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Abstract

Mbizana, in Pondoland along South Africa's Wild Coast, is at the centre of a struggle between local residents, a multi-national mining company and the South African government. In 2007 the local residents formed the AmaDiba Crisis Committee (ACC) in opposition to a government-supported proposal by Mineral Commodities Ltd, an Australian company, to mine their communal land. The ACC argues that the mining company and the government have violated established democratic processes and undermined the local community's control over communal land. The ACC's resistance is informed by four interlinked issues: the lack of consultation about development strategies, communal land rights, threats to livelihood strategies, and the lack of legitimacy of those who ostensibly represent the community. The formation of the ACC is an example of how ordinary rural people organise to defend their understanding of democratic decision-making in the context of development. The protesters, in their public demonstrations against the mining of their land, have made reference to the well-known Mpondo Revolt of 1959-1960. In interviews they have also mentioned resistance to the Mbizana sugar project in 1985-86 and the Gum Tree Rebellion in 1999. These references locate their struggle to retain the right to decide how best to develop their land in a history of resistance that started in the era of Apartheid, and has continued in the new democratic South Africa. At the heart of their activism is a collective consciousness that is best described as collective agency. This paper focuses on the current resistance to imposed development with connections to past resistance, especially the Mpondo Revolt 50 years ago.

Introduction

> *Asilufuni Uphuhliso lwenu!* (We don't want your development!)… *If this mining takes place and the government issues a licence in this area there will be war. There will be an uprising as it was in the [last] Mpondo Revolt.* (Nonhle Mbuthuma, Executive member of the AmaDiba Crisis Committee, 2009)
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> *I'd rather die than allow this land to be mined!*
> (Tat' uSamson Gampe, resident of AmaDiba in the district of Mbizana, 2009)

Nonhle Mbuthuma (in her 30s) and Tat' uSamson Gampe (in his 80s) were two of almost a thousand people from Mbizana in North Eastern Pondoland (and further afield) who took part in a protest march on 20 July 2008. The protesters were expressing their opposition to a government-supported proposal by Mineral Commodities Ltd, an Australian company, to mine their communal land (SABC TV2 50/50, 2008a). The mining venture, Xolobeni Mineral Sands, proposes to strip away indigenous vegetation, so they can mine valuable titanium along a 22 km stretch of coastline in Mbizana, south of Port Edward. The AmaDiba Crisis Committee (ACC), local residents who oppose this form of neo-liberal development, argue that the proposed mining enterprise undermines their livelihood strategies and control over their land. Both Nonhle and Tat' uSamson are members of the ACC, which has charged the Australian mining company and its local black empowerment partner, Xolobeni Empowerment Company, with human rights violations. The ACC has taken its complaints to the South African Human Rights Commission.

Protest and resistance to impositions in the name of development are not new to the Mpondo people of the Mbizana area. Young and old know their history. Today's young activists like Nonhle Mbuthuma refer to the Mpondo Revolt of 1959-1960 in their public speeches, and there are veterans of that revolt, like Tat' uSamson Gampe, who oppose the mining venture.

Mbizana was a centre of resistance against Bantu Authorities and Betterment in the 1950s and early 1960s.

'Ostensibly, the [Mpondo] rebellion was triggered in reaction to the introduction of the Bantu Authorities system [by the Apartheid government]. In practice, the causes were far more complex …However, the greatest trigger of discontent seems to have been land reclamation programmes' (Wood 1993: 30-31), which is Betterment by another name. Simply put "betterment proposals involved the concentration of scattered settlements, the demarcation and fencing of arable areas, and the division of grazing areas into fenced camps" (Beinart and Bundy 1980: 298). The reduction in numbers of livestock on the land was considered by government officials to be a pre-requisite. Betterment may have been presented as nature conservation but this does not take into account the relationship between Betterment and the imposition of Bantu Authorities in 1951, nor the central role that this nexus played in the events of 1959 -1960. Under the National Party government the Betterment schemes turned into state mechanisms to keep the rural poor at bare minimum subsistence levels and to maintain migratory labour. At this point Betterment thinking had changed from an emphasis on 'rehabilitation' to ad hoc stabilisation: 'the state priority was not "betterment" of the area, but the disorganization of African protest, the reduction of their wage levels and prohibition on urbanization' (see Hendricks 1989: 319). On this basis, Yawitch (1981: 31) argues, Betterment became less about providing a pool of migrant labourers, and sustaining their dependents, and more about social control.

> *Stabilization was the solution to the rural objectives of the state. Acting in the guise of a state development programme, it was, in fact, a scheme designed to prepare the [black] reserves ideologically, administratively and in terms of infrastructure for the resettlement of Africans from 'black spots', white farms and the towns.* (Hendricks 1989: 319)

This logic found concrete expression in the Apartheid government's Bantustan policy, where 'autonomous governments' would manage those considered redundant to South Africa.

McAllister (1992: 209) also links Betterment to social control. He says:

> *Coinciding with this were the loss of autonomy and control by local communities over important areas of their existence, and the imposition of centralized, state control in its place … With Betterment, the control of land, and other related issues, was taken away from local communities and exercised by the state in conjunction with the Tribal Authority. The power of the state and Tribal Authority (with a headman or chief as its head) was thus increased dramatically at the expense of local autonomy and democratic process.*

Initially the methods of protest were traditional ones ranging from non-compliance to mass meetings, marches, boycotts of traders, deputations to magistrates but, an unsympathetic state deepened the crisis, and the protesters turned on the collaborating chiefs and headmen, burning their compounds (Turok 1961: 13). Later government dipping tanks were destroyed and a government tent associated with the Betterment schemes was burned (Wood 1993: 31). On 6 June 1960 thousands of the people of Eastern Pondoland met on Ngquza Hill, near Mbizana (Wood 1993: 27). It was peaceful gathering but it met with a violent response from the state (ibid.). Eleven protesters were killed, 23 were arrested. In the following year 30 were sentenced to death for complicity in the Mpondo Revolt (ibid.: 27-28). By January 1961 the resistance was suppressed (ibid.: 30).

Since the end of the last of the Mpondo revolts in 1960, fifty years ago, the Mpondo people of the AmaDiba[1] area in Mbizana have for similar reasons continued to resist imposed

[1] AmaDiba features in the history of the Mpondo revolts. This is confirmed by the 'Departmental Commission of Inquiry into the Unrest in Eastern Pondoland during 1960' (1960). Sgt. E.M. Warren,

development of their communal land. Tat' uSamson (in an interview in 2009) recalled that between the 1960 Mpondo Revolt and the current resistance to mining there have been numerous instances of resistance to imposed development in Mbizana. In the late 1970s and early 1980s, for example, there was opposition to the government-sponsored Mbizana sugar cane plantation project and in the late 1990s there was the Gum Tree Rebellion. In a study of the Mbizana sugar project undertaken in 1985-1986, the Institute for Management and Development Studies (IMDS) reported that local people were 'antagonistic' towards so-called development projects, which they perceived benefitted only a few members of the community and which had led to forced removals, the loss of their land, and undermined their livelihood strategies (IMDS 1986: 7, 28). Tat' uSamson explained that in the case of the Gum Tree Rebellion of 1999 there were two weeks of violence in the AmaDiba area when 14 homesteads, that had planted gum trees for South African Pulp and Paper Industries Ltd (SAPPI), were burnt to the ground. The South African government facilitated the project and the community was supposed to be paid to plant more trees under a rental system. The intervention divided the community: some wanted trees and 'development', while others questioned this land use and preferred to keep it for growing crops and for livestock grazing (Schutz 2007). Schutz (ibid.) argues that the ensuing conflict was caused by SAPPI and the state (who were regarded as outsiders by the community) 'ignoring local concerns, pushing their own agenda and sowing division'.

An examination of local resistance to these development projects by the author has revealed certain patterns (De Wet 2009). In each case outsiders (either the government or the government and the business sector) had attempted to impose development. There was little or no consultation with the local people; and the local community's control over communal land and their livelihood strategies were undermined. In each case ordinary people of the Mbizana district resisted. Resistance is understood to mean publicly demonstrated opposition. Similar patterns have emerged in the current opposition to the Xolobeni Mineral Sands Project.

The protesters, in their public demonstrations against the mining of their land, have made reference to the Mpondo Revolt of 1959-1960. This reference locates their struggle to retain the right to decide how best to develop their land in a history of resistance that started in the era of Apartheid, and has continued in the new democratic South Africa. At the heart of their activism is a collective consciousness that is best described as collective agency. By agency I mean that people are active participants in their development, because they take responsibility for their own well-being. The concept of agency is central to Sen's (2001) understanding of development as freedom. For Sen development must be characterised by participants having opportunities to reflect on what they consider valuable, and by their active involvement in shaping their own lives (ibid.). Collective agency refers to situations in which a group of people combine their knowledge and expertise in order to achieve a shared goal (Bandura 2001: 14). It is not merely the pooling of individual goals, rather it is the expression of the goals of everyone in the group (Schmid 2005: 58-59), and it implies that group members are willing to defend their right to shape their lives in accordance with goals based on what they value, and what they have together decided after collective and reasoned reflection (Sen 2001). Development that is imposed on poor communities violates their right to shape their own lives. Collective agency is fundamental if development is to be sustainable; sustainability requires that the poor be treated as fully human, active subjects of history, not passive objects to be manipulated by oppressive social structures.

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the Bantu Affairs Commissioner of Mbizana, wrote that the AmaDiba location, under the leadership of Theophilus Tshangela, had gone over to the rebels (see Van Heerden, 1960, Annexure C). Tshangela was the local chief's counsellor, but 'began to move away from chief Gangatha in the late 1950s as the state started to put pressure on the chiefs to support their rural programme' (Beinart, 1984:106). According to Beinart, Tshangela subsequently became one of the most important leaders in the Mpondo Revolt of 1959-1960.

In this paper we examine the ACC's resistance to the Xolobeni mining venture. Fifty years after the last of the Mpondo revolts, ordinary people of Mbizana continue to exercise their collective agency to defend their understanding of democratic decision-making in the context of development and their right to shape their own lives.

I now turn to a description of the Xolobeni Mineral Sands Project, the target of current resistance.

Xolobeni Mineral Sands Project

Heavy minerals mining has been proposed by an Australian company, Mineral Resources Commodities (MRC), its South African subsidiary Transworld Energy and Mineral Resources (TEM), and, a small black economic empowerment (BEE) venture, Xolobeni Community Empowerment Company (Xolco). They plan to strip away indigenous vegetation on communal land in order to mine titanium along a 22 kilometre stretch of coastline in Mbizana. Over a period of 22 years it is expected that 13 million tons of minerals would be mined annually (Barradas 2008). The mining company has applied for a licence to mine for titanium-bearing minerals in Xolobeni in the AmaDiba area. Xolobeni has the 10th largest deposit of titanuum in the world, worth an estimated R11 billion (Hofstatter 2008a). Titanium is used in the manufacture of aircraft engines and paint.

The operation would require the building of the following infrastructure: access roads, water supply and pipelines, a wet separation plant, a dry minerals separation plant, and storage facilities (Barradas 2008). The National Department of Minerals and Energy (DME) supports the mining venture mainly because it promises to create job opportunities[2] in the area (Khuswayo 2008). The latter is one of the objectives of the national government's foreign investment-led, growth-orientated development policy (ibid.). From the DME's perspective it makes sense to support the mining venture because there is high demand for titanium, and it fits the government's development policy. In May 2005 the Eastern Cape Department of Minerals and Energy Affairs granted TEM provisional prospecting rights, and in July 2008, the DME awarded TEM limited mining rights to a third of the area they want to mine, which was to have been signed and issued on 31 October 2008 (ibid.; Legal Resources Centre 2008). The DME granted the mining rights despite a warning from the Department of Environmental Affairs and Tourism that mining would permanently damage local ecosystems in an area acknowledged as one of the most important centres of plant diversity in South Africa, and an internationally recognised centre of endemism (Naidoo 2003; Clarke 2008; Hofstatter 2008a).

In 2007 local residents established the ACC in order to oppose the mining venture, and to promote the existing community-based eco-tourism business, which runs along the same 22 kilometres. The ACC's resistance is informed by four interlinked issues: the lack of consultation about development strategies, communal land rights, threats to livelihood strategies, and the lack of legitimacy of those who ostensibly represent the community.

Rationale for Resistance

Inadequate consultation and communal land rights

> *We just saw this mining thing happening without the people being properly consulted. I will never agree to something that the community has not agreed to. … If development comes in*

[2] In the official application mention is made of 347 permanent jobs, but no details are provided.

> *a way that does not consider the people, then it is not acceptable.* (AmaDiba Community member[3] 2009)

On a fact finding visit to Mbizana in 2007, the South African Human Rights Commission (HRC) stated that the 'complaint ….is broadly around lack of consultation by the mining company regarding the development[,] and the fact that the land on which the development is planned is communal land[,] for which the community should have given consent' (South African Human Rights Commission 2007: 2).

According to the Grahamstown Legal Resources Centre (2008):

> *The AmaDiba community …has a right to legally secure tenure of their communal land under the Constitution and the Communal Land Rights Act 11 of 2004. Therefore mining can only take place once a mining company has acquired a Community Resolution, which is issued by the Department of Land Affairs and the traditional authorities of the community, consenting to the mining and setting out the compensation to be paid to the community. Such a Resolution was not obtained.*

The HRC's fact finding report (2007: 8-9) concludes that, 'despite a chronic lack of information, the majority of the communities [affected by the mining] are not in favour of mining, while the mining companies consistently claim otherwise, saying that support is unanimous'. The right to adequate consultation on matters pertaining to the development of communal land is one of the ACC's complaints to the HRC.

The King and Queen of Pondoland, Mpondombini and MaSobhuza Sigcau, have held meetings with AmaDiba residents, who are on both sides of the divide created by the mining venture, because they were concerned about the resulting division and conflict within the community (Kockott 2007). At one of these meetings in August 2007, Queen Sigcau accused the Australian mining company of misleading its shareholders and the Australian Stock Exchange about community support for the project (Kockott 2007). The mining company, Minerals Commodities Ltd, had claimed in its October 2006 quarterly report that the AmaDiba community 'continues to unanimously support the project and has formed a consultative forum supported by the traditional leaders, King and Queen of Pondoland, as well as local government authorities' (ibid.). Queen Sigcau stated: 'That is a big lie' (ibid.). King Sigcau warned that forcing the mining development on the AmaDiba people without their consent would be viewed as 'nothing less than invasion' of their land (Legalbrief Environmental 2008). The King's sensitivity to the will of the people stands in stark contrast to the support his father, Botha Sigcau, gave to the 'Bantu Authorities' in Pondoland (and the former Transkei Bantustan) and the imposition of Betterment. Perhaps King Sigcau is mindful of the fierce opposition experienced by his father, who collaborated with the Apartheid Government, and does not want to be labelled an enemy of the Mpondo people.

In their submission to the HRC the ACC argues that the scoping and environmental impact assessment reports do not go far enough in assessing the impact that the proposed mining venture will have on the local communities, in the short term, or for generations to come. They further argue that their environmental rights (in Section 21 of the Bill of Rights) have been violated and that the legally required public participation process is fundamentally flawed as a result of intimidation in public meetings by the mining company, which denies their freedom of expression and right to information (Myrtle 2007b; Marshal 2007; South African Human Rights Commission 2007: 2; Hofstatter 2008a: 56).

The HRC (2007: 2) notes that the law requires that communal land users give their consent if their land is to be used by any other parties. Outsiders cannot be granted mining rights to

[3] All the interviews by the author with residents from the AmaDiba area were conducted in *isi*Mpondo (an *isi*Xhosa dialect). The quotes are English translations.

communal land without the consent of the communal land owners. In this case the AmaDiba community is co-owner of the land with the State[4], in whose name the land is registered (Schultz 2007).

'Consent' must be freely given, not coerced. Hence an important part of the HRC's mandate is to find out whether intimidation by the pro-mining lobby has unfairly prejudiced others. Such intimidation has included attempts to sabotage alternative livelihood strategies, such as the community-based eco-tourism venture (SABC TV2 50/50 2008a). Additional complaints against the mining company for the HRC to investigate include: the failure to tell people living in the immediate area of the mining operation that they will lose grazing land and that they will have to put up with 40 ton trucks transporting ore every hour, every day, for 22 years, and the company's refusal to disclose the financial details of a deal struck between MRC and Xolco (Hofstatter 2008b: 43; Hofstatter 2008a: 58; De Milander 2008).

In September 2008 the then Minister of DME, Buyelwa Sonjica, acknowledged that there was substantial opposition to the Xolobeni Mineral Sands Project and admitted, for the first time, that the consultation process was 'flawed' (Kockott 2008b; Daily Dispatch 2008).

Mining undermines livelihood strategies

It is debateable whether the mayor of the OR Tambo Municipality, Zoleka Capa, is correct when she claims that the tensions between the AmaDiba Crisis Committee, on the one hand, and Xolco and the pro-mining local government officials, on the other, could have been avoided had the AmaDiba people been properly informed and consulted about the mining proposals (Kockott and Gobingca 2007). It seems quite plausible that by labelling all the problems as 'consultation' issues, the mayor is trying to paint the mining option as the best community development option. In other words she is reducing all the problems to matters of procedure, which is not the case according to the ACC.

Aside from the faulty consultative process, changes in the way people go about trying to survive have to be considered. (Exactly what the negative consequences will be, is as yet unknown, as is the degree to which the consultative process could mitigate any negative consequences.) Mining communal land along the coast will significantly affect the livelihoods of many local people whether they are farmers, fishermen, gatherers from the veld or employed in eco-tourism. As an example, many of the residents' food gardens lie right next to the mining area and some residents will be cut off from parts of their grazing lands (Carte Blanche 2008).

> *The mining will affect the community here because the development will pass through some homesteads. It will also interfere with grazing areas. People feel threatened.* (Tat' uSamson Gampe 2009)

It is quite clear that tourism, in particular community-based eco-tourism, will be affected negatively by mining. While discourses of 'concern for the environment' are often said to be the preserve of white urban liberals who put 'conservation' ahead of 'people', the pro-mining group has used this as an argument to discredit local community activists (for example see Hofstatter 2008b: 42). Conservation and people are deeply intertwined. The promise of jobs does not equate to a livelihood strategy, as some economists have argued. Damage to the environment affects not just tourism (and eco-tourism in particular), farming is affected badly too.

One aspect of the conflict, a clash of development perspectives, is between the two government departments, the Department of Minerals and Energy (DME) and the

[4] The Department of Land Affairs holds communal land in trust for communities.

Department of Environmental Affairs and Tourism (DEAT) (see Hofstatter 2008a). DEAT - together with private interests and the European Union-sponsored Wild Coast Community Tourism Initiative - have already invested in the AmaDiba area, and this investment would be threatened by any mining venture. Normally the final approval of environmental impact assessments (EIA's) must pass through the DEAT's offices; however, the government has deemed that the DME has the relevant expertise to assess the environmental impact of the mining operation, so the decision lies with the DME - a clear case of conflict of interest (Kockott 2008a; Naidoo 2003). The DEAT's own EIA argues that the mine will have significant ecological and environmental consequences. Furthermore, a study (undertaken by the European Union and submitted to DEAT) found that eco-tourism in the area 'beats mining hands-down in terms of sustainable economic delivery to the community' (SABC TV2 50/50 2008a).

Ntshona and Lahiff (2003: 15) report that the AmaDiba Adventures Horse and Hiking Trail, a local community-based eco-tourism initiative, was perceived by many of its staff members as a good income base that would support livelihood activities such as crop cultivation and livestock that are important to local people. The trail increases the range of livelihood sources without impacting negatively on any older ones (ibid.: 16). In 2000 Amadiba Adventures received the Community Public Private Partnership Presidential award as the most outstanding eco-tourism initiative.

Mining will force some people to relocate and seek agricultural land elsewhere; such relocation will also require that they move ancestral graves.

> *The area affected by mining is from Mzamba River to Mtentu River. We were informed that we would have to move to a site nearby, where we will have to build new homesteads. …Our forefathers' grave sites are all here; we are not prepared to dig them up.* (Tat' uSamson Gampe 2009)

The noise of mining operations could scare livestock. It is quite likely that the local water supply, and the botanical diversity of the region will be affected. Schutz (2007b) says that environmentalists have pointed out that an area larger than that which is actually mined will be negatively affected by dust, water shortages and pollution; that landfill will be widespread. The mining operation will create a strip of desert on what is now pristine coastal endemism.

These are some of the negative effects on the environment and the livelihoods that will result from mining. Families are likely to become more dependent on wages (which are obviously attractive to cash poor residents) and less dependent on the diverse natural resources that currently support livelihoods. When the mining company leaves after 22 years it will leave the local communities with many problems.

Illegitimacy of Xolobeni Community Empowerment Company as a Representative of Local Interests

Very little is actually known about Xolco, the BEE company, which claims to represent the affected communities because it manages a number of local trusts. Xolco is said to hold a 26% stake in TEM (Carnie 2008b).

Hofstatter (2008b: 43) writes that by holding secretive elections for bodies which it claims represent the communities' interests, Xolco has sidelined legitimate community structures. Furthermore, in December 2007 the mining company bussed local people and some traditional leaders to Pretoria to deliver a pro-mining petition to the then Minerals and Energy minister, Buyelwa Sonjica. Sarah Sephton, from Grahamstown's Legal Resource Centre, has said that she was informed that

> *the majority of the supporters were from an inland group and not from the community who'll directly be affected by the mining. …People have been told that they are signing up for electricity, when in fact they were signing up for a petition in favour of the mine* (Carte Blanche 2008).

Chief Lunga Baleni is also convinced that the mining petition was fraudulent (Hofstatter 2008b: 45).

Chief Lunga Baleni, the traditional leader of five of the designated mining blocks has yet to be consulted. He wasn't invited to the DME offices in Pretoria (the mission to the DME offices was led by one of his junior headmen) and he is not aware of any public trust elections which would have been held at the mining area's only community hall (Hofstatter 2008b: 45). The local community was not invited to take part in trustee elections, nor was it involved in Xolco appointments (ibid.: 44). Neither was it given the chance to examine Xolco's books (ibid.). Kockott and Gobingca (2007) quote a local shopkeeper, Scorpion Dimane:

> *How can a structure like Xolco that has been formed outside the tribal authority represent our community? …You can't just form a private company to benefit from taking things from the land that doesn't even belong to you. People behind this are hiding some information because they want to feed themselves big money. That's what started this whole problem.*

At a community meeting organised by Xolco representatives, and attended by Zamile Qunya, a businessman and previously an ANC senior municipal councillor (Hofstatter 2007), Scorpion Dimane publicly questioned Xolco's integrity. He said:

> *It is written in a document that all of you here have elected Xolco. It is said in the document each and every household in the community has a share in Xolco, in this mining. But that is not formally recorded anywhere. It is just something they have verbally claimed. They are lying.* (SABC TV 50/50 2008a)

Scorpion Dimane, an outspoken member of the AmaDiba community and anti-mining activist, died under very suspicious circumstances in 2008. In a 2008 Carte Blanche TV documentary members of the community claimed that he had been poisoned.

There is also some evidence to suggest that Xolco's members are either being misled or left in the dark because the mother company has failed to share information. Zeka Mnyamana, the Xolco secretary and spokesman, has claimed that

> *what we need is the truth … We welcome what the AmaDiba Crisis Committee is saying. They are asking questions about the mining, which we can't answer. We need to have those answers before people can decide whether the mining should go ahead or not.* (Kockott and Gobingca 2007)

In March 2007 Zamile Qunya held a management position at the Amadiba Coastal Communities Development Association (ACCODA); at the same time he was apparently the head of Xolco (Carnie 2007). Holding these two positions meant that Mr Qunya was faced with conflicts of interests. (Subsequently he resigned as a director of Xolco, and now serves as the liaison officer between the mining company and the community.)

ACCODA controls, among other initiatives, the Amadiba Adventures Horse and Hiking Trail – the major eco-tourism alternative to mining (Schutz 2007b; Ntshona and Lahiff 2003).

> *ACCODA had been on the verge of signing a "lucrative contract" with Wilderness Safaris in a partnership that would have injected money and professionalism into [the local] eco-tourism initiatives …. ACCODA was ready to sign the deal when Zamile Qunya, then chairperson of ACCODA, rejected it at the last minute.* (Schutz 2007b)

At the same time Qunya had teamed up with a Port Elizabeth-based attorney, Max Boqwana (one of the original BEE partners), to set up the Xolobeni Community Empowerment Company (Pty) Ltd (Xolco) (ibid.). Qunya then changed the composition of ACCODA so that 11 of the 12 members supported the mining venture (ibid.).

In a 2006 SABC TV 50/50 documentary accusations, which include bribery, corruption and even murder[5], were levelled at ACCODA. According to informants interviewed for the documentary, over a long period money that was supposedly meant for the community had not been finding its way through ACCODA structures to the intended beneficiaries. ACCODA accountants found evidence of gross mismanagement and lack of accountability on the part of its committee members (50/50 TV 2006). Soon after the documentary was made the Amadiba Trail Adventures headquarters burnt down under mysterious circumstances. All these happenings, if accusations are to be believed, could create the perception that eco-tourism simply did not work.

As far back as 2004 Zamile Qunya openly championed the mining venture, rather than the 'failing' eco-tourism venture, as a viable option which could provide employment for local people. Njobeni (2004) reported Qunya as saying that 'people want to see the creation of employment opportunities, poverty alleviation and improvement of health services'. Qunya went on to argue that current eco-tourism ventures were simply not sustainable (ibid.).

Xolco and Xolobeni Minerals Sands seem to have had strong backing from local councillors and the district mayor, Zoleka Capa (Hofstatter 2008a). In an interview with Carte Blanche TV Mayor Capa demonstrated her support for the mining when she said:

> *Let the process go. Why would you want to stop it? …The people* [Zamile Qunya and others] *that were with the tourism are now with the mining and they are the people now who are saying, "No man, change your mind. We have changed ours".* (Carte Blanche 2008)

Xolco's lack of transparency has been a major concern, and, this concern, in part, resulted in the ACC lodging an application against it with the HRC. It remains unclear when Xolco, let alone the people whose ancestral land is being dug up, will receive a share of the mining revenues (Hofstatter 2008b: 44). There is no evidence of a legally binding agreement which will oblige Xolco to cede shares, or any revenues to the trusts; or that the trustees have the right to appoint the directors of Xolco and its operating company (ibid.). One of the leaders of ACC voiced his concern: 'We own the land… if we lease our land to you, or partner up with you in a project that will affect our land; we must surely know how we will benefit' (Interview with the leadership of ACC 2009). Neither MRC nor Xolco have provided evidence of a 'procurement contract' or 'preferential treatment of locals', both of which had been promised (Hofstatter 2008b: 44). Kockott and Gobingca (2007) conclude that 'the people who [are] directly affected by the mining proposals have no legal share in the planned mining operation'.

As with Betterment and Bantu Authorities, it seems that much of the present day unrest in the AmaDiba area of Mbizana is the consequence of threats to livelihood strategies, and a lack of due consultative process mediated through local power structures – both formal and informal. This has arisen because the opportunities for self-enrichment and power are great. This has led to the splintering of opinion, rumour mongering and conflict refracted through local elites, who themselves are often as much in the dark as their ostensible 'constituencies'. Some local elites have been co-opted into supporting the mining interests and who, in turn, were trying to co-opt others, including municipal officials.

[5] The 2003 murder of a headman, Madoda Ndovela, has been ascribed to his opposition to mining (Hofstatter 2007).

Resistance

From its inception the proposed mining came under heavy criticism from members of the community. The community was divided into pro-mining and pro-community-based eco-tourism groups. Resistance to the mining has taken the form of mass meetings, legal submissions (in particular the HRC submission), media publicity, marches and demonstrations; and there has been the threat of violence.

At the forefront of resistance is the ACC, currently with almost 3000 members who reside in the AmaDiba area (email correspondence with the leadership of the AmaDiba Crisis Committee 16 November 2009). While ACC's raison d'être is to oppose the imposition of the mining development, they are informed by an understanding of development that is endogenous:

> *Development that is real development must go together with that which ordinary people say they want. There is a saying in the Mpondo language: Development starts at the feet and progresses upwards, it does not start at the head and move downwards. It's bottom-up…The government can come with something from the head but they won't know whether we would want it or not. …if the government was to come with something from the head in a manner that stifles us,* [we would say:] *"No, this is not development".* (Interview with the leadership of the ACC 2009)

The ACC has been able to garner considerable media attention, not only because they occupy the moral high-ground, but also because of the natural beauty of the area, the possible destruction of which obviously draws much attention – especially from environmentalists. Organisations such as Sustaining the Wild Coast and the Wilderness Foundation, and their myriad of network partners, wage an information war through the internet. Such technological linkages have made it possible to harness support of concerned urban residents, nature-loving tourists and activists from other parts of the country and the world. Some of this has translated into help, in terms of volunteerism and expertise, as well as support for the affected communities (Nonhle Mbuthuma 2009).

In 2007 the AmaDiba residents sent several petitions to Government, demanding that the DME reject the mining company's application, because they fear they'll lose rights to their ancestral land and become squatters on a mine dump (Hofstatter 2008a: 56; Hofstatter 2008b: 43). Petitions have also been sent to the MEC for Eastern Cape Economic Affairs and Tourism, and the Department of Public Enterprises. The petitions stated:

> *Many of us are employed in the tourism sector, and are therefore affected by the development. The most sustainable and preferable way to develop the area is with tourism, nature conservation, that also employs local communities working in the tourism sector, and sustainable farming.... We would not support any venture, which would lead to the displacement of people from their land. We would like to continue the development of established farming practices, cultivation practices, and develop tourism...We would also like to see the fostering of sustainable development which is owned by the communities, and directly benefits the rural communities, and honours their rights to natural resources. The plans to mine have had, and will continue to have, the effect of discouraging tourism enterprises established here*. (Sustaining the Wild Coast 2007a)

Opposition has also been voiced at public meetings. At one such meeting, which took place on 18 June 2007, about 150 local residents, including headmen from the areas affected by the proposed mining, gathered at the Xolobeni Traditional Authority. At this meeting two municipal ward councillors and representatives of Xolco were severely criticised by residents, including members of the ACC, 'for failing to either consult or fully inform the AmaDiba community of agreements they had made with the mining company on their behalf, and apparently indicating support for the proposal in municipal structures' (Schultz 2007; Sustaining the Wild Coast 2007b). Nonhle Mbuthuma voiced the concerns of many, when

she said, 'We can no longer trust our ward councillors to speak on our behalf; and the Xolco directors were never elected or mandated by us to negotiate on mining' (Sustaining the Wild Coast 2007b).

In 2007 ACC lodged complaints with the South African Human Rights Commission as was mentioned earlier; and on 20 July 2008 there was a protest march along the coast through the areas affected by the mining. By most accounts, the march was a success, about 1000 residents participated and there was considerable media attention (Carnie 2008a).

Despite the ACC petitions to the DME, the public protests and an investigation into human rights violations by the Human Rights Commission, in August 2008 the DME informed the mining company that it had been granted the mining rights to a third of the area which had been requested in the original application (Barradas 2008). The DME minister's subsequent announcement, at a community meeting in the AmaDiba area, that the mining would go ahead, was met with further demonstrations from ACC (Kockott 2008b).

> *It [the mining venture] just arrived, confusing and with many stories. It did come to the people. We showed our discontent with it to the government, but our objections were not considered. These people just said they would go on with the mine despite our objections that the people did not want it.* (AmaDiba Community member 2009)

When it became apparent to the minister that there was substantial opposition to dune mining, she agreed to meet with the protesters and the affected communities (Van der Merwe 2008). These meetings took place amidst growing conflict. A pro-mining headman was beaten up and consultants, which the mining company had appointed to broker offers of compensation to the families who would lose their homes and land to make way for the mining development, were chased out of the area (Kockott 2008b).

> *The whole situation has the potential for violence and there were already rumblings in the community. There were some who had pointed out that in the Mpondo Uprisings of the 1960s some chiefs had been killed because they were perceived to be giving outsiders land that belonged to the people.* (Myrtle 2007b)

The mining licence was to have been signed into effect on 31 October 2008; however, on 2 September, a lawyer from the Legal Resources Centre who was acting on behalf of the AmaDiba Crisis Committee, filed a notice of appeal which requested that the Minister of Minerals and Energy suspend the licence and reconsider the award of the mining rights (Van der Merwe, 2008 & Legal Resources Centre, 2008). In their appeal the ACC submitted that the mining rights had been granted 'without sufficient and reasonable notice to, consultation with[,] or invitation for comments from the community, as an interested and affected party[,] which was unlawful.'(Legal Resources Centre 2008). The Legal Resources Centre noted that some traditional leaders, in particular the King and Queen and Nkosi Lunga Baleni (the chief of the AmaDiba administrative area) had been sidelined in the mandatory consultation process because they too opposed mining in the area (ibid.). The minister subsequently informed the legal representative of the ACC that because of the appeal she would not go through with the signing of the mining licence. According to a ministerial spokesperson, the appeal process would need to run its course, and the minister would consult further with traditional leaders and the various stakeholders who had claimed that they had not been consulted on the mining issue (Daily Dispatch 2008). This response from Government contrasts radically with the deterioration of relations between the Apartheid authorities and the Mpondo people, which culminated in the Apartheid government's extremely violent reaction to resisters, especially those involved in the Mpondo Revolt of 1959-1960. In 1960 South Africans were not protected by a Bill of Rights. Furthermore, the government viewed the Mpondo Revolt of 1959-1960 as part of a broader national struggle for liberation led by the African National Congress (Wood 1993:31). The accuracy of this view can be debated,

but this belief was real enough to prompt the security forces' violent response to the protest march on 6 June 1960.

Linking present resistance to past resistance

Mbizana features prominently in historical accounts of the Mpondo revolts of the 1950s and early 1960s. For the Mpondo people of Mbizana the history of imposed development and resistance did not end in 1960 with the last of the Mpondo revolts. Resistance to imposed development still today is a feature of their lives. This chapter focuses on the current resistance to imposed development and its connections to the Mpondo revolts. While there are some obvious differences, not least among them the very different responses from the governments of the day, a number of similarities[6] emerge from a comparison of contemporary resistance to mining and resistance to Betterment in the same area 50 years ago. These include:

i.) Resistance is to outsiders' attempts to impose externally driven development. In the Mpondo revolts local people resisted the government's imposition of Betterment. The ACC has resisted the imposition of dune mining by an Australian mining company and also the National Department of Minerals and Energy.

ii.) The illegitimacy of those claiming to represent the people affected by the development. With few exceptions, the traditional leaders supported Betterment and the Bantu Authorities, and they were targeted for collaborating with the enemy by Mpondo resisters. Similarly protesters from AmaDiba have identified Xolco, their local government supporters and some traditional leaders as collaborators with the mining company. One cannot avoid noticing that today far fewer traditional leaders are prepared to ignore the views of local residents who oppose the mining development. One also notices that local government officials seem to have taken on the notorious role previously played by the Bantu Authorities, albeit for different reasons.

iii.) Inadequate consultation. In the history of Betterment (and the establishment of Bantu Authorities) in Pondoland the traditional leaders might have been consulted, but the people at grassroots never were, and they objected vehemently. It would seem that the introduction of Betterment without consultation was a significant departure from forms of participatory decision-making that were common practice in these rural communities (McAllister, 1989:355). Lack of consultation by the mining company and the government is one of the main complaints raised in the ACC's submission to the HRC and, subsequently, to the minister of Minerals and Energy. Participatory development is obviously not a new concept in Mbizana.

iv.) The local community's control over communal land and their livelihood strategies are undermined. The Mpondo revolts can be viewed as rural peoples' defense of their land and customary livelihoods strategies. For similar reasons ACC has protested the violation of their communal land rights and the undermining of their livelihood strategies.

v.) Years of low level resistance leads to threats of war. The Kongo social movement (or iKongo), which is said to have played a vital role in the build up to the Mpondo Revolt of 1959-1960, was 'born in resistance to the "rehabilitation scheme", [and] tempered in the fight against small allotments and cattle-culling[;] it led to the fight against Bantu Authorities and called for armed insurrection' (Hirson 1977: 128). While resistance to the mining venture has taken the form of non-violent mass meetings, marches, legal

[6] Similar patterns also emerge in the resistance to the Mbizana Sugar Project and Gum Tree Rebellion, but they are not discussed here.

submissions, and media publicity; angry protesters have recently threatened violence with talk of 'war'[7].

vi.) The use of images of the Mpondo Revolt of 1959-1960 in contemporary public protests. At recent public meetings in Mbizana, protesters have made frequent reference to the Mpondo Revolt of 1959-1960, thereby explicitly linking the current protest to a past movement of resistance. Interviews with leaders of the ACC and Tat' uSamson Gampe, reveal that discourse about current protest draws on narratives which are part and parcel of popular memory around questions of development, decision-making and communal land use. Veterans of the Mpondo Revolts, such as Tat' uSamson Gampe, inspire young activists, such as Nonhle Mbuthuma, with stories of resistance.

> *We never consented to the betterment schemes on our land and now they want to bring the mining in the same way. …I am prepared to die for my forefathers' land.* (Tat' uSamson Gampe, 2009)

These stories shape their collective identity and sense of agency, in that the community and its individual members have never seen themselves as victims, that they have and still do exercise a measure of control over their situation and take responsibility for their own well-being. Following the example of their forebears, today's activists choose to defend their right to shape their own lives according to goals that they value and in ways that are endogenous.

Concluding remarks

Present and past resistance in Mbizana is informed by four interlinked issues: the lack of consultation about development strategies, communal land rights, threats to livelihood strategies, and the lack of legitimacy of those who ostensibly represent the community. This paper shows that from the Mpondo Revolt in 1959-1960 until the current resistance to the mining of communal land ordinary rural people organise to defend their understanding of democratic decision-making in the context of development. In the words of the ACC leadership: 'real development must go together with that which ordinary people say they want …[it] starts at the feet and progresses upwards'. These past and present references locate their struggle to retain the right to decide how best to develop their land in a history of resistance that started in the era of Apartheid, and has continued in the new democratic South Africa. At the heart of their activism is a collective consciousness that is best described as collective agency.

Bongani Bingwa, the narrator in the 2008 Carte Blanche TV documentary, has said:

> *The people of this stretch of the Wild Coast may not have much, but they do have their land. A huge part of the opposition to the mining project is that it will dispossess them of their birthright, and they are intimately connected to this land.*

He could have added that they also have a proud history of collective agency that they have inherited from their parents and grandparents. It is this sense of agency that seems to give generations of Mpondo people in Mbizana the confidence to resist the imposition of 'development', which undermines endogenous, people-centred processes, whether it comes

[7] Public violence would solicit a response from contemporary security forces, but current legislation on the use of firearms by the police is informed by the new South African Constitution, which requires that they exercise extreme restraint (see the 1998 revisions to Section 49 of the Criminal Procedures Act). Thus, the response of the state is not likely to be extremely violent as it was in 1960.

from powerful government officials, paternalistic development planners, or greedy businesspeople.

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Nonhle Mbuthuma, 30 & 31March 2009.

The following respondents granted me interviews, but they prefer to remain anonymous:

AmaDiba community member and supporter of the AmaDiba Crisis Committee, 31 March 2009.

Leadership of the AmaDiba Crisis Committee, 30 March 2009.