

Insurrections citoyennes et schémas d'autorité dans les régions affectées par les mines: comprendre les mouvements de protestation communautaires au Rustenburg, en Afrique du Sud

Joseph Mujere

Résumé

En prenant pour exemples les camps de fortune de Matebeleng (aujourd'hui renommé Ikemeleng) et de Freedom Park (aussi connu comme Numéro neuf) au Rustenburg, ainsi que le village de Luka dans la région de Bafokeng, cet article analyse la nature, les répercussions et la signification des protestations liées à l'accessibilité aux services au sein des collectivités situées à proximité des mines de platine. Il explore la façon dont la géographie historique des trois lieux a influencé l'accès des collectivités à des services. L'étude se penche sur plusieurs types de propriété foncière et de modes d'occupation des terres, ainsi que sur différents types d'autorité. L'auteur soutient que les régimes de propriété et les modèles d'autorité dans les régions minières ont une incidence sur la façon dont les résidents de ces zones s'engagent dans des protestations liées à l'accessibilité aux services, ainsi que sur les autorités ciblées. Les trois études de cas discutées ici incarnent, de bien des manières, les défis auxquels sont confrontées les collectivités qui vivent en marge des mines et les mille et une façons qu'elles trouvent pour formuler leurs griefs et inciter les pouvoirs publics au dialogue.

Insurgent citizenship and patterns of authority in mining affected areas: understanding community protests in Rustenburg, South Africa

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Abstract

Using the cases of Ikemeleng (formerly Matabeleng) and Freedom Park informal settlements in Rustenburg, as well as Luka Village in the Bafokeng area, this article analyses the nature, impact and meanings of service delivery protests among communities living close to platinum mines. It explores how the historical geographies of the three cases have impacted the communities' access to services. The study cuts across many types of land ownership, land tenure, as well as different regimes of authority. It argues that land ownership statuses and patterns of authority in mining areas have a bearing on the way in which residents of these communities engage in service delivery protests and the authorities they target. The three case studies discussed here, encapsulate, in many ways, the challenges that communities living on the margins of mines face and the myriad ways in which they air grievances and engage authorities.

Introduction

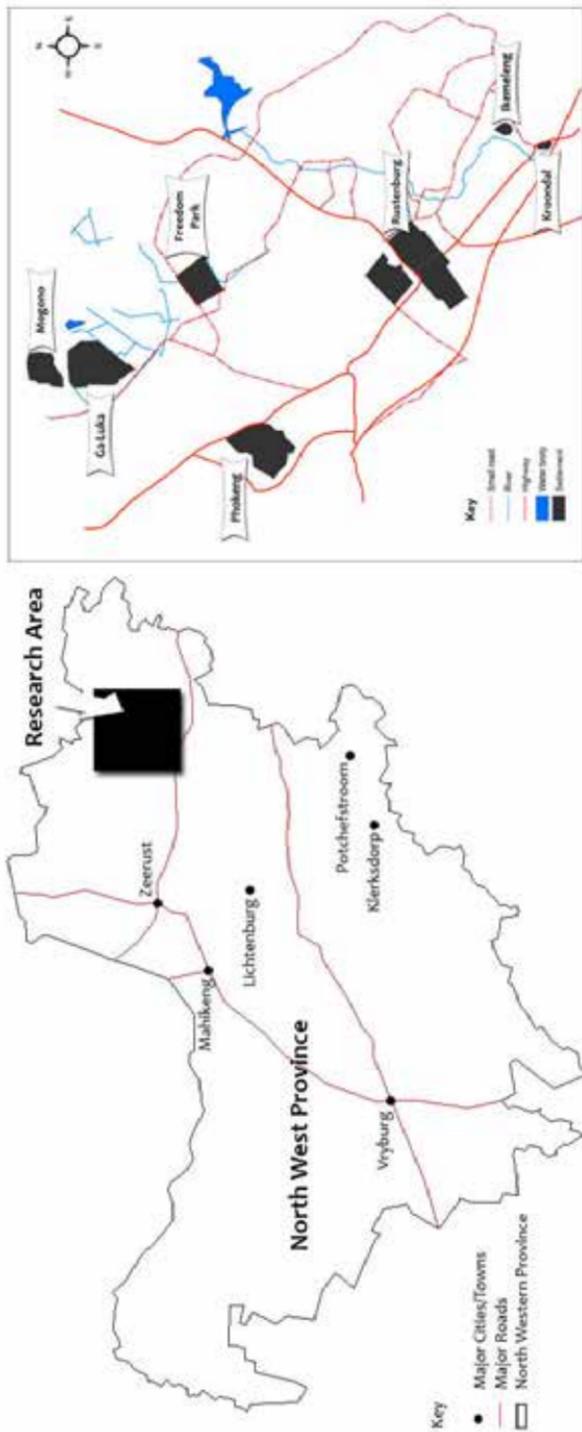
Platinum mining in the North-West Province of South Africa has led to the emergence of new asymmetrical urban geographies between the rich and the poor. It is, therefore, not a coincidence that most informal settlements around Rustenburg are adjacent to platinum mines. Residents of such communities feel marginalized. They often resort to community protests to force mining companies, the state and customary authorities to provide them with basic amenities. In the case of communities around Rustenburg, the targets of such protests are usually the mining companies, Rustenburg Local Municipality (RLM) and the Royal Bafokeng Nation (RBN).² Different land ownership statuses and patterns of authority in these

areas, however, have had an impact on the nature and effectiveness of community protests and the targets of these protests. Using the cases of Luka village in the Royal Bafokeng Nation area and Ikemeleng (formerly Matabeleng) and Number Nine (Freedom Park)³ informal settlements in Rustenburg, this paper analyses the nature, impact, and meanings of service delivery protests among communities living close to platinum mines. Service delivery protests, in the context of South Africa, are protests organised by grassroots organisations demanding that municipalities and other government departments provide them with services such as water, electricity, roads and clinics among others. Residents use such protests to demand jobs and recognition by mining. The study is informed by Holston's concept of insurgent citizenship. Insurgent citizenship is shaped by political contestation, community protests, and the destabilization of the entrenched. As Holston (1998: 47) argues, 'insurgent forms are found both in organized grassroots mobilizations and in everyday practices that, in different ways, empower, parody, derail, or subvert state agendas.' Access to landed property is important in negotiation and contestation of urban citizenship. The urban poor, thus, often should fight to have access to landed property to secure any rights in urban areas. According to Holston (2008: 113), the urban poor's 'exclusion from legal property in land also denied them the civil standing that legitimate property ownership is conveniently understood to create.' In the case of Brazil, Holston (2008: 8) argues that 'residential illegality galvanised a new civic participation and practice of rights: the conditions it created mobilized residents to demand full membership in the legal city that expelled them through the legalization of their property claims and the provision of urban services'. Access to legal landed property arguably gives one access to urban citizenship whilst those with informal access to land, on which they build informal settlement, often resort to insurgent citizenship practices such as service delivery protests to force municipalities to legalize their settlements.

Platinum mining and informal settlements in Rustenburg

Rustenburg, the epicentre of South Africa's platinum mining industry encapsulates the good and the bad in the extractive industry. The Rustenburg platinum belt falls within what is known as the western limb of the Bushveld igneous complex. Platinum has shaped both South Africa's economy and the trajectory of urban

Figure 1 : North West Province showing research sites (Source: Google Maps)



development in the North-West Province where the majority of the mines are located. The major mining companies operating in the area are Lonmin, Xstrata, Aquarius Platinum, Anglo Platinum, and Impala Platinum.

The platinum wealth induced boom around Rustenburg has contributed to asymmetrical geographies of wealth in the city and informal settlements around mine shafts. These informal settlements are home to many mine workers, former mine workers, and job seekers who are either migrants or South African citizens. Insurgent practices of the residents are shaped by several factors that include patterns of authority, land ownership status as well as the history of settlement. Thus, although all these communities share common experiences, it is difficult to generalise since many factors inform their struggles.

The study is based on fieldwork in three case studies, all of which are around Rustenburg and are in platinum mining areas. The case studies show the nuances of insurgent practices of the poor. The study cuts across many types of land ownership and land tenure systems as well as different regimes of authority. Whilst Ikemeleng is on land now under the RLM (but formerly private owned), Freedom Park informal settlement is on land in the hands of a private owner. Luka village is on land under the Royal Bafokeng Nation (RBN), a customary authority. All these regimes of authority have a bearing on the way the communities organise and present their grievances to various authorities. The case studies encapsulate the challenges faced by marginalised communities and the myriad ways in which they air their grievances and engage authorities.

‘A village of rebels’: The case of Luka village

The history of Luka village is inextricably tied to the history of land purchases by various clans in what is now the Royal Bafokeng Nation. Derived from an Afrikaans term for location, Luka was established in 1887 by Paul Kruger whose intention was to create a labour reserve for his farm. The village was started by thirteen clans, which include Tsitsing, Thekwane, Tlaseng, Pshotsaneng and Baphiring among others. Kruger sought to create his labour reserve by forcing these clans to move closer to his property. According to Capps (2010:22) these clans had been loosely affiliated to the Bafokeng, but never considered themselves to be under them.

The Baphiring are among the many clans in Luka who

claim to have purchased land in the late 19th century. They claim that they bought the land independently of the Bafokeng and were equals of the Bafokeng. They purchased Dooringspruit 106JQ, Turfontein 262JQ, and Goedgedaght 114JQ.⁴ It was common during the colonial period for Africans to purchase land and have title on the land registered with missionaries, the Native Commissioner or the Minister of Native Affairs. One of the initial impacts of the establishment of platinum mines in the North-West Province in the 1950s and 1960s was the loss of farming and grazing lands. Although the decline of peasant agriculture in Bafokeng started in the 1940s, the establishment of mines in the 1950s marked the end of the golden age of peasantry as people lost their lands to mines (Bozzoli, 23). This was worsened by the fact that peasants were not compensated for their loss of land. Several mine shafts were located on farming land (Bozzoli, 215).

When Impala Platinum Holding started mining platinum in the Bafokeng area in 1969, Luka village became one of the most affected areas. In addition to the mine shafts, a minerals processing plant was constructed at the southern tip of the village. At the same time, a network of railway lines were constructed linking several mine shafts with the plant. Luka residents lost their land to pave way for mining, but were never compensated. Only the Bafokeng royal family benefited from mining activities. Along with the Baphiring and other clans, the Luka romanticise the period before mining activities started in the area to demonstrate the devastating effects of mining.

Now villagers lives are characterised by everyday realities of contaminated environments, substandard housing and poor sanitation. Consequently, residents of Luka have, in the recent years, often resorted to insurgent practises to force the Royal Bafokeng Nation, the Rustenburg Local Municipality and platinum mining companies to provide them with basic amenities and sources of livelihood. The Baphiring have consistently fought against Bafokeng's hegemony by making land claims against them. The protests in Luka cannot be divorced from historical land claims made by different clans against the Bafokeng.

People living around mines often resort to informal trade, operation *spaza* shops, and renting out backyard rooms and *mikhukhu*.⁵ However, the *spaza* shop business is dominated by Chinese and Somali traders who rent *mikhukhu* or backyard rooms

Figure 2: Luka Village



Source: Google Earth

from more established residents. The Somalis and Chinese have established networks of traders and order stock as syndicates to get discounts from wholesalers and they are also quite frugal. Just like in other communities around Rustenburg, *spaza* shops in Luka are run by foreigners. Local landlords see them as an important source of livelihood. Usually the landlord invites a Chinese or Somali trader to construct a *spaza* shop on his yard and charges him monthly rentals. In some instances, landlords build the *spaza* shops, which they then rent out. However, the Bafokeng have outlawed these *spaza* shops and backyard dwellings arguing that they are unsightly and that landlords needed to seek approval before constructing them. This has also been one of the ways through which the Bafokeng seek to maintain its hegemony. They are generally against the unregulated construction of *spaza* shops and also the fact that most of them are run by ‘foreigners’. The Bafokeng are ‘discouraging the practice of backyard-dwelling, in which Bafokeng rent portions of their stands to migrant workers who then construct tin shacks, or *mikhukhu*,

to live in' (Caldwell, 21). The RBN argue that *spaza* shops and backyard dwelling increases the population density of the area and put pressure on resources such as water, clinics and schools.

In September 2010, with very little warning, the Bafoken bulldozed *spaza* shops in Luka village. According to various reports, at least seven *spaza* shops were demolished within a week as the Bafokeng moved in with bulldozers (earth movers) and armed security personnel (Kotlolo). The Bafokeng also threatened to stop water supplies to the village and demolish backyard rooms because 'foreigners' were staying in these rooms and using resources meant for the locals (Kotlolo). On their part the RBA claimed that the operation was meant to 'pre-empt the operation of illegal businesses' (Kotlolo). Those whose *spaza* shops were demolished reacted by demonstrating and approaching the courts seeking compensation from the Bafokeng. These demolitions in Luka are illustrative of the Bafokeng's aversion for *spaza* shops and its use of the rhetoric of order to impose hegemony on the people of Luka. It also showed the Bafokeng's anxieties about the increase of migrant workers in their territory.

Residents of Luka reacted to the environmental impacts of mining operations by establishing grassroots organisations such as Luka Environmental Forum (LEF). LEF's main mandate is to assess the environmental impacts of mining such as cracks along houses, pollution of water, drying up of boreholes, and noise pollution, among others, and engage the Bafokeng and mining companies to do something to address these issues. The emergence of such grassroots movements was a direct result of the community's dissatisfaction with the Bafokeng, which they view as working in cahoots with mining capital. According to Mnwana (241), 'village forums provided an opportunity for residents to voice their dissatisfaction over the manner in which the ruling elite distributed mineral wealth'. Luka residents see the RBA as prioritising the interests of mining capital at the expense of their own welfare.

Luka villagers complain that most of their boreholes no longer have water because of the massive mining activities around the village (Interview with PM, Luka village, 06/08/13). Blasting in both underground and open cast mining also causes a lot of noise pollution and resultant tremors that lead to the cracking of houses. Some houses have become a health hazard to their occupants due to the cracks caused by blasting at the mines. Mining companies

argue that there is no direct causal relationship between the cracking of houses and mining operations, however. Rather, they accuse villagers of polluting rivers (Interview with JT, Impala Platinum, 06/04/16). The village has access to piped clean water and other amenities. In 2012, however, the RBA announced that residents of Luka should pay for water and it promptly started issuing monthly water bills. The residents of Luka were not paying for water until 2011, when the RBA suddenly demanded that residents start paying. The main explanation the RBA gave villagers for this water rate policy was that there were too many people staying in backyard dwellings which had significantly increased the rate of water use per household (Tsepo Peter Motsepe, Luka village, 20/07/13). Under those circumstances the RBA felt that it would be unsustainable to continue giving free water to an ever-expanding population especially given the fact that migrants were contributing to this population growth (Interview with JT, 06/04/16). Residents reacted with defiance. As one of the residents stated,

we refused to pay for the water. Our argument was that mines are the ones, which are supposed to pay for our water because they contaminated our water sources. If it was not for these mining activities, we would be accessing clean water from our boreholes and from rivers. Moreover, not every homestead in Luka has backyard dwellings. For example, I do not have a backyard dwelling at my house and I am not renting out any room (Interview with TP, Motsepe, Luka village, 20/07/13).

Such assertions are a result of the community's sense of entitlement, which emanates from the belief that mining activities are responsible for contamination of their water sources. Residents of these communities thus found their defiance justifiable in the light of the adverse impact of mining on their livelihoods and environment.

To counter the community's defiance, the Bafokeng tried to implement a pre-paid water system in all twenty-nine villages under its control. It announced, in February 2012, that it would replace the old meter system with a new pre-paid token system. One would only have access to water after buying the tokens.⁶ Here, again, the residents resisted and demonstrated against the RBA's attempt to force them to pay for water (Interview with TPM, Luka village, 20/07/13). In the end the proposal was shelved. Although some residents of Luka pay their water bills under the old system, they

nevertheless have continued to defy the Royal Bafokeng Nation in spite of bills of varying amounts (Interview with PM, Luka village, 06/08/13). Thus, although struggles for the supply of clean water in Luka are arguably part of the everyday struggles of communities living close to mines they also reflect broader struggles around land ownership, entitlement, citizenship as well as politics of belonging. Unemployment is another reason people engage in community protests. In most cases communities living close to the mines consider themselves to be legitimate stakeholders who should get preferential treatment when applying for jobs at the mines and in getting access to services. Residents usually make such demands based on claims of being 'local' and therefore entitled to services from the mining companies.

In January 2012, during the labour unrests in the platinum belt, residents of Luka formed the Luka in Action – an organization whose objective was to engage the mining companies and the Royal Bafokeng Nation to help in service delivery and also to provide jobs for locals. Luka in Action organised a community protest in March 2012. Youths barricaded roads and stopped people from getting into or leaving Luka. As a direct result of this protest the Royal Bafokeng Nation agreed to assist youths from Luka get jobs at Impala Mine. According to one of the organisers, '1100 youths submitted their CVs, which were then forwarded to Impala through the Royal Bafokeng Institute. Not everyone got a job but a significant number got employed' (Interview with TPM, Luka village, 20/07/13). On their part, Impala Platinum argued that this did not represent a fundamental shift from what they were already doing as most of the names which were submitted to them by the Luka in Action group were already on their list of job seekers from the area (Interview with JT, Impala Platinum, 06/04/16). What is significant, however, is that grassroots organisations were achieving something through engagement and community protests.

One of the issues that have impeded development in Luka village is lack of clarity on whether the Bafokeng or the RLM should provide services. In the end, there are often clashes between the two authorities. The RBN usually prefers to provide basic amenities to communities in its area of jurisdiction. It also uses its position as the main authority in the area to punish 'rebel' villages such as Luka that resist the dominance of the RBN by denying some services. It is, therefore, not surprising that Phokeng, which is the seat of chiefly

power, has well paved roads and street lights while other villages within RBN have very few paved roads and no street lights at all. This lopsided development forced some villages to seek the help of the RLM on service delivery matters. In 2000, Phestus Megkwe who had just been elected to the position of councillor in Luka engaged the RLM to help develop Luka and provide basic services such as health facilities, roads and street lights.

I was elected councillor of this area in 2000 and I immediately began to engage the municipality to provide services to the community. We wanted Apollo lights (high mast lights) and also a 24-hour clinic. We also wanted roads and many other things. So as the councillor I brought these issues before the Rustenburg Local Municipality. Our first priority was the high mast lights and second one was the 24-hour clinic. The Rustenburg Municipality agreed and budgeted 12 million rands for the Apollo lights project in Luka (Interview with PM, Luka village, 06/08/13).

This was indeed a major development given that the darkness at night was leading to all sorts of criminal activities in the village. Although there are no statistics, muggings and robberies are not uncommon in informal settlements and areas between mine shafts and residential areas.

In early 2003 the RLM hired a contractor to install the high mast lights in Luka. However, after the councillor informed the RBA of this the RBA ordered the project to be stopped arguing that the lights were ugly and only fit for informal settlements (Interview with PM, Luka village, 06/08/13). It went so far as to send its police force to stop the contractors. This did not please residents of the community who were happy to see the high mast lights being erected. The councillor then called a meeting in which the community resolved to march to Phokeng after obtaining a clearance from the Magistrate's Court and police (Interview with PM, Luka village, 06/08/13). It was only after hearing that Luka residents were to march to his residence that the Bafokeng Chief issued a statement saying that the high mast lights project could go ahead. However, he ordered that the lights could only be erected in Luka village because they were ugly and only fit for informal settlements (Interview with PM, Luka village, 06/08/13). The chief preferred street lights that

were more suitable for well-planned suburbs like those in Phokeng.

Although the chief tried to avert a protest at his gates by conceding to the demand for high mast lights at Luka, the residents nonetheless marched to the chief's residence where they handed in a petition with more demands. Although it was seemingly a small victory against the hegemony of a powerful and wealthy traditional authority, the struggle for lights by people of Luka is an example of how residents of communities around mines struggle to share the wealth from their lands. In the end the Bafokeng allowed Luka to have the high mast lights. Other villages have not succeeded in getting street lights installed.

'Stand on your feet': The case of Ikemeleng

Ikemeleng informal settlement presents a slightly different scenario in terms of land ownership and settlement history. The informal settlement started off as a squatter camp for farm workers working at Kroondal farm in the late 1980s and early 1990s. This was where 'white farmers and local businesses stored (sic) their black labour, because they did not want them living next door to them in Kroondal, a little town close by' (Marie 2012). The farm was later bought by Aquarius mine that failed to evict the people who had settled there. The post-apartheid period saw a rapid expansion of the settlement.

Figure 3: Ikemeleng informal Settlements



Source: Google Earth

The boom in platinum and chrome mining in the area coupled with the government policy of phasing out the compound system led to rapid expansion of informal settlements on the margins of the mines as mine workers chose to stay in the informal settlements because it was cheaper to live in these areas as compared to formal suburbs. Furthermore, in the post-apartheid period most mines began to encourage their workers to stay in private accommodation. They did this by offering their employees 'living-out allowances' that enabled them to subsidise their accommodation (Bezuidenhout and Buhlungu, 252). Instead of using the allowances to rent apartments in suburbs, workers preferred to either build their own mikhukhu (shacks) or to pay rent in the informal settlements that emerged on the margins of the mines. By doing this they saved on transport and accommodation costs and used the money to invest in livestock and houses in their home areas. This has contributed to the rapid expansion of informal settlements around platinum mines in Rustenburg.

Ikemeleng informal settlement is surrounded by five chrome and platinum mines; including Xstrata, Samncor, Murray and Roberts (Aquarius). The community has not only attracted a large number of mine workers, but also many job seekers and vendors. Although the origin of the name Matebeleng, the settlement's previous name, is not very clear, the name generally refers to a community composed of people from different ethnic backgrounds. The name is also associated with being an outsider as opposed to being a local. One informant noted that Matebeleng is derived from the Amatabele (or the Ndebele people led by Mzilikazi) who passed through the area in the late 19th century (Interview with EK, 05/07/2012). The community is composed of both local and regional migrants. There are people from Eastern Cape Province, Lesotho, Swaziland, Zimbabwe and Mozambique as well as Somalia. The name, therefore, reflects the politics of inclusion and exclusion in the North-West Province as it is a euphemism for a community of migrants and people who do not actually belong to the area. Residents of this informal settlement loathe this name and have recently resolved to change the name from Matebeleng to Ikemeleng which means 'stand on your own feet.'

Getting access to clean water is one of the key demands of the people residing close to platinum mines. This demand is premised on the fact that mining activities pollute water sources

and lead to the depletion of underground water. Indeed, most of the informal settlements have no access to tap water, electricity and such services as refuse collection. In 2009, one of the residents of Ikemeleng stated,

We have many problems in our area. There is no permanent water supply. Twice a week a water truck contracted by the Kroondal Municipality fills these tanks with water. If you are not around when the tank is filled, then you don't get water. Many families are forced to buy water from private sellers. These sellers bring the water from Mfedikwe in Bleskop, a neighbouring village. If you don't have money, then you are forced to use the water from the river. The majority of the families use the river to wash their clothes. People know that this water is dangerous but they say that they have no alternative, so they continue to use the water from the river. A lot of sickness comes from this river, especially among school children who play in the river on hot days. The river has bilharzia.⁷

Against this background, residents of the community felt that it was crucial for them to continue to engage the mining companies as well as RLM to provide them with clean running water. In the event that this failed they would resort to community protests.

In 2010, the community leaders of Ikemeleng sought to have their settlement formalised and integrated into the RLM. This was granted in November of the same year. The settlement began to be included in the Rustenburg Integrated Development Plans (IDPs). The settlement's name was also changed from Matebeleng to Ikemeleng. This transformation fulfilled the community's desire to formalise their settlement and fight improve service delivery. Aquarius mine contributed R10.4 million towards the upgrading of the informal settlement to a formal settlement. One of the major projects funded by the company has been the installation of a community-wide water reticulation system.⁸ By end of 2012, community water taps had been installed in the community. This was arguably a sign that through grassroots organising, the community was managing to convince some of the mining companies to partner with the RLM in ensuring that the community had access to basic amenities. As a way of reducing crime in their respective communities, residents

of Ikemeleng informal settlement village engaged the RLM at different times, asking it to provide them with high mast lights to reduce crime. In August 2009, residents engaged in one of the most violent community protests against the RLM and the surrounding communities. They barricaded roads using burning tyres, logs and stones and stopped mine workers from going to work with the aim of forcing the mining companies and RLM to listen to their grievances.⁹ The police responded by firing tear gas canisters and rubber bullets at the protestors and arresting some of them (Marie 2012). Their demands included the provision of basic amenities such as clean water, refuse collection, health facilities and the installation of high mast lights in the community. In response, the Mayor of Rustenburg promised, high mast lights for the community (Interview with LN, Ikemeleng informal settlement, 15/02/13). In addition to these promises made by the mayor, Aquarius mine contracted a company to install six water tanks in the community, which were filled with water twice per week. Anglo American, in partnership with the municipality, also provided a mobile clinic, which visits the community twice per week. Although of the eight-high mast lights the mayor promised, the RLM delivered only two. These, however, provide lighting for much of Ikemeleng and according to residents have helped reduce the incidence of muggings and other forms of violent crime at night.

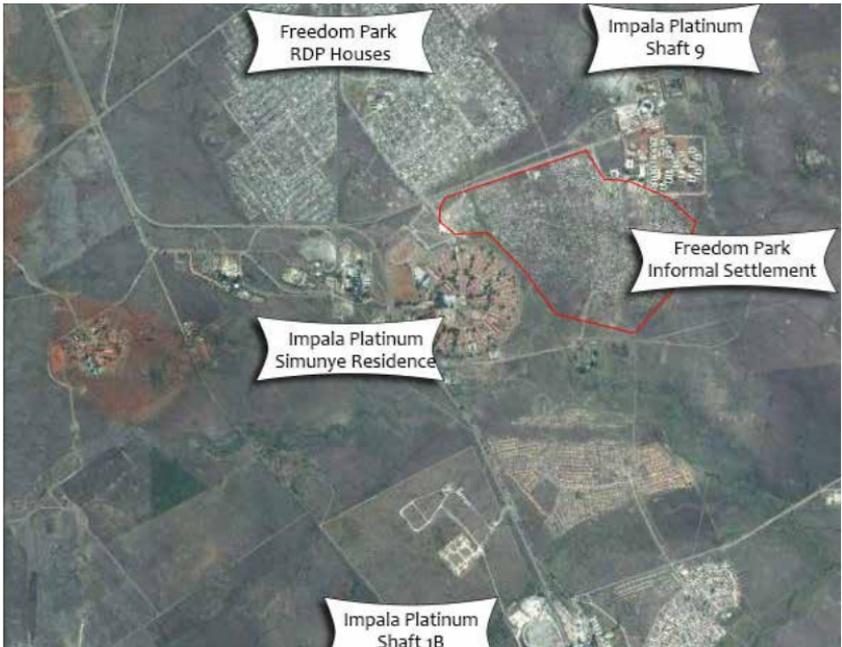
As residents of a community located in an area where there are many platinum and chrome mines, residents of Ikemeleng believe that they should be given preference by the mines when they recruit local labour. As one resident noted; 'it is very difficult for us to get jobs with these mines yet we continue to see the mines employing people from Eastern Cape and other provinces. We see buses bringing people from Lesotho and Mozambique as if we do not want jobs as well. We have protested against this practice in the past and we will continue to do so' (Interview with AM, Ikemeleng, 09/07/12). They have also resorted to community protests to force the mines to give them preference in job opportunities. In October 2011, the community engaged in protest, largely targeting the mines, which were accused of being reluctant to employ 'locals' preferring instead to recruit foreigners and people from other provinces such as Eastern Cape (The Bench Marks Foundation, p199). Although the protest did not achieve much in terms of alleviating unemployment, most of the mines agreed to liaise with the local councilor when

recruiting local labour. The arrangement they reached was that when a mine had vacancies especially for unskilled and semi-skilled jobs it would inform the councilor who would forward names to the mine human resources manager.

Freedom Park informal settlement

Located between Impala Platinum Shaft Nine and Impala Platinum Simunye Residence and bordering the low-cost Freedom Park Phase 1 and Phase 2 Reconstruction and Development Programme (RDP) houses, Freedom Park informal settlement is one of the largest informal settlements in Rustenburg. The settlement was established in 1986 ‘after women set up shacks to sell liquor to mineworkers. Their shacks were often dismantled in police raids, but the women rebuilt them’.¹⁰ The settlement rapidly grew in the post-apartheid era when police raids ceased. The land on which the informal settlement is located is owned by the Motseounyane family who inherited it from Ms Priscilla Motseounyane who died in 1963 and borders land owned by the RBA and leased to Impala Platinum. Ms Motseounyane owned Portion 4 and 5 of Wildebeestfontein 274 JQ. Freedom Park informal settlement is on Portion 4.

Figure 4: Freedom Park informal Settlement



Source: Google Earth

Freedom Park is one of the least developed of the informal settlements around Rustenburg in terms of infrastructure and provision of basic amenities. It lacks basic services such as roads, health services, water reticulation and policing among other services. Although the settlement is located between Impala Platinum Mine Shaft Number Nine and Impala Platinum Simunye Residence, the members of the community complain that they do not benefit much from the mining activities. Yet they bear the brunt of the impact of mining activities such as noise pollution. Residents of the community also complain that they are not recognised by mining companies and consequently do not benefit from the companies' corporate social responsibility programmes.

The ownership status of the land has also had a negative impact on the residents of the community. The fact that the informal settlement is located on privately owned land has made it difficult for the Rustenburg Local Municipality to develop the informal settlement and provide services to it. Each time the municipality tried to provide basic amenities, land ownership wrangles have stopped any development from taking place. Freedom Park informal settlement has, thus, continued to lack any amenities such as water reticulation and electricity of its proximity to mining operations. Because of this, residents of the settlement usually turn to community protests to get the attention of mining capital as well as the RLM, the African National Congress (ANC) and the Royal Bafokeng Nation. The fact that a considerable number of mine workers stay in the informal settlement also adds another dimension to violent protests in the community as violent strikes at the mines spill over into the community.

Informal settlements are usually led by community political leaders. Such leaders are expected to represent their communities by articulating community grievances to the state and companies engaged in mining activities in the area. In 2015, Freedom Park had very loose community leadership structures. During fieldwork, the community was in Ward 38 but the councillor did not stay in the community and was accused of neglecting the community.¹¹ The Community Policing Forum (CPF) filled the gap left by the councillor and assumed leadership of the community. Thus, the leader of the CPF, Mr. Lungisile Joyi, also assumed the role of community leader. He engaged with the RLM and other authorities for the provision of amenities in the community such as water. The CPF had, thus, been

turned into a social movement over and above its role of policing. As one of the residents of the community narrated,

Because we do not have any other functional community structure in the community the CPF Chairman does everything here. He is the CPF Chairman, the community leader, the arbiter, one who engages the Rustenburg Local Municipality, he does everything...He is the one in charge of this area. For example, before you build a Mukhukhu or start a business here you have to get approval from him. He usually does not stop people from joining the community, starting their small businesses or building Mikhukhu (Interview with AH, A Somali Spaza shop owner, Freedom Park informal settlement, 09/07/15).¹²

This illustrates how community leadership can sometimes transcend the community leader-political leader divide. The boundaries between social movements and community leadership structures are also often blurred as the so-called social movement leaders can assume political leadership position by being voted into local government structures. Community leaders use their membership of grassroots organisations such as CPFs or social movements to gain recognition which they would use to eventually assume political leadership positions.

Although acknowledging the fact that the CPF Chairman goes beyond his mandate in exercising his authority, many residents of the informal settlement argue that he is doing so because state structures in the settlement are very weak. For example, during the period of the fieldwork, the local councillor (ward 38) was not staying in the community. Although she appointed some individuals to represent her (councillor's committee), the councillor did not play any major function in the community apart from issuing proof of residence documents. In her defence, the councillor argued that her work was being impeded by the CPF Chairmen who meddled in her work and used violence to establish hegemony over the community (Interview with Ms. M. Motshegwe, Councillor ward 38, 31/07/15). As she puts it, 'the CPF Chairman uses force and violence to get people's consent. He also sells stands for the construction of Mikhukhu for anything between R250 and R300 or even more. I have talked to the police and they want to suspend him because of his corrupt activities.' (Interview with Ms. M. Motshegwe,

Councillor war 38, 31/07/15). The CPF Chairman, of course, contested these allegations and insisted that residents were satisfied with his leadership and saw him as doing the job that the ‘absentee’ councillor was supposed to perform.

The councilor of the place does not stay here. She stays in 13 Extension. I am the one who does everything here. I help people with many things including engaging the municipality to provide services here. We are in Ward 38 [RLM] but the councilor of our ward seldom comes here. When she comes, she comes with a police escort. We wonder why she is afraid of the people she is supposed to lead. The problem in this community is that we have an absentee councilor who does nothing for the community. I am the one working for the community as both the CPF chairman and the leader of the community. Now the councilor is afraid that the people will elect me as councilor next year [2016] (Interview with LJ, Freedom Park informal settlement, 30/07/15).

Such tensions and competition among community leaders are made even more complicated by the relative absence of state structures in several informal settlements. This has led to the emergence of alternative grassroots movements and vigilante organisations.

As is often the case in most informal settlements on the margins of mining activities, crime is quite high in Freedom Park informal settlement. Consequently, one of the key demands of the residents is that the municipality provides community street or high mast lights. Despite this being one of the key demands by the residents, the community has remained a crime ridden ‘dark city’. The plight of Freedom Park informal settlement is essentially a result of the ambiguity caused by the fact that the land is privately owned and the owners of the land have consistently blocked any moves by the mining companies and the municipality to develop the settlement or provide any services. Even the police are afraid to go into the community during the night because of lack of lighting and high crime rate (Interview with AH -- a Somali spaza shop owner – Freedom Park informal settlement, 09/07/12). Explaining his role in the community, the chairman of the CPF stated,

as the chairman of the CPF it is my duty to call the police

when a crime is committed in the community. The police however complain that there are no Apollo lights in the community so they cannot come and patrol at night. It is not even safe for the CPF to patrol the area during the night. The CPF is composed of eight Sotho, four Xhosa and three Tswana. Most foreigners are, however, unwilling to join the CPF. This is because many of them do not have South African identification cards or passports. (Interview with LJ, CPF Chairman, Freedom Park informal settlement, 30/07/15).

The absence of any form of community wide lighting in Freedom Park informal settlement has thus exacerbated the problem of crime in the community.

It should, however, be highlighted that before 2012 there was a police post (contact point) in Freedom Park informal settlement. Despite the presence of the police post in the community residents of the community were never satisfied with the work that was done by the police. The police post was burnt down during the Impala Platinum strike of 2012. As one of the residents of the community who is also a spaza shop operator narrated;

The police here are failing to protect law abiding citizens against criminals. Although there used to be a police sub-station here they were doing nothing. The police were just coming here maybe twice a week like tourists. Instead of running to the police when people rob your shop it is better to just tell the robbers to take whatever they want and spare your life. There is no police station even in the more formal section of the community in the RDPs in Freedom Park. The police sub-station here was burnt during the strike early this year (Interview with AH-A Somali spaza shop owner-Freedom Park informal settlement, 09/07/12).

Informal settlements like Freedom Park are areas associated with low state presence and are controlled by local elites who establish their own power circuits and local orders. The burning down of the police post in Freedom Park informal settlement in 2012 summarized the community's continued stagnation and failure to transform into a formal community where there is state presence. Because of the

dangers associated with life in the informal settlements it is common practice among residents of informal settlements for each household to keep a whistle that they blow in case of an emergency (Interview with AM, Ikemeleng informal settlement, 09/07/12). Using whistles became part and parcel of the residents' strategies in dealing with the high crime rate in their communities. This is, of course, a security measure commonly used by miners and brought to communities by mine workers.

Residents of Freedom Park informal settlement purchased water from water vendors selling water for anything between R5 and R10 for a 25 litre container (Interview with LJ, CPF Chairman, Freedom Park informal settlement, 30/07/15). In 2012, Lungisile Joy, the CPF chairman and the de facto leader of the community had this to say on the water problems in Freedom Park informal settlement;

For the past 5 years, we have been trying to get water from the RLM and the mines with very little success. Last year the RLM contracted a company to install those two water tanks you see but the RBA stopped it. They were claiming that the land belongs to them and the municipality could not go ahead with service delivery without their consent. What surprises us is that during elections the Bafokeng issue does not come up. We believe that this land belongs to all South Africans. The overall owner of land is the South African government. Who are the Bafokeng to say that we cannot have water here? We are all South Africans and we have the right to be here and we cannot survive without water. What surprises us is that the majority of people selling water here are Bafokeng (Interview with LJ, CPF Chairman, Freedom Park informal settlement, 30/07/15).

In the end the contention over land ownership did indeed impede the process of the gradual integration of Freedom Park informal settlement into the RLM as well as the provision of clean water. In spite of constant engagement between the community and the RLM the issue of who actually owns the land continued to be a stumbling block.

To this day, Freedom Park informal settlement remains in a zone of uncertainty with no authority willing to take responsibility

for service delivery. The informal settlement has remained in limbo, unable to get support from the RLM and the Royal Bafokeng Nation and not considered a ‘host community’ or ‘legitimate stakeholder’ with entitlement to services from the mining companies (Rajak, 268). On their part, Impala Platinum claim that they regard Freedom Park informal settlement as a ‘local community’ and involve the local councillor in Mining Community Consultative Forum. However, they argue that they are hamstrung by the fact that the land on which the settlement is located is privately owned and the owners are reluctant to hand over the land for development (Interview with JT, Impala Platinum, 06/04/16). Aware of the uncertainty of being regarded as a ‘local community’ residents of Freedom Park informal settlement have opted to play the citizenship card, claiming that ‘we are South Africans and we have the right to be here’ (Interview with LJ, CPF Chairman, Freedom Park informal settlement, 30/07/15). Although this claim has so far failed to yield desired results, the rhetoric of citizenship and ‘local community’ are quite strong among communities living close to the mines.

The interface between land ownership, patterns of authority and community protests

In land owned by the state residents seem to be more successful in organising themselves and articulating their grievances. By contrast, where land is privately owned it has often been difficult for residents to organise themselves and for the municipality to deliver services. As illustrated by the case of Freedom Park informal settlement in some instances the municipality is stopped from ‘legalising the illegal’ through provision of services by owners of the land.

As the three case studies presented have shown, there is an interface between mining activities, land ownership statuses and regimes of authority. All these factors have a bearing on the nature and results of protests. Thus, despite their shared experiences of living on the margins of mining operations, land ownership, land tenure and patterns of authority greatly shape communities’ everyday experiences. Land ownership status and regimes of authority in which the community falls also have a bearing on what are considered legitimate targets of community protests and on who has the mandate to provide social services to particular communities.

Luka village has had a longer history of settlement and felt

the impact of mining activities for a longer period as compared to Freedom Park and Ikemeleng informal settlements. As a village under a customary authority in the form of the kgosanas and the Royal Bafokeng Nation, Luka's struggles against mining companies have been entangled with struggles over land ownership between a number of clans and the Royal Bafokeng. Clans in Luka such as Baphiring argue that they independently bought land in the nineteenth century and were never under the Royal Bafokeng Nation. Consequently, their community protests often target both platinum mining companies and the Royal Bafokeng Nation (which is also engaged in mining).

Despite living in the shadows of a multi-million-dollar industry and having to deal with the impact of mining daily, most communities living around the mines do not benefit much from mining operations. Consequently, they engage the mining companies to help provide basic amenities through their Corporate Social Responsibility (CSR) programmes. Mining companies, through their CSR programmes build clinics, schools, provide water and employment to these local communities (see Hamann and Kapelus, Rajak, Hamann). However, usually these efforts are symbolic and simply meant to satisfy the requirement of the Mining Charter rather than to sustainably develop communities. Consequently, most communities turn to protests to get the attention of mining companies, municipalities and the government.

Whilst the other two communities have been more successful in their demands for services Freedom Park informal settlement has barely achieved anything. This has largely been a result of the fact that the land on which the settlement is located is privately owned and the owners desire to develop the land themselves. Consequently, they blocked all attempts by the RLM and the mining companies to put any services in the settlement.

Although the community protests of residents of informal settlements could be connected to other insurgent practices of the poor in urban peripheries in South Africa, it is important to recognize that even in the settlements around Rustenburg discussed here, there are certain local realities and fundamentals that both inform and shape the patterns of these struggles. That residents of informal settlements around Rustenburg share a lot in common in terms of their grievances and demands is beyond question, what should be stressed, however, is that the nature and trajectories their struggles

take are shaped by local grievances, legal status of land, history of mining, historical geographies and regimes of authority among other factors. This makes it difficult to generalize about community protests even when the protests seem to be articulating similar grievances or occur at the same time.

Conclusion

It can be argued that in spite of their shared experiences of living close to mining operations, land ownership statuses clearly have a major bearing on the trajectory of development in communities on the margins of mining operations. Land ownership also influences how communities organise their protests, who they target in the protests and also their sense of entitlement. Thus, although most communities close to mines have similar grievances such as loss of livelihoods, pollution of their environment, noise from blasting, cracking of their houses and crime among other issues, mining companies and local authorities often decide who 'the local communities' are. This informs the decisions by mining companies to provide services. Hence, residents of informal communities often first must fight for recognition before they can demand service delivery. Recognition and ownership of land remain key factors that shape trajectories of development in these communities as well as the success or failure of community protests. It is not by coincidence that Luka village, whose land is under customary tenure, has achieved much more through community protests as compared to Freedom Park informal settlement, which is on disputed land. Ikemeleng has also benefitted from the fact that the land is now under the ownership of the RLM and the settlement is being integrated into the municipality. The historical geographies of the three case studies presented have thus helped shape the way residents of the communities engage mining companies and different regimes of authority. Each community has its own peculiar history of occupation and land ownership status, which invariably shape the trajectory of development and nature of community protests. Community protests are, therefore, not just about recognition of settlements around mining operations as 'local communities' but they are also about destabilisation of the entrenched in the form of customary authorities and mining companies and the desire to claim a right to the city.

Endnotes

1. Wits Africa Residency Fellow, Society, Work and Development Institute (SWOP), University of the Witwatersrand. Senior Lecturer, History Department, University of Zimbabwe. josephmujere@yahoo.co.uk. The Rustenburg Local Municipality was established in 1999. It covers Rustenburg town and surrounding areas which include the RBN and the Bakwena which were previously part of the Bophuthatswana Bantustan. Through its Royal Bafokeng Administration the RBN exercises some degree of autonomy from the RLM.
2. Freedom Park is one of the largest informal settlements around Rustenburg. It is composed of two sections. One section was recently developed and now has low income houses which are locally known as Reconstruction and Development Programme (RDP) houses. The other section, which is located between Impala Platinum Number Nine Shaft and Impala Platinum Simunye Residence, as remained an undeveloped shanty town. This article focusses on the latter section of the settlement. This section is sometimes referred to as Number Nine informal settlement.
3. Letter from Kgotla-Kgolo yaBaphiring, Luka Village to The Minister of Rural Development and Land Reform, Pretoria, 2 July 2009.
4. Spaza shops are make-shift shops usually made of scrap metals or shipping containers. Mikhkhu are shacks made of all kinds of material, ranging from scrap metals to plastics.
5. See https://www.rbnoperationsroom.com/projects/view/en_US/project_id/894.html
6. Marie, Booby 'From a dump for farmers to a dump for mining corporations' <http://ikemeleng.blogspot.com/2009/09/from-dump-for-farmers-to-dump-for.html> accessed on 5 July 2012
7. <http://aquariusplatinum.com/node/581> Aquarius Annual Report, 2010 accessed 12 July 2015
8. The protest happened on the 11th of August 2009.
9. 'The Freedom struggle in Rustenburg' <http://www.sahistory.org.za/article/freedom-struggle-0> accessed on 18 July 2015
10. Community Policing Forums (CPFs) are neighbourhood policing units which work closely with the South African Police Service.
11. Interview with AH-- a Somali Spaza shop owner -- Number Nine Informal settlement, 09/07/15

Bibliography

- Auyero, Javier. 2007. *Routine Politics and violence in Argentina: The gray zone of state power*, Cambridge, Cambridge University Press.
- Bench Marks Foundation, 'Communities in the Platinum Minefields. A review of platinum mining in the Bojanala district the North West

- Province: A participatory Action reaction (PAR) approach' *Policy Gap* 6, 2012. <http://www.bench-marks.org.za> accessed 16 July 2013.
- Bezuidenhout, Andries and Sakhela Buhlungu. 2011. "From Compounded to Fragmented Labour: Mineworkers and the demise of compounds in South Africa", *Antipode*, 43 (2), pp.237-263.
- Bozzoli, Belinda (with M. Nkotswe). 1991. *Women of Phokeng: Consciousness, life strategy and migrancy in South Africa 1900-1983*. London, James Currey.
- Caldwell, Sarah. 2002. "Genealogies of Change: Tradition and history in negotiations of political change in the Royal Bafokeng Nation" Senior Essay for Anthropology and Ethnicity, Race and Migration, Timothy Dwight College, Yale University.
- Capps, Gavin. 2010. *Tribal-landed property: The political economy of the BaFokeng chieftancy, South Africa, 1837-1994*, PhD Thesis, London School of Economics and Political Science
- Capps, Gavin. 2012. 'Victim of its own Success? The platinum mining industry and the apartheid mineral property system in South Africa's political transition.' *Review of African Political Economy*, 39 (131), pp. 63-84.
- Chatterjee, Partha. 2004. *Politics of the Governed: Reflections on popular politics in most of the world*. New York, Columbia University Press.
- Chinguno, Crispin. 2013. *Marikana and the Post-apartheid Workplace Order*, University of the Witwatersrand, Society, Work and Development Institute Working Paper 1.
- Hamann, R and P. Kapelus. 2004. 'Corporate Social Responsibility in Mining in Southern Africa: Fair accountability or just greenwash?' *Development*, 47(3),pp.85-92.
- Hamann, R. 2004. 'Corporate Social Responsibility in Mining in South Africa'. PhD Thesis, University of East Anglia.
- Holston, James. 1998. 'Spaces of Insurgent Citizenship' in Sandercock, Leonie (ed.) *Making the invisible visible: A multicultural planning history*. London, University of California Press.
- Holston, James. 2008. *Insurgent citizenship: Disjunctions of Democracy and Modernity in Brazil*. Princeton, Princeton University Press.
- Kotlolo, McKeed 2010. 'Village Shops Demolished', *Sowetan*, 21 September.
- Kotlolo, McKeed. 2010. 'Spaza Shop Fightback', *Sowetan*, 28 September.
- Marie, Booby 'From a Dump for Farmers to a Dump for Mining Corporations', <http://ikemeleng.blogspot.com/2009/09/from-dump-for-farmers-to-dump-for.html> accessed on 5 July 2012.
- Mnwana, Sonwabile. 2011. "Participation and Paradoxes: Community control of mineral wealth in South Africa's Royal Bafokeng and Bakgatla Ba Kgafela communities", PhD, University of Fort Hare.

Rajak, D. 2011. *In Good Company: an anatomy of corporate social responsibility*. Stanford, Stanford University Press.

Rajak, Dinah. 2012. "Platinum City and the New South African dream", *Africa*, 82 (2), pp.252-271.