An evaluation of natural resources and violence in Niger Delta and Marikana

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DECLARATION

I, Daniel Buyani Makhubu, declare that the mini- dissertation entitled "AN EVALUATION OF NATURAL RESOURCES AND VIOLENCE IN NIGER DELTA AND MARIKANA"

hereby submitted for the degree of Master of Arts in Peace and international Relations has not been previously submitted for the degree at this or any other University.

I declare that this is my work in design and execution and that all materials contained herein have been duly acknowledged.

I declare that each significant contribution to and quotation in this research from works of other scholars has been duly acknowledged.

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D.B.MAKHUBU PROFESSOR.V.OJAKOROTU

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DATE DATE

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ABSTRACT

The main aim of the research study is to evaluate the root causes of violence and natural resources in the Nigeria's Niger Delta and South Africa's Marikana. Both Nigeria and South Africa are powerful economies of Africa and rich in natural resources. Niger Delta is rich in crude oil and has for decades been characterized by a history of resistance by the host communities against the Nigerian State and the multinational oil mining companies operating in the region. The crisis in the Niger Delta is as a result of various violent clashes between the host communities, the government forces as well as the oil companies over natural resources. Marikana is Lonmin's biggest producer of platinum in South Africa's North West Province. On 16 August 2102, in Marikana about 34 striking miners were killed by the South African Police Service. The Marikana incident shocked the world and was the single worst incident of public violence since the dawn of democracy in South Africa in 1994. The natural violent conflicts in both Niger Delta and Marikana attracted international attention in the media and in the investor communities.

The theory of underpinning this research is that the deprivation of host communities from meaningfully benefitting from natural resources will always result in violent conflicts and is justified by the continued recurrence of violent conflicts in the mining sectors and host communities of Nigeria and South Africa. The continued recurrence of conflicts and violence in the mining sectors and host communities of South Africa and Nigeria is a serious matter of international importance and a challenge which raises deep concerns as to how to contain it.

The research study has found that corrupt practices and repression of host communities by Government and the multinational companies resulted in recurring violent conflicts in the Niger Delta and Marikana. It has been found that the poorly designed liberal legislative and regulatory mining regimes with significant loopholes in both South Africa and Nigeria provide an opportunity for corrupt behavior to flourish. It has also been found that effective governance and corruption control are key to successfully ensuring that host communities benefit sustainably from the extraction of its natural resources using the illustrative cases of the Niger Delta and Marikana.

The study argues for the establishment, maintenance, updating and transparency of public registers of mining companies, the names of directors and shareholders by Governments in order to prevent and mitigate possible corruption and it further argues for the implementation of stringent legislation aimed at preventing corruption within the state and the mining companies, and for legislation preventing public office bearers from being members of companies, and for declaration of interests. The study argues for transparency in the transfer of mining companies including state owned companies and for a level playing field in the application and approval of mining licenses as the opportunities for corruption escalate if there is discrimination.

Finally, the study also argues for a transparent consultation with and consent by host communities. Transparent contractual agreements between governments and mining companies, along with early involvement of civil society and local and indigenous communities, are key to the success of any mining venture as a contributor to development

ACRONYMS AND ABBREVIATIONS

ABA - AdakaBoro Avengers

AMCU - Association of Mineworkers and Construction Union

ANC- African National Congress

ANCYL- African National Congress

COSATU- Congress of South African Trade Union

EFF - Economic Freedom Fighters

GDP- Gross Domestic Product

IYC - Ijaw Youths Conference

GEAR- Growth, Employment and Redistribution

JNDLF - Joint Niger Delta Liberation Force ,

MEND - Movement for Emancipation of Niger Delta

MPRDA- Mineral and Petroleum Resources Development Act

MOSOP - Movement for Survival of the Ogoni People

NDA- Niger Delta Avengers

NDDB- Niger Delta Development Board

NDDC- Niger Delta Development Commission

NDGJM - Niger Delta Greenland Justice Mandate

NDPC- Niger Delta People's Congress

NDRS - Niger Delta Red Squad

NDVF - Niger Delta Volunteer Force

NPA - National Peace Accord

NRGI - Natural Resources Governance Institute

NUM - National Union of Mineworkers)

NUMSA- National Union of Metalworkers of South Africa

OMPADEC- Oil Mineral Producing Areas Development Commission

REWS- Red Egbesu Water Lions

SACP - South African Communist Party

SAFTU- South African Federated Trade Union

UNPO - Un-represented Nations and Peoples' Organization

SSS- State Security Service

VTSD Policy -Villages, Townships and Small Dorpies Policy

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CHAPTER 1

INTRODUCTION

1.1. BACKGROUND TO THE STUDY

Niyitunga [2017] 's works defines "natural resources" as minerals ,oil, water , forests, and fertile land which occur in nature and which can be exploited for economic gain and further explains that natural resources can neither be "curse" nor a "blessing" . The research study is premised on the natural resources theory that countries rich in resources are susceptible to conflicts and violence and that natural resources is premised at the heart of civil strives and wars wherein host communities, mining companies and governments fight for control of these vital natural resources. Conflict is caused by corrupt government officials, mercenary companies, resource traders, arms dealers, smugglers, transport operators due to high competition for resources. Conflicts are further sharpened by the scarcity of natural resources and population increase and involves governments.

The Natural Resources Governance Institute [NRGI Reader, 2015]'s works highlights the impact of natural resources to the democracy, peace and stability and to the economic progress of countries and their host communities. The natural resources such as minerals, oil, and gas are highly valued in the world countries because of long production periods, huge upfront costs, production and price, and the industry secrecy. The wealth acquired from natural resources, and especially oil and mineral wealth obtained through taxation has made governments to remain authoritarian over the past three decades. When governments rely directly on citizens taxation, such governments become more responsive to their citizens. However when huge taxes are derived from natural resources, governments become less dependant on collecting taxes from citizens, and this results in governments being less responsive to citizens demands. [NRGI Reader, 2015].

It is highlighted by the Natural Resources Governance Institute [2015] that natural resources also have an impact on the internal conflicts because mining host communities, governments and mining companies will fight for maximum control of and use of these natural resources. For example many oil producing countries experienced civil wars as compared to countries that do not produce oil, for example, Iraq, Angola, the Democratic Republic of the Congo and Niger Delta, [NRGI Reader, 2015]. There is also a trend by resource rich governments to spend more on public servants' salaries, fuel subsidies, huge monuments and a tendency to underspend or neglect health, housing, education and other social services that directly impact on the livelihood of their citizens. Women are also disproportionately impacted by natural resource wealth in resource rich countries as fewer women enter the workforce and there if few representation of women in governments. The mines cause a large influx of men to host communities surrounding mines and this results in an increase in rates of gender based Violence, HIV/AIDS and other life-threatening diseases. In many instances governments and their citizens obtain a small share of the production value and large percentages are taken away by mining companies off-shores. Governments and host communities are not compensated for depleting natural resources, environmental damage and loss of lives. In countries rich in natural resources ruling elites have a tendency not to invest in job creation and manufacturing industries and instead fight for control of these resources, or rent seeking. Oil projects are being managed outside the normal budget processes and institutions are weakened to make it easy for elites to take large sums of monies. Societal checks are being dismantled and new regulations are being established with a purpose of accessing to these natural resources or to provide access for friends and families. Conflict can be created by sharing and compensation for resources between host communities and mining companies. [NRGI Reader, 2015].

Niyitunga [2017] 's natural resource theory assumes that grievances will be unavoidable when host communities feel marginalised and see that certain tribe or people are wealthier through the mismanagement of natural resources.

Both Nigeria and South Africa are powerful economies of Africa and rich in natural resources. Niger Delta is rich with crude oil has for decades been characterized by the history of resistance by the host communities in opposition to the Nigerian Government and the multinational oil mining companies operating in the region. The Niger Delta crisis caused by various violent clashes between the host communities, the government forces as well as the oil companies over natural resources. Marikana is Lonmin 's biggest producer of platinum in South Africa 's North West Province.On 16 August 2102, in Marikana about 34 striking miners were killed by the South African Police Service .The Marikana incident shocked the world and was the single worst incident of public violence since 1994 the dawn of democracy in South Africa,. The natural resources violent conflicts in both Niger Delta and Marikana attracted international attention in the investor communities and the media.

Niger Delta is one of the nine regions in Nigeria, situated in the Southern most part of Nigeria. The prominent place is being occupied by the Niger Delta in Nigeria's the national political economy and in the global sphere because of its strategic importance as the source of over 80 percent of Nigeria's petroleum production and exports. Of paramount importance, Niger Delta hosts Nigeria's main oil industry, oil mining companies, very long kilometers of oil pipelines, export terminals, four refineries and a massive liquefied natural gas sector.

Therefore Niger Delta's economic and political importance makes it a critical factor in the Nigeria over access, distribution and in the control of oil revenues in a multi ethnic Nigeria Federal State. Sophisticated mining companies are being hosted by the rural communities of the Niger Delta which suffer distressing environmental impacts of oil production and related accidents [Obi and Rustad, 2011:4].

Niger Delta is rich with crude oil but it is characterized by the history of resistance by the host communities in opposition to the Nigerian Government and the oil mining companies operating in the region due to various violent clashes between the host communities, the government forces as well as oil companies. Niger Delta is amongst the poorest and is most underdeveloped developed and is least rewarded for its contribution to the national wealth. About 160 US billions dollars were generated by Nigeria from 1970 to 2000 which amounts to 96% of Nigeria's foreign earnings [Omotola, 2006:3]

It is highlighted by Omotola [2006: 4] that the available statistics in July 2006 indicated that over 70% of the Nigerians lived in abject poverty and surviving on 1 US Dollar or less per day. Omotola indicates that an annual GDP growth rate of 7-8% will be required by Nigeria to reduce the number of those who are in poverty by half in 2015. What made the matters worse was that Niger Delta is enmeshed in a deep environmental insecurity, poverty and underdevelopment. This state of affairs caused various forms of protests, both peaceful and violent, from the oil-producing host communities. [Omotola, 2006: 4]Despite its wealth, Niger

Delta is extremely poor as the revenue arising from its oil wealth has barely being used to advance the quality of lives of the Niger Delta host communities. These socio-economic conditions are the main root causes of the peaceful protests that have taken different forms. [United Nations Development Programme, 2006:9]

With respect to Marikana, in the North-West Province of South Africa, about 34 striking miners were killed on 16 August 2102 by the South African Police Service .This type of violence and massacre was expected to have vanished with the end of apartheid in 1994. [Adelman, S, 2015]. The Marikana incident shocked the world and was the single and worst incident of public violence since the dawn of democracy in 1994 in South Africa, which is called the ANC's Sharpeville. The international attention was attracted by this tragic incident in the investor community and the media and some opined that the incident was indicative of a South African mining industry in serious decline. The police lethal use of force also arose memories of the apartheid era. [Bradshaw & Haines, 2015:6)

According to Nash, [2015] Marikana differs from the other strikes in that it was the first democratic massacre and a first time a democratic government has approved a massacre of black workers who voted and voted the African National Congress [ANC] into power in order to provide workers a better life.

Therefore the research study assumes that the continued recurrence of natural resources conflicts and violence in the mining sectors and host communities o of South Africa and Nigeria is a serious matter of international importance and a challenge which raises deep concerns as to how to contain it. It is recognized by the research study that notwithstanding many countries in the African continent having transcended to democracy, the continent is haunted by poorly managed conflict which impacts negatively on development initiatives and projects promoting good governance

Although South Africa experienced a peaceful transition to democracy its economic policies did not exacerbate or address, and even huge violence levels and violent policing, rampant unemployment ,huge political intolerance levels, political and racial difference, and attacks on political freedom unresolved land question and South Africa did not manage to realize a peace divident at the economic level as a result of a negotiated settlement. Notwithstanding the reintegration into the global economy, the terms of the integration only favoured the previously wealthy and the ruling elite. South Africa's economic inequality remains the greatest in the world. Unemployment rate is unacceptably high amongst the youth and about 51%. This leads to increased racial tensions and to many South African citizens.

1.2 .STATEMENT OF THE PROBLEM

The Niger Delta occupies a prominent place in the national political economy of Nigeria and in the global sphere as the source of over 80 percent of Nigeria's petroleum production and exports. It comprises various ethnic minority groups such as the Ogoni, Ijaw, Itsekeri, Urhobo, Efik, Ndokwa, Kabari and others. The framework for oil operations is governed by the Petroleum Act of 1969 which vests the ownership of the land to the Nigerian Federal Government and not the host communities. this makes the Niger Delta a focal point of international interest because of the endless violence which the Nigerian Government has not been able to stop for years in that area. Niger Delta has been engulfed by violent protests and confrontations against the Nigerian Federal State and its licensed Mining Oil Companies as a result of human rights abuses, environmental damage, exclusion from oil exploration of host communities in their region for about three decades from1980 to date. The protests by the host communities have received international sympathy and attracted the attention of the global communities. The oil producing companies were forced to embark on corporate social responsibility programmes as remedial actions to repairing the relations with host communities and secondly comply in order to retain the license to operate. Nigeria should have drastically reduced poverty if the oil resources were managed prudently. In the same breath, Nigeria should rank amongst the richest countries of the world. The Niger Delta Conflict escalated drastically from 1999 at the end of the military rule as communities had high expectations from the civilian government.

With respect to Marikana, violent incidents and strikes occurred due to protests from the local host communities in relation to the preferential treatment of migrant workers above local host communities; rock drill operators' strike aggrieved with the outcome of wage negotiations; and growing inter union rivalry between the well-known ANC allied trade union NUM (the National Union of Mineworkers) and its rival, AMCU (the Association of Mineworkers and

Construction Union). Secondly the strike arose due to growing dissatisfaction of miners with NUM which was perceived to be aligned to management in wage negotiations and miners rejected the established collective bargaining processes that they argued were obsolete and not meeting their aspirations. There was also a growing disproportion in earnings between management and workers, dissatisfaction with squalid living and working conditions and the migrant labour system. Marikana has therefore been in the international spotlight because of the killing of thirty-four miners in 2012 after the negotiations by the Miners Unions, the miners and Government negotiations got protracted over a long period and failed to yield results.

It has thus become important to study the Niger Delta and Marikana international problems, to investigate the root causes of these conflicts in the Niger Delta and Marikana, establish how the Nigerian and South African Governments handled these root causes and why these governments seems unable to bring the situation under control and to draw lessons in order to develop new knowledge or solutions. Therefore there is a gap in the body of knowledge that compares the Niger Delta and the Marikana.

1.3 THE AIM OF THE STUDY

The main aim of the research is to evaluate the impact of the natural resources on violence in the Niger Delta and Marikana host communities.

1.4 . RATIONALE OF THE STUDY

The research is justified by several interlinked issues of importance in the contemporary world and in the study of peace, regional and international relations. The research is timely and topical and falls within the current debates, discussions and writings in the study of peace, regional and international relations and specifically on the contemporary crises in the Niger Delta and Marikana.

The research study attempts to find causes of the recurrence of natural resources conflict in the Niger Delta and Marikana. The study seeks to answer questions as to what the concerns of the Host communities are in relation to their natural resources and the extent to which host communities benefitted from the mining operations, how the frustrations, issues and demands of host communities were responded to by the mining companies and Governments and what caused demonstrations and violent conflicts that culminated in deaths. The research looks at the increasing role of the non-state actors in the host communities such as local resistance movements, trade unions and political formations in both the Niger Delta and Marikana which campaign vigorously against the marginalization of host communities by the state and the multinational companies from meaningful beneficiation of their natural resources. The study explores whether the mining companies acted with honesty in dealing with concerns raised by host communities and in implementing their social corporate responsibilities

The study examines the increasing power and influence of local environmental rights campaign groups, trade unions in local host communities, which are able to achieve regional and international reach and support. The study is comparative and seeks to provide answers as to whether the conflict management strategies adopted by Governments and mining companies were sufficient to ensure that host communities meaningfully benefitted from their natural resources, and whether these strategies were adequate to preclude the recurrence of conflicts in the mining sectors.

It is expected that this study is valuable and makes an original contribution in the existing body of knowledge and towards bringing solutions to the political economic problems in the Republic of South Africa, and in Africa as a continent, in the eradication of poverty and unemployment and in creating more jobs for the host communities. The study is aimed at encouranging both the State and the Multinational Mining companies in South Africa to adopt political, economic strategies, approaches and tactics that meaningfully involve and benefit host communities in their natural resources and help eradicate poverty, hunger unemployment.

This research study is also based on the observation of reality and on the properties of scientific research as illuminated by Bless and Higson-Smith [1995:17-19]. The research is empirical, systematic and logical since it is aimed at knowing the reality and is based on observation. Secondly the results of the research study are replicable.

1.5 THEORY OF THE STUDY

The research study has adopted a resource curse theory. This theoretical framework is relevant to the study as it focuses on the resource wealth's negative effects to the country and assumes that factors associated with resource abundance such as corruption, declining economic growth, and dictatorship cause instability in domestic politics. The theory asserts that in resource rich countries with poor population, there develops weak institutions and governance challenges as these countries begin to depend on exporting to high value communities, and such countries become vulnerable to conflict. At a micro level, there are few economic opportunities for citizens in resource dependent countries, and there are limited avenues for citizens to voice concerns due to the repressive nature of the rentier state and such situations are a cocktail for violence [Le Billon, 2008:345–372).

1.6. OBJECTIVES OF THE STUDY

The research study investigates the following problems:-

a. To assess the Natural Resources related factors or root causes which have an impact on Host Communities and contribute to conflicts in Niger Delta and Marikana,

b. To explore causal factors which contribute to host communities natural resources frustrations, what the effects of these factors are to conflicts and violence in both Niger Delta and Marikana mining sectors?

c. To examine the conflict management methods used by the host communities of Niger Delta and Marikana in raising their concerns.

To examine the relevance of conflict management strategies, approaches and methods used by Governments and Corporate Companies in response to the demands by the Host Communities during and after the conflicts and whether these were sufficient to prevent the recurrence of conflicts in the mining sectors of Niger Delta and South Africa.

1.7. RESEARCH QUESTIONS

The study intends to answer the following questions

d. Which factors associated with Natural Resources have impact on Host Communities and contribute to conflicts in Niger Delta and Marikana?

e. Which causal factors contribute to host communities natural resources frustrations and what are the effects of these natural resource factors to conflicts and violence in both Niger Delta and Marikana mining sectors?

f. What conflict management methods were used by the host communities of Niger Delta and Marikana in raising their concerns?

g. What conflict management strategies, approaches and methods were used by Governments and Corporate Companies in response to the demands by the Host Communities during and after the conflicts and were these measures sufficient to prevent the recurrence of conflicts in the mining sectors of Niger Delta and South Africa?

1.8. RESEARCH METHOD

This study is an empirical research based on the quantitative method and uses Historical research where, for instance, a specific situation of the Niger Delta and of Marikana are studied to prove the hypotheses outlined. According to Goddard and Melville [2001:10] historical research refers to exploring the past in order to understand the cause-effect patterns and uses past events to examine a current situation to be able to predict future situations.

SECONDARY SOURCES

The research has made extensive use of secondary sources such as Library Textbooks, electronic media, articles in academic Journals, Theses and dissertations, press releases, government publications Reports, magazines and newspapers.

Girden and Kabacoff [2011:2-3] opine that much of the philosophy of science is concerned with the nature of cause and effect, that philosophers from a wide range of traditions are concerned with the question "How" in determining the cause of an event?

1.9. OUTLINE OF CHAPTERS

Chapter 1 gives an introduction of the research work. The Chapter highlights the purpose and background of the research, and how the research work is conducted. The purpose of this research is an evaluation of natural resources and marginalization of host communities as causes of violence in Niger Delta and Marikana. Chapter 1 provides the background of both Niger Delta Region and Marikana and why it is important to study these. Niger Delta has been in the international spotlight because of the endless violence which the Nigerian Government has bee unable to stop for years in that area. It has thus become important to study this international problem, to investigate what are the root causes of these conflicts in the Niger Delta, how the Nigerian Government handled these root causes and why the Nigerian State seems unable to bring the situation under control and to draw lessons there from so that both international States should not repeat the same mistakes. Similarly the Marikana episode has also been in the international spotlight because of the killing of miners in 2012 after the negotiations by the Miners Unions, the miners and Government negotiations which were protracted over a long period but failed to yield results.

It is similarly important to study and compare the Niger Delta and the Marikana Problems to investigate the root causes of these problems in Marikana, how the South African Government handled these root causes and why the situation degenerated into violence and to draw lessons from the Niger Delta and Marikana so that both international States should not repeat the same mistakes. Chapter 1 further explained the aim and objectives of the research study, the research questions and the research methods.

Chapter 2 looks at the literature review and theoretical framework.

Chapter 3 provides presentation of data, analysis and findings. The Chapter uses the Niger Delta Region and Marikana as case studies.

Chapter 4 presents a summary of conclusive research findings and the study ends with a full list of sources cited.

CHAPTER 2

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1. INTRODUCTION

This chapter presents the review of the literature and provides the theoretical framework of the study. According to Goddard and Melville [2001:1-2] research is a progression of expanding the boundaries of our ignorance, a process of studying the unknown and a systematic quest for undiscovered knowledge, and can be a result of specific world needs, therefore meaning that it is intended to provide solutions.

In addition, Adams et al [2009; 49] highlight the importance of the literature review and state that literature review can be appreciated when we ask ourselves specific questions and that each researcher should know the answers to the following questions:-

a. Whether the work already been done?

b. Who are the experts in the field?

c. What are the main theoretical perspectives?

d. What are the main problems in researching the topic?

2.2. DEFINITION OF CONCEPTS

Niyitunga [2017] defines "natural resources" as minerals, oil, water, forests, and fertile land which occur in nature and which can be exploited for economic gain and further explains that natural resources can neither be "curse" nor a "blessing." It is herein argued by Niyitunga that countries that are rich in resources are susceptible to conflicts and violence and at at the heart of civil strife and wars are natural resources, wherein host communities, mining companies and governments fight for control of these vital natural resources. Conflict is caused by corrupt government officials, mercenary companies, resource traders, arms dealers, smugglers and transport operators due to high competition for resources. Conflicts are further sharpened by the scarcity of natural resources and population increase and involves governments.

The Natural Resources Governance Institute [NRGI Reader, 2015] highlights the impact of natural resources to the democracy, peace and stability and to the economic development of countries and their host communities. The natural resources such as minerals, oil, and gas are highly valued in the world because of long production periods, huge upfront costs, production and price, and the industry secrecy. The wealth acquired from natural resources, and especially oil and mineral wealth obtained through taxation, has made governments to remain authoritarian over the past three decades. When governments rely directly on citizens' taxation, such governments become more responsive to their citizens. However when huge taxes are derived from natural resources, governments become less dependant on collecting taxes from citizens, and this results in governments being less responsive to citizens' demands. [NRGI Reader, 2015].

It is highlighted by the Natural Resources Governance Institute [2015] that natural resources have an impact on the internal conflicts because mining host communities, governments and mining companies fight for maximum control and use of these natural resources. For example, many oil producing countries experienced civil wars as compared to countries that do not produce oil, for example, Iraq, Angola, the Democratic Republic of the Congo and Niger Delta, [NRGI Reader, 2015]. There is also a tendency by resource rich governments to spend more on public servants' salaries, fuel subsidies, huge monuments and a tendency to underspend or neglect health, housing, education and other social services that directly impact on the livelihood of their citizens. Women are also disproportionately impacted by natural resource wealth in resource rich countries as fewer women enter the workforce and there is minimal representation of women in governments. These mines cause a large influx of men to host communities surrounding mines and this results in an increase in rates of gender based violence, HIV/AIDS and other life-threatening diseases. In many instances, governments and their citizens obtain a small share of the production value and large percentages are taken away by mining companies off-shore. Governments and host communities are not compensated for depleting natural resources, environmental damage and loss of lives. In countries that are rich in natural resources ruling elites have a tendency not to invest in job creation and manufacturing industries and instead fight for control of these resources, or rent-seeking. Oil projects are managed outside the normal budget processes and institutions are weakened to make it easy for elites to take large sums of monies. Societal checks are dismantled and new regulations are established with a purpose of accessing these natural resources or providing access for friends and families. Conflict can be created by sharing and compensation for resources between host communities and mining companies [NRGI Reader, 2015].

2.3. DEBATES ON NATURAL RESOURCE WEALTH AND VIOLENT CONFLICTS

The current scholarly debates on the natural resources wealth and armed conflict was intensified in the late 1990s, and emerged with statistical correlation between a measure for countries endowed with natural resources and the incidence of civil war (Collier & Hoeffler, 1998; Collier, 2000). Evidence was found that resource wealth makes armed conflict more likely. Academic research over the central questions to the debate were: Is there a general connection between natural resources and violent conflict? To what the extent does such a connection exists? Why does it exist? What and how do different types of resources link up to conflict? What types of conflict, and what aspects of conflict do natural resources help explain?

Ingrid Samset [2009] explains the connections that exist between violent conflict and natural resources highlighting that the discourse on armed conflict and natural resources began in the 1990s. Secondly the literature review centered on the following critical questions:

a. Does a connection exist between natural resources wealth and violent conflict?
b. What are the implications of such connections for conflict resolution and peace in resource rich countries?
c. Why does such a connection exist?

2.4. NIGER DELTA-STATE OF THE LITERATURE

The review of the literature shows that there is much researched on the oil engendered conflict in the Niger Delta, wherein some scholars concentrated their efforts on the environmental aspects while others concentrated on the impact of the multinational companies on the development of the region.

The literature review shows that the first scholarly study on the Nigerian oil industry is Schatzi [1969] which analyzed the expansion of the natural gas economy and petroleum in the Niger

Delta. Schatzi's study focused around the domestic energy production shift in and drastic changes in the structure and size of energy imports and exports. However the impact of the oil extraction on the environment and ecology at that time, even in instances where complaints were lodged to Shell BP by host communities about gas flares, spillages and other hazards resulting from oil mining activities. Valuable insights are offered by Schatzi [1969]'s analysis into the legislative policy regarding Nigeria's crude oil, the legislation which he describes as very liberal in comparison with legislation passed by countries such as Libya and Nigeria. The analysis further demonstrates that the liberal oil legislation which was intended to stimulate investment activities has in fact influenced the serious crude oil exploration which resulted in the spoliation of the Niger Delta ecosystem.

Ikelegbe [2011:437] illuminates vividly that the Niger Delta accounts for up to about 96 percent of Nigeria's foreign earnings and again accounts for about 85 percent of the state revenue. Notwithstanding, Niger Delta is the poorest, underdeveloped and is least rewarded for its contribution to the national wealth.

The review of the literature shows that about 160 US billion dollars were generated by Nigeria between 1970 and 2000 totaling to 96% of Nigeria's foreign earnings. [Omotola, 2006:3]. Omotola argues that Nigeria should have drastically reduced or eliminated poverty and that if resources were managed prudently Nigeria should be ranking amongst the richest countries of the world. Omotola further indicates that the then President Obasanjo came to power in 2006 but he failed to appoint the Minister of Petroleum or Energy Affairs; instead he ran that portfolio and only appointed an advisor, and this fuelled suspicions of corruption in the management of resources (Omotola, 2006: 4).

It is further elucidated that the July 2006 statistics indicated that over 70% of Nigerians population lived in abject poverty and surviving on 1 US Dollar or less per day. Omotola indicates that an annual GDP growth rate of 7-8% would be required by Nigeria in order to reduce the number of those impoverished by half in 2015. What made the matters worse was that the oil producing Niger Delta is enmeshed in a deepening crisis of environmental degradation, the poorest and least developed areas in the Nigeria. This state of affairs has caused various forms of protests, both peaceful and violent, from the natural resource-producing communities [Omotola, 2006: 4].

It is also acknowledged by the United Nations that Niger Delta region is economically rich and has crude oil that accounts for 80% of Nigeria's foreign exchange earnings, and therefore an economic powerhouse of Nigeria. Despite its wealth, Niger Delta is extremely poor as the revenue arising from its oil wealth has barely been used to advance the quality of lives of Niger Delta host communities. These socio-economic conditions are the root causes of both the peaceful and the violent protests [United Nations Development Programme 2006:9].

In addition, Saro-Wiwa [1989] shows how the minorities in the Niger Delta were gravely oppressed and deprived by the dominant majority groups in the other parts of Nigeria and that this led to violent conflicts for control of oil revenues. The review of the literature shows similar struggles dating back to 1450 between the Dutch, Portuguese and the British for the control of Bonny which is a highly priced trading centre in the Niger Delta. Furthermore, there was a rivalry between Britain and Holland, according to Saro –Wiwa [1989].Saro –Wiwa [1995] illuminates more on various similar crises that engulfed the Niger Delta in post-independent Nigeria due to deprivation of the Niger Delta host communities by the majority ruling class, the Federal State and the oil mining companies.

The crises in the Niger Delta are linked by Manby [1999]'s works on the failure to implement corporate social responsibilities by the mining oil companies to

[a]fulfil their roles and responsibilities to the host communities.

[b]Comply with the Nigerian environmental laws and the mining international standards.

2.4.1. THE CORE PROBLEMS WITH THE NIGER DELTA

Ekenedirichukwu [2011:61] shows that Nigeria serves as the crucial and strategic departure point in virtually all discourses on the Niger Delta. The debates, workshops, symposia and conferences were held due to the region being bedeviled by various governance and security challenges and these centered on the control of the rich oil and gas natural resources deposits, and the manner of their exploitation, being the foundation of the Nigerian economy. Ekenedirichukwu [2011:61] indicates that instability in the region and Nigeria has been caused by the modes of exploitation and utilization of the natural resources. proceeds from the sale of these natural resources.

Ekenedirichukwu [2011:62] enumerates many natural resource factors that cause the internal conflicts in the oil-rich region of the Gulf of Guinea including Niger Delta

a. That natural resources conflicts are exacerbated by the fight for the control of and gas resources, oil and revenue.
b. The vital reason for resource control is greed for economic gains.
c. Profiteering exacerbates natural resources conflict as traders, community leaders and warlords profit from the oil and gas-related conflict situation.
d. The insurgency, rebellion and militancy is characterized by warlords who characterize the insurgency
e. Natural resources conflict is characterized by oil bunkering, small arms proliferation, pipeline vandalization, piracy, kidnapping, hostage-taking which are high level economic and financial crimes aimed at controlling natural resources.
f. A sense of insecurity to the resource producing communities is created by the Government's militarization.
g. Misgovernance in Nigeria, the inadequacy of the democratic institutions and lack of accountability and transparency in natural resource revenue management are significant stimulants of conflict in the oil-rich area. [Ekenedirichukwu, 2011:62].

It is indicated by Ekenedirichukwu,[2011:62] that Niger Delta is still volatile notwithstanding all financial, developmental and intellectual resources received, and for this reason a need exists to explore a link between natural resources governance and conflicts focusing on the Niger Delta.

Niger Delta region has been in the international spotlight because of the endless violence which the Nigerian Government is unable to stop for years in that area. It has thus become important to study this international problem, to investigate the root causes of these conflicts in Niger Delta, how the Nigerian Government or State handled these root causes and why the Nigerian State seems unable to bring the situation under control and to draw lessons there from so that bother international States should not repeat the same mistakes.

2.5. MARIKANA -STATE OF THE LITERATURE

On 16 August 2102, in South Africa's North-West Province at Marikana platinum mine, about 34 striking miners were killed by the South African Police Service. This kind of massacre and violence was expected to have diminished with the end of apartheid in 1994 Adelman [2015:243-262] explores the context of the Marikana massacre, the policing approach, and Alderman made findings about the rule of law and governance and in post-apartheid South Africa. Alderman's works indicate that the Marikana Commission of Inquiry appointed by President Jacob Zuma concluded that the police had engaged in a cover up, that the killings were not reasonable and that, that police violence and the logic of the rule of law was turned by the deficit of government accountability on its head.

Marikana is situated in the Republic of South Africa, near Rustenburg, and it covers an area of 33KM. Marikana Lonmin Mine is about 112 km from Johannesburg. The Lonmin mine produces platinum group minerals (PGMs) and covers an area of $33km^2$. At the end of 2002 the mine was commissioned with R630m initial investment. The Anglo American Platinum (Amplats) and Anglo American Platinum (AQPSA) jointly own Marikana Lonmin mine under a 50:50 pooling-and-sharing (PSA) agreement concluded in 2005 and Anglo American Platinum AQPSA is the operator of the mine. As of June about 20121.57 million ounces (oz) of mineral reserves are held by the mine [Marikana Platinum News Rustenburg-Mining technology].

Thematic lessons from the perspective of the Marikana miners' strike in South Africa are provided by Muswaka [2014] from a corporate governance perspective. Muswaka s' article uses the corporate governance lens to explore the Marikana Miners' strike. According to Muswaka [2014] the miners' strike was a climax of many problems which were experienced by workers due to the shareholder value-oriented corporate governance approach by the mines. The corporate governance approach adopted by Mining in South Africa did not adequately address the interests of workers and the host communities. According to Muswaka [2014], after the Marikana massacre, the conditions in the mines were described by the Department of Trade and Industry Minister, Mr Rob Davies, as appaling whilst the mining companies made millions of rands and that these mining companies have to account how they treat workers. The working conditions of miners were also criticized by the international community.

2.5.1. HISTORY OF MINING IN SOUTH AFRICA AND THE MARIKANA MINERS STRIKE

Muswaka [2014]'s article gives a concise history of the mining in South Africa. The literature review shows that mining has historically been central to the South African Economy. The discovery of gold and diamonds in the late nineteenth century made the mineral and energy to be the main drivers of the South African economy structure, according to Muswaka [2014:64]. The literature review shows that a major economic presence is being held by South Africa in Africa and the world in the following ways according to Muswaka [2014:64]

a. Mining produces a quarter of South African exports.

b. Regarding gold production South Africa is rated as number Five [5] globally

c. South Africa produces extracts 80% of the world's platinum.

d. Mining has incredibly contributed to industrial development of South Africa.

e. The minerals economy of South Africa has in the last decade grew in the exports.

It is elucidated by the literature review that the proliferation of mining companies in South Africa was motivated by the cheap labour availability which always resulted in the healthy profit margins for these companies. The exploitation and oppression of black labour by Apartheid's and was epitomized by mineworkers in the twentieth century. According to Muswaka [2014] indicates that migrant black workers who provided cheap labour were drawn from South Africa and neighbouring Mozambique, Zimbabwe, Malawi, Zambia, Swaziland and Botswana and nothing much changed for the mine-workers after 1994 dawn of democracy is South Africa.

Muswaka [2014] s works give account that the Marikana Strike began by about three thousand drillers' demands that their salaries be increased from R4,000 to R12,500 per month , and these mineworkers stayed away from work due to the Mining Company Lonmin Platinum management having failed to meet with them. The literature reviews show that a series of violence ensued that led to the 16 August 2012 t massacre of about thirty six miners and seventy eight wounded by the South African Police Services, due to Lonmin platinum management having failed to amicably address workers' demands and living conditions.

Muswaka [2014: 64] highlights that a number of studies were done for resource producing communities around the Marikana platinum mines and documented by the Bench Marks Foundation in 2007, 228 and in 2012. Literature review showed that the majority of the Marikana communities lived in tiny shacks houses without access to sanitation or clean water. Muswaka [2014:64-65] 's works acknowledges the Bench Marks Foundation highlights the harsh realities faced by the Marikana mining communities .The mining activities have tremendously polluted the water sources surrounding host communities. .Most mine workers continued to live in appalling conditions .Huge profits were made by Mining Companies which served the exclusive interests of shareholders and depriving host communities. Mine workers were frustrated by the fact that the employers and the mining industry continue to become richer whilst mine workers face death, sweat underground daily basis and sink deeper into poverty. In the whole platinum belt the Corporate Social Responsibility Programmes were are top-down as they were designed by experts and imposed on communities. Host communities' needs and frustrations were not consulted as stakeholders. [Muswaka, 2014:64-65]

Jane Duncan [2013]also gives an overview of the South African political economy. It is highlighted by Duncan[2013:3] that the South Africa's transition to democracy in 1994 was a negotiated settlement which entrenched the neoliberal phase of capitalism due to the fact that the Soviet Union communism has collapsed and the international balance of forces had swung against the liberation movements generally. Armed struggles for revolutionary change has waned, according to Duncan.

Duncan [2013:3] further that according Terreblanche [2000] political power was attained through negotiations by the African National Congress. Therefore negotiations with the industry owners ensured that old apartheid structure of the economy remained unchanged. Its control subsequently remained in minority white hands.

It is argued by Duncan [2013:3-4] that the neoliberal Growth, Employment and Redistribution plan[GEAR] was self-imposed in the late 1990s in South Africa and designed to make the economy globally competitive by increasing its external orientation. Duncan indicates that drastic cuts to public expenditure and the privatization of strategic state assets characterized GEAR. Then the South African Government has rolled-out social grants, free basic water and electricity in the early 2000's with an objective of softening the immiserating effects of neoliberalism and to achieve a level of consent for this economic policy shift.

Duncan [2013;4] 's works further shows that the imposition of GEAR IN South Africa aggravated its financialization at the cost of the growing economy. Youth unemployment levels subsequently increased and faced a lifetime of joblessness as part of population growth. The literature review shows that whilst poverty levels decreased, the inequalities increased. Another challenge that affects the South African Citizens is that local government was forced into autonomy and mandated to deliver services like sanitation, water, and electricity. Therefore poorer local councils with small tax base not being able to afford rendering of these services.

Duncan [2013:4] 's works goes further to indicate that GEAR led to massive capital flight from South Africa and the current deficit resultantly ballooned . Furthermore Duncan [2013: 4] s works attempts to outline or show the negative impact of GEAR to the ruling African National Congress, but argues that though the African National Congress is still enjoying a healthy majority vote, it is of a declining voter base. Firstly, in the second decade of the ANC rule class polarization grew with large numbers of voters abstaining from voting. The effects of neoliberalism resulted in the grassroots resistance erupting all over the country. South Africa mining sector still relied on cheap black labour and financial pressures' on workers were intensified by the 2008 global recession. The coercive capacities of the state was increased by the government since the South African Police have as from 2000s, underwent a process of militarization. And incidences of police violence also reportedly increased. More militarized responses were favoured towards protest policing and more facilitative approaches gradually edged out

Literature review [Duncan 2013;4-5] shows that the coercive capacities of the state was increased by the government since the South African Police have as from 2000s, underwent a process of militarization with the re-introduction of a previous military ranking system . And incidences of police violence also reportedly increased. More militarized responses were favoured towards protest policing and more facilitative approaches gradually edged out.

2.5.2. LONMIN MINE'sMPRDA MINING CHARTER COMPLIANCE AND SOCIAL CONDITIONS OF HOST COMMUNITIES AROUND MINES

Hamman [2014] 's works gives an assessment of Marikana 's Lonmin Mining Charter Compliance and of the subsequent social conditions of host communities around Marikana. The writer presented a paper to Kally Forrest, Senior Researcher PHASE 2 at the Marikana Commission of Inquiry. The mandate of PHASE 2 of the Marikana Commission focused on the underlying causes and the degree of compliance by Lonmin with its social obligations under the Mining Charter and Hamman's work contributed to this theme.

The South African Government and the representatives of the mining industry and labour agreed on the 2004 Mining Charter and its associated scorecards which determines timeframes and measurable targets that give effect to the MPRDA Act. The objectives of the MPRDA Act are amongst others, to significantly and meaningfully maximize opportunities for historically deprived communities and to commit holders of mining and production rights to contribute towards the socio-economic growth of the area in which they operate. The Mining Charter was published in 2004 and it included targets categorized nine thematic areas, to be achieved in 2014.

Hamman [2014: 26-27]'s paper argues that the deleterious social conditions of the host communities surrounding Marikana Lonmin and other Mining areas in the Rustenburg area have mediated the relationship between the Compliance to the Mining Charter and the massacre.: The Marikana massacre is being contextualized in part and caused by the workers' difficult living conditions ,migrant labor system and was not simply the result of a wage dispute, obsolete labour relations, inter-union rivalries. Hamman state that most commentators agree that the Marikana massacre was a result of more than a wage dispute , but the causes involve a wide Secondly Hamman [2014:4] highlight that these social conditions to financially and emotionally stressed workers and that these conditions grew significantly as a result of influx of the unemployed, unskilled people. Again the mines were also seen as the providers of health and other essential services and such hopes were frustrated.

Regarding compliance to the Mining Charter, it is illuminated by Hamman [2014:10] that Lonmin did fulfill its Charter commitments. According to Hamman, the Benchmarks Foundation Report showed that that Lonmin 's 28,000 overwhelming majority permanent workers [2012]lived in shacks in informal settlements .Lonmin conceded at a meeting held with stakeholders in 2012 that it provided acceptable accommodation for about 5,000 out of over 28,000 permanent employees.

A.POSSIBLE FAILURE OF RELIABLE REPORTING

It is highlighted by Hamman [2014:10] that the Benchmarks Foundation Report raised serious concerns that Lonmin's reports fell short of MPRDA prescribed standards and that the Act made it an offence to provide incorrect , misleading and inaccurate information under this Act. The targets set by Lonmin were either missed, abandoned or excuses and apologies were given by Lonmin for non-achievement, and it was difficult for the Benchmarks Foundation to establish what Lonmin has achieved in providing decent accommodation for employees over many years.

B.SUBSTANTIVE FAILURE ON HOUSING AND UPGRADING OF HOSTELS

Hamman [2014:14] states that a concern is indicted by the Benchmarks Foundation Report is the possible failure by Lonmin to comply with the commitment in the amended mining charter that by 2014 mining companies are required to improve the standard of housing and living conditions of workers by doing the following [Hamman ,2014:14]:-

i. Improving or upgrading the hostels into family units
ii. Attaining the one person per room occupancy rate
iii. In consultation with organized labour, facilitate homeownership options for all the mine employees

Therefore literature review shows that many authors agree on the fact that Lonmin missed its opportunity to make a noteworthy contribution during the years 2000-2008.

C. FAILURES BY VARIOUS STAKEHOLDERS IN MAKING SYSTEMATIC AND COLLABORATIVE INTERVENTIONS

It is highlighted by Hamman [2014:27] that the efforts by mining companies were piecemeal, not aligned to and were isolated with host communities municipalities 'development and investment planning.

Just like the Niger Delta, Marikana became in the international sport light because of the killings of miners in 2012 after the negotiations by the Miners Unions, the miners and Government negotiations which were protracted over a long period failed to yield results. It is therefore similarly important to study the Marikana Problems to investigate what are the root causes of these problems in Marikana, how the South African Government and the mining companies handled these root causes and why the situation degenerated into violence and to draw lessons from Marikana.

D. THE IMPACT OF NATURAL RESOURCES ON SOUTH AFRICA'S LABOUR RELATIONS

It is highlighted by Botiveau[2014: 128-137] 's works that more than a year after 34 strikers in Marikana were killed by police the natural resources conflict continued across the South Africa 's mining sector. Platinum giants like Amplats were targeted by the industrial action wherein an a strike in response to retrenchments planned by the mine company took place. Rivalry arose between the NUM which is an Alliance Partner with the ANC) – and the recently formed AMCU which plagued the mining industry. Several leaders of both these mining trade unions died in this rivalry. The National Union of Mineworkers (NUM) declined rapidly in membership and became outnumbered by the AMCU.

According to Bottineau [2014: 128-137] a most significant natural resources impact is indicated by the continued labour unrests since the ruling Tripartite Alliance comprising ANC, COSATU and SACP came to power twenty years ago. These disputes over the natural resources management resulted in National Union of Metalworkers (NUMSA) withdrawing its support for the ANC.

Botiveau [2014: 128-137] 's works briefing discusses the 2012 mining strikes –from the stage where workers rejected the intermediation of the NUM and demanded major wage increases a– and demonstrates the linkage which the natural resources have on resource producing communities. The marginalization of the mine workers and the mining communities in Marikana caused the strikes to proliferate and strikes reached Amplats, and spilled beyond the platinum belt and hit major gold producers such as Gold Fields, Anglo Gold Ashanti, Harmony Gold, and Gold One including other mining houses such as Kumba Iron Ore, Petra Diamond, and Samancor.

According to Dejo (2003) Africa is characterized by numerous recent transitions to democracy with poorly managed conflicts thus defying peace, development initiatives and projects promoting. Throughout the African continent Communities and democratic factions in most instances are suppressed from expressing their demands, and thus resort to violent conflict.

Bradshaw and. & Haines, (2015:6-7] explains the Marikana Massacre was caused by shocking living conditions of the miners and host communities, frustrations with COSATU, poor wages and the uncaring and disengaged mine management, perceived linkages between the mine management and senior government figures such as Cyril Ramaphosa, a former Labour leader who was a member of the Lonmin Board at that time.. It is highlighted by Bradshaw and. & Haines(2015:6-7] that the transcript of a meeting held between Lonmin management and the South African Police Service two days before the massacre explicitly mentions Ramaphosa 'pressuring' Police Minister Nathi Mthethwa, indicating that Ramaphosa's call for appropriate action was not an isolated act of political interference.. (SABC News Online 2014).

Bradshaw and. & Haines,(2015:8] illuminates that the cause of the Marikana Shootings was the poor response by police officers who, according to many eye-witnesses, and expert commentary, was designed to maximize, rather than minimize loss of life and injury among the mineworkers. It is indicated by Bradshaw and. & Haines, (2015:8] that there were also hurtful comments from the new police commissioner (Sowetan 2013), and a low-key, seemingly unsympathetic response from government.

E. SHORTCOMINGS OF THE SOUTH AFRICAN PEACE PROCESS

Bradshaw and. & Haines(2015:8-10] 's works highlight that in the 1980's initiatives were launched in South Africa in preparation for a constitutional negotiation process as the international context became more favorable toward a settlement. . Whilst communications were opened up with Nelson Mandela for his eventual release, other ANC leadership covertly met with prominent Afrikaner intellectuals.

Although South Africa experienced a peaceful transition to democracy its economic policies worsened unemployment ,violence levels, violent policing, high levels of political intolerance, the continued construction of political and racial difference, failures to address the unresolved land question, and attacks on political freedoms. Klein [2007] explains that South Africa did not manage to realize a peace divident at the economic level as a result of a negotiated settlement. Notwithstanding the reintegration into the global economy, the terms of the integration only favoured the previously wealthy and the ruling elite. South Africa's economic inequality remains the greatest in the world. Unemployment rate is unacceptably high amongst the youth and about 51% according to Bradshaw and. & Haines,(2015:8-10]However the number of millionaires in South Africa has grown by 106 per cent—faster than anywhere else in the world—over the past decade, to over 49,000, thus showing economic bias, according to Bradshaw and. & Haines,(2015:10-11]

According to Gready [2010], violence is being supported by this highly organized crime wave and it increases poverty in South African's growing democracy through corrupt activities. Government State imprudent response to organized crime is imprudent , and points to the fact that that the State has more in common with the heavy-handedness of apartheid policing than a genuinely democratic rule of law. According to McGreal [2006], the failures of the South African Police Service leadership suggest a certain reluctance to combat crime as a manifestation of social conflict.

It is indicated by Bradshaw [2007] that South Africa has in recent years witnessed government's number of attempts to limit freedoms associated with a culture of human rights and due democratic process. A recurring theme in 2005 and 2006 was on the independent status of the judiciary, freedoms of information and the counteract the power of the opposition in local government .According to Hartley [2011) the South African Government's Protection of State Information Bill threatens the fundamentals of a democratic media dispensation. Hatley shows that there is continued tensions within the criminal justice system of components supporting different political leaders, including the National Prosecutions Authority, and the bench itself,

Bradshaw and Haines, (2015:15] also highlights on the challenges faced by Land Reform in South Africa. The 'willing seller – willing buyer' principle agreed to in the 1994 negotiations has tremendously slowed land reform and South Africa has not reached its 30% target of transfer of land to the indigenous citizens. The Waterberg white farmers were sent notices of expropriation of their land as The South African government lost patience with the land reform process. The leadership of the ANCYL has also made calls for land expropriation without compensation, and nationalization of the mines reflect (Grobler :2011). Julius Malema's Economic Freedom Fighters supports nationalization of mines Support for nationalization has become A central plank in the policy platform of Julius Malema's newly registered Economic Freedom Fighters is support for nationalization. (City Press 2013),

According to Bradshaw and Haines, (2015:17], NUMSA decided to distance itself from the ANC and, to an extent, COSATU) and to build up an independent and more left-oriented political constituency because of the natural resources beneficiation conflicts. The EFF broke away from the ANC and this is a further manifestation of dissatisfaction with the natural resources management and subsequent current economic situations in South Africa. Thirdly, at the local government level, the escalation of attacks on ANC councilors, most often with regarding housing allocation and service delivery demands, is a further area showing the impact which resources have on conflicts.. The Government response to these developments may prove to be reactive and authoritarian rather than a re-articulation of participatory and decentralized politics [Bradshaw and Haines, 2015]

In conclusion, a lot has been done on Marikana and Niger Delta but there are few works on the comparative evaluations of the two regions. Therefore it calls for a scholarly attention.

2.6. **THEORETICAL FRAMEWORK**

The Study has adopted the resource curse theory. The resource curse theoretical framework focuses on the resource wealth 's negative effects to the country and assumes that factors associated with resource abundance as corruption, declining economic growth, and dictatorship are a cause of unstable domestic politics. Le Billon (2008:345–372) highlights that in resource rich countries with poor population there develops weak institutions and governance challenges as these countries begin to depend on exporting high value communities, and such countries will be vulnerable to conflict. At a micro level, there are few economic opportunities for citizens outside the mining sector in resource dependent countries, and there are limited avenues for citizens to raise concerns and such situation are a cause of violence.

2.6.1 THE RESOURCE CURSE

The Resource curse conflict theoretical framework is premised on the fact that conflicts arise due to diverse actors competing for control of natural resources according to Le Billon (2008:345–372) Secondly, natural resources are linked to conflict as natural resources can be used by individuals and organizations for enrichment and profit . This theory asserts that agents with an economic agenda are being attracted by the high value of the resources and such agents are willing to take up arms to control such resources and profits emanating from extracting and selling such resources. [Collier & Hoeffler, 2004:563–595]

However, if access to resources is controlled by the state at a market value, authoritarian regimes and weak institutions arise due to rent-seeking politicians and bureaucrats who block avenues for peaceful disagreements and institutions weakened to resolve conflicts amicably and this fosters violent conflicts [Samset, 2009]

Similarly, rebel groups having more easy control to finance, through the exploitation of high-value resources in their territory and/or through external support, use violence indiscriminately or at random. According to Humphreys & Weinstein [2008: 452] participation in violent conflicts depend costs -benefits analysis of joining a relative economic and social and position of an individual and social pressures that emanating from community members and friends.

Paul Collier and Anke Hoeffler 's publications agree with the resource curse theory that there exist connection between natural resources wealth and violent conflict and that the risk of war is being increased by increased natural resources [Collier & Hoeffler, 1998: 571].Collier and Hoeffler[1998] 'works sparked the literature which agreed that natural resources such as oil and mineral resources are have an connected to violent conflict. In addition, Matiru[2000] 's works supports the resource curse theory and further illuminates that natural resources related conflicts are disputes and disagreements over control of , access to and natural resources use. The incompatibility in the needs and interests are the main causes of conflicts, which if not addressed results in violence, undermining of livelihoods and degradation of environment. Matiru 's works illuminates that if host communities are excluded from participating and benefitting from natural resources management this will cause conflict and violence. Matiru 's theory asserts that there are many ways in which conflicts manifests itself , through rules' breaking, sabotage and violence.. Regarding various actors in natural resources violence, Matiru's works show that multiple stakeholders may exist who have subgroups with differing interests and demands. In support of the theory, Matiru[2000] ' s works highlights reasons for natural resources conflicts during resource management policy, programme and project implementation as follows;

a. In many instances natural resource policies and strategies are unilaterally imposed without host communities' participation.

b. Absence of coordination and harmony between the governing procedures and responsible administrative and legal bodies.

c. Haphazard and uncoordinated planning, and exclusion of main stakeholders. [

d. Absence or limited monitoring and evaluation, poor reporting and information dissemination and absence of effective conflict management solutions Matiru[2000].

Ajodo-Adebanjoko [2017] also supports the resource curse theory that natural resources are the main drivers of conflict in many territorial struggles which occurred globally and through history. It is opined by Ajodo-Adebanjoko that the natural scientists also agree that one of the key drivers of violent conflict within and across specie is competition over scarce natural resources. Ajodo-Adebanjoko continues to point that in t Niger Delta the resource related conflict revolves around oil and secondly that 95 % of the conflicts since 1997 is resource related. The segmentation on ethnic or linguistic cleavages is also strengthened by the fight for resources control. In the 21st century what emerged as the vital source of conflict is cited as competition over oil pipeline routes and control of valuable oil.Ajodo-Adebanjoko [2017] points out that violent conflicts in Rwanda and other African countries arose from competition for natural resources revenue. It is further explained by Ajodo-Adebanjoko that conflict in Niger Delta is caused by oil exploration activities resulting in oil poisoning causing respiratory ailments, environmental degradation, shortage of farmlands, and death of aquatic life, air and water pollution, forests destruction without compensation

2.7 CONCLUSION

The Chapter has defined the concept of natural resources as minerals, oil, water, forests, and fertile land which can be exploited for economic gain. The Chapter has shown that countries that are rich in resources are susceptible to conflicts and violence and importantly that at the heart of civil strives and wars are natural resources. Resource producing or host communities, mining companies and governments fight for control of these vital natural resources. Conflict is caused by corrupt government officials, mercenary companies, resource traders, arms dealers, smugglers, transport operators due to high competition for resources. Conflicts are further sharpened by the scarcity of natural resources and population increase and involves governments.

The wealth acquired from natural resources, and especially oil and mineral wealth obtained through taxation has made governments to remain authoritarian over the past three decades. When governments rely directly on citizens taxation, such governments become more responsive to their citizens. However when huge taxes are derived from natural resources, governments become less dependant on collecting taxes from citizens, and this results in governments being less responsive to citizens demands

The Chapter has presented a literature review and theoretical frameworks on which the study is based. It has shown that Natural resources also have an impact on the internal conflicts because mining host communities, governments and mining companies will fought for maximum control of and use of these natural resources.

The literature review has shown a variety of risks resulting from mining development and operational activities, which the mining sector is expected to mitigate but in many instances these risk control plans are not being implemented thus resulting in untold suffering in host communities. Therefore the following Chapter will, amongst others show how the mines and government handled these risks in the case of Niger Delta and Marikana.

The Research study has adopted a Resource curse conflict theoretical framework which is premised on the fact that conflicts arise due to various actors competing for control of and beneficiation from natural resources.

CHAPTER 3

DATA PRESENTATION, ANALYSIS AND FINDINGS

3.1. INTRODUCTION

The research study will explore whether there is a correlation between natural resources and conflicts in the Niger Delta and Marikana. The study will use the resource curse theory to illuminate the natural resources as having linkages to or as causes of violent conflicts in resource producing host communities and to answer the question what are the causes of natural resources conflicts. The study will also look at the method of resource governance and conflicts dynamics and illustrate how the management of the natural resources profits is taken by the central governments in countries rich with natural resources ,

The host communities of both Niger Delta and Marikana raised their concerns about marginalization from their natural resources and how the mining companies and Governments responded to these concerns and whether these conflict management methods, approaches and strategies were appropriates and what the eventual outcomes of their responses to host communities were.

3.2. NATURAL RESOURCES IN NIGERIA AND SOUTH AFRICA

The research study applies the resource curse theory and explores both Nigeria and South Africa's natural resources and violence by comparing ownership, management and control of the resources. For both countries the control of and right over mineral natural resources is vested in the national governments. [Abegunde, 2014: 27-36]

Abegunde [2014:27-36] opines that the natural resources became an irritation than that blessing in Africa, and that the extraction of natural resources resulted in environmental degradation and beneficiation related conflicts. . The research study will therefore, in view of these factors explore the dynamics of natural resources conflicts and host communities in Niger Delta and Marikana.

3.3 THE IMPACT OF NATURAL RESOURCES TO CONFLICTS

The Study agrees with Ekenedirichukwu [2011:62] 's works which agrees with the resource curse theory and goes on to illuminates that there exists a causal-effect relationship between natural resources and conflict which suggests causation. Ekenedirichukwu goes on to confirm several literature how oil natural resources caused conflicts from a wide range of studies which found strong relations between oil dependent countries and violent conflicts. The study therefore applies the resource curse theory to x-ray the problem in Marikana and Niger Delta.

Ekenedirichukwu,[2011:62-63] illuminates on Humphreys (2005) 's six competing causes which amplify the resource curse theory and which explain the natural sources as having linkages to or as causes of violent conflicts in resource producing host communities: (a) the greedy rebels' causes (b) the greedy outsiders causes (c) the grievance causes; (d) the financial feasibility causes (e)the weak states causes; and (f) the sparse networks causes. This Chapter will therefore examine and compares how these causes have an impact on natural resources in Marikana and Niger Delta.

A.THE GREEDY REBELS CAUSES

Greedy rebels are motivated by natural resources benefits or profit to be involved in violent conflict. Greed is manifested by continued oil bunkering, piracy, and kidnappings in the Niger Delta region which are semi-criminal acts. Secondly, the importance or value of capturing the state by rebels is increased by natural resources. Thirdly, if natural resources are concentrated in one region, that region may think it is possible to gain independence and to become prosperous (Humphreys, 2005: 508-537]. The research study asserts that the mining company's executives and the ruling elite greed and natural resources profits are the main causes for continued conflicts in Marikana and Niger Delta as the resource producing host communities are marginalized from meaningfully benefitting from their natural resources. Many Senior Members of the ruling elite in both these countries are appointed as board members of these mining companies. Huge shares of profits are being channeled into pockets of board members and the ruling elite participating in such boards use political connections and influence the Government formulation of weaker laws to favour mining companies at the expense of host communities. Again these influence Governments and ruling political parties to use oppressive means to suppress host communities' demands for equitable share in the natural resources. The oppression results in violent conflicts and in formation of rebel groups that also perpetuate oil bunkering, piracy, and kidnappings, as is happening in the Niger Delta. Furthermore the study assets that companies also use huge donations to sponsor and influence the decision making of ruling political parties , and especially during the elections so that they adopt policy stances that would favour these companies. The study asserts that it is against this background that in South Africa there are stronger political campaigns by the masses to advance radical economic transformation and to fight state capture at all levels of Government.

B. THE GREEDY OUTSIDERS' CAUSES

The greedy outsiders might intervene militarily directly or through internal factions with an aim of gaining or maintaining control over profitable resources. (Humphreys, 2005: 508-537). Natural resources may incentivise the Governments and mining companies third parties – state and corporations – to engage in violent conflicts, and an example can be given of the Shell BP which paid huge amounts of money to fight for the company interests in the Ogoni crisis, according to Ekenedirichukwu ,[2011:63]. The study therefore asserts that, in order to promote their own selfish interests, money and other resources are being used by many companies to corrupt host community leaders and Government Officials to bypass laws in favour of these companies and to fight for company interests. In South Africa, this problem manifests itself through some mining and other companies which obtain contracts through uncompetitive bidding that is not transparent.

C. THE GRIEVANCE CAUSES

Violent uprising may be triggered by grievances as a result of perceived deprivation from establishing regions and social groups especially secessionism in resources producing regions. Grievances may be produces by the extraction processes either as a result of loss of land rights or environmental damage or forced migration, or perceptions that natural resource proceeds are unfairly distributed as is the case with Niger Delta. [Ekenedirichukwu, 2011:63]. This Chapter therefore assets that the demands submitted to Nigeria 's President Buhari in 2016 by the Niger Delta host community for Niger Delta to be declared a Republic and for control of their resources , have been triggered by grievances as a result of perceived deprivation. Furthermore, with respect to Marikana, the South African North-West Provincial Government has, after noting the continued deprivation from the rich mining natural resources the province is in the process of passing the Provincial Economic Policy called VTSD, meaning Villages, Townships and Small Dorpies[towns] Policy which will ensure that host communities in the Province maximally benefit from the natural resources in the Province, and to ensure that the tenders issued by the province maximally benefit the North West Host Communities.

D .FINANCIAL CAUSES

The study argues that rebel finances are derived from natural resources and Niger Delta can be used as an example where rebels fight for control of oil wells in order to finance themselves. Natural resources can be used to provide finances for rebellion by raising funds in advance to increase the prospects of success. (Humphreys, 2005: 508-537).

E.THE WEAK STATES CAUSES

The study asserts that in natural-resource-dependent economies the quality of state institutions is being reduced by resource abundance and exarcebates internal conflict. If Governments do not depend on their Citizens for tax then citizens will not be able to hold their governments accountable. If citizens are not taxed by their governments, citizens will be deprived of government information; there will be weak government monitoring mechanisms, and few or less power to withdraw support from Government. The resource curse theory is premised on the fact that where governments rely mostly on natural resources than on citizens' tax, such governments will have weak structures because they do not need stronger Revenue Services to raise revenue [Humphreys, 2005: 508-537). The study argues that in both Nigeria and South Africa, the national governments rely mostly on mining companies' taxes than on citizens' taxes.

This exacerbated conflicts and resulted in weak State Departments of Minerals and Energy which may not able to impose penalties on defaulting mining companies. This is the main reason why the Economic Freedom Front was formed which is calling for nationalization of mines, the aim being to tighten controls around mines as the South African Freedom charter dictates.

(f) THE SPARSE NETWORKS CAUSES

There are low internal trade levels are linked to weak manufacturing sectors in natural-resource-dependent economies because of trade being associated with relationship and cohesiveness among people. [Ekenedirichukwu, 2011:63]

Ekenedirichukwu, [2011:63] therefore argues that these theoretical explanations demonstrate an existing connection between natural resources and violence in host communities. Therefore the research study uses these theories to prove the conflicts in both Niger Delta and Marikana is caused by their Governments lack of adequate mining governance policies and compliance monitoring mechanism. The study therefore attributes the growing unemployment in both Marikana and Niger Delta to the countries' extracted raw materials which are exported outside of their respective countries for manufacturing of goods. The study asserts that countries should promulgate legislation that will force companies to establish manufacturing plants in countries where they extract minerals as part of job creation programmes.

3.4. THE MANAGEMENT OF THE NATURAL RESOURCES AND CONFLICTS

The research study takes cue from the Resource Theory and Ekenedirichukwu [2011:64-65] both asserting that the management of the natural resources wealth is taken by the central governments in countries rich with natural resources and gives Nigeria' Niger Delta and South Africa's Marikana are good examples. The central governments control these national resources and issue mining licenses in exchange for profit shares and joint ventures with mining companies.

The study concurs with the resource theory and the works of Onigbinde (2008) and asserts that poor management of resources is responsible for natural resources conflicts and especially in the Niger Delta and Marikana debacles. Unimaginable wealth was amassed from the proceeds by repressive and corrupt mining companies and governments and this led to the marginalization host communities seeking to redress these. It is illustrated by Onigbinde [2008] that in the 1950s the Nigerian Government signed a 50-50 joint venture agreement with Shell, notwithstanding the injustice of the resource host communities not benefitting anything, the government has declined to turn the situation around to after more than 50 years, but instead helped to trigger the Niger Delta conflict. Onigbinde (2008) shows that government was on the side of the MNCs from whom it collects taxes over the past five decades and shut out oil resource communities who felt alienated.

The study argues that with respect to South Africa, there have been no serious attempts by Government to enforce the provisions of the Freedom Charter and Government failed to monitor its 2010 mining charter which emphasized the achievement of a target of 26 per cent black ownership of the country's mining assets by 2014, and which required companies to provide housing for all. [Twala, 2012:62-63]

In line with the resource curse theory, the study asserts that oil-related rents, namely, taxes, royalties, export earnings, joint venture investments interests, etc.) are generating huge revenues for Nigeria and South Africa's economies. Government 'Elite factions with huge interests in natural resources revenue dominate all levels of government and company boards and these advance a culture of lawlessness and predatory accumulation as confirmed by Omeje (2007: 46].

In addition, the study points out, using the resource curse theory that small levels of domestic savings and problematic fiscal policies are exhibited by resource rich countries like South Africa and Nigeria wherein there is wastage of rent in financing ordinary governmental expenses. The study argues that the mining natural resources wealth from both the Niger Delta and Marikana were either taken abroad or largely used for developing the country, while the host communities were neglected and underdeveloped, in agreement with Postali (2009: 208].

3.5. NIGER DELTA: CASE STUDY

Ojakorotu (2008:92-116] highlights that Nigeria is beknown as richly endowed with the natural resources in Africa in which national development opportunities are provided. Nigeria's profitability and enormity of natural resources and political tranquility were fundamental to political stability and economic prosperity during the 1960s when Nigeria gained its independence. Ojakorotu [2008:92] points out that the hopes for a prosperous and peaceful Nigeria were blurred by the political crisis during the early 1960s, a subsequent civil war that ensued from 1967 to 1970, the ethnic clashes coupled with military dictatorship and the natural resources conflict of Niger Delta. Horrendous dimensions were assumed by Niger Delta's natural resource violence as the militant youth and social movements emerged which challenged attitudes, policies and operations of the mining companies in Niger Delta. Ojakorotu [2008:92] illuminates that the Niger Delta host community frustrations caused by negligence and ecology's destruction by the extracting companies and the Nigerian government.

Ojakorotu [2008:93] shows a wide array of fundamental issues on which struggles of Niger Delta resource producing communities were based. First is the host communities' exclusion or marginalization of the host communities by the state and oil producing companies from accessing natural resources wealth or revenue. The second cause of Niger Delta's natural resources conflict is the struggle for resource control between host communities, the state and oil mining companies, degradation of environment, and gross human rights violation. Ojakorotu goes on and highlights that the Niger Delta 'conflict was brought into the international arena by the late Ken Saro Wiwa's struggle and systematic publicity and as a result the involvement of international organizations such as the Green Peace Movement, Amnesty International, the Un-represented Nations and People's Organization (UNPO) the Rainforest Action Group and the United Nations.

Ikelegbe [2011:437] also adds that the Niger Delta is central to Nigeria's political economy and that Niger Delta is the main source of oil revenue which accounts up to about 96 percent of Nigeria's foreign revenue and which again accounts for about 85 percent of the state revenue.

Notwithstanding, Niger Delta is amongst the poorest and underdeveloped, is least developed and gets little share for its contribution to the national revenue.

According to Abegunde [2014:31] since the beginning of exploration of Oil in Nigeria there has always been a lack of adequate mining policy framework and this flaw coupled with the influx of the mining companies into Niger Delta, the mining companies' lobbyist tendencies, government officials and resource producing community leaders, all these created a strong basis for the natural resources conflict in the Niger Delta.

Abegunde [2014:32] illuminates that after Niger Delta was declared a republic in 1966, the natural resources violence was started with the campaign of autonomy, self determination and control of Niger Delta natural resources by Jasper Isaac Adaka Boro, an Ijaw nationalist. .Boro, Samuel Owonaru and comrade Nottingham Private established the NDVF and established a military camp at Taylor Creek. Subsequently and on 23 February 1966 a police station in Yenagoa was attacked and raided by the NDVF which also blew pipelines, kidnapped police officers. The armoury was raided and the independent of Niger Delta republic was announced. However their action was suppressed by a federal troop in a swift response. The action by the NDVF and the Nigerian Government response conscientized the Niger Delta resource Producing communities that Niger Delta host communities were in fact being marginalized, deprived from controlling their natural resources, oppressed, and victimized. [Abegunde, 2014:32].

Ken Saro-Wiwa's publications, the murder and hanging of Ogoni people and subsequent Ken Saro-Wiwa's execution in 1995 have all internationalized the natural resources crisis in Niger Delta. Success was achieved by Ken Saro-Wiwa because he stimulated vigorous international debates on the issues at the core of the Niger Delta Crisis and brought this matter in the international arena and subsequently there were interventions from international organizations. This was followed by the 1998 Kaiama Declaration which resolved that all mining companies vacate Niger Delta by December 1998. [Abegunde, 2014:32]. The 1998 Kaiama Declaration accelerated radical demands by host communities and ensuing military responses by the State against youth protests that followed (Ibaba and Ikelegbe, 2010: 226)

MEND later added a new element which included, sea piracy, illegal bunkering, militancy, vessels hijacking, kidnapping and taking oil mineworkers hostage. Around 2006 300 foreign oil workers were kidnapped and the Niger Delta Natural Resources Crisis assumed huge dimensions of kidnapping. [Abegunde, 2014:32].

According to Ojakorotu (2009:3) criminal acts increased including storming of banks and hostage taking for money during the conflict and questions were asked why the problem is seemingly amplified. (Dike, 2001:3]. Obi and Siri Aas Rustad [2011:8], adds that on 15 March 2010 there were two car bombs in Niger Delta near the regional governor offices in the oil city of Warri.

Obi and Rustad [2011:8] explain that in spite of the acceptance of an amnesty programme announced in June 2009 by President Umaru Yar'Adua and the conclusion of a disarmament process, other factions which felt that the amnesty and the post-amnesty process did not address the root causes of the Niger Delta conflict were willing to continue using violence to press home their demands. It is highlighted by Cyril Obi and Siri Aas Rustad [2011:8] that a high-level post-amnesty conference was disrupted and the bombings once more continued and demonstrated the deep-seated nature of the conflict.

The Natural Resources Crisis and developments are summed by Abegunde [, 2014:33] as follows:-

a. Niger Delta experienced civil agitation for special development attention between 1950 and 1965
b. From 23 February to 06 March 1966 Niger Delta experienced militant milicia insurgence of Adaka Boro
c. From 1970 to 1982 the Niger Delta host communities agitated against oil companies again.
d. From 1983 to 1990 the Niger Delta oil producing communities 'agitations by the oil-bearing against mining companies caused violent conflict as oil companies failed to pay host communities adequate compensation for damages and for failure to implement their corporate social responsibilities.

e. There were peaceful demonstrations from 1990 to 1996 and from 1997 to 2009 there were violent conflicts by Host Communities and Government as peaceful demonstrations were not yielding the expected results. Natural resources violent conflict was thus necessitated by injustices perpetrated by Government and by mining companies against oil producing host communities [Abegunde, 2014:33].

3.5.1 PEACEFUL METHODS USED BY THE NIGER DELTA HOST COMMUNITIES TO ADDRESS SOCIAL, ECONOMIC AND POLITICAL CONCERNS

Owugah [1999:5-8] illuminates on the peaceful methods which the Niger Delta Host community used to try to address their concerns and social, economic and political problems, which were answered by Nigerian Government repression as follows:-

a. Between early and middle 80's,in the first phase, the host communities in Niger Delta took legal action against oil companies and demanded compensation for damages to their property.

b. In the second stage there were peaceful sit-in strikes of flow-stations and demonstrations to compel the oil companies to pay compensation, or that alternatively, companies to provide certain amenities and to employ the resource host communities indigenes or local people in the Niger Delta region. Instead of resolving these problems amicably the Military and the Police were used who dealt harshly with the situation thus resulting in the destruction of lives and property.

c. In the third stage from 1990's to 1998, an aggressive strategy was adopted by the Niger Delta host communities and they forcefully occupied and shut down flow stations, kidnapped mineworkers, seized tug boats and other vessels belonging to the oil companies.

d. The fourth stage is the demand for the resources and control of ownership, according to Owugah[1999:5-8]

Obi and Rustad [2011:6-7] further explain several developments in Nigeria during and after the Nigerian Civil war which subsequently agitated for the minority rights in Niger Delta

This study agrees with Afinotan and Ojakorotu [2009:191] who argue for the amicable resolution of the Niger Delta natural resources conflict in spite of the deterioration of the crisis into anarchy, terror and a revolving criminality, militarization of the region by the Nigerian Government. In support of Afinotan and Ojakorotu this study recommends the commitment of Government and oil mining companies to corporate social responsibility and infrastructural development of the Niger Delta to as steps that can bring enduring peace and stability. Afinotan and Ojakorotu [2009:191] lament the fact that due to the marginalization of Niger Delta resource producing communities, has caused gang wars, kidnapping, insurgency, hostage taking, crude oil theft sabotage of oil pipes, anarchy in Niger Delta. The research study supports Afinotan and Ojakorotu [2009:191] who assert that there can be enduring peace and stability on condition that the Governments focuses on infrastructural development and the corporate social responsibility of the region.

Ibaba [2008] highlights that the Nigerian Government used repression methods to all these peaceful demands by the Niger Delta oil producing communities. However the government was unable to effectively deal with rebel criminal and militancy in the Niger Delta is because of its privatization and its two way dilemma, as follows:-

a. Firstly the Nigerian Government is not neutral but has been active stakeholder with interests in the Niger Delta Conflict, and therefore could not arbitrate

b. Secondly, the Government officials were corrupt which fuelled the ongoing conflict

c. Resource producing Host communities hold the government in contempt due to corruption, stealing government monies, and election rigging and neglect of development [ibid].

The study asserts in line with the resource curse theory that the causes of problem of Nigeria is that it has all along been captured by ruthless military dictators; corrupt government officials, host communities' leaders, greedy oil mining companies, religious leaders, and influential foreigners. This clique of untouchable multi-millionaires and billionaires elite committed lootocracy which guaranteed its beneficiaries fast and easy returns. 99 % of the country's wealth has been in the hands of the minority [Ken Wiwa, 2000: 14].

MOSOP) was in 1990 founded by Ken Saro-Wiwa and mobilized the Ogoni People to fight for natural resources and marginalization from the natural resources revenue by the Shell Oil Company, and the authoritarian Nigerian government. Ken Saro Wiwa established a non-violent, grass roots organization, but MOSOP caught the popular acceptance and 300,000 of the Ogoni People supported the aims and ideals of the movement on January 04, 1993. Subsequently on May 21, 1994, four Chiefs and Ken Wiwa's uncle were brutally murdered during a riot in Ogoni and Ken Saro-Wiwa was arrested at his home in Port Harcourt. Hundreds of MOSOP activists were raided and many fled underground and went into exile. Ken Saro- Wiwa was detained without trial for nine months. On October 31, 1995, the presiding judge Chief Justice Ibrahim Auta sentenced Ken Saro -Wiwa and eight other Ogoni men to death and they were subsequently hanged (Ken Wiwa 2000: 17).

3.5.2. THE LEGAL DIMENSION OF NIGER DELTA CRISIS

Utuama [2009:22-54] illuminates how Nigeria' legal framework has caused the natural resource problem over a period of forty years through the nationalization of the gas and oil mineral resources to the disadvantage of the Niger Delta oil producing host communities. The laws of Nigeria darkened Niger Delta host communities 'hopes of a better life that were arisen by the discovery of oil in the Niger Delta and the laws were used for expropriation and evictions from own land as was the case with regard to the South Africa Group Area Act 1953 used to evict host communities from their land resources. The oil revenue management and distribution was the sole competence of the Nigerian Federal Government which nationalized all the entire minerals.

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3.5.3. CORRUPTION AND NATURAL RESOURCE VIOLENCE

The study has found in Najibo and Umukoro [2009: 23]'s works that the meaningful development of Niger Delta including the whole Nigeria was hampered by violence and corruption .Firstly, public funds were not used fruitfully by government leaders and host community leaders who, under the guise of community development, enrich themselves. The money intended for development projects and social infrastructure is being reduced by corruption. Militant groups in Niger Delta have since 1999 took many oil company workers hostage and some were killed. The oil companies then appointed community liaison committees and community liaison officers and deposited huge financial resources amounts for community development, but such financial resources were hijacked by greedy community leaders [Najibo and Umukoro, 2009: 23].

Corruption is defined by Najibo and Umukoro [2009: 27] as the violation of public trust to advance personal gain by stealing. Fraud, Bribery and other related offences constitute corruption. A corruption free society and government encourage investment, growth, and development. It is highlighted by Najibo and Umukoro [2009: 28] that Nigeria is ranked amongst the highly corrupt countries of the world, where financial gain derived from corruption is called "awuf". The study therefore asserts that due to corruption and greed causes the Nigerians including Niger Delta communities lived in abject poverty whilst their huge oil revenues were generated and Nigeria suffered from lack of basic infrastructure.

3.5.4. THE 1999 NIGERIAN DEMOCRACY, SQUANDERING OF HOPES AND THE RISING TENSIONS IN THE NIGER DELTA.

The study has noted that hopes for the resolutions of the Niger Delta crisis were raised by the Nigerian democracy attained in 1999 through democratic elections. Obasanjo promised to fully resolve the Niger Delta s problems as he visited Niger Delta in 1999. Obasanjo then established the Niger Delta Development Corporation in 2000 to look and take charge of the problems Omotola 2006: 18-19. The literature review shows that since the 1999 democracy two major opportunities emerged to fundamentally address the problems of the Niger Delta but that such opportunities were wasted [Omotola 2006: 18-19].

Firstly President Obasanjo set up the Oputa Panel which examined cases of human rights abuses and to promote healing and reconciliation in Nigeria. The Oputa Panel Process suffered a blow when the father of Ken Saro Wiwa Pa Jim Beeson Wiwa, objected to appear before the Oputa Panel, due to the Nigerian t government having not released the corpse of Ken Saro Wiwa and other Ogoni hanged with him long before setting up the Oputa Panel [Omotola 2006: 20]. Sadly, it took four years for the Nigerian Government to release the corpse of Ken Saro Wiwa to his fami ly [Omotola 2006: 20].

Between March and August 2005 the NPRC was convened for the purposes of addressing the national questions in Nigeria amongst including the Niger Delta and which is one of the prominent issues. The Niger Delta delegates demanded a 50% derivation subject to an upward annual review after five years. The other regions did not agree to any proposal more than 17-19%. The Niger Delta delegates staged a walk out because they viewed the rejection of their proposal as a grave injustice [Omotola 2006: 21].

The study has found that the Nigeria Government continued to file the litigation against the Niger Delta oil producing host communities in the wake of mounting agitation for resource control. The Court ruled in favor of the Nigerian government and the Niger Delta people interpreted this court ruling as a betrayal on the part of the President. Secondly Asari Dokubo of the Niger Delta PVE was arrested and Govenor Diepreye Alamieseigha of Bayelsa State in Niger delta was impeached [Omotola 2006: 22].

The study found that the squandering of these opportunities, high levels of poverty and poor living conditions of resource producing communities then caused these new forms and characters of violence in Niger Delta. In the 21 Century Niger Delta became more militarized than before with hostage talking, growing oil bunkering being unprecedented [Omotola 2006:21- 22].

3.5.5 THE POSSIBILITIES OF CONFLICT RESOLUTION AND PEACEFUL CHANGE IN NIGER DELTA

The study has found that there are possibilities for conflict resolution and positive change in the Niger Delta region but this will depend on factors within the control of the parties to this conflict, as illuminated by Afinotan and Ojakorotu [2009:197] and these are elucidated as follows:-

a) Firstly it is pointed by Afinotan and Ojakorotu [2009:197] that that the Niger Delta struggle has not yet reached a level wherein host communities are involved in armed struggle against Government; that militants are comparably few who they exploit the crisis for private gains.

b) Secondly, dialogue and negotiations is mostly preferred conflict resolution methods by the many ethnic groupings in Niger Delta resource producing communities, and this preference gives more rooms for negotiation and peaceful resolution of conflict according to Afinotan and Ojakorotu [2009:197].

c) Thirdly the Nigerian government proposal to create a federal Niger Delta ministry to cater exclusively Niger Delta Host communities was received with an open mind

d) Fourthly, indications are that the doctrine of Corporate Social Responsibility is recently being embraced by oil companies in the region and they are more positively involved with host communities in their areas of operation.

e) Fifthly, on Friday the 21st of November 2008, a South-South Governors forum met in Yenagoa, and resolved to collectively respond to challenges of the criminal cult gangs operating in Niger Delta.

f) Sixthly, the Nigerian government began to address gas flaring problems and plans for job creation in some parts of Niger Delta.

The constitution sets the minimum 13% to the oil producing states and therefore constitutional amendments are not required to review the formula upwards to the 50% being demanded Niger Delta. [Afinotan and Ojakorotu, 2009:197].

3.5.6. THE NIGERIAN GOVERNMENT S EFFORTS TO ADDRESS CONFLICTS IN THE NIGER DELTA

The study has found that Obasanjo's Government has attempted to establish the NDDC to replace OMPADEC but this did not change the exploitation situation according to IPM [2017]. According to Ajodo-Adebanjoko [2017] the Nigerian Government introduced an amnesty programme under former President Musa Yar'adua and his deputy, Goodluck Jonathan. It was required by the amnesty deal that repentant rebels surrender their arms in return for unconditional pardon. About 26,808 militants surrendered arms and were granted amnesty and were integrated into society. However the amnesty was shortlived and new militant groups emerged in 2016. Ajodo-Adebanjoko [2017] explains that militant groups continued with abduction of oil workers and bombings. These new groups have continued from where the former militant groups left off with renewed bombing of oil installations and abduction of oil workers. There were subsequent loss of several lives and insecurity has been the order of the day in Niger Delta. The study noted that in response the Nigerian Government returned fire for fire.

The study also found that Ajodo-Adebanjoko[2017] assesses the Nigerian Government's new approach for tackling new violent conflict in Niger Delta and Ajodo-Adebanjoko proposes a Collective Non-violent Conflict Management approach which includes an international mediator, parties to the conflict, local and foreign negotiators, in an attempt to reach a permanent solution to the conflict, due to many past strategies (violent and non-violent) adopted having failed to achieved the purpose.

Ajodo-Adebanjoko[2017; 16-19]] 's works shows the past attempts by the Nigerian Government to address natural resources conflicts in Niger Delta. The Government of Nigeria has established the Willink Commission in 1957 to end the natural resources conflict in Niger Delta. The neglect of Niger Delta was acknowledged by Willink Commission which then recommended the formation of the Niger Delta Development Board [NDDB]. This board's headquarters were established in Lagos far from Niger Delta and therefore could not achieve its purpose. This was the same with the Federation Account which operated from 1992 to 1999. The OMPADEC also failed to achieve its mandate due to lack of transparency, excessive political interference, corruption. In 1995 the Niger Delta Environmental Survey was established and was followed by the Niger Delta Development Commission in 2000 by President Olusegun Obasanjo. The Nigerian Government also established a Task Force on Pipeline Vandalization around 2000 which was operated by the Nigeria Police Force in collaboration with the Niger Delta Development Commission. The State Security Service (SSS) army and navy also established task forces. In 2001 the Nigerian Government banned the militant groups accused for disruption of oil activities in Niger Delta. The first Niger Delta peace conference was convened in Abuja in 2007, a Joint Task Force (JTF) in 2008, and a Technical Committee made up of stakeholders and the Niger Delta ministry in 2008. [Ajodo-Adebanjoko, 2017; 16-19].

The study noted that President Umar Musa Yar'Adua around 25 May 2009 introduced an amnesty programme towards brining permanent peace, security, stability and development to the region. After a period of five years of introduction of amnesty new militant groups emerged in Nigeria such as the Niger Delta Avengers (NDA), Joint Niger Delta Liberation Force (JNDLF), the Niger Delta Red Squad (NDRS), the AdakaBoro Avengers (ABA) and the Niger Delta Greenland Justice Mandate (NDGJM). About 3000 military personnel was deployed by the Government of Nigeria and another 10 000 more by the year 2017 in addition to launching Operation Crocodile Smile aimed at restoring peace to the Niger Delta. The Government of Nigeria also proposed a $10 billion (N4 trillion) for infrastructural rehabilitation investment programme for Niger Delta but this was rejected by Niger Delta HOST communities on the basis that there was no prior consultation with them [Ajodo-Adebanjoko, 2017; 16-19].

3.5.7 SOLUTIONS PROPOSED BY NIGER DELTA HOST COMMUNITIES TO PRESIDENT BUHARI

The study has noted that the Niger Delta host communities have under their umbrella Niger Delta Peoples Congress (NDPC) during negotiations and dialogue with President Buhari at their meeting in November 2016 submitted fresh demands and solutions to President Buhari and gave peace a chance [NAIJ ,2016] as follows:-

A.FISCAL FEDERALISM AND POLITICALRECONSTRUCTION

The Niger Delta host communities demanded true federalism and that there be sharing of powers between the Federal Government and Niger Delta , and that constituent regions be given rights to manage and control their natural resources, and that that constituent regions be allowed to pay agreed tax to the federal government.

A. PEACE BUILDING AND DEMILITARIZATION

The Niger Delta host communities demanded the following from the Nigerian Government {[NAIJ, 2016:3]:-

a. That any continued invasion by Federal Government to Niger Delta of under any guise be stopped.
b. That all freedom fighters be unconditionally released.

c. That mining companies relocate their headquarters to and be based in Niger Delta where they do mining extractions.

d. That mining companies create at least of 6,000 jobs for the unemployed and restive youths of Niger Delta host communities where the companies are doing business.

e. That the Maritime University be reopened and that similar institutions be established in other parts of Niger Delta.

B. FUNDING INTERVENTIONIST AGENCIES

The Niger Delta host communities demanded the erection of additional refineries in Niger Delta (modular type), and the payment of 800 billion Naira outstanding allocations owed to Niger Delta [NAIJ, 2016:3].

C. PROTECTION OF HUMAN AND ENVIRONMENTAL RIGHTS

The Niger Delta host communities demanded [NAIJ, 2016:3-4]

a. That laws on mining Environmental Health and Safety laws, Gas flaring, prevention be strengthened and that stiff penalties be imposed to defaulters

b. The drastic reduction of environmental degradation, and threat of life caused by mining companies

c. The comprehensive remediation and clean up of the Niger Delta environment affected by oil spill;

d. That medical facilities be provided and that people who are suffering from ailments associated with oil and gas associated activities be given attention.

e. immediate implementation of all laws stopping in the region

f. establishment of Internally Displaced Persons camps for the re-settlement of displaced persons at Bakassi, Gbaramatu.

The Niger Delta community leaders threatened to pull out of the peace talks with the Nigerian Government by November 1, 2017 if their demands were not met. On November 1, 2016 the attacks were halted by these to give negotiations a chance. [Onuah, 2017:1]

3.6. MARIKANA- CASE STUDY

3.6.1. BACKGROUND TO THE VIOLENCE IN MARIKANA

Abegunde [2014:27-36] highlights that there has been agitation over the years for improving living and working conditions in the South African mining sector and Marikana is one of these. It is highlighted by Abegunde that this agitation about natural resources mismanagement caused the formation of the alternative AMCU, founded by Joseph Mathunjwa the erstwhile Chairperson of the National union of mineworkers Branch in Mpumalanga at the Douglas Colliery. The first conflict between Lonmin and AMCU was in May 2011 at Karee's mine over an internal incongruities which caused a production stoppage at the mine and the death of three people. Most of the mine workers have after resumption of work, resigned from NUM and joined AMCU and NUM's dominating position was thus challenged and this led to the August 2012 confrontation, according to Abegunde [2014:33].

On 16 August 2102 about 34 striking miners were killed by the South African Police Service at Marikana. Adelman[2015:243-262] outlines the context of the Marikana massacre , the approach of the police in handling the natural resource conflict , and findings regarding the applicability of the rule of law and governance in post-apartheid South Africa. It was concluded by the Marikana Commission of Inquiry that these killings were not justified; that the police had engaged in a cover up, that Police violence and a lack of government accountability turned the logic of the rule of law on its head.

The Marikana Massacre began when miners defied their employers, their unions and the law, walked away from their posts and demanded better treatment due to dangerous mining conditions, rising inequalities, insufficient living wages. On Wednesday 08 August 2012 the mass meeting of Lonmin's rock-drill operators [RDO's] demanded a significant salary increase, however the strike was not supported by NUM leaders in attendance. Then on 10 August 2012 the mineworkers presented a memorandum of demands to the offices of Lonmin, but management refused to talk to peaceful marchers and referred them back to NUM leadership. On 11 August 2012 the rock drillers marched to the NUM Wonderkop's main offices where a memorandum was presented which requested NUM to represent rock drillers in their R12, 500 minimum wage for all miners. It is highlighted by Abegunde [2014:33] that when the striking workers were approaching the NUM office, NUM office began shot at the protesting strikers wherein two of the strikers died (Sacks, 2012); that subsequent hereto conflict escalated and the death toll continued to increase until 16 August 2012 date of mass massacre.

Chita Twala [2012: 61-67] also gives a historical account for causes and the results of the 16 August 2012 Marikana Massacre and the role played by the labour unions, ANC) and the mine owners in the mining sector.

The study found in Chita Twala [2012:61]'s works that in 2009 mining contributed 10% to the country's GDP indirectly, and 8.8 per cent directly to the country's GDP. Mining created 10.5 billion rand in corporate tax revenue. Secondly, it is highlighted by Twala in the pre-1994 era, access to the mineral resources was interlinked to ownership of land and that Marikana labor unrest and violence is linked to unequal distribution of the natural resources wealth or revenue.

Botiveau highlights that the natural resource conflict over sharing of resources wealth dates back to May 2011 when 9,000 employees were sacked for participating in an unprotected strike at the Marikana's Karee section, in opposition to the suspension of their branch chairperson Most of these workers belonged to the National Union of Mineworkers. Miners forfeited their union membership as a result of the dismissal that happened. This resulted in the National Union of Mine Workers falling under 50+1. The National Union of Mine Workers [NUM] had to re-sign its members with an aim of regaining and maintaining its dominant position in bargaining with the Mining Company and to counteract the challenge of AMCU. In 2012, AMCU had established a local branch in Marikana made up of former leaders of NUM [Botiveau 2014:129].

3.6.2. THE CAUSES OF VIOLENCE IN MARIKANA: MINERS' GRIEVANCES

The study found that Lonmin mining company lobbied Government not to treat the mineworkers' actions as an industrial dispute but as criminal, thereby agitating for a police response. It has been found that logistical support for the police was provided by Lonmin, including its Joint Operations Centre, security cameras, food, accommodation and transport for police. Lonmin donated to the Police a helicopter used on the day, money for ambulances and a detention center [Alexander, 2014:3].

In addition the study found that the Marikana Strike and Massacre was followed by a sequence of dramatic unprotected, stoppages and militancy that spread across the mining industry in the Republic Of South Africa. Militant strikes spread beyond mining from September 2012, to the car industry, a violent truckers' strike and to the farming areas of the Western Cape [Alexander, 2014: 3-5].

A. THE CAUSES OF VIOLENCE BY THE MINING INDUSTRY

The study found that fabulous natural resource wealth has since 1994 been generated by the Marikana mine. However these resource wealth or revenue were not shared with workers or host communities but with Government and this resulted in poverty for resource producing workers and communities. Out of the 180,000 of the mining workforce, 82,000 were employed through labor brokers and this has fuelled frustrations amongst workers, according to Twala [2012:62].

In the case of Lonmin Mining Company, and many other South African companies, the fixed capital is generated locally from employees work rather than from oversees. Further, much of the 'cash retained' is of no benefit to local economic development as it is moved off-shore, and Salaries and other workers' benefits totalled US$796 m. Alexander argues that Lonmin's average monthly sales were higher than the previous year; and, because platinum is sold in dollars and the rand has fallen about a fifth against the dollar, rand income will be up about 20% per ounce. Alexander [2014:3].

The study therefore found that mineworkers ' substantial pay rises could be accommodated by Lonmin including other platinum companies despite claims to the contrary, as these are among the most profitable in the world. The national profit income increased from 40% to 45% between the end of apartheid and 2009. However, workers share declined from 50% to just over 45%. It is further illuminated that most workers received almost no increase in real pay. [Alexander, 2014:3].

Alexander [2014:3] points that the 2011 Statistics South Africa's Household Survey showed that R3800 has been the wage for permanent mining workers since 1997 and after fifteen years. Meanwhile, workers 'costs were drastically increased due to unemployment levels increased significantly, adding to workers' costs. Therefore the study asserts that the South African Government did very little to improve the workers' rights.

B. THE INEFFECTIVENESS OF GOVERNMENT IN IMPLEMENTING THE MINING CHARTER

The study found that there has been no serious attempts by Government to enforce and monitor its 2010 mining charter which emphasized on a target of 26 per cent black ownership of the country's mining assets be achieved by 2014, and which mandated -companies to provide housing for mine workers, according to Twala [2012:62-63] .

C. THE TRADE UNIONS INEFFECTIVENESS TO HANDLE AND ADVANCE WORKERS 'GRIEVANCES

The Study has found [Twala, 2012:63] that in the post 1994 recognition was gained by the labour movements in the eyes of the law .Mineworkers esteemed labour movements as serving the workers of South Africa in ensuring that workers earned a living wage and in ensuring occupational health and safety. However the study found that mine workers became dissatisfied when NUM failed to defend and advance workers 'demands effectively in the mining bargaining chambers. Secondly, it was found by the study that if members raised discontent about the performance of leadership, such members were reportedly expelled from the union. There was no proper feedback and what exacerbated matters was that there was no feedback from meetings with the mining companies and the Union went on to unilaterally deduct *money* contributions for a funeral scheme from its members without their consent [Twala, 2012:63].

D. CRITICISMS AGAINST THE ANC AND THE STATE MACHINERY IN THEIR PERCEIVED FAILURE TO ADDRESS THE WORKERS PROBLEMS

The Study found that President Zuma and the African National Congress did not promptly deal with the dilemmas of the mine workers Miners. The Mineworkers accused the ANC Government of having responded to this natural resource concerns with military style or police intervention rather than forcing mining companies to a negotiating table with mine workers. The ANC government and the police were criticized for a manner in which they handled service delivery and labour issues [Twala, 2012:64-65].

Furthermore, it was found by the study that the Economic Freedom Fighters (EFF was born by the Marikana crisis. The EFF leader Julius Malema stated [Citizen,2017] in the interview with Capricorn FM that EFF was born by the Marikana crisis and highlighted that this is the precise reason why party MP's wear overalls to parliament – to show solidarity with the workers. EFF, following Malema's expulsion from the ANC in 2012. The study found that Malema had given up on a life in politics, though a part of him still hoped the ANC conference that same year would ensure his comeback in the ruling party. Julius Malema was requested by mineworkers following the Marikana massacre to form a new political party. The Economic Freedom Fighters 'stance on the mining natural resources and conflict is that nationalization of mines can bring a lasting solution; that South Africa's mining wealth has been drained through improper financial flows and profit shifting. The study also asserts that the South African Government's lack of commitment in promoting workers' rights have also led to the breakaway of NUMSA and other trade unions from COSATU and forming a new umbrella SAFTU that is not aligned to any political party.

3.7. THE ESTABLISHMENT OF THE MARIKANA COMMISSION

The President has by Proclamation No. 50 of 20121 Published in Government Gazette No. 35680 of 12 September 2012 appointed the Commission to investigate matters of public, national and international concern arising out of the tragic incidents at the Lonmin Mine in Marikana in the North West Province from Saturday 11th August to Thursday 16th August 2012.

3.7.1. FINDINGS OF THE MARIKANA COMMISSION REGARDING CAUSES OF NATURAL RESOURCES VIOLENT CONFLICT

The summary findings and recommendations can be found in the President speech. See **Release by President Jacob Zuma of the Report of the Judicial Commission of Inquiry into the events at the Marikana Mine in Rustenburg, Union Buildings, Pretoria** ***25 June 2015.*** The Farlam Commission was appointed by the South African President Jacob Zuma to investigate the Marikana and the Commission was Chaired by Retired Judge Ian Farlamn and assisted by Advocates PD Hemraj SC and BR Tokota SC.

FINDINGS AGAINST LONMIN

The study found that the Marikana Commission concluded that Lonmin did not resolve labour disputes that existed between itself and its workers and Lonmin did not implement its corporate Social and Labour plans as required. [Republic of South Africa, [2015].

FINDINGS AGAINST AMCU

The Study found that effective control was not exercised to ensure that AMCU supporters and members' actions were lawful and that the lives of others were not threatened. Provocative songs were sang by AMCU members and inflammatory remarks were made thereby aggravating an already volatile situation. It was noted by the Commission that notwithstanding, AMCU President pleaded with workers to leave the kopje and to lay down their arms. [Republic of South Africa, 2015].

FINDINGS AGAINST NUM

It has been found by the Study [Republic of South Africa, 2015] that the Marikana Commission concluded that National Union of Mineworkers [NUM] did not plead with or cause Lonmin to speak to the workers.NUM did not resolve labour disputes that existed between itself and its workers and did not ensure that Lonmin d implement its corporate Social and Labour plans to workers as required by mining laws. The study further found that the rock drill operators were wrongly advised by NUM that negotiations are not possible with Lonmin until end of the 2 year wage strike. Commission found that effective control was not exercised to ensure that NUM supporters and members' actions were lawful and that the lives of others were not threatened [Republic of South Africa, 2015].

RECOMMENDATIONS BY THE FARLAM COMMISSION

The Study found that the Commission recommended that the South African Mineral Resources Department should take appropriate steps in monitoring Lonmin's non-compliances to housing obligations and targets set under the Social and Labour Plans. . [Republic of South Africa, 2015].

Furthermore, the study found that the Commission has recommended an appointment of the Panel of Experts which must amend and revise all prescripts appropriate to Public Order Policing. The appointed Panel of Experts must investigate other best practices, methods and measures available for Public Order Policing. The Commission recommended that the SAPS be professionalized and be demilitarized and pointed that the SAPS component who use specialized equipment such as video equipment and water cannons be reviewed . [Republic of South Africa, 2015].

REFERRAL FOR FURTHER INVESTIGATION IN TERMS OF SECTION 24(1) OF THE NPA ACT

The study found that the Marikana Commission recommended that the Directorate of Public Prosecution conduct an investigation to ascertain to ascertaining criminal liability on the part of all members of the SAPS who were involved in the incidents at scene 1 and 2. The Commission further recommended the appointment of a team to be headed by a Senior State Advocate, together with expert ballistic and forensic pathologists practitioners and Senior Investigators from IPID and independent experts in the reconstruction of crime scenes, including any such further experts as may be necessary [Republic of South Africa, 2015].

REFERRAL FOR PROSECUTION The study found that the Marikana Commission also recommended that the Director of Public Prosecutions should investigate all assaults and killings which occurred between 11 and 15 August 2012 to determine whether there is a basis for prosecution . [Republic of South Africa, 2015].

3.8. NORTH WEST PROVINCIAL DEVELOPMENT PLAN ON MINING AND MINERALS

3.8.1. DEMOGRAPHICS OF THE HOST COMMUNITIES OF MARIKANA

According to Darkey Africa [2013] the provincial population of the North West Province where Marikana is situated, comprises of 3.5 million people and it is expected to increase to 3.9 or 4 million by 2030. Africa highlights that the North West population consist of 1.06 million households, which on average, wherein each household consist of 3.3 people. The youth dominates the population with more than 60% under the age of 34. The province has experienced a positive net migration in recent years and more importantly by migrants from Lesotho, Malawi, Botswana, Mozambique and other neighboring countries who came to work on the platinum belt in the North West Province[Africa, 2013: xvii].

3.8.2 HOST COMMUNITY EXPECTATIONS ONECONOMIC DEVELOPMENT, MINING AND MINERALS

It is highlighted by Africa [2013: xviii} that agriculture and the mining sectors are the two main economic sectors in the North West with a comparative advantage (in relation to the rest of South-Africa) as these. Industries often include services such as retail, trade, personal services and transport, and they have potential to encourage or drive growth and or for their ability to create employment. In the North-West Provincial Development Plan 2013, highlights on the Provincial Expectations of the Mining Sector [Africa, 2013: xviii} as follows:-

a. That mining to create 55 000 additional jobs by 2030 in order to sustain 218 000 direct jobs which will represent 13.9 per cent of the total provincial employment.
b. That an average growth rate of 2.5 per cent must be maintained by Mining between now and 2030.

c. The sectoral Gross Value Added (GVA) contribution of mining will be reduced from 37.7 per cent in 2010 to 21.6 per cent in 2030 against this growth rate.

d. Beneficiation of host communities should be promoted in all the mining activities of the North West Province.

e. Focused research should be encouraged and supported by mining sector to enable improved extraction methods, better energy and water efficiency, and better use of metals/minerals in new energy systems and machinery.

f. Mining Houses are expected to improve the Social and Labour (SLP) process of delivering human resource and economic development in host communities, by defining the roles of stakeholders more clearly.

3.8.3 NORTH WEST PROVINCIAL GOVERNMENT CONTRIBUTION OF 460 MILLION FOR HOUSING IN MARIKANA

In his 2014 State of the Province Adress by the South African North West Province Premier Supra Obakeng Ramoeletsi Mahumapelo[2014:1-9] highlighted that over R460 million was set aside for Marikana housing projects by the South African North West Provincial Government.

In his 2014 State of the Nation address an undertaking was made by President Zuma that the South African government fast-track the implementation of the Framework Agreement for a Sustainable Mining Industry concluded on by government labour, business last year. President Zuma undertook that he would personally monitor the of mining towns, with a focus on the mining areas of Matlosana, Emalahleni, Sekhukhune, Lephalale, West Rand and Matjhabeng [Mahumapelo, 2014:1-9].

3.9. THE AFRICAN NATIONAL CONGRESS DISCUSSION DOCUMENTS: NATIONAL POLICY CONFERENCE, 2017 ON MINING AND BENEFICIATION

Mr Jeff Radebe [2017] delivered a presentation for discussions at the 2017 African National Congress Conference, which amongst others illuminates on mining and beneficiation in South Africa. In the discussion document the ANC acknowledges that the social, political and economic situations under which the ANC operates in South Africa have changed, thus necessitating renewal of operational machinery and capacity to change and to suit the new conditions. Radebe is explicit on challenges and dangers that are faced by the ANC and gives a clear picture of underised consequences if such challenges are not attended to.

3.9.1. FREEDOM CHARTER POLICY ON MINERAL RIGHTS

Radebe [2017:44highlights the policy position of the Freedom Charter. It is provided by the Freedom Charter that the ownership the ownership of the minerals must be returned to the nation as a whole and states that in terms of the MPRDA the ownership of the minerals is vested in the state as custodian. The ANC Policy Document urges that the Government must take measures to change ownership and control of the Mining sector to ensure that the historically disadvantaged individuals are included.

3.9.2 MINING AND BENEFICIATION

According to Radebe [2017:44-46] the Freedom Charter provides that the minerals, the financial Banks and monopoly industry shall be transferred to the ownership of the nation as a whole. The presentation gives a situational analysis of current mining and beneficiation in South Africa as follows:-

a. Mineral Resources are still overwhelmingly owned by large white-owned companies and that majority black host communities to these mining operations do not benefit from mineral resources.
b. In South Africa a combined market capitalization of R2,6 trillion is made by the top 49 Listed Mining Companies and the Policy Document argues that the value of black empowered participation would have been R669 billion in 2014 if all the Top 49 Listed Mining Companies had 26% Historically Disadvantaged ownership as required in the Mining Charter-Radebe however indicates that to date black ownership in mining is R63.9 billion, which is only equivalent to 2.5% of the market capitalization of the top 49 JSE Mining Companies.
c. A combined shareholding in mining worth approximately R159 billion or 6% of value of Top 49 Companies is being held by the Pubic Investment Corporation (PIC).
d. Though mining licenses were granted to diverse stakeholders, Government continue to lack comprehensive data on the recipients of these mining licenses and thus failed to use the issuing of mining licensees as a tool for economic transformation and changing ownership.

3.9.3. SIGNIFICANT WEAKNESSES OF THE MINING CHARTER PRIOR TO 2017

Radebe [2014:47-48] further elucidates on the significant weaknesses of the Mining Charter as the following;-

a. The share of Government ownership has not been clear in the Charter which is characterized by absence of targets for communities and workers and absence of well defined numerical targets for most indicators.
b. The Charter did not have measurement system or scorecard with clear definitions for transformation.
c. The Charter did not have a system to monitor implementation on an annual basis, nor independent verification of B-BBEE contributions.
c. There was no effective intervention of the State to promote beneficiation including leveraging strategic mineral sectors to supply downstream industries.

e. The need to develop strong beneficiation strategies in the iron and steel, platinum and silica industries has been identified by Operation Phakisa has identified

3.9.4. POLICY DECISIONS TO PROMOTE MINING BENEFICIATION IN SOUTH AFRICA

In its June 2017 the ruling ANC has taken the following policy decisions to promote mining beneficiation [Radebe, 2017; 50]

a. Track companies who were granted and benefitted from mining licenses since 1994 and conduct a baseline audit of all mining licenses issued to date.
b. Transparency in the issuing of mining licenses and establishment of a monitoring and reporting system for mining licenses.
c. Support minerals beneficiation in the platinum and iron and steel sector through the utilization of IDC and the DFI's investments.
d. Support mining investment, transformation and beneficiation through implementation of the Operation Phakisa Delivery Lab initiatives.

3.10. THE RELEASE OF THE 2017 MINING CHARTER AND ITS IMPACT: MEASURES FOR RADICAL ECONOMIC TRANSFORMATION OF MINING SECTOR

The study noted that in his 2014 State of the Nation address an undertaking was made by President Zuma that the South African government would push for the implementation of the Framework Agreement for a Sustainable Mining Industry that was agreed on by labour, business and government last year. President Zuma undertook that he would take over this process himself, to ensure that the government implemented its undertaking, as part of the agreement, to build housing and other services to revitalise mining towns, with a focus on the mining areas of Motlosana, Emalahleni, Sekhukhune, Lephalale, West Rand and Matjhabeng .At the same time mining companies will be preassurized to meet their Mining Charter targets in order to improve the lives of mineworkers. Companies were urged to meet the 2014 deadline for the mining charter targets and extend this right to dignity to mine workers" [Mahumapelo, 2014:1-9].

Therefore the new South African Minister of Mineral Resources Mosebenzi Zwane has on the 15 June 2017 released the Mining Charter of 2017 [South African Government [2017]. According to Zwane, the 2017 new Mining Charter is a key instrument for radical change, designed to address many of the inequalities in the mining and minerals sector prior to 2002. Zwane categorically points that the MPRDA Section 100 tasks the Minister to establish, assess and where necessary, revise the framework and targets for the entry and ongoing previously disadvantaged South Africans'participation of into the sector and that this task that cannot be taken lightly and Zwane describes the 2017 Mining Charter, as an Instrument of Change: Giving Practical Expression to Radical Economic Transformation [South African Government [2017]:-

a. The 2017 Mining Charter has, on the element of ownership, increased the thresholds required for prospecting rights, mining rights and the transfer of rights, and ensured that workers and communities receives their fair share of the economic development of their country's mineral resources.
b. A new mining right requires a minimum of 50% plus 1 Black Person shareholding, which must include voting rights. A new mining right must have 30% Black Persons' shareholding, with the 30% shareholding to be allocated between employees, communities and entrepreneurs in a specific manner.
c. The Charter has incorporated measures aimed at addressing their concerns - most notable being the allocation of 8% shareholding to workers, and the separation of workers' shareholding from that of entrepreneurs.
d. Holders of mining rights are also required to submit a Housing and Living Condition Plan that caters for human dignity and privacy for workers.
e. The Charter further allocates an 8% shareholding to mine communities, to be held through a trust and further introduced the requirement to publish the SLPs.
f. A 14% shareholding to Black entrepreneurs evidences that this Instrument of Change is serious about new Black entrepreneurs. It is designed to encourage new Black shareholders in mining, according to Zwane.
g. The Charter seeks to reward those holders of mining rights who have contributed to transformation of the industry and provides that holders who have maintained a 30% black shareholding will not be required to restructure their shareholding.

h. The 30% ownership requirement also applies to holders who claim historical BEE transactions. A historical BEE transaction is recognised for the reporting period, but such holders are required to top up their shareholding to the minimum requirement of 30% black shareholding within 12 months of the Charter coming into force. It is required of a Holder who sells their mining assets to give black-owned companies a preferential option to purchase.

i. The improvements to beneficiation is provided for by the 2017 Charter. Although the maximum offsetting remains at 11%, the 2017 Charter provides clarity by setting out certain criteria for the qualification of the 11% offsetting.

j. The Charter requires 70% procurement of mining goods and 80% procurement of services from BEE entities. It also requires that analysis of 100% of mineral samples be done by South African based companies.

k. The Charter requires the holder of a mining right to pay 1% of its annual turnover to the 30% Black Persons' shareholding prior to, and over and above any distributions made by a Holder to its shareholders. This 1% payment is meant to ensure real economic value in the hands of Black Persons, but is always subject to the solvency and liquidity test as provided for in the Companies Act.

l. On Employment Equity, the Charter aims to ensure that black representation at the various levels of employment is representative of the demographics of the country, whilst ensuring harmonization with other industry Charters. The requirements are:-

i. At Board level, a minimum of 50% black representation, 25% of which must female black representation;
ii. At Executive/Top Management level, a minimum of 50% black representation, 25% of which must be female black representation;
iii. At Senior Management level, a minimum of 60% black representation, 30% of which must be female black representation;
iv. At Middle Management level, a minimum of 75% black representation, 38% of which must be female black representation; and
v. At Junior Management level, a minimum of 88% black representation, 44% of which must be female black representation.

vi. On the Human Resource Development element, a Holder must invest 5% of the Leviable amount on essential skills development. The manner in which this is to be determined is set out in the Charter.

vii. The Charter is now applicable to the Diamonds Act and the Precious Metals Act. In determining whether to grant a license in terms of either of these Acts, the provisions of the Charter must be taken into account. The intention is to ensure transformation of the entire industry [South African Government [2017] .

3.11 CORRUPTION RISKS IN THE MINING SECTOR

Wolfe and Williams, [2015] found that mining has not delivered the benefits it could for hundreds millions of people living in resource-rich countries and that corruption played a major role causing these benefits not flowing through to the broader host communities.. The foundation or success or failure in whether mining delivers development is the awarding of mining licensees at the beginning of the value chain. Wolfe and Williams [2015] brings together several of analysis on corruption studies, mining sector governance and administration.

According to Lugon-Moulin [2017] embezzlement of public resources or funds or bribery are classified as is corruption. Bribery is equated to petty corruption and grand corruption is equated to high level embezzlements of public funds. Lugon-Moulin [2017] goes on to illuminate another form of corruption known as state capture Edwards [2017] defines state capture as a situation wherein private individuals and companies manipulate the manner in which government policies, laws, regulations, norms and standards are formed so that these can protect private interests.

Lugon-Moulin [2017] explains that companies, interests groups, political leaders, high ranking officials are actors that seeks to capture and that state departments, judiciary, executive and legislature and municipal councils, regulator bodies are institutions that are normally captured and used. Therefore the study has found that state capture has contributed to the natural resource problems and violent conflicts in Niger Delta and Marikana.

3.11.1. POORLY DESIGNED MINING LEGISLATION ADMINISTRATIVE AND REPORTING FRAMMEWORK

The research study has found that poorly designed mining legislation with significant loopholes provide an opportunity for corrupt behavior to flourish. Gaps in the legislative framework will certainly give rise to increased corruption risks and chances that each contract be negotiated individually or directly. Contrarily, the existence of a formal, secure and open legal framework is crucial factor in reducing corruption risks. If legislative and regulatory frameworks are detailed, clear and do not have loopholes and mining targets are clear. Secondly, jurisdictional grey areas and uncertainty between different levels of government also influences risk and corruption. Conflicting legislation between the mining sector and the environmental protection legislation is another risk factor. It was found that in many poor countries, legislation and regulations are written by international consultants on short-term basis, some by the same multinational mining companies for governments to pass, which then create corruption risks as they are either impractical, or giving more indemnity or advantage to companies and do not care about host communities. Therefore the study asserts that there must also be clear rules regarding rescinding, renewal, annulment and cancellation of licenses. Again, the study asserts that high standards in reporting requirements and clear measurable indicators and targets for reporting are necessary to prevent corrupt practices. Company performance and compliance reports should be published online [Wolfe and Williams: 2015].

3.11.2. TRANSPARENCY AND PUBLIC REGISTERS OF MINING COMPANY REGISTRATION

This research has established that most countries do not have legislation that required beneficial owners of mines to be named and therefore 'true' owners are hidden behind big company names and other obscure financial institutions. As a result many beneficial owners of such mining entities may turn out to be part of a political or bureaucratic regime or close associates of persons with significant power in the mining industry. There should be transparency in terms of transferability of licenses from one entity to another to lower the risk of backdoor corruption wherein licenses are transferred to obscure parties [Wolfe and Williams, 2015].

3.11.3 SCOPE OF STATE OWNED COMPANIES

According to Wolfe and Williams [2015] there has been a significant rise in the privatization of State Owned Companies in transitional countries, but however these privatization became a transfer of ownership from the state to favoured members of the political regime, which creates huge risks. Therefore, this study agrees with Wolfe and Williams [2015] and recommends that the scope of the State-Owned Companies need to be examined, whether they are involved in all stages of exploration and production, and whether they are also involved in activities outside their domain. Because the more entwined the company is across the multiple markets, the greater the risks of corruption. The independence of these State owned Companies are a determinant of corruption also.

3.11.4. DOMESTIC VERSUS FOREIGN OWNERSHIP

The study has found that the treatment of foreign mines can be a major determinant of corruption risk .The study therefore recommends that there should be a fair and transparent playing field in the application and approval of mining licenses and the opportunities for corruption are going to be elevated if there is discrimination. Therefore any mining Company that has corrupt documented history of corrupt activities in their home country or elsewhere in the past is most likely to raise flags as to how it will operate within the country being reviewed [Wolfe and Williams, 2015].

3.11.5. ENVIRONMENTAL REGULATIONS, LAWS ON INDIGENOUS OR TRADITIONAL LAND OWNERSHIP

The study found that if it is required by one jurisdiction that mining operations that impact underground water, endangered wildlife or indigenous host communities, are referred to Federal Bodies or Central Governments, these applicant mining companies may be incentivized to corruptly influence how the regional or provincial officials refer the case. The discretion given to state officials may be used for personal gain. Therefore this study recommends the development of clear procedures, clear delegation approvals systems, segregation of duties, and risk control points.

3.11.6 ONLINE ACCESS TO REGULATIONS, TERMS AND CONDITIONS OF MINING ON WEBSITES

The study has found that if regulations, terms and conditions are available online and are free of charge, a wider circle of actors this will reduce corruption risks where junior officials sell information in hardcopies. Therefore the study recommends that regulations, terms and conditions be published online [Wolfe and Williams: 2015]

3.11.7 DECLARATION OF INTERESTS BY PUBLIC OFFICIALS

The study has found that a basic tenet of anti-corruption is that government officials should not have conflict of interest in the sectors overseen by themselves [Wolfe and Williams: 2015] Therefore this study recommends that Government Officials in the mining sector involved in the administration, adjudication and awards of licenses must be required to declare financial interests in the mining sector they oversee.

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3.11.8. TRANSPARENT CONSULTATION WITH AND CONSENT BY HOST COMMUNITIES

The study has found that corruption normally occurs between a company and government Government officials, or between a company and leaders of landholders, indigenous host communities. [Wolfe and Williams: 2015]. Therefore this study recommends that risks of corruption and risks to social licenses may be reduced by transparency. Here a variety of actors should be given an opportunity to scrutinize licenses and their conditions [Wolfe and Williams: 2015].

3.12 KEY RESEARCH STUDY FINDINGS

The Chapter 3 focused on data presentation and key findings.

The Chapter has done a comparative analysis of the natural resources in Nigeria and South Africa which are two economic powers of Africa and explore whether there is a correlation between natural resources and conflicts .The research study has compared the ownership, management and control of the resources. It has been found that for both Nigeria and South Africa the control of and right over mineral natural resources is vested in the national governments.

The Chapter applied the resource curse theoretical frameworks prove that natural resources are causes of violent conflicts in resource producing host communities: In this context the various causes of conflict was examined within the resource curse theoretical frameworks. Firstly, the study has found that greedy rebels are motivated by natural resources benefits or profit to be involved in violent conflict. The research study has found that the mining companies executives and the ruling elite greed and natural resources profits are the main causes for continued conflicts in Marikana and Niger Delta. Resource producing host communities have as a result been marginalized from meaningfully benefitting from their natural resources. The study has found that many Senior Members of the ruling elite in both South Africa and Nigeria are appointed to serve as board members of these mining companies. Huge shares of profits are being channeled into pockets of board members and the ruling elite participating in such boards use political connections and influence the Government formulation of weaker laws to favour mining companies at the expense of host communities. Again these influence Governments and ruling political parties to use oppressive means to suppress host communities' demands for equitable share in the natural resources. The continued suppressions of host communities' demands results in violent conflicts and in formation of rebel groups that also perpetuate oil bunkering, piracy, and kidnappings, as is happening in the Niger Delta.

Furthermore the study has found that that companies also use huge donations to sponsor and influence the decision making of ruling political parties ., and especially during the elections so that they adopt policy stances that would favour these companies. The study asserts that it is against this background that in South Africa there are stronger political campaigns by the masses to advance radical economic transformation and to fight state capture at all levels of Government.

The resource curse theory is encompassing the principle that outsiders might intervene militarily directly or through internal factions with an aim of gaining or maintaining control over profitable resources. Natural resources have an impact on the Governments and mining companies to engage in violent conflicts. The study has found that in order to promote companies' own selfish interests, the South African and Nigerian companies used money and other resources benefits to corrupt host community leaders and Government Officials to bypass laws in favour of these companies and to fight for company interests. In South Africa, this problem manifests itself through some mining and other companies which obtain contracts through uncompetitive bidding that is not transparent. With the case of Marikana, shop stewards were given accommodation and other benefits exclusive to majority mineworkers in an effort to bring them on the companies side. There were many instances where mining companies obtained licenses without prior consultation and engagements with host communities and this is a source of many conflicts. The resource curse theory is encompassing the principle that violent uprising may be triggered by grievances as a result of perceived deprivation, extraction processes either as a result of loss of land rights or environmental damage or forced migration, or perceptions that natural resource proceeds are unfairly distributed. This Chapter therefore assets that the demands submitted to Nigeria 's President Buhari in 2016 by the Niger Delta host community for Niger Delta to be declared a Republic and for control of their resources, have been triggered by grievances as a result of perceived deprivation. Furthermore, with respect to Marikana, the South African North-West Provincial Government has been triggered by the continued deprivation of its host communities from the rich mining natural resources. The North West Province the province is in the process of passing the Provincial Villages, Townships and Small Dorpies [towns Economic Policy called VTSD, which is intended to ensure that host communities in the Province maximally benefit from the natural resources in the Province, and to ensure that the tenders issued by the province maximally benefit the North West Host Communities.

The study has found that in conflict situations, rebel finances are derived from natural resources and Niger Delta was found as an example where rebels fight for control of oil wells in order to sustain their fight against government and mining companies.

The resource curse theory is encompassing the principle that where governments rely mostly on natural resources than on citizens' tax, such governments will have weak structures because they are not compelled to account to their citizens. The study argues that in both Nigeria and South Africa, the national governments relied mostly on mining companies' taxes than on citizens' taxes. This exacerbated conflicts and resulted in weak State Departments of Minerals and Energy which were not able to impose penalties on defaulting mining companies. This is the main reason why the Economic Freedom Front is calling for nationalization of mines, the aim being to tighten controls around mines as the South African Freedom charter dictates. It has been found that in natural-resource-dependent economies there are low internal trade levels due to weak manufacturing sectors because of trade being associated with relationship and cohesiveness among people.

Therefore the research study argues that the resource curse theory and principles show that there is a corresponding linkage of natural resources and violence or conflict in host communities, This Chapter has used the resource curse theory to prove the conflicts in both Niger Delta and Marikana is caused by their Governments 'lack of adequate mining governance policies and compliance monitoring mechanisms.

CHAPTER 4

SUMMARY RESEARCH FINDINGS AND RECOMMENDATIONS

4.1 .BACKGROUND

The main aim of the research study is to evaluate the root causes of violence and natural resources in Nigeria's Niger Delta and South Africa's Marikana. Both Nigeria and South Africa are powerful economies of Africa and rich in natural resources. Niger Delta is rich with crude oil has for decades been characterized by the history of resistance by the host communities in opposition to the Nigerian State and the multinational oil mining companies operating in Niger Delta. The crisis in the Niger Delta is as a result of various violent clashes between the host communities, the government forces as well as the oil companies over natural resources. Marikana is Lonmin's biggest producer of platinum in North West Province. of South Africa. On 16 August 2102, in Marikana about 34 striking mine workers were shot and killed by the South African Police Service. The Marikana incident shocked the world and was the worst incident of public violence since 1994 dawn of democracy in South Africa. The natural resources violent conflicts in both Niger Delta and Marikana engrossed international attention in the media and in the investor communities.

4.2. SUMMARY DISCUSSIONS

The research study has shown that both South Africa and Nigeria are two powerful economies of Africa. Both Marikana and Niger Delta and occupy the prominent place in the economies of their respective countries. Niger Delta is the spring of over 80 percent of Nigeria's petroleum production and exports. Niger Delta has been in the international spotlight because of the endless violence which the Nigerian Government is unable to stop for years in that area. Niger Delta has been engulfed by violent protests and confrontations by host communities in opposition to the Nigerian Federal State and its licensed Mining Oil Companies as a result of human rights abuses, environmental damage, and exclusion from oil exploration of host communities in their region for about three decades since 1980 to date. The protests by the host communities received international sympathy and attracted the attention of the global communities. With respect to Marikana, violent incidents and strikes occurred due to protests from host communities regarding preferential treatment of migrant workers; rock drill operators' strike aggrieved with the outcome of wage negotiations; inter union rivalry between the established ANC allied trade union NUM and AMCU. Secondly the strike arose due to growing dissatisfactions of miners with NUM which sided with management in wage negotiations. Miners rejected the obsolete collective bargaining processes which were not addressing their aspirations. Again a growing inequality between management and workers in earnings,, filthy and neglected living and working conditions and the migrant labour system were miners' cause for concern. Marikana has therefore been in the international spotlight because of the killings of miners in 2012 after the negotiations by the Miners Unions, the miners and Government negotiations which were protracted over a long period failed to yield results. Therefore there is a gap in the body of knowledge that compares the Niger Delta and the Marikana.

The main aim of the study was to evaluate the impact of the natural resources on violence in the Niger Delta and Marikana host communities. This study is justified by several interlinked issues of importance in the modern world and in the study of peace, regional and international relations. The study is timely and topical and falls within the current debates, discussions and writings in the study of peace, regional and international relations and specifically on the contemporary crises in the Niger Delta and Marikana.

The research study adopted a resource curse theory. The theoretical framework is relevant to the study as it focuses on the resource wealth's negative effects to the country and assumes that factors associated with resource abundance as corruption, declining economic growth, and dictatorship are a cause of unstable domestic politics. The theory asserts that in resource rich countries with poor population there develops weak institutions and governance challenges as these countries begin to depend on exporting high value communities, and such countries will be vulnerable to conflict.

This study is an empirical research based on the quantitative method and uses secondary Historical research where, for instance, a specific situation of the Niger Delta and of Marikana are being studied to prove the hypotheses outlined. The research has made extensive use of secondary sources such as Library Textbooks, electronic media, articles in academic Journals, Theses and dissertations, press releases, government publications Reports, magazines and newspapers.

The research study has shown that Natural resources also have an impact on the internal conflicts because mining host communities, governments and mining companies will fight for maximum control of and use of these natural resources. We have seen that there is also a tendency by resource rich governments to spend more on public servants' salaries, fuel subsidies, huge monuments and a tendency to underspend or neglect health, housing, education and other social services that directly impact on the livelihood of their citizens. Women are also disproportionately impacted by natural resource wealth in resource rich countries as fewer women enter the workforce and there if few representation of women in governments. The mines cause a large influx of men to host communities surrounding mines and this results in an increase in rates of gender based Violence, HIV/AIDS and other life-threatening diseases. In many instances governments and their citizens obtain a small share of the production value and large percentages are taken away by mining company's off-shores. Governments and host communities are not compensated for depleting natural resources, environmental damage and loss of lives.

The study has found that in countries that are rich in natural resources ruling elites have a tendency not to invest in job creation and manufacturing industries and instead fight for control of these resources, or rent seeking. Oil projects are being managed outside the normal budget processes and institutions are weakened to make it easy for elites to take large sums of monies. Societal checks are being dismantled and new regulations are being established with a purpose of accessing to these natural resources or to provide access for friends and families. Conflict can be created by sharing and compensation for resources between host communities and mining companies.

4.3. SUMMARY RESEARCH FINDINGS

Firstly, the study has found that greedy rebels are motivated by natural resources benefits or profit to be involved in violent conflict. The research study has found that the mining company's executives and the ruling elite greed and natural resources profits are the main causes for continued conflicts in Marikana and Niger Delta. Resource producing host communities have as a result been marginalized from meaningfully benefitting from their natural resources. The study has found that many Senior Members of the ruling elite in both South Africa and Nigeria are appointed to serve as board members of these mining companies. Huge shares of profits are being channeled into pockets of board members and the ruling elite participating in such boards use political connections and influence the Government formulation of weaker laws to favour mining companies at the expense of host communities. Again these influence Governments and ruling political parties to use oppressive means to suppress host communities' demands for equitable share in the natural resources. The continued suppressions of host communities' demands results in violent conflicts and in formation of rebel groups that also perpetuate oil bunkering, piracy and kidnappings, as is happening in the Niger Delta.

Furthermore the study has found that that companies also use huge donations to sponsor and influence the decision making of ruling political parties, and especially during the elections so that they adopt policy stances that would favour these companies. The study asserts that it is against this background that in South Africa there are stronger political campaigns by the masses to advance radical economic transformation and to fight state capture at all levels of Government.

The study has found that in order to promote Companies' own selfish interests, the South African and Nigerian companies used money and other resources benefits to corrupt host community leaders and Government Officials to bypass laws in favour of these companies and to fight for company interests. In South Africa, this problem manifests itself through some mining and other companies which obtain contracts through uncompetitive bidding that is not transparent. With the case of Marikana, shop stewards were given accommodation and other benefits exclusive to majority mineworkers in an effort to bring them on the company's side.

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prove the conflicts in both Niger Delta and Marikana is caused by their Governments' lack of adequate mining governance policies and compliance monitoring mechanism.

4.4. RESEARCH RECOMMENDATIONS

The research study has shown that in too many resource-rich countries, Nigeria and South Africa included, the multinational mining companies failed to contribute to equitable and sustainable economic and social development to Host Communities, due to high risks of corruption, which causes violent conflicts. The study recommends and asserts that effective governance and corruption control are key to successfully ensuring that host communities benefit sustainably from the extraction of its natural resources using Niger Delta and Marikana. A lack of transparency and accountability especially to the host communities regarding meaningful beneficiation from their natural resources continues to pose severe challenge for the mining sector.

The study has shown that corrupt practices and repression of host communities by Government and the multinational companies resulted in recurring violent conflicts in world, using Niger Delta and Marikana as case studies. The poorly designed liberal legislative and regulatory mining regimes with significant loopholes in both South Africa and Nigeria provided an opportunity for corrupt behavior to flourish. Gaps in the legislative framework will certainly give rise to increased corruption risks and non compliance by Companies to legislation which cannot be effectively dealt with by Courts. In many poor countries, legislation and regulations are written by international consultants on short-term basis, some by the same multinational mining companies for governments to pass, which then create corruption risks as they are either impractical, or giving more indemnity or advantage to companies and do not care about host communities. The study shows that though multinational companies Lonmin and other were not compliant to the mining legislation, targets and clauses, they cannot be taken to task because of flawed mining legislation that favour the mining sector. Again the opposition of the new 2017 Mining Charter in South Africa by the Mining associations shows that the mining sector is opposed to stringent radical legal framework that advances the interests of host communities and want the status quo to be maintained.

Therefore the study asserts and recommends that Governments periodically review and tighten the mining legislation to ensure that the Host Communities meaning fully benefit from their resources. It recommends that South Africa should move away from neoliberal policies that were adopted at the dawn of democracy in 1994 which only benefitted multinational companies and argues for radical economic transformation in the mining sector , pushing hard for the implementation of the 2017 Mining Charter and subsequent proposed improvements in legislation with clearly defined targets, deadlines and penalty clauses.; the establishment and capacitation of a more strong mining inspectorate, and imposition of stringent measures to non compliant companies.

The study further recommends for establishment, maintenance, updating and transparency of public registers of Mining companies, the names of directors and shareholders by Governments in order to prevent and mitigate possible corruption and it further argues for implementation of stringent legislation aimed at preventing corruption to the state and mining companies, and for legislation preventing public office bearers from being members of companies, and for declaration of interests. The study recommends that there should be transparency in the transfer of mining companies including state owned companies and for a fair playing field in the application and approval of mining licenses as the opportunities for corruption are going to be elevated if there is discrimination.

The research study also argues for a transparent consultation with and consent by host communities. The study asserts that risks of corruption and risks to social licences may be reduced by transparency because corruption normally occurs between a company and government officials, or between a company and leaders of landholders, indigenous host communities. The study urges governments to fast track establishment and improvement of mining sector governance and accountability policies and practices in the mining sectors.
The research study therefore argues for a transparent and early consultation with and consent by host communities for the success of any mining activity.

It is recommended that governments should fast tract establishment and improvement of mining sector governance and accountability policies and practices in the mining sector, including:

a) Revenue collection and distribution and beneficiation.

b) Transparent and improved contract management and monitoring regime

c) improve regulatory frameworks and the creation of voluntary frameworks;

d) disclosure listing rules

e) enforcement of corruption and bribery laws is being strengthened

The study therefore recommends that Governments should strengthen their Labour Relations and conflict resolution mechanisms and put in place monitoring mechanisms that will ensure that parties negotiate in good faith and that parties comply. It is further asserted that Governments must put measures for ensuring a minimum living wage for miners including all other disadvantaged sectors including cleaning sector security et cetera to ensure better living or all.

The study therefore recommends that all trade unions focus on their original mandate or reasons for existence, that of speaking and promoting workers' rights, and should always encourage employers to speak to workers.

The research study therefore recommends the fast tracking of the demilitarization of the Police and improving of the professionalism. With respect to South Africa, the study recommends that Government to ensure demilitarization of the police service in the whole country South Africa and the North West province which means that, police should at all times have the characteristics of a police service and not that of a police force, All Police Officers must understand and prioritize community need. Police should not be used or viewed as Police Force to intimidate and to suppress community needs but should be viewed as a structure put in place to protect and meet their needs. therefore this research study urges that police be given the kind of training which will improve their ideological capacity and professionalism to understanding of peaceful conflict resolution mechanisms and skills to manage violent conflicts. The research study recommends that Governments should appoint Police Commissioners from experienced and professional Police Managers, from within the Police Service.

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6. APPENDICE

NORTH-WEST UNIVERSITY ®
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TO WHOM IT MAY CONCERN

CERTIFICATE OF EDITING

I, Muchativugwa Liberty Hove, confirm and certify that I have read and edited the entire mini-dissertation, **"An evaluation of natural resources and violence in Niger Delta and Marikana" by DANIEL BUYANI MAKHUBU, STUDENT NUMBER: 22054200,** submitted in fulfillment of the requirements for the degree **Master of Peace and International Relations** in the **Faculty of Human and Social Sciences, North-West University, Mafikeng Campus.**

Daniel Buyani Makhubu was supervised by **Professor Victor Ojakorotu** of the **North-West University.**

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I hold a PhD in English Language and Literature in English and am qualified to edit academic and research work of such nature for cohesion and coherence.

The views and research procedures detailed and expressed in the dissertation remain those of the researcher/s.

Yours sincerely

Dr M.L.Hove(PhD, MA, PGDE, PGCE, BA Honours, English [UZ])

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