an anti-mining activist, Sinegugu Zekulu, appeared on the list.

6.3.7. Opposition

The proposed mining at Xolobeni has bred considerable opposition, both from local community members, the general public and the environmental movement. This section will discuss such opposition and the conception of the relation between environmental protection and 'development' that the environmental movement in this case has cohered around. It will also discuss the social worker working on behalf of the affected communities, as he has introduced important dynamics (he will also be discussed with regard to the SWC as he is a board member of the organisation). It will then discuss the formation of the ACC and what tactics it has undertaken to oppose the mining.

6.3.7.1. The Environmental Movement

The involvement of the environmental movement in opposing the proposed mining has been central. It has occurred mainly through the Sustaining the Wild Coast (SWC) campaign, which is a non-profit organisation that in opposition to the proposed mining and N2 toll road is linked to, and has the support of, a wide range of environmental organisations, including the Endangered Wildlife Trust (EWT), the Wildlife and Environment Society of South Africa (WESSA), Earthlife Africa, the Environmental Justice Networking Forum (EJNF), the Botanical Society of South Africa, the Wilderness Foundation, and the World Wildlife Fund (WWF), amongst others. It therefore describes itself as "a loose coalition of organisations and individuals who are concerned about these developments [N2 toll road and proposed mining] and hope to press for ecologically sensitive economic solutions for the Wild Coast region" (www.swc.org.za). An important spur to its formation was also the role of the church in the form of SAFCEI (South

African Faith Communities' Environment Institute). In this regard, the environmentalist and Bishop, Jeff Davies, was one of the founding members of the SWC.

An important feature of SWC is its attention to social issues and its engagement in arguments about 'development', which is in contrast to the case in the St Lucia mining struggle, where the environmental movement largely ignored the needs of the local populations. Cock (2006) argues that the environmental movement in South Africa is split into those organisations that are organised around the discourse of environmental justice and those that have organised around the discourse of 'sustainable development'. According to Cock, the environmental justice movement "is bridging ecological and social justice issues in that it puts the needs and rights of the poor, the excluded and the marginalised at the centre of its concerns" (Cock, 2006: 204). An important force of this movement "lies in [the] notion of rights – rights of access to natural resources and to decision-making" (Cock, 2006: 206). She contrasts this movement to the mainstream environmental movement, embodied by the Endangered Wildlife Trust (EWT) and the Wildlife and Environment Society of South Africa (WESSA), which "are socially shallow with a mainly white, middle-class support base and are predominantly concerned with preserving biodiversity" (Cock 2006: 204).

However, the SWC represents a blurring of the line between these two movements. On the one hand, the SWC displays features of the mainstream environmental movement. It is strongly grounded within notions of biodiversity and floral and faunal species preservation. An important spur to its formation was the threat that the proposed N2 toll road posed to the scenic beauty of the Wild Coast and to biodiversity and plant species loss. As Schutz has noted, "The true tragedy lies in the fact that the rights of these rural landowners would not be getting as much press coverage if the area was not of such particular interest to environmentalists" (Schutz, 2007: 5). Furthermore, while it is connected to the communities of Amadiba through its funding practices and its 'development' programme, Simbhadame, its social base of support remains primarily middle class. Its modes of advocacy and communication occur through channels such as internet petitions and communication and media releases. An important part of its operations has been these public information and advocacy campaigns. It has also lobbied government departments

and has played a key role in raising national awareness and mobilising public opinion over the proposed mining.

However, in contrast to the environmental movement concerned with St Lucia, this emphasis on biodiversity preservation has been linked to an emphasis on local social sustenance and a consistent critique of the dominant 'development' paradigm. In this sense it has come to pose the issue of environment and 'development' as a social question and sought "commonalities with other, often broader, struggles for democracy and justice" (Marais, no date: 35).[55] In this regard, whereas Cock argues that the mainstream environmental movement "is voided of political content", the SWC has expressed a distaste for 'development' that is determined by the interests of, and serve, the powerful. It explicitly questions the ability of the market to bring about 'development' that is congruent with social and ecological exigencies. Together with the social worker John Clarke, it has also made productive use of rights "to legitimise demands and claims" (Cock, 2006: 206).

However, it has not demonstrated a strong mobilisation on the ground in terms of protest action and the like, but has primarily been engaged in terms of lobbying and mobilising public opinion. Through its 'development' programme, Simbhadame, it has engaged in 'development' activities and environmental programmes, but has not played a strong organising role as a political force in the communities. This may be because it is largely an issue-specific campaign that has responded to a particular threat to the Wild Coast; namely that posed by the N2 toll road and the proposed mining. However, according to a board member, this is also because it does not want to impinge on local mobilisation and rather provides support to local initiatives, such as the ACC. It has formed important links with the local communities and played an important publicising role that not only emphasises the environmental impacts of the mining, but also emphasises the potential deleterious social effects of the proposed mining and articulate an alternative

[55] The need for this shift to occur within the mainstream environmental movement in South Africa was highlighted by Marais, reflecting on the environmental movement's lack of engagement with social issues in the case of St Lucia: "...win or lose, the environmentalist movement will have arrived at a benchmark. Hereafter, it will either be lugging its legacies along as it tilts at windmills. Or it will be seeking out its commonalities with other, often broader, struggles for democracy and justice. Here's hoping the latter course prevails" (Marais, no date: 35).

'development' vision. Thus locally it views its role as primarily serving to channel funds into local projects that are based on local aspirations. As a board member explained:

> We spoke originally about handing over the organisation to community, but then what would be purpose because the community already has its own organisations so it might not help to do that. You know, they've got their own contracts etc. So we need to do what community wants, if they don't want or need us anymore then we'll go away. We are just a facilitator, if there is a need for a deeply entrenched organisation then that must come from them (King, Interview, SWC, SWC Board Meeting, Southbroom, 27/08/2009).

Furthermore, it has provided support to the ACC in terms of logistics and resources. Its tactics have included litigation, advocacy, media campaigns, public petitions and an organised march in July 2007. At this march, the relatively wealthy residents of the South Coast marched south along the beach in the direction of Mgundundlovu and residents of Mgungundlovu walked north towards Port Edward and the two groups. Class and race distinctions were evident; however, from another point of view, it may also illustrate the move towards a mainstream environmental movement turning towards a tentative realisation of the importance of linking environmental issues with the needs of indigenous communities.

SWC's official view on the relation between environmental protection and 'development' is that of 'sustainable development'. However, the SWC's conception of it is markedly different from the dominant global discourse of 'sustainable development'. The type of 'sustainable development' that the SWC has been campaigning for on the Wild Coast is embodied by the following description in an article by two of its board members, Val Payne and Dr Nick King, which appeared in the environmental magazine, *Vision*:

> Wise choices about the future entail understanding the inter-relationships between the needs of communities, social, political and economic forces, and the capacity of the environment to support these. It means allowing for a flexibility of scope in planning which is determined by local conditions and needs, rather than by political and economic agendas driven by 'one size fits all' ideologies (Payne and King, 2008: 11).

An important aspect of SWC's critique of the dominant 'development' paradigm is the disconnection that it produces between the economy and people's needs. As the social worker for the community and SWC board member John Clarke argues, "the economy exists to serve life

and people, but the way that it has been created – or perverted is probably a better word – is that now we have life and people serving the economy" (Clarke, Interview, Johannesburg, 03/04/2009). As Clarke described of himself and the SWC in a letter to the previous director of Xolco, Nomangesi Malunga, as a response to allegations she made in a letter to the *Sunday Tribune* newspaper in June 2007:[56]

> The Sustaining the Wild Coast Association which has provided funds to enable me to provide professional services to the community is not "anti-mining" but "pro-sustainability". We simply want to promote understanding and learning based on truth and adherence to the South African Constitution and enabling legislation such as the National Environmental Management Act, to ensure that people most directly affected by large invasive development proposals are empowered to be at the forefront of decision making on issues of environmental and economic sustainability. Our approach has been to ensure civil society is as fully engaged as possible and to foster a culture of human rights so that all Interested and Affected Parties can further their legitimate interests without fear or favour from those with vested interests. There is generally a grossly unequal power relationship between mining companies and rural communities that are affected by mining.[57]

SWC also acknowledges the political nature of the 'development' process and the role of power and structures in determining both the path of 'development' and its distributional impacts. It also locates the source of environmental degradation as rooted in the prevailing global 'development' paradigm, characterised presently by neoliberalism, and instead calls for a form of 'development' that is guided by local ecological and social exigencies. As Payne and King argue, "The mining venture is a symptom of a neo-liberal development philosophy, articulated by ASGISA, which emphasises industrial development, export-driven economic growth and privatization of assets, including natural assets such as minerals and land" (Payne and King, 2008: 11). Another member argued along similar lines:

> SWC believes that South Africa's development path at the moment is completely and utterly wrong; wrong for Africa, wrong for local needs, wrong for poverty, which is what they say it's been designed for – poverty alleviation. It's right for the rich and

[56] The letter that was sent to the Sunday Tribune, however, was sent from the email of Anne Barnes, the wife of TEM's managing director, John Barnes. Malunga claimed that she had been manipulated into signing her name to the letter.
[57] Correspondence from John Clarke to Nomangesi Malunga, Thursday, 05 July 2007.

> famous, and that's the few that it's right for (Heather, Interview, SWC and founder of Simbhadame, Johannesburg, 11/11/2009).

John Clarke also locates the case of the proposed mining at Xolobeni as situated within this broader context of global 'development', as linked to "an economic rationale which is about the maximising of profit in the short term by the extraction of non-renewable minerals in the world economy that would have left the community fundamentally impoverished." He therefore maintained that "it comes to issues of global inequalities" (Clarke, Interview, 03/04/2009).

In rejecting the dominant 'development' paradigm and the effects of global discourses disconnected from local sites, SWC articulate a central role for participation in 'development'. While the SWC's opposition to the mining has been based on arguments around the social and ecological effects of the proposed mining and the fact that it would not be an example of 'sustainable development' as it views the concept, it has also instituted a project based on its conception of 'sustainable development', known as Simbhadame. This project was orchestrated largely by an SWC board member, Sandy Heather. This project largely aims to allow for communities to articulate what their priorities and needs are and to augment and assist with existing local livelihood strategies. Its focus is to instigate 'development' that is not based on pre-determined models but on the participation and expressed desires of those involved in the project. As Heather explains:

> My aim was to facilitate something that satisfied the needs of the people. That's my core mission in life, is not to impose things on others, but to facilitate what's already there. I believe that development has always been imposed; you know, if you're an NGO that supplies water tanks, you go into a community and you say 'Would you like a water tank?', not 'What do you need?' Um, and if the community doesn't need a water tank they'll say yes because it's something they can get. So, of course, that's not sustainable, um, nobody goes in and says 'What do you need?' because nobody has an open book (Heather, Interview, 11/11/2009).

To a large degree, the SWC's view on 'sustainable development' is described by Sachs (1999) as the 'home perspective'. In this perspective, there is a rejection of the global discourse of 'development' in favour of the protection of local livelihoods. Indeed, the global practice of 'development' is seen as the cause of the loss of such livelihoods, as its practice and need for

resources invades the commons and results in their enclosure or destruction. As such it calls for a turn away from the traditional 'development' paradigm and a turn towards 'development' that is based on local social, economic and ecological exigencies and on the rights of local populations to partake in decision making regarding the social, economic and political realm.

In contrast to pro-mining actors such as the DME and TEM, the SWC has more clearly articulated an alternative vision on the contents of 'sustainable development' that is locally based and grounded in participation. The pro-mining actors have problematised the existing arrangement in the Amadiba region as characterised by poverty and a lack of 'development'. This is positioned to argue for 'development' based on economic growth and based on the infrastructure and jobs that the mining will purportedly bring. The environment is then presented by actors such as the DME and local government as a concern that must be set aside in order for 'development' to occur. The discourse of the SWC on the relation between environmental protection and 'development' has acknowledged the hardships currently faced by the residents of the Amadiba region and the consequent space for improvement, but it has also emphasised the existing stores of social, cultural and ecological potential and wealth upon which 'development' should be explicitly based. Furthermore, it questions the meaning of 'development' itself and proposes such alternative ways of conceiving of and practicing it. This is the conception of the relation between environment protection and 'development' that its opposition to the mining has been grounded in. From the research conducted, the SWC is a popular organisation in Mgungundlovu, which indicates that this conception has reacted well with local discourses on the relation between the land, livelihoods and 'development'. However, this conception has clashed with the more mainstream approaches to 'sustainable development' that have attempted to override environmental concerns and been used to accommodate existing constellations of power that stand to benefit from the proposed mining.

6.3.7.2. Social Worker – John Clarke

This section will briefly describe John Clarke's involvement in the mining issue. It will not describe his conception of the relation between environmental protection and development because it is largely aligned with the views of the SWC. As a social worker representing the communities opposed to the mining, he has played an important role in terms of networking and

logistical support. Such networks have formed an important channel through which to agitate and advocate on behalf of the affected communities. The central strategy for Clarke has been to help the communities to "claim their fundamental human rights" (Clarke, Interview, 03/04/2009). Embedded within this approach, as a social worker he has focused on trying to facilitate the communities' access to relevant information and resources as well as their participation in decision making.

He therefore conceptualises his work with the communities in terms of the Constitution and the rights that it bestows on all South Africans. He is keenly aware of the social and political forces that mitigate the ability for the integrity and rights of groups such as the communities of Mgungundlovu to be realised. According to him, "there has been a clear case, to my mind, of classic collusion between politicians and wealthy businessmen with deep pockets. Um, so, ja, what I've sought to do is name the powers, unmask the powers and engage the powers" (Clarke, Interview, 03/04/2009).

In this sense he has maintained a high profile in pursuing the rights of the communities by consistently engaging with various parties, including various state sectors such as the Department of Land Affairs, Environmental Affairs, Minerals and Energy, and the Australian CEO of MRC, Mark Caruso, journalists who he consistently updates and provides leads to pursue certain aspects of the unfolding story around the proposed mining, representatives of Xolco, and so forth. A highly publicised act of Clarke's was to call on the South African Human Rights Commission (SAHRC) to investigate the violation of some the communities' Constitutionally enshrined human rights.[58] This was highly publicised, and the findings of the SAHRC largely confirmed the allegations of human rights abuses, notably that there had been insufficient consultation with the affected communities. He has thus persistently attempted to expose and engage the various actors around the proposed mining in a bid to highlight the needs of the Mgungundlovu communities and the relation of those needs to the actions of powerful interests. His approach has therefore been based on environment, human rights and development. This association of

[58] Clarke identified seven rights that had been violated: the right to human dignity, the right of freedom of expression, the right of assembly, demonstration, picket and petition, freedom of trade, occupation and profession, the right to an environment that is not harmful to people's health and well-being, the right to property, and the right of access to information.

rights and their relationship to the obstruction of the realisation of communities' needs echoes Cock's description of the environmental justice movement in South Africa when she states that "The notion of rights is used to legitimate demands and claims. The counter-hegemonic potential lies in the challenge to power relations that this notion of rights implies" (Cock, 2006: 206).

6.3.7.3. The Amadiba Crisis Committee (ACC) and Legal Resources Centre (LRC)[59]

The ACC was formed in June 2007 at a community meeting called at the tribal authority, Komkulu, where representatives were elected by the community members present to represent them on the committee. Under the auspices of the tribal authority, it was agreed at various community meetings that the ACC should be formed, and the aim of its formation was to establish a structure that could oppose the mining on behalf of the affected communities. By November 2007, it had signed up 900 members.

In terms of its structure, it has a loose organisation. Although people are assigned positions such as Chair, Deputy-Chair, Treasurer and so forth, roles are loosely defined. There are two representatives of each of the five potentially affected villages who attend meetings of the ACC and then report back to their respective communities, although all community members are welcome to attend meetings. Two key members have been Mzamo Dlamini and Nonhle Mbhutuma, the younger members of the ACC, with high school education and the ability to speak English. As such, they have displayed strong leadership and have played the most dynamic and upfront roles in terms of communications and co-ordination of the ACC's activities, both internally and with outside actors such as John Clarke and the Legal Resources Centre.

The ACC was therefore formed out of a need for a coherent structure emerging from the communities to defend their interests and to play an advocacy role on their behalf. It is an example of a multitude of community-based organisations (CBOs) that have proliferated in post-apartheid South Africa in protection of communities' survival that have been threatened by neoliberal state policies (Habib, 2003). Mzamo Dlamini, officially the ACC's Public Relations Officer (PRO) explained the rationale behind the formation of the ACC:

[59] The two organisations are discussed collectively as they have worked closely together and so discussing the two separately would risk repetition.

> We always met not as a structure, as a community, you know, to try and talk and try and find ways of making sure that this mining is not happen. And most of that was actually try to understand what was happening, I was involved in all that, so there was a lot of misinformation. In the media it was advertised as if the people were agreeing on it, they were very supportive, you know. There were even statements like people are eating snakes, dogs, you know, all these silly things, because they were hungry, they would, you know, boil water until children sleep because of the hunger. There was *a lot* of misinformation to the outside world. Hence we decided we also go to media and then expose the reality and therefore we as individuals went to the traditional authority to tell whatever we know (Dlamini, Interview, Port Edward, 16 November 2009).

In aiming to assert the interests of the affected communities, ACC has pursued various institutional routes by attempting to link with relevant structures around the proposed mining, such as local government, reporting to and updating the King and Queen of Pondoland of developments in the mining process, the Department of Land Affairs (DLA) and the DME. In 2008 the ACC managed to secure a meeting with the Director-General of the regional Department of Minerals and Energy. However, they left the meeting after they were repeatedly interrupted by Xolco members and so felt that the meeting was proving unfruitful. In 2008, they also attended a meeting with a parliamentary commission that had been set up to investigate the issue, though little appears to have come from it. The feeling of Dlamini was that "it was a special commission to come, and I would say, to investigate and see how they can make sure it [the mining] happens" (Dlamini, Interview, Port Edward, 16/11/2009). A key action of the ACC that caught the attention of the Minister of the DME was its protest that some of its members staged when the Minister visited the area to announce the awarding of the mining licence, waving placards bearing anti-mining slogans and *toyi-toying*. The consequent realisation of anti-mining sentiment by the minister is what led her to visit the area for a second time to listen to the communities' concerns.

Together with the Legal Resources Centre, a key mode of operation of the ACC has been to pursue a legal strategy of challenging the proposed mining based on its legality and processes followed in terms of a number of South African laws, including the NEMA, MPRDA, the Transkei Decree No. 9, and so forth. The Legal Resources Centre (LRC) has thus played a key

role in defending the communities' rights and local livelihoods. The LRC is a not-for-profit human rights organisation that aims towards "a fully democratic society based on the principle of substantive equality and to ensure that the principles, rights and responsibilities enshrined in our national Constitution are respected, promoted, protected and fulfilled" (www.lrc.org.za). This involves a specific focus on assisting the poor and the marginalised in defending their rights and on protecting local livelihoods. It receives important sources of funding from the Legal Assistance Trust (LAT), which is based in London and raises funds for free legal services for poor people in countries outside of the United Kingdom (UK), and from the Southern Africa Legal Services (SALS) Foundation, which was originally established by American lawyers during apartheid to mobilise funds for the LRC to fight against apartheid. In addition, a number of other organisations from around the world assist the LRC in terms of funding and expertise (www.lrc.org.za). A key overall strategy in the opposition to the mining has thus been to pursue a defence of the local livelihoods and environment that are at stake on legal grounds, and in this regard the LRC has been vital.

The main challenge presented by the ACC and LRC was embodied in the appeal instituted against the mining that was prepared by the LRC on behalf of the ACC and handed to the DME. Although the DME is mandated by the MPRDA to respond to such an appeal within 21 days, it only responded about 18 months later by scheduling an appeal hearing in Durban in February 2010. However, DME officials only submitted their paperwork on the morning of the hearing and attended it without making any preparations. As such, the hearing was postponed indefinitely, and it appears that the Chair, Patekile Holomisa, is satisfied with consulting the paperwork submitted by the various parties and now in his possession, in order to make a decision. As of the time of writing, no decision has been made. However, the role that it played together with the communities, the LRC and the environmental movement succeeded in mobilising public opinion and making the contestation over the mining clear enough to the state that the permission to grant the licence was suspended in the first instance.

The ACC has also undertaken actions to build a case against the mining. For example, in response to Xolco's submission of a fraudulent list of people that support the proposed mining, the ACC has attempted to go to as many people as possible on the list to collect evidence about

the fraud for legal use. Furthermore, in September 2009 the ACC, together with the LRC, commissioned an independent soil expert to provide an account of the effects on soils of the proposed mining in an attempt to further highlight the inadequacy of the EIA. A key factor in the ACC's operation has been the initiative and leadership shown by Mzamo Dlamini and Nonhle Mbhutuma, together with their close linkages with John Clarke, who himself has developed a wide network of contacts, such as journalists, lawyers and politicians, which has enabled the developments in the Xolobeni case to be continually made known to the public and other relevant structures, such as the Pondoland Royal House, who have played a strongly supportive role to communities against the proposed mining.

An important backdrop to the formation of the ACC was the defence of communities' livelihoods and the land upon which they are so dependent. In this sense it is largely over the control of resources and the threat the mining proposes to this control. As Dlamini explains,

> We organised ourselves as a committee because John Barnes refuses to meet with locals who resist mining, despite repeated requests. And whenever we have a meeting with the department to air our concerns they give us a workshop on mining. They would not be educating us about mining laws if they were not ready to mine. It looks like the minerals department...supports the project. The people of the Amadiba region are not interested in mining because they have seen the damage it causes: some of them have worked in mines, others have been to Richards Bay (quoted in *Noseweek*, 2007).

Nonhle Mbutuma's motivation for participating in the ACC further indicates the defensive role of the organisation. When Nonhle first heard about the mining she thought it was a good thing because of the jobs it would hopefully bring, and could not understand why many of the older generation were against it. But after spending time with her grandmother and listening to why she did not want the mining, she says she learnt more about Pondo culture and realised what a special place their area was and how important the land is to who they are (Mbhutuma, Interview, 30/06/2009). Realising the value of existing social relations and what she then perceived may be lost, she turned to vociferously opposing the mine. She participated in the formation of the ACC in order to protect Pondo culture and the social and ecological milieu upon which it is dependent. As Mittelman argues, environmental resistance is principally about the "control of land, species, forests, marine life, labour and ideology" (Mittelman, 1998: 854).

Many community members also view the ACC as essentially about protecting the land. As one respondent said: "The crisis committee is representing us because it's the one that is fighting for this land that we want to protect" (A10, Sigidi Village, 23/11/2009). However, whereas Mittelman conceives of such environmental politics as essentially about conscious resistance to the ravages of globalisation, the ACC was more reactive in its formation. It is largely perceived by its members and community members in these terms. In this sense it has not illustrated any tendencies towards expanding into a political force that challenges state policy for example, but a community-based organisation that has responded to a threat against a marginalised community's survival that is a result of state policy (Habib, 2003).

6.4. CONCLUSION

This chapter has aimed to provide an over view of the roles played by the various social actors in the proposed mining at Xolobeni and their conceptions of the relation between environmental protection and 'development'. Describing the various roles displayed how contested the practice of 'development' is and how it is easily influenced by existing interests and power relations. The concluding chapter will briefly bring together the various elements around participation, 'development' and the environment that were illustrated in this research report.

Chapter 7

CONCLUSION

This research takes as a starting point the importance of participation in 'development'. In Chapter 2 it was argued that, based on Williams (2008), a key pillar of participation in 'development' is the ability of people being affected by 'development' to actively participate in the social, economic and political realms of social life, thus exercising decisive control over their local circumstances. This involves such people acting in civil society and exercising power over the nature and activities of the state and economy. In addition, Patrick Heller argues that institutions are important for ensuring participation and that "associational life is in many ways an artefact of institutional design, and... promoting participation requires building new kinds of institutions" (Heller, forthcoming: 154). However, the institutional environment that communities were exposed to, primarily in the form of the state (the DME and local government) and associated processes such as the environmental impact assessment, were inadequate in ensuring participation. Participatory structures for community members were thus largely absent.

Thus in the case of the proposed mining at Xolobeni, the degree of control exercised by the affected residents over the dynamics surrounding the proposed mining have been minimal, and have instead been driven by economic and state power, disconnected from local needs. As such, in terms of the structure of the mining operation it is not clear how benefits will flow to the communities. While it is aimed to turn the natural resource lying in the sand dunes of Mgungundlovu into an economic resource, the structural context of the mining, embodied by mechanisms such as the EIA, Xolco and the state, excludes local communities, and so they are not linked into the channels along which the benefits of mining the titanium will flow. The current structure is aimed, firstly, towards profit maximisation by an individual entity, TEM. Secondly, residual flows of money will be directed towards Xolco. However, the links between Xolco and the communities at large are at best tenuous. Given the existing structure around the proposed mining, the average community member is excluded from the resources directly generated by the mining, and is tentatively exposed to weak claims by the Social and Labour Plan

that the mining will deliver much-desired services such as roads, electricity and clinics. However, even in this regard, a common complaint by community members is, 'Why should we have to have our land destroyed before we can get services that government should provide us with anyway?'

The discourses of environment and 'development' that have been illustrated by the proponents of the mining are at odds with those illustrated by community respondents. Firstly, whereas community respondents illustrated the importance of the land and the sustenance that it provides for them, proponents of the mining depicted the environment as an obstacle to 'development' and an elite white concern. The history that informs these utterances is one of racially discriminatory laws that alienated the majority of black South Africans from the environmental sphere (Khan, 2002), and produced a perception of a dichotomy between environment – seen as an elite white concern for flora and fauna – and livelihoods. However, this view held by members of Xolco, DME and so forth is more difficult to substantiate given the apparent narrow interests that are linked to such lamentations, as well as the social and ecological consequences of the mine that would most likely only decrease the quality of life of the affected populations and produce a further dichotomy between their local environment and livelihoods.

Secondly, the statements of pro-mining supporters were equally at odds with local discourses of 'development'. Many proponents of the mining explained the need for it because of the poverty experienced in the region, to which the mining would bring 'development' as a remedy. However, as Ferguson (1994) shows, simply equating poverty with a lack of 'development' – and poverty as indicating the need for 'development' – is a key mechanism through which the existence of poverty is de-politicised. It does this by submerging the real causes of poverty, which largely lie in structural and historical processes, and ultimately, powerlessness. In a sense, the historical cause of poverty has been partially identified by pro-mining actors – as they associate it with apartheid policies and the historical formation of homelands – but the solution they propose is not one that will ultimately 'empower' those it will affect. Rather, as has been shown in this chapter, the dynamics around the proposed mining have been fundamentally disempowering for the affected communities. Poverty has therefore been presented as motivation for the proposed mining, but these have largely been linked to particular interests in the mining,

and the existing structure of the situation means there are no clear guarantees as to how the affected communities will benefit from the project.

Mittelman argues that "the environment may be construed as a set of alternative moral forces forming ideological representations" and that "some cultural conflicts linked to imbalances in power relations find expression in environmental ideologies, understood as systems of representation of a definite group or class" (Mittelman, 1998: 849-850). From an environmental justice perspective, the manner in which environment and 'development' has been portrayed by dominant actors reflects existing relations of power. A key foundation of the environmental justice framework is therefore that experience of the environment is socially constructed by patterns of inequality and power. Not only would real participation in 'development' allow for the influence that power relations have on 'development' practice be challenged, but to work for real participation also involves first challenging these power structures. This is illustrated in the present case study, where although very little participation by the affected communities was evident, their response, combined with linking up with outside organisations like the SWC and LRC, contributed towards having the awarding of the mining licence suspended, and so represented an important assertion of social power to challenge the manifestations of economic and state power that attempted to foist the mining on the communities without ensuring their participation and consent. This illustrated the importance of forming networks that transcend the local context and link with outside actors and regional networks.

Furthermore, unlike in the case of St Lucia, where the environmental movement focused mainly on ecological issues at the expense of the needs of local communities, the environmental movement in this case study showed a clear appreciation for democracy and justice and the link of these factors with the environment. However, in contrast to the environmental justice movement, it has not launched a sustained political campaign, but rather is issue-specific as it is centred around two key issues threatening the Wild Coast; namely, the N2 toll road and the proposed mining.

This report has also illustrated the vagueness and malleability of the concept of 'sustainable development'. Both the environmental movement involved in opposing the mining and the

proponents of the mining such as TEM and the DME espouse the concept of 'sustainable development'. However, the content of the two meanings is very different. On the one hand, TEM embodies an official approach to 'sustainable development' that is grounded in ecological modernisation and economic growth and has used the concept to justify the mining. The DME's approach to 'sustainable 'development' has been very similar, and illustrated a great emphasis on economic growth and 'development', with a disregard for ecological concerns.

On the other hand, the environmental movement, embodied by SWC, has espoused a notion of 'sustainable development' that is grounded in a critique of the dominant 'development' paradigm. It calls for 'development' to be reconciled with local social, ecological and economic realities, while on the other hand the state promotes a neoliberal ideology that sees 'development' through the economic growth paradigm. It focuses on the appropriation of resources by the market, under the auspices of the state, and for the benefits accrued from the realisation of the value of the resource to benefit people through 'trickle-down' effects (see Fig, 2007; Bond, 2002, etc).

However, the dichotomy between the 'local' and the 'national' or 'global' that a view such as the SWC's appears to incorporate is largely untenable, given the very real effects of global structures and national policies on very local sites (see Ferguson, 2006 for a discussion), as has been illustrated by this case study. What is at issue in defending the local space for local 'development' is the need to take cognizance, and challenge, broader relations of power that produce unequal experiences of the environment in local settings. In this regard, the environmental justice movement is well positioned, as one of its central foundations is a critique of broader structures of inequality and power that influence how different groups experience the environment, whether it be the work environment, the home environment or the natural environment (DiChiro, 1998). In this regard, it is important that the environmental justice outlook, with its focus on the relationship between power, poverty, 'development' and the environment, not only informs local 'development' strategies, but links with opportunities that are grounded in local aspirations and desires. Here the labour movement has a potenitally important role to play.

The importance of participation in 'development' was emphasised throughout the report, as participation is essential in ensuring that the outcomes of 'development' are suited to local needs. However, participation by communities was minimal in general, as the potential for such participation was skewed by power relations and the pre-existing discourses of 'development' held by powerful actors. It thus calls for a more nuanced consideration of local social, economic and political dynamics in 'development', and so for ushering in 'development' models that are not based on economic growth, divorced from people's needs, and are anchored within environmental constraints and opportunities. However, this itself is a political struggle that involves challenging deeply entrenched interests linked to the dominant paradigm of 'development', and involves a need to continually wrestle for the space for a more democratic experience of nature and 'development.'

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10. APPENDICES

APPENDIX A – EIA AND MINING IN SOUTH AFRICA

There are currently certain conflicts in how environmental impact management is structured with regard to mining between the NEMA and the MPRDA (Smit, Interview, 2010; LRC, 2008). While the MPRDA endorses the regulations under NEMA, it is at times nonetheless a complex exercise to delineate the exact processes required for environmental impact assessment and authorisation with regard to mining. However, this section will briefly attempt to sketch the outline of how the process appears to function. With regard to environmental authorisation and mining, mining is the only sector that the Department of Environmental Affairs does not exercise the authority to provide environmental authorisation. In terms of the MPRDA, the Minister of the Department of Minerals Resources has the power to approve an environmental management plan, while the Department of Environmental Affairs is limited to a commenting authority. However, the MPRDA mandates that environmental impact assessment must adhere to the requirements of Chapter 5 of the NEMA. That is, the NEMA principles influence the impact assessment process, while the final decision on environmental authorisation lies with the Minister of the DMR.

The MPRDA requires that consultation be carried out with regard to a mining application and the Mineral and Petroleum Resources Development Regulations (MPRDR) requires that consultation processes are conducted as part of the scoping and impact assessment phases.[60] However, it does not stipulate what constitutes consultation and how consultation should be carried out. However, according to the DMR, given that the act states that it is aligned with the environmental management principles of the NEMA, specifically with regard to impact assessment and hence the consequent regulations around impact assessment practice, in the interests of co-operative governance the EIA regulations released by the Department of Environmental Affairs and Tourism in 2006 should serve as guidelines for conducting an impact assessment, including public consultation (Ugwu, Interview, DMR, Pretoria, 19/02/2010). This is not compulsory, but

[60] In terms of the EIA, it mandates that "details of the engagement process of interested and affected persons followed during the course of the assessment and an indication of how the issues raised by interested and affected persons have been addressed" (RSA, 2004).

according to a representative of the DMR, “If the consultant knows what they are doing or they want to do a good job then they will follow the NEMA guidelines” (Ugwu, Interview, DMR, Pretoria, 19/02/2010). Therefore, while not compulsory, the regulations for carrying out environmental impact assessment may generally serve as guidelines for public participation in the EIA process in terms of proposed mining.

APPENDIX B – FUTURE PROSPECTS

Labour and the Environment

According to Cock (2007b) a key weakness of the labour movement in South Africa has been its failure to play any significant role in environmental struggles that are located outside of the workplace. An important reason for this is the conception of 'development' in which "growth equals economic development equals job creation equals poverty alleviation" (Cock, 2007b: 42). As such, there is little consideration of the resource constraints on economic growth and its ecological effects, and hence a disregard for the global environmental crisis. However, as Bellamy-Foster (2002) proposes, workers and environmentalists in fact share a common ground on which labour and environmental struggles may be forged in the recognition of capital as a major agent of historical change. That is, instead of viewing the interests of workers as opposed to environmental concerns, or jobs versus the environment, their interests are in fact connected through broader forces of labour alienation and ecological exploitation.

However, in this case study, the labour movement, in the form of NUM (National Union of Mineworkers) has largely failed to acknowledge this link and so has not played a role in the struggle against the proposed mining. According to a representative of NUM, this is because

> no workers were involved there. I think it is only the community that side, so we weren't very involved, because it is mining we are actually looking at closely, so we didn't get involved very much in Xolobeni (Seshoba, Interview, Johannesburg, 20/01/2010).

There is thus a need for the labour movement to adopt a position that is focused towards engaging beyond the strict bounds of the workplace and an emphasis on jobs to the protection of local livelihoods.

Tourism

A further possible strategy to provide benefits to local communities is that of tourism. Tourism is an economic activity that interacts well with local social discourses and institutions and has the opportunity to provide benefits and jobs to the local communities that are sustainable in the long

term. An important study has shown that over the same 22 year life span of the mine the tourism option would provide the same number of jobs and benefits that have been proposed by the mining proponents[61] (Grant Thornton, 2005), but the multiple benefits that transcend only direct job figures mean that tourism has the potential to produce far greater 'developmental' outcomes in the Amadiba area than the proposed mining. The promotion of tourism has come to be widely recognised as a key strategy in stimulating economic upliftment, community 'development' and poverty relief, and has allowed many previously marginalised areas to encounter immense economic benefits based on their location and natural attractions (Binns and Nel, 2002). By creating jobs and other economic opportunities, tourism therefore has the potential to forge a greater link between conservation and 'development'. This is illustrated by the case of the Makuleke clan, who after winning their land claim to the Parfuri region of the Kruger National Park, have chosen the option of conservation and negotiated the building of two lodges with private companies (Cock, 2007a). This is providing them with significant benefits such as revenue and jobs, and illustrates the value that communities may receive through conservation (for more detail see Cock, 2007a; Cock and Fig, 2002; Uddhammar, 2006).

[61] This comparison was made with the official statistics that TEM provides, which cite the creation of about 340 jobs. It is important to keep in mind, however, that the number of locals employed will be very low, as was discussed in chapter 5.

APPENDIX C – INTERVIEW SCHEDULES

COMMUNITY KEY INFORMANTS

BACKGROUND

When first did the communities first hear about the mining? When was ACC formed? Who exactly formed it? Eg. with the help of anyone from outside eg. LRC? Why are you opposed to the mining?

Relation between environmental protection and development – what is the importance of the environment as it is now to the AmaDiba people?

ROLE OF STATE
Which sectors of the state? What have the arguments of the different sectors been? Why do you feel the DME wants this project to go ahead? Has the state played a constructive role? Has the state been democratic in its actions?

CIVIL SOCIETY
Do you feel that actors other than the state and private sector have been adequately represented? What is your position on the mining? Why this position? Do you favour an alternative development option? What are the pros of this option?

EIA AND PUBLIC PARTICIPATION
Were you satisfied with the effectiveness of the EIA process and how it was carried out? Was the community sufficiently consulted/was it effective? Were they aware of and did they understand the EIA process i.e. power dynamics? If not, why does the community feel it was not effective?

Thank you for your participation.

CIVIL SOCIETY

BACKGROUND
How did you/your organisation get involved in this?

WHY DO YOU WANT TO PREVENT THE MINING?
Why do the AmaDiba community in your view not 'need' this mining? What is it that they do/don't 'need'?

How do you view the relation between 'development' and environmental protection?

ROLE OF STATE
Which sectors of the state? What have the arguments of the different sectors been? Why do you feel the DME wants this project to go ahead? Has the state played a constructive role? Has the state been democratic in its actions?

CIVIL SOCIETY
Do you feel that actors other than the state and private sector have been adequately represented? What is your position on the mining? Why this position? Do you favour an alternative development option? What are the pros of this option?

EIA AND PUBLIC PARTICIPATION
Were you satisfied with the effectiveness of the EIA process and how it was carried out? Was the community sufficiently consulted/was it effective? Were they aware of and did they understand the EIA process i.e. power dynamics? If not, why does the community feel it was not effective?

TELL ME ABOUT YOUR CAMPAIGN
Strategies/programmes. Levels of support. Social characteristics of supporters.

Thank you for your participation.

INTERVIEW SCHEDULE – DEAT

BACKGROUND

Why is this Department opposed to the mining?

How does the Department view the relation between environmental protection and development?

Why do you feel the DME wants this project to go ahead? Do you favour an alternative development option? What are the pros of this option? Do you feel that there has been sufficient consultation and coordination between your Department and the DME?

EIA AND PUBLIC PARTICIPATION:
How effective are EIAs in mitigating adverse environmental impacts?
How effective are EIAs in mitigating adverse social impacts?
Do EIAs accentuate the positive aspects of development projects?
Who benefits from EIAs?
What are the weaknesses of EIAs?
What are the strengths of EIAs?
How can these weaknesses be minimised?
Do EIAs promote a form of sustainable development?
Can EIAs be used as a development tool?
Do you think that EIAs sometimes prioritise economic growth over the needs of affected communities in South Africa?
How would you improve the EIA process in South Africa?
What is the relationship between the MPRDA and NEMA EIA processes?
What is your opinion on the Xolobeni EIA?
Does it promote sustainable development?
Do you think it allowed for sufficient participation by the affected communities?

Thank you for your participation.

INTERVIEW SCHEDULE - DME

BACKGROUND

What is the Department's view on the relation between environmental protection and development?

Why does the Department want the mining to go ahead?
Why does the community 'need' this mining? – what are the benefits that the mining will be seen to bring? How do the benefits of the mining outweigh those of tourism for example?

Do you feel that actors other than the state and private sector have been adequately represented? How so?

EIA AND PUBLIC PARTICIPATION
What guidelines for public participation and environmental assessment are those wishing to mine supposed to adhere to? Were you satisfied with the effectiveness of the EIA process and how it was carried out? Was the community sufficiently consulted/was it effective? Were they aware of and did they understand the EIA process i.e. power dynamics? If not, why does the community feel it was not effective?

Thank you for your participation.

COMMUNITY QUESTIONNAIRE

1) Length of time lived in Mgungundlovu: _____

2) Number of people living in household:

_____

3) Where do you get the water in your household from?

a) Piped water inside the house
b) Tap outside
c) River
d) Spring
e) Other:_____

3) What do you use for cooking?

a) Wood
b) Paraffin
c) Electricity
d) Other_____

4) What do you use for heating?

a) Wood
b) Paraffin
c) Electricity
d) Other:_____

5) What do you use for lighting?

a) Electricity
b) Paraffin
c) Candles
d) Other:_____
e)

7) What is the main source of income in your household?

a) Wages
b) Family Remittances

c) Farming
d) Crafts
e) Government Grant
f) Other:_____

8) How much is your average household income?

a) 0-R500
b) R500-R1000
c) R1000-R1500
d) R1500-R2000
e) R2000-R3000
f) R3000-R4000
g) R4000-

9) Where do you get most of your food in the household from?

a) Shop
b) Own farming
c) Gathering in surrounding area
d) Barter

Other:_____

10) Where do you get your bread from?

a) Shop
b) Bake at home
c) Other

11) If bought from shop, how much do you pay per loaf?_____

12) How often do you eat meat?

a) Never
b) Once every 2 weeks
c) Once a week
d) Twice a week
e) More than twice a week

13) Where do you get your meat from?

a) Shop
b) Own animals
c) Barter
d) Other

14) What do you pay for your meat?_____

Open-ended questions:

15) Why do you live here/why do you like this place?

16) What is the importance of the land here to you?

16) How would the mining affect this area?

17) Do you want the mining? Why/Why not?

18) What if you were told that you would all get jobs from the mining, so you could just buy your food instead of growing it?

Thank you very much for your participation.