

## **From the Freedom Charter to the Mining Charter: Transforming the Gold Industry for the Benefit of “The People as a Whole” in Post-apartheid South Africa?**

Raphaël P. Botiveau<sup>1</sup>

<sup>1</sup>Università degli studi di Roma la Sapienza/ Université Paris 1 Panthéon-Sorbonne, Sociology/ political science, Rome/ Paris, Italy/ France

raphael.botiveau@gmail.com

South Africa was the main gold producer in the world for most of the 20th century, only to be outranked by China in the 21st. During that period of time, the gold industry developed technologies of spatial, demographic and economic segregation that were further expanded by the apartheid regime. Responding to a politico-economic complex in which black labour benefited to white-owned mining houses of the likes of Anglo American, anti-apartheid forces made the Freedom Charter (1955) a cornerstone in their struggle; it stated that “the mineral wealth beneath the soil (...) shall be transferred to the ownership of the people as a whole.”

Since the advent of a democratic regime, in 1994, the transformation of the mining industry remains one of the major challenges of the post-apartheid era. The Mineral and Petroleum Resources Development Act (MPRDA, 2002) turned the state into a “custodian” of mineral resources “for the benefit of all South African.” As a result, mining rights are no longer granted by the owner of the land but by the Department of Mineral Resources. The MPRDA was shortly followed by the “Mining Charter”, which set precise goals to mining companies in terms of transformation.

Building on my current doctoral research on the role of the National Union of Mineworkers in transforming the mining industry (gold and platinum), my contribution will reflect on the meaning of ownership (of the soil, of the company that exploits its resources etc.) in a context where transformation (decolonisation) and competitiveness (neoliberal economic agenda) are considered a joint process (with specific references to the current debate, within the governing Tripartite Alliance, on mine nationalisation). I will also refer to the problematic issue of Black Economic Empowerment mining companies –i.e. Harmony, which have given rise to a happy few of black entrepreneurs, a model that’s being both socially (slow pace of change for a majority) and economically challenged (limits of acquisition through debt). I will possibly give a short insight of post-apartheid arrangements in Platinum, which have involved the Bafokeng Kingdom, the “riches tribe in Africa,” in order to contrast it with the gold sector and bring into question the issue of communities and how they do or don’t benefit the transformation of mining. This problematic links the various stakeholders in mining, namely: Department of Mineral Resources, National Union of Mineworkers, Mining Companies, Chamber of Mines, and non-governmental actors such as the Bench Marks Foundation. I will rely on a set of interviews conducted between May and August 2010, as well as on other relevant primary and secondary sources.