Fragmented ‘custom’–fractured ‘community’!

Mining and property struggles on the Platinum Belt, South Africa

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Rural Struggles

- Shift: Mining focus
- ‘Re-tribalisation?’
- Chiefly control
- Resistance
Power and property rights

THANDI MODISE
STOP SUPPORTING A CORRUPT TRIBAL AUTHORITY
“A local community with strong leadership is an asset to a mining company, providing easy access to labour and lowering costs … Companies … can approach these communities in a structured way … it’s a win-win situation for everyone.”

Kgosi Nyalala Pilane, February 2014
NO RECRUITMENT DONE ON SITE
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Methods

In-depth interviews
Archives
Oral histories
Dominant empirical features in all three study villages:

- Land disputes – rooted in a similar history group land acquisitions (buying).

- Buyers – discrete syndicates with considerable degree of political autonomy from the Bakgatla chieftaincy.

- Struggles over land and mining benefits are also struggles over ethnic identity and ‘community’.

- Disputes are often taken a form of court battles.
Lesetlheng

- Farm: Wilgespruit - ‘Modimo Mmalo!’
- Clans and land-use rights
- Court interdicts – punitive costs orders
Motlhabe

- Farm: Welgwaagd 515 (133 JQ)
- Secession – Con. Court Case
- Village marginalisation and resistance
Sefikile

- Farm: Spitskop 298 (410 KQ)
- Court Case
- Union Mine and ethnic tensions
Conclusions

• Why are property disputes escalating in tandem with mining expansion?

• Why are the new rural struggles dominated by court battles?

• Is ‘custom’ so fragmented that it fractures the ‘community’?
Conclusions

• Colonial crystallisation of custom influenced current structure of local power in the former homelands and conceptualisation of ‘communal’ property rights.

• Inflexibility - in the way the state and the courts conceive custom – as a rigid set of rules - which perpetuates inequality and disputes at village level.

• Power: ‘Bifucated state’ (Mamdani 1996) is still intact.

• New elements? Black government – consolidates same regime. Mining revenues increase the power of chiefs. Mining capital - easy access to communal land.