

for good integration of these levels is through a **comprehensive communication structure that is inclusive**. This will help to establish commitment as well as a holistic coordination of developmental programs.

As a way of analysing the gaps identified, the discussion is going to utilise Sen's (1999) capabilities approach. This approach is appropriate because it provides a holistic approach that was developed with developing countries in mind and is significant in that it incorporates the concept of freedom in its framework. Sen's (1999) approach re-establishes the word 'freedom' as referring to the enhancement of 'human capabilities', which involve **processes of decision-making**, as well as **opportunities to achieve valued outcomes**, i.e. the substantive freedom of people to lead the lives they have reason to value and to enhance the real choices they have. This aspect of the theory is important in this study because it takes account of factors relating to empowerment and human rights, which are important requirements for sustainable development. Sen (1999) identifies poor people as capable individuals who need to be given the opportunities to develop themselves according to their substantial capabilities given the right circumstances. The SWOT analysis provides a convenient direction to start community interventions. The role of SWOT analysis is to take the information from the environmental analysis and separate it into internal issues (strengths and weaknesses) and external issues (opportunities and threats). SWOT analysis (Strengths - Weaknesses - Opportunities - Threats) is a strategy analysis tool. It combines the study of the strengths and weaknesses of an organisation, a geographical area, or a sector, with the study of the opportunities and threats to their environment. As such, it is instrumental in **development strategy formulation**. The aim of the analysis is to take into account internal and external factors, maximising the potential of strengths and opportunities, while minimising the impact of weaknesses and threats (EuropeAid, 2006).

The objectives of the analysis are to provide practical recommendations to policy makers on how to achieve sustainable development through corporate social responsibilities. Against this background, the structure of this analysis will be presented in terms of the micro, meso and macro levels. The **first section explores the perceptions and expectations** of the different role players with respect to corporate social responsibility. Exploring the expectations of the different role players it is useful because it provides some understanding of the observed behaviour of groups within the mining environment towards issues relating to corporate social responsibilities and sustainable development. At the same time it provides us with information relating to the different definitions of corporate social responsibilities within these communities that have implications for identifying aspects relating to responsibilities and role allocation. The **second section deals with issues of power relationships** and factors relating to capabilities. The purpose of this section is to provide some understanding of the causes of gaps between policy and practice, policy and human rights and practice and human rights.

The **third section discusses the SWOT analysis** as a way of providing an analysis of the way forward, taking account the factors that can help with both strategic planning and decision making. **The fourth and last section** gives a description of an analysis tool (**SIDAT**) which can help mining companies decide how to evaluate their social investment projects.

10.1 EXPECTATIONS

Discussing the expectations of the different stakeholders in the mining environment will give an indication of why there are many differing attitudes and behaviours towards corporate social responsibility practises. The influence towards the expectations in the corporate social responsibilities is based mainly on the historical background of the Zambian mining industry. However, there are other intrinsic factors that need to be considered. This section will discuss the expectations related to corporate social responsibilities at the micro, meso and macro levels.

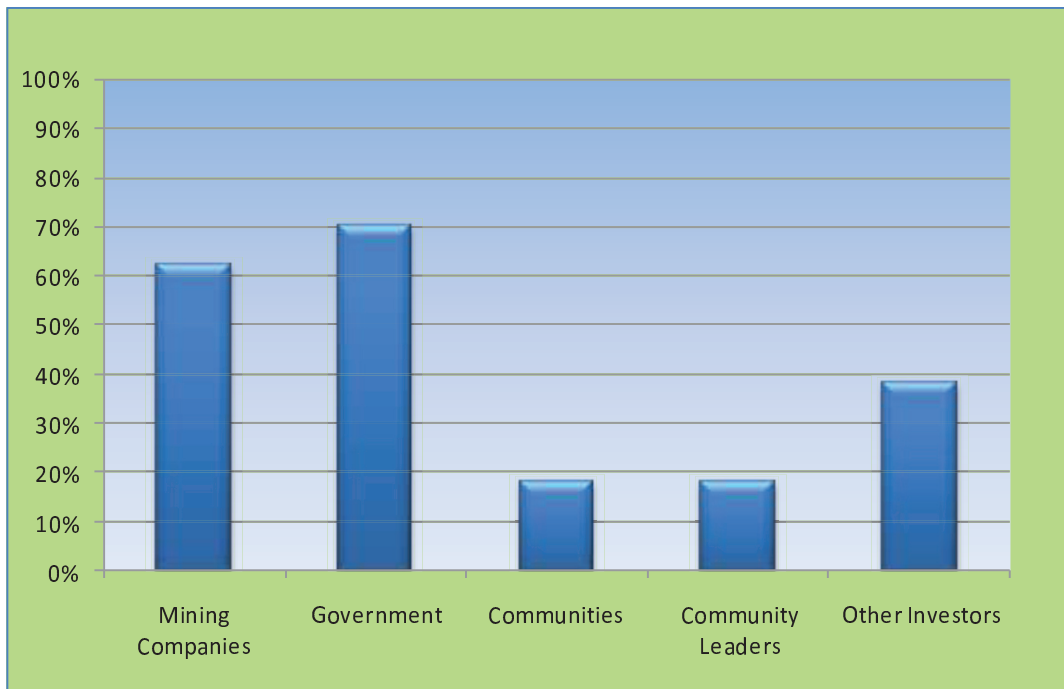
10.1.1 Expectations from the micro level

The micro level of analysis in this research relate to mining communities. The expectations of community members in the mining environment are driven by the meaning behind the following statement: *“When elephants fight it is the grass that gets hurt”*.

Unfortunately in this case it is the mining community members who take the role of the grass. In view of this, their expectations relating to corporate social responsibility are paramount as they play an important role in terms of both being the most injured party and the drivers towards achieving sustainable development. In view of this, community members were asked about their expectations of corporate social responsibilities and social development in their communities in terms of **who causes the problems** and **who should take responsibility** for the social developments in the mining communities. The community members also identified the community developmental priorities in addition to identifying who should take responsibility for them.

Generally, although most community members reminisced about the old ZCCM, they recognised that the level of dependency that resulted from the overwhelming social responsibility contributed greatly to the deprivation and developmental stagnation in the mining communities today. This is reflected in their expectations of social responsibilities towards the mining communities. The following are graphic representations of how the communities perceive *‘those causing the social problems’* and *‘those responsible for social development’* in the mining communities.

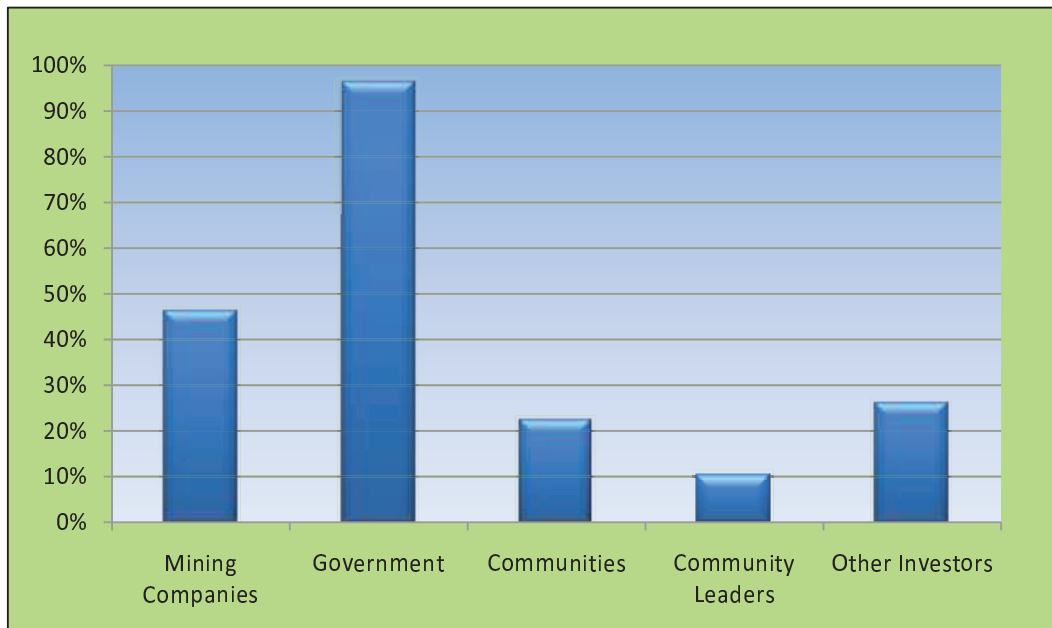
Figure 3: *Communities' opinion on who is causing social problems*



Despite experiencing visible environmental degradation caused by mine operations, the community members identified the government as the main cause of problems in the communities. It could be argued that the reason behind this is that their expectations are still based on what ZCCM used to provide. However, the argument put forward is that the government has failed to represent and protect the interests of the communities by allowing mining companies to damage the environment at their expense. At the same time they acknowledge that they also contribute to the problems in the communities, government is blamed for not facilitating adequate infrastructure to enable the community members to function effectively (Sen, 1999; Nussbaum, 2000). Mining companies cause problems in the communities, but they continue to do so because the government allows them to do so. The main investors that constitute other investors are the employment contractors. These are identified as creating problems in the communities by depriving the community members of their basic employment rights.

In terms of **responsibilities**, the communities' expectations appear to follow the same patterns as those identified as the ones who are causing the problems in the communities.

Figure 4: *Communities' opinion on who is responsible for community development*



The community members again overwhelmingly identified government as the main organisation responsible for resolving the problems in the mining communities. The argument put forward for this view is that the community members feel that it is the responsibility of the government to take the lead in mining community development. Although mining communities have some responsibilities in the same way that other stakeholders have, community members feel that government should have control and should not leave it to the mining companies. The high percentage identifying government as the responsible entity is in response to the view that currently **government is invisible** in the mining communities.

It is important to appreciate that when working with issues relating to corporate social responsibilities and social development, mining communities' expectations are transient in the sense that they are dependent on the state of development that they are currently experiencing. The state of the mining communities currently is such that the expectations may be focussed on basic needs, which are reflected in the list of priorities identified by the community members. The list of these priorities that are focussed on infrastructure development is as follows:

- Supply of adequate health centres
- Adequate roads
- Water and sanitation

- Eradication of pollution and other environmental problems
- Improved communication networks
- Adequate education system and facilities
- Employment creation
- Recreational facilities
- Protection from poor remuneration

Facilitating this infrastructure development allows community members to focus on more creative activities of their life choices rather than continuously focusing on basic needs. This echoes the standpoints of Coetzee (2001:118-139), Sen (1999) and Nussbaum (2000) who all suggest that **development does not only imply the satisfaction of basic needs but also the right to live a meaningful life**. This approach to human well-being emphasises the importance of freedom of choice, individual heterogeneity and multi-dimensional nature of welfare. This approach contrasts with a common view of development purely in terms of GNP (Gross National Product) growth and poverty as income deprivation.

What these mining communities currently experience in terms of support could be analysed in terms of Freire's (1996) notion of false generosity. Using this notion it could be argued that the current voluntary nature of the mining companies' corporate social responsibility is the egoistic interests of the oppressors (an egoism cloaked in the false generosity of paternalism) and makes the oppressed that are represented by the communities, the objects of their humanitarianism; this in itself maintains and embodies oppression. False generosity of paternalism is used as an instrument of dehumanisation (*also see 10.1.2.1*). Freire's (1996) argument is that it is not in the interest of the mining companies to develop the mining community members to an extent that they are independent of them, consequently they offer token developmental projects that keep the community members grateful but still dependent on the mining companies. In short, paternalism prevents communities from reaching their full potential because it camouflages what community members can do as opposed to what they actually do. In all this it is important that developmental projects need to take account of globalisation.

In view of this, by identifying infrastructure development programs as their priorities, community members want their basic needs to be satisfied so that they can pursue a meaningful life that will enable them to focus on their full potential, rather than focusing on satisfying basic needs.

The implication of these expectations on corporate social responsibility is that mining companies have a responsibility to the mining communities because they contribute to a large proportion of the problems in the communities. However, it is not for mining companies to

take the lead by volunteering to undertake social developments in the mining communities. **It is the government that should take the lead**, be proactive and coordinate the projects that need to be implemented in the mining communities.

10.1.2 Expectations at the meso level

Understanding the expectations of corporate social responsibilities at the meso level is very important, because it is the institutions at this level that identify and implement social development programs in the Zambian context. It is therefore important to understand how they perceive corporate social responsibilities and how this is translated into action in the mining communities. In this study the following institutions play a major role in the Zambian mining communities:

- The mining companies
- Civil Society including Trade Unions

10.1.2.1 Mining Companies

Generally the view of the mining companies is that in the Zambian context, corporate social responsibility is secondary to their core business. Despite this view, mining companies have undertaken some social development projects in the mining communities on a voluntary basis. There are two approaches to corporate social responsibility to be considered in the Zambian context. These are:

- The social approach
- The environmental approach

The mining companies' approach to corporate social responsibility is mainly on a philanthropic basis with little or no guidance from government. The result of this is that there are some uncoordinated projects sponsored by some mining companies, some of which are on an ad hoc basis as a result of pressure from civil society or government. The projects that are directed towards the communities have little impact because of the mining companies' **lack of knowledge about community needs** as well as poor coordination of projects. What has come out of this research is that mining companies have no time for or sufficient knowledge of the surrounding communities to effectively apply corporate social responsibilities in these communities. They do not have an understanding of the cultural issues in the communities, especially issues relating to **acculturation stress** that community members are experiencing as well as the strategies the community members are using to cope with the stress (Berry, 1997). Communities are experiencing acculturation stress related to the **change from ZCCM**

to the privately owned mining companies, the impact of globalisation and dealing with the **changes that the new copper mining boom** is creating in their environment. At the same time, the mining companies are experiencing acculturation stress in operating in the Copperbelt where expectations on the mining industry are not clear. Aware of this, the mining industry's representative indicated that mining companies are prepared to direct financial resources towards corporate social responsibilities on the understanding that it is well-coordinated and will yield the desired development in the communities. However, what they do not want is for the financial resources to be directed elsewhere in the economy leaving the mining industry still with the burden of developing the mining communities.

In terms of the mining industry's **environmental approach** to corporate social responsibility, the mining companies appear to focus on legislation rather than on the human factor. However, given some of the reports from the community as well as monitoring organisations, it would appear that some mining companies fall short of legislative requirements. In terms of the **human aspect** of CSR, it would appear that mining companies appear to place profits over and above the health of community members. It can once more be argued that there are some elements of **dehumanisation** when multinational companies operate in the Zambian mining communities (Freire, 1996). Dehumanisation is a process in which members of a group assert the "inferiority" of another group through subtle or covert acts or statements. Dehumanisation may be directed by an organisation or may be a composite of individual sentiments and actions as with some types of de facto racism. Most mining companies operating in the Copperbelt have their head offices in the Western countries where they have very stringent environmental as well as health and safety policies and practices. The health outcomes of environmental issues such as passive smoking are taken so seriously that some of these countries' legislations have gone as far as banning smoking in all public areas. In addition, pregnant women and adults smoking at close proximity of children are disdained upon because of the dangers they pose on vulnerable groups who cannot protect themselves. Given this background, why is it that they subject communities adjacent to their operations in Zambia to passive smoking through dangerous and toxic fumes? By not taking the health of the Zambian mining communities as seriously as they take the health of the population in their own countries, they are dehumanising the value of the human rights of the Zambian people. Dam and Scholtens (2007) investigated the question whether MNEs transfer their "dirty" operations towards poor countries, corrupt countries or countries with low environmental regulation; the so-called **Pollution Haven Hypothesis (PHH)**. The PHH states that due to stronger environmental regulations in developed countries, firms in dirty sectors migrate towards poor countries with low environmental regulation (Mani & Wheeler, 1997). Dam and Scholtens (2007) found that firms that set high internal environmental standards will not experience a supposedly comparative advantage when locating in countries with poor environmental regulation. On the other hand, firms with little environmental responsibility

might have incentives to engage in PHH behaviour. For firms with weak environmental standards, PHH behaviour can be observed. However, no similar evidence was found for countries with high corruption or high poverty as being “havens”. It can therefore be established that it is predominantly firms with **poor social responsibility** that appear to move their operations to countries with poor regulation. The ‘good’, i.e. most responsible, firms tend to avoid locating their operations in these countries. As such, it can be concluded that **CSR does matter with respect to MNEs’ location behaviour** (Dam & Scholtens, 2007).

What exacerbates the dehumanisation process practised by these multinational companies is that they do this while they are well aware of the fact that the surrounding communities they subject to these fumes have inadequate health facilities. In addition, the high rates of HIV/AIDS, TB and Malaria in these communities mean that their immune systems are compromised and the poor environmental activities of the mining industry compromises their already fragile immune systems further (compare Environmental Research Foundation, 1997). It is interesting that companies from the Western countries appear to be using the Chinese operators as a measure for the minimum standards, instead of taking the lead and setting an example of how to undertake mining operations and uphold human rights. As much as the Chinese operators have appalling health and safety as well as environmental record in the Zambian mining communities, their record in China is just as appalling (The Economist, 2004; Davis & Spiegel, 2005). To a certain extent it could be interpreted that in terms of their dehumanising of Zambian miners it is the same as in their own country. If we are to take the definition of dehumanisation into account, then Western mining companies dehumanise Zambian miners **more** than the Chinese, because there is a marked difference in their attitudes towards the Zambian miners than towards those from their country of origin. It is therefore appropriate to expect that, in terms of environmental issues that impact on human rights, **the highest known standards should be practised**. Operating below these standards is dehumanising and **infringing on human rights in favour of profit**.

10.1.2.2 Civil Society including Trade Unions

Civil societies in the mining communities play a dual role in terms of development and issues relating to corporate social responsibilities. The first role includes acting as pressure groups on both the government and the mining companies on behalf of the mining communities. The second role includes filling in the gap in terms of service provisions as well as awareness campaigns for health issues such as HIV/AIDS and malaria.

As pressure groups local civil societies in the Copperbelt, in conjunction with international civil society groups, have managed to force the renegotiation of the mining contracts (Development Agreements), which has resulted in increased tax revenue from the mining

industry to the government (*see Findings - Point 8*). Despite some of these positive aspects of campaigns of protecting the human rights of community members, the **lack of coordination** can hinder the effectiveness of some pressure groups. A case is the ability of trade unions to protect some mine workers. Although the mine trade unions in the Copperbelt have a long history of supporting mineworkers, they have not kept up with the changing structures of employment in the mining communities. Despite representing and supporting permanent mineworkers, they do not support contract workers who constitute 45 percent of the mineworkers in the communities (Fraser & Lungu, 2007). Contract mineworkers have little or no legal protection and the abuse of contract workers by labour contractors was identified as a major source of problems in the mining communities. The level of abuse is such that trade unions need to expand their work beyond just focussing on the corporate social responsibilities of the mining companies to include other investors like local and international. Trade Unions may not represent the contract workers because they do not subscribe to the unions. The impact of the abuse of contract workers on the mining communities is such that the unions could assist in **developing legislation to protect contract mineworkers**.

In terms of filling the gap, civil societies in the mining communities are involved in many aspects of community development and projects. Some of these projects include HIV/AIDS campaigns, education and treatment. In some cases some of these projects have been undertaken jointly with some mining companies. However, lack of coordination has in some cases resulted in conflict between the competing priorities. An illustration of the conflict among the civil societies was exemplified by the situation where an organisation representing community youths intended to take a church organisation to court because the church had bought the only playing field in the community with the intention of erecting a church. They acknowledged that having a church was a good idea, but depriving the community youth of the only playing field where the community club played was also a priority.

10.1.3 Macro level expectations

Expectations of corporate social responsibility in the mining communities at macro level, relate to **government policy** as well as actions. The approach that will be taken in this section will be to consider expectations relating to environmental as well as social responsibility at macro level.

In terms of the **environment**, the government has taken a lead in relation to corporate social responsibility through the use of legislation and setting up monitoring agencies through quasi government institutions and government departments. Punitive directives have also been legislated to penalise mining companies that do not adhere to the environmental regulations. Despite having the standards, monitoring policies and punitive directives, mining activities in

the Copperbelt continue to cause environmental hazards. What came out of this research was that community members as the main victims of the environmental hazards as well as the monitoring agencies who are responsible not only for monitoring but also for implementing punitive directives, agreed that the environmental standards were far from adequate. Furthermore, most mining activities operated below the legislated standards. In fact, the token penalty fines that mining companies have to pay for infringing the standards do little to discourage companies from operating below standard. In addition, the implementing institutions complained that capacity and poor resources also contribute to poor monitoring. What surfaced from the macro level of analysis was that, although structures had been set up to monitor environmental issues, the government was more interested in keeping the mining companies happy than committing them to safe environmental levels.

The government expectations relating to corporate social responsibilities in the mining communities are not clear. A lack of clear directives to either the mining companies or other investors in the mining communities leads to this conclusion. However, despite the lack of directives, there appear to be some indications that government expects the mining companies to be involved in some form of corporate social responsibility. It is interesting that, despite not having policy directives or guidelines relating to expectations of CSR, mining companies go to great lengths to show how they are contributing to community development when government officials visit their operations. As long as there are no clear guidelines of what CSR entails in the Zambian context, mining companies will always be in a position to impress the government officials. The complaint by community members that government officials are invisible in the mining communities may allow mining companies to continue to impress government officials with token projects.

What has come to the fore from this section is that **government appears to have abdicated its role to the other stakeholders in the mining communities**. There appears to be a need for more government planning, expenditure and directives, monitoring strategies as well as communication. Lack of all these factors has disempowered the stakeholders in the mining communities to the extent that although there are many activities taking place in the mining communities, there is virtually no visible development. Even where there is some development taking place, the impact is negated by the overwhelming developmental needs that still exist in the communities. The indications are that the expectations of one stakeholder will satisfy or facilitate development in the mining communities. There is a need to integrate expectations in the micro, meso and macro levels of operation. To achieve this there is need for **coordination and communication** that is inclusive of all stakeholders.

Against this background, issues relating to empowerment and how it impacts on the effectiveness of corporate social responsibility will subsequently be discussed.

10.2 POWER RELATIONSHIPS AND EMPOWERMENT

The analysis so far has discussed the expectations of corporate social responsibilities in terms of what needs to be achieved and by responsibility allocation. When discussing issues relating to corporate social responsibilities, it is important to take account of the effects of the **power relationship dynamics** within the communities. Power relationships in the mining communities need to be considered in relation to how they impact on the integration between the micro, meso and macro levels of operation. In addition to understanding the power relationships, it is important to consider how the mining environment disempowers capabilities in terms of achieving optimal development through corporate social responsibility. It is also a way of understanding the **gap between policy and practice**; the **gap between policy and human rights** as well as the **gap between practice and human rights**. These factors are often associated with CSR in the mining industry.

The discussion on the power relationships and empowerment in the mining communities will initially consider a general overview of the effects of the power relationships in the mining communities. This will be followed by a discussion of capabilities and disempowerment in the mining communities.

10.2.1 General overview of power relations in the Zambian mining communities

Garvey and Newell (2004) argue that mainstream approaches to corporate social responsibility underestimate the importance of power in the relationship between corporations and the communities where they invest, which limit their applicability to many developing country contexts in particular. The impact of corporate self-regulation (Hansen, 2002), which epitomise the Zambian corporate social responsibility practices, has been that corporate organisations, especially transnational corporations, are able to wield more power than most developing countries' governments because of their financial and global clout (Fraser & Lungu, 2007). The result of this is that communities have found themselves in a more vulnerable position because their closest ally (the government) may not be in a position to support them because of international pressures. The poor mining contracts that were entered into by the Zambian government that have since been renegotiated, evidenced this. Generally, communities are vulnerable in negotiation because they are disadvantaged in the factors that are prerequisites for strong partnerships. According to Murphy and Bendell (2002) these prerequisites include:

- Media and public concern and company vulnerability to these; few mining companies in the Copperbelt are vulnerable to the media or public concern. The IMF and World Bank interventions in the contract negotiations appear to have legitimised some of the

bad practice in the mining communities. In addition to this the pressure on the Zambian economy to attract investment into the country as an economic agenda nullifies these company vulnerabilities, because the focus is on the benefits of the foreign investment into the country.

- An organised civil movement with enough finance, commitment and adequate level of competence. Although the civil movement in the Zambia has contributed extensively to strengthening the government position in negotiations with the mining companies, the vulnerable position of the Zambian economy continues to avail mining companies the upper hand.
- Genuine commitment of all parties to the partnership process.

Cornwall (2002) argues that power dynamics continue to be important even once a supposedly equal place at the table has been negotiated. There are issues of agenda setting, and partnerships suggest that all agendas be accommodated. This assumes a position of leverage on behalf of the community with the capacity and confidence to participate effectively. Currently the Zambian mining communities have limited capacity or confidence to participate effectively because of the impact of poverty in the mining communities and the emasculation of the Zambian government, stemming from the historical factors associated with the mining industry. It also overlooks the strategies that can be employed by the powerful, to control the agenda and frame the issues in ways which deny spaces for opposition. Currently the mining companies are in a position to control agendas because there is no motivation for them to focus on community issues. If this is not handled well, the issue can frustrate any possibility of equal and satisfactory partnerships. For an effective strategy there needs to be both change within powerful institutions, such as the state and corporations, to respond to the call for accountability and participation - also within affected communities, if they are to take advantage of opportunities for increased representation. However, to achieve this, all parties - especially the powerful institutions - must perceive equal partnerships with the weaker institutions as beneficial to them.

Power relationships in the mining communities are not only based on the power struggles between major institutions and the smaller institutions. In the Zambian context, within the mining communities at the **micro level** there are gender-related, employed and unemployed and age-related power struggles. At the **meso level** there are struggles among civil societies over priorities, civil society versus mining companies and the traditional chiefs and the local government departments. At the **macro level** the government struggles to deal with the effects of globalisation on its decision-making autonomy. Most of these power struggles relate mainly to informed participation in developmental projects as well as getting equal representation of issues. Tembo (2003) suggests that there are issues of empowerment that need to be considered when dealing with the subject of participation. As has been revealed in

this study, different groups within the stakeholder arena participate and negotiate in development processes from their interests and interpretations of what the development dialogue itself is about and the various material and non-aspects within it. Tembo (2003) argued that, in some cases of negotiation and participation, the power difference is such that the poor and vulnerable groups either find other organisations that represent their needs without really understanding the issues, take a passive role, or simply do not take an interest. Therefore, **inadequate participation methods can reinforce social exclusion and strengthen dominant voices**. This research brought out issues of poor communications across the various institutions. Community members who are most affected by the bad environmental practice of the mining companies had little access to the communication structures of either the government or the mining companies to raise their voice on the issues that affect them.

Against this background, the following section will discuss the factors that need to be taken into account to achieve balanced power relationships which in turn help to achieve the positive relationships that are necessary conditions for sustainable development.

10.2.2 Capabilities and empowerment

In order to get a better understanding of the factors that contribute to the **gap between policy and practice, practice and human rights** and **policy and human rights** in the mining communities, this analysis will draw on Sen and Nussbaum's (1993) work on the **capabilities approach**. In general, Sen's (1999) approach to development was to move away from the common focus on income and wealth, or mental satisfaction or processes made by other developmental theorists. Sen (1999) suggests focusing on what he calls capabilities; substantive human freedoms. He argues for a broad view of freedom, one that encompasses both processes and opportunities, and for recognition of "the heterogeneity of distinct components of freedom".

The capabilities approach provides a conceptual framework that helps in evaluating and assessing social arrangements, standards of living, inequality, justice, quality of life and well-being. The emphasis of the approach is not only on how human beings actually function but on their having capabilities, which is a practical choice to function in important ways if they so wish. As a result, someone can be deprived of such capabilities in many ways that include ignorance, government oppression, lack of information and lack of financial resources. Only when barriers have been removed can citizens truly be said to act out of personal choices. Although Sen (1999) suggests that it is up to the individual society to make the list of minimum capabilities guaranteed by that society, mining communities cannot ignore the influence of globalisation in setting up the minimum capabilities. This approach holds that we should focus

on what the people of the country in question are actually able to do and be. In short, the approach helps to understand the potential of people in relation to where they are now. The capability approach does not only concern itself with the distribution of resources alone, because resources have no value in themselves disconnected from their promotion of human functioning, i.e., what humans actually do and are. The capability approach asks social planners to inquire into the needs individuals have for resources and their diverse abilities to convert resources into functioning.

As guidance in setting up the foundations of sustainable development through corporate social responsibility, Nussbaum's (2000) ten basic principles of capabilities will be listed below and some of the imperative aspects to development in the mining communities will then be discussed. The discussion will encompass some of the capability issues at the levels of operation, namely micro, meso and macro and this will be presented accordingly.

The **ten capabilities conducive to development** are:

1. **Life.** Being able to live to the end of a human life of normal length...; not dying prematurely
2. **Bodily health and integrity.** Being able to have good health, including reproductive health; being adequately nourished...; being able to have adequate shelter
3. **Bodily integrity.** Being able to move freely from place to place; being able to be secure against violent assault, including sexual assault...; having opportunities for sexual satisfaction and for choice in matters of reproduction
4. **Senses, imagination, thought.** Being able to use the senses; being able to imagine, to think, and to reason--and to do these things in...a way informed and cultivated by an adequate education...; being able to use imagination and thought in connection with experiencing, and producing expressive works and events of one's own choice...; being able to use one's mind in ways protected by guarantees of freedom of expression with respect to both political and artistic speech and freedom of religious exercise; being able to have pleasurable experiences and to avoid non-beneficial pain
5. **Emotions.** Being able to have attachments to things and persons outside ourselves...; being able to love those who love and care for us; being able to grieve at their absence, to experience longing, gratitude, and justified anger; not having one's emotional development blighted by fear or anxiety
6. **Practical reason.** Being able to form a conception of the good and to engage in critical reflection about the planning of one's own life. Poverty in this environment makes it difficult to plan beyond the day to day issues (which entails protection for liberty of conscience)

7. **Affiliation.** Being able to live for and in relation to others, to recognise and show concern for other human beings, to engage in various forms of social interaction...; being able to imagine the situation of another and to have compassion for that situation; having the capability for both justice and friendship...Being able to be treated as a dignified being whose worth is equal to that of others
8. **Other species.** Being able to live with concern for and in relation to animals, plants, and the world of nature
9. **Play.** Being able to laugh, to play, to enjoy recreational activities
10. **Control over one's environment.** (A) Political: being able to participate effectively in political choices that govern one's life; having the rights of political participation, free speech and freedom of association...(B) *Material:* being able to hold property (both land and movable goods); having the right to seek employment on an equal basis with others

10.2.2.1 Capabilities at micro level

The following is a summary of the capabilities analysis of the Zambian mining communities at the **micro level**.

Premature death is prevalent in the mining communities. Factors associated with poverty constitute the main causes of this high prevalence and its impact on potential for development in the communities. The poor environment characterised by pollution, poor health and safety practices aggravate the immune systems of community members which are already compromised by TB, HIV/AIDS and malaria. These environmental factors and the poor health system within these systems can negate the effects of medication. The effects on the capabilities are that life expectancy of community members is greatly reduced, which impacts on their abilities to make long-term plans.

Policy makers as well as implementers of corporate social responsibilities need to take account of the impact this has on the developmental potential of the communities by looking at how it impacts on economically active individuals in the communities. Poor service infrastructure means that the community members, especially the economically active bear the brunt of responsibilities for the health of their fellow community members. Some of the factors that need to be considered in relation to health and premature death include:

- An impact on their spending power and in turn on the multiplier effect on the income that they earn because it is generally reduced by spending it on care needs of the ill community members as well as their off-spring. These problems are compounded by the high demands of funeral expenses on the remaining family members who, as a

result of a high prevalence of premature death, are constantly forced to donate the little that they earn.

- Better access to ARVs has a dual impact on community development. On the one hand it improves the life expectancy of community members, but it increases the burden on the economically active members of the communities (who are in most cases poorly paid or on uncertain contract employment) to provide nourishing food for those on the medication. Again the economically active members are forced to focus their spending on nourishing food for the ill members in the communities. At the same time food parcels supplied to those who are ill do not often provide the full benefit because in most cases the food is shared with the rest of the family. A representative from the NGO CHEP (Copperbelt Health Education Project) emphasised the importance of nutritious food in the communities by suggesting the food should be reclassified to a drug.
- Poor health within the communities, impact on production in terms of high absenteeism at work as well as poor motivation to employment development training, because the focus is on making money to satisfy the basic needs for themselves as well as other community members.
- The high prevalence of premature deaths and poor health in the communities has a high impact on the emotions and fulfilment in life that manifests in many different ways. The social and psychological impacts of the high rate of mortality in these communities are generally ignored in favour of the economic impacts.

Without an adequate health system as well as adequate health insurance, individuals in the mining communities experience capability deprivation that disempowers individuals in mining communities to successfully set up sustainable development projects. By using their income to support other community members, individuals in mining communities are deprived of the choice to use their earnings. Consequently, when developmental projects are set up, the income earned from the projects is not reinvested back to the projects but used to bridge the gap between the income used to support family members in overcoming the deprivation caused by poor infrastructure and the resulting capability (choice) deprivation. The effect of this is that developmental projects end up inadequately financed on a shoe string budget characterised by hand to mouth financial management.

At the same time the developmental outcomes of a community with a high degree of premature death and illness, with poor access to nourishment and poor health service infrastructure, are poor. The nutrition productivity relationship impacts heavily on sustainable development as there is a correlation between the health of the labour market and production (Partnerships for Sustainable Development, 2004). The poor health outcomes in the mining

communities contribute to the gap between policy and practice and need to be taken into account of in development plans of mining communities.

A poor educational system, focus on basic needs, limited exposure to and contact with different varieties of communities all impact on the motivation for creativity in these communities. This motivation is further hampered by community members' who have limited exposure for their creativity. Most developmental projects undertaken by mining companies, NGO's, especially international NGOs, usually come with the aims and objectives already set out with very little opportunity for local creative input. The inability to communicate their creativity or acquire access to people who listen and encourage creativity, may be one cause of the dependency patterns that were observed in the mining communities. However, it is important to note that the current mining regime in Zambia ignores the experience that is embedded in these communities from the previous copper mining era. Surrounded by poverty, they are unable to make complete plans because of the responsibilities they have. By the time they put their plans into action the value of their investment to the plan has been eroded by family responsibilities. Most find the way to develop is to live away from the communities. This impacts on the development of the community because to do well, individuals in the communities find that they have to move away from the communities. Development of the individual is very dependent on the development of the community.

Affiliation in the Zambian mining communities has played a dual role in the well-being and development of community members. On the one hand, affiliation among the community members in the mining communities has been a major factor in the survival of most community members. There are many community projects that have been set up by community members through local non-government organisations to support vulnerable community members. Secondly, in terms of developing the communities beyond the current hand to mouth level community members lack affiliation opportunities that will enable them to manage and develop projects that will structurally develop the communities. Affiliations in communities are enhanced by communication structures as well as infrastructure. In development terms, mining communities require positive affiliation with the mining companies as well as the relevant government departments who are the main collaborative development drivers in the communities.

The community members were overwhelmingly negative about the quality of communication between the key development drivers in the mining communities. The communication between the mining companies and communities as well as communication between community members and the relevant government departments was reported to be negligible. According to the World Bank and International Finance Corporation's report (2002:15-16) the importance of good communication between the company and its neighbours cannot be over

emphasised if effective corporate social responsibility is to be achieved. Communication must, however, spread wider to include the government departments and the mining companies, as well as other role players such as civil society. Improving communication amongst all the role players involved and affected with respect to the mining environment is an important starting point for improving integration and power relationships. This facilitates a **holistic understanding and identification of developmental priorities, developmental needs and capability deprivation of all parties** involved in the developmental process.

Concerns that need to be considered in terms of **capability deprivation for community members** in relation to key skills and experiences in order to participate fully in sustainable development include:

- Community members have limited negotiation skills and experience in dealing with other organisations on a commercial basis. Even when dealing with NGOs, community members have a dependent relationship with the NGOs and consequently have limited bargaining power.
- Since most community members are employed in the lower rank occupations, they have limited experience in industrial communication (human resources) and management skills. This is impacting on the expansion possibilities of the business ventures that community members set up.
- Most community affiliations were based on charitable motivations and were non-competitive. Globalisation and success in the commercial world requires that individuals are competitive in order to succeed.

Poor recreational facilities for both the youth and the adults impacted on the level of addictive behaviours, crime as well as negative sexual activities in the communities. The capability deprivation in the communities as well as poor infrastructure reduces the opportunities for community members to focus on enjoyment and safe recreational activities. The extent of this problem was illustrated by responses from youth groups where organisations were set up to deal with community development and issues related to infrastructure.

Discrimination, corrupt recruitment practices and limited employment infrastructure in the mining communities can be perceived as capability deprivation. These are the factors that will be discussed in relation to the tenth capability of having control over one's environment and being able to participate in a democratic fashion that guarantees freedom and choice.

Discrimination against community members in employment matters is a capability deprivation because it denies employees entry to occupations of their choice as well as those suitable to

them. There are implications to development in that community members are underemployed in favour of migrant employees, especially in high occupational positions. Discrimination in employment can lead to outcomes associated with underemployment, which invariably have a detrimental effect on developmental efforts. The 16th International Conference of Labour Statistics, Geneva (1998) defined underemployment as reflecting under-utilisation of labour force and has been broadly interpreted to imply any kind of employment that is “unsatisfactory” (as perceived by the workers) in terms of insufficient hours (time-related underemployment), insufficient compensation (income-related underemployment) or insufficient use of one’s skills (skills-related under-employment). The non-use of ex-mine workers, who are likely to have the relevant skills, aggravates underemployment in this area. Community members felt that there were numerous Zambians highly qualified who are working outside the country that could be recalled to work in the Copperbelt. Under-employment is a cost to the economy, to society and to the individual and family.

A lack of decent employment can often compromise a person’s future employment prospect and frequently leads to unsuitable labour behaviour patterns that last a lifetime. Ryan (2000) suggests that there is a **proven link between unemployment and social exclusion**. This has an impact on the dignity of community members.

Corrupt recruitment practices that are rampant in the mining communities have the same impacts in terms of capability deprivation and a demeaning impact on the human rights of community members, especially the women. The high level of prostitution among women as well as young female children exemplifies the level of human rights deprivation. In terms of developmental plans and evaluation, these practices distort the level of economic deprivation that leads to poorly informed developmental policies.

The poor employment infrastructure resulting from limited choices in employment opportunities, except for the mining industry, impacts heavily on the capabilities of mining community members. This aspect disempowers individuals in the mining communities because they are dependent on the mining industry for employment. The mining industry has power over individuals in the mining communities because they do not have competition from alternative industries in the area.

The dependence on only the mining industry for economic activity also has a negative impact on the outcomes on the community businesses set up by local businessmen. This confirms the model of Samson *et al.* (2001) that **lack of economic growth and investment is one of the obstacles in creating more jobs in African countries**, which is reflected in these communities.

The summary of capabilities at the micro level touched on some of the issues that need to be considered in the implementation of developmental policies in the mining communities. The capabilities analysis discussed illustrate how environmental practices as well as the actions of other organisations impact on the capabilities of community members as well as their human rights. This in turn affects the potential for development in the mining communities. Since the capabilities of community members are closely linked to the environment in the mining communities, it is important to examine the capabilities of institutions at the meso level to implement developmental policies.

10.2.2.2 Capabilities at meso level

Mining communities, civil society and quasi government organisations play a major role in the environment as well as the developmental practices in the mining communities. The discussion thus far has focused on the poor coordination of activities undertaken by these institutions, which contribute negatively to the development of mining communities. The following discussion will consider the capabilities of the mining companies, the civil society and the quasi government organisations in terms of **implementing sustainable development** in the mining communities.

10.2.2.2.1 Capabilities of mining companies

The discussion in this section relates to the capability deprivation in the mining companies that preclude them from effectively implementing corporate social responsibility.

What is crucial when considering capabilities in terms of corporate social responsibilities, is to ascertain the attitudes of the corporation towards issues such as human rights. How they value life will determine how they value the cost of their profitability. Unfortunately, the history of human rights behaviour of multinational corporations in the African mining industry has generally been negative. In the advent of globalisation and increased calls for democracy as a tool for guaranteeing the rights of individuals it is therefore assumed that mining companies from countries that hail themselves as the leaders in upholding such rights should be associated with advancing rights of individuals over profitability. As long as companies operate below their capabilities in terms of environmental, remuneration and health and safety practices just because they are in Africa, they are infringing human rights. The impact of this is that not only do they experience capability deprivation but they also add to the capability deprivation of the people in the country they operate in. Therefore, if the drive for profitability does not take account of human rights and value human life, especially in the African mining environment where human rights abuse has been rampant, the concept of corporate social responsibility will remain a theoretical aberration.

Mining companies in the Copperbelt are more focused on the profit-making part of their agenda than being a corporate citizen. Added to this is the relatively short life of the copper reserves of 15 years and the current high copper prices leave little room for mining companies to focus on social issues. As a consequence of this, mining companies have no capacity within the companies that are dedicated to corporate social responsibilities. Poor focus on behaving like a corporate citizen means that most mining companies either undertake temporary projects that are of a temporary nature or do not undertake any projects at all. The effect of such projects on sustainable development is negligible. The capability deprivation in this case is the mindset of mining companies.

The mining companies in the Copperbelt have limited knowledge concerning the mining communities. Mining companies have limited knowledge of the needs as well as the skills within the mining communities. If mining companies were informed about the activities of other role players in the mining communities they would be aware of the negative effect the recruitment by contractors are having in the communities under the banner of the mining companies.

As indicated above, the lack of guidance and education among mining companies about what determines corporate social responsibilities in Zambian context contributes to the capability deprivation among the mining companies. The anthropological nature of the Zambian corporate social responsibility exacerbates this lack of commitment.

The lack of punitive consequences for ignoring environmental regulations that impact on human rights, impacts on the capabilities of mining companies in terms of their external image. This is because as much as the mining companies are making profits they are also earning negative reputation for abusing human rights as well as the environment. These aspects are increasingly becoming important factors in the shareholders' portfolios. Factors such as fair trade has become a marketing tool that companies use to get a competitive edge; this is more so today with the increasing competition from the Chinese market that has not yet grappled enough with the concept of human rights and fair trade.

Apart from issues relating to role clarification in relation to what is expected of them in terms of corporate social responsibility, there is a need for a general mindset change among most of the mining companies. There is a need to not only consider making profits but also the cost of making profits both in terms of the environment as well as infringements of human rights.

10.2.2.2.2 Impact of Civil Society activities on capabilities

Currently, the mining communities have been characterised with a high rate of civil society activities, which have provided some far reaching support to the community members. Although the outcomes have been very positive in terms of the benevolent activities, there is a down side that has developed from this support in that community members as well as government have unwittingly become dependent on these activities. This dependency could become detrimental to the developmental process of these communities as this support could result in capability deprivation in several ways. This discussion will initially consider the capability issues that impact on the capabilities of the NGO's ability to fully commit to sustainable development. Secondly the discussion will examine how civil society in the mining communities impact on the capabilities of individuals in the mining communities.

Some of the factors impacting on civil society's ability to commit to sustainable development include:

- The unpredictable funding constantly faced by civil society is an obstacle that compromises their ability to fully participate in sustainable development (Edwards and Fowler (2002). Edwards and Hulme (1996) suggest that, though the evidence is inconclusive, there are signs that stronger dependence on official funding may compromise the NGOs' performance in key areas. The study revealed a number of established local NGOs that were either in the process or had been abandoned because the funding agencies had stopped financing them. This aspect not only negatively impacts on the NGO's ability to implement the objectives that it is set up for but also negatively affects the community members whose activities depend on the NGO.
- Edwards and Hulme (1996) suggest that donor agencies are keen to fund NGOs on the grounds of their efficiency and contribution to good governance. However, on reviewing performance legitimacy and accountability it is suggested that the case for emphasising the role of NGOs rests on ideological grounds rather than on empirical verification. Although some civil society works efficiently to monitor the democratic rights of individuals in society by monitoring the performance of government, in the current context there are no structures to monitor the quality of performance of civil society. Lack of such monitoring structures means that assessments of developmental processes are therefore based on the expenditure accounted for the projects rather than the actual performance. At the same time most NGOs do not have punitive action set against them should they operate inefficiently or give the wrong advice as in the case of the IMF and World Bank's ill advice on the Zambian mining contracts (Fraser & Lungu, 2007).

- NGOs are not democratically elected and can at times set standards based on their own culture or what they perceive to be the cultural needs of the country they are operating in. At the same time their pressure group function can help to enhance the democratic process thereby contributing positively to the capabilities of the communities. This has been evidenced by the efforts and contributions made by civil society with regard to the renegotiation of the Zambian mining contracts.
- On the other hand, there is a danger that a highly active and successful civil society may alienate government to the extent that it relinquishes its responsibilities. This could explain why community members report that in the Zambian communities the government is relatively invisible.

Parts of the following discussion relate to how civil society in the mining communities impact on the capabilities of individuals in the mining communities.

- Most civil society activity in the Zambian mining communities is aid-based and consequently promotes dependency in community members. In order for mining community members to compete and successfully face the challenges of globalisation, they need to have a competitive mindset.
- Civil society mainly focuses its activities on providing basic needs for community members. Although this is an important starting point for development in communities, limited exposure to other activities can suppress the aspirations to achieve other creative activities. On the other hand, civil society can also play a hand in developing and promoting creative activities. Depending on the quality of the NGO capability promotion or deprivation of individuals in the community members can result from the activities of civil society.
- Edwards and Fowler (2002) suggest that one of the most important factors is the failure of NGOs to make the right linkage between their work at micro level and the wider systems and structures of which they form a small part. By providing services without coordinating with other role players in the mining communities as well as the wider communities, they can hinder development in the communities. One possible outcome is that they can distort the level of community deprivation, which will only be identified when the NGO leaves. When they leave they leave a gap that has not been budgeted for by other role players, which results in more poverty.
- It could be argued that the high level of NGO activity in the mining communities is an indication of services that are required in the communities that should not be left in the hands of institutions with an unpredictable future. It can also be construed that some of these NGOs are providing services that could contribute to a reduction in unemployment in the communities. There are services such as community schools operating below standard because of lack of trained teachers and equipment.

What is generally surfacing from this discussion is that as much as there are generally positive outcomes from civil society, there can be some aspects of their activities that can negate the developmental potential of communities. It is important that policy makers as well as civil society take account of some of these factors in their operations. Policy makers need to ensure that they take the positive aspects of these important agents in society, but at the same time to be aware that there is need for evaluation tools to ensure that civil society does not have a detrimental impact on development.

10.2.2.2.3 Capabilities of quasi government organisations

Quasi government and other government departments in the mining communities are in key positions within the mining communities in terms of upholding and protecting the human rights of community members. Quasi government and government departments are charged with the responsibility of ensuring effective policy implementation through their role of policy interpretation, monitoring and evaluation. To effectively undertake this role, these organisations must ensure that they take a lead in all aspects relating to human rights. If they do not take the lead and educate others by setting the standards to be attained, they open the door to continued infringement of human rights in the mining communities by other role players. This is in line with Sen's (1999) argument that governments should be measured against the concrete capabilities of their citizens.

Although quasi government organisations have been set up to undertake monitoring functions in the mining communities, factors associated with poor resource capabilities have hampered their abilities to carry out their function. As the major government representatives in the mining communities this lack of capacity can be viewed as the major source of human rights infringements as well as environmental degradation in the mining communities.

What emerged from this study is that, apart from the capacity issue relating to monitoring, as well as setting up inadequate punitive action against the mining companies, the quasi government organisations are disempowered by economic factors. Economic factors appear to take precedence over other factors in the mining communities including issues relating to human rights as well as environmental rights. What is interesting is that mining companies were initially sanctioned to use old machinery that is responsible for emitting pollution and other environmental degradation until they are viable enough to purchase efficient machinery. This means that until such time that the mining companies concerned are ready to replace the machinery; the community members will continue to suffer the impact of the poor environmental effects of the companies. Given the poor capacity in the organisations and poor punitive action, they have limited power to ensure that mining companies move on from using the inefficient and old machinery despite making sufficient profits.

These contradictions in decision making give an idea of the extent of the disempowerment these institutions experience in terms of protecting the rights of individuals in the communities. By compromising the standards, these decisions facilitate investment into the country. However, the cost to human rights, well-being as well as life expectancy is unaccounted for. What is interesting is that most of the companies would not be able to operate using these environmental compromising and unsafe machinery in their own countries. In view of this it could be interpreted that in the interest of economic investments, human rights are being sacrificed. The impact on capability deprivation is immense because the organisation that is to lead in the protection of human rights is actively compromising it. The message this conveys to the other role models concerning the value of human rights will invariably be negative and will impact on their attitudes and their approach to the human rights of local people.

The consequence of this is that corporate social responsibility becomes the burden of corporate organisations to regulate. The effect of which is ineffective corporate social responsibility practices because of lack of consistency in leadership.

10.2.2.3 Capabilities at the macro level

In agreement with Sen (1999), other role players in the mining communities place a great deal of significance on the role of government in the developmental process in this area. At the same time the research has identified that government has a key role to play in the effective implementation of corporate social responsibility. Capabilities in these two aspects are crucial to the development in the mining communities.

In order to evaluate the capabilities at the **macro level**, this section will consider how the developmental policies of government in the mining communities impact on the capabilities in the mining communities. The discussion will be followed by an assessment of government policy on corporate social responsibility impacts on the capabilities of corporate organisations in the mining communities to effectively contribute to the development of the mining communities through corporate social responsibility.

Sen (1999) argues that, in order for economic growth to be achieved, social reforms such as improvements in education and public health must precede economic reform. The developmental policies relating to infrastructure development in the mining communities have been relatively negligible and have been highly dependent on local intervention. Community schools are a prime example of local interventions regarding infrastructure by community members as a way of bridging the inadequate supply by government. Government's poor capacity in terms of financial resources has been the main cause of this lack of infrastructure

development. This, however, not only impacts negatively on the government's capability to effect development in the mining communities; but it contributes to capability deprivation of individuals in the communities. This undermines the capabilities and the outcomes of the local development interventions. The expectations of government that relate to corporate social responsibility could be viewed as poor in terms of specifying developmental projects, linkages to national project targets, role specification and what the government specifically expects in terms of corporate social responsibility. Lack of these specifications debilitates the capabilities of mining companies to attain effective results from their corporate social responsibility efforts. This situation impacts on its leadership role as the protector of human rights of mining community members.

Lack of resources in terms of both human capacity and financial impacts on the government's capabilities participate fully in negotiations on a global level. This has been evidenced by the government's reliance on international civil society organisations in negotiating contracts with the mining multi-nationals. In terms of corporate social responsibility, this level of disempowerment may explain the government's passive role in terms of stating explicit roles and baseline activities as well as legislating substantive punitive consequences for non-compliance. The South African Minerals and Petroleum Resources Development Act [MPRDA] (2004) is a prime example of legislation setting out targets in terms of social, economic, employment directives as well as deadlines in relation to corporate social responsibility. Punitive action in the form of renewal of mining licences motivates mining companies to initiate some meaningful corporate social responsibility practices. The act also provides some guidelines to the type of projects that mining companies can participate in that will lead to sustainable development that is in line with national development activities. The implication of not having punitive consequences and guidelines relating to sustainable development projects is that mining companies either participate in some form of corporate projects in the communities or do not bother at all. In either case government policy does not provide reference points to measure these companies' performance. As a result the government experiences capabilities deprivation in its ability to challenge the mining companies with respect to not undertaking any corporate social responsibilities.

Lack of explicit management of corporate social responsibilities has resulted in limited government activity in the mining communities. The implication of this has been that policy makers have undermined communication structures between communities and government. The effect of poor communication between policy makers and communities is that policies directed at community development can be ineffective.

Issues relating to capability deprivation at the macro level are crucial because they impact heavily on the capabilities of other role players in the mining communities which impact

heavily on the effectiveness of corporate social responsibility and in turn sustainable development. The capabilities approach has shown that before the Zambian government can expect effective corporate social responsibilities in the mining companies, the government needs to create an environment that enables the community members as well as other role players to effectively respond to developmental plans. What has emerged from this analysis is that **government has been emasculated** by the power of mining companies through their global status and Zambia's desperation for international investment into the country. This has compromised the human rights of Zambians under the banner of economic investment.

10.3 CONCLUSION OF CAPABILITY APPROACH

Indications are that there is a high degree of capability deprivation at the micro and macro levels that manifests itself in the form of dependency and disempowerment. On the other hand, at face value, it appears that the institutions at the meso level, especially the civil society and the mining companies, have very limited capability deprivation issues impacting on their organisational objectives. The same cannot be said of the quasi government and local government departments because the disempowerment and capability deprivation in government at macro level is translated to the capability deprivation in implementing the policies by these organisations. Further analysis into the capabilities of the civil society and mining companies finds that they too experience substantial deprivation when their capabilities are contextualised to the environment in which they are practising. Although they tend to achieve their objectives, they at the same time induce dependency in the communities in which they operate which overtly or unwittingly infringe the human rights of others. This in turn hinders development and perpetuates the power imbalances in these communities. The level of capability deprivation at macro level culminates in ad hoc developmental programmes due to lack of government leadership. This leaves that the **developmental nature of the mining industry is characterised by temporary and crisis interventions or measures for structural developmental needs**. This renders the quality of corporate social responsibility ineffective and leaves poor prospects for sustainable development. Again, the capabilities approach highlights the need for the integration of the micro, meso and macro levels in order to achieve sustainable development that takes account of the gap between policy and practice, policy and human rights as well as practice and human rights.

10.4 SWOT ANALYSIS

Doing a SWOT analysis (see **Appendix A**) is useful as it identifies all stakeholders in the mining communities as important potential contributors to sustainable development. In doing so, the analysis identifies stakeholders beyond being the victim or the oppressor who are

either dependent (communities) or abusers (mining companies) or other stakeholders. This analysis has identified all stakeholders as having the strengths or weaknesses as well as opportunities or experiencing threats to determining the destiny of the mining communities. The implication is that the analysis gives the stakeholders ownership of and responsibility towards sustainable development in the mining communities. The analysis also helps to advise what possible roles the stakeholders can play in the sustainable development process and at the same time indicates what issues may impact on their abilities to fully participate in this process. Although this study was not specifically dedicated to undertaking the SWOT analysis, the information collected in the survey provides a summary of the positives and negatives each group of stakeholders can contribute to the development of mining communities. This will be possible only if efforts are coordinated and informed and there is consent of all stakeholders to participate. The elements of this analysis show the importance of integration and further illustrate the interdependence of all the levels of analysis if sustainable development is to be achieved through corporate social responsibility.

Several combinations as an example of how this can work in terms of elements of strength and opportunities, can contribute to initiating strategic plans for sustainable development in the mining communities. The willingness to work in collaboration amongst all stakeholders in the mining communities; the financial strengths identified at the meso and macro level within some institutions, combined with the opportunities that include continued favourable copper prices and potential for CSR legislation, can form the initial steps towards establishing a strategic plan to overcome impediments to sustainable development. Strategic plans can be formulated using the element of strengths and opportunities within these communities to overcome or minimise poverty as well as maximise capacity at the meso and macro levels.

Against the background of the gaps revealed by the analysis, it might be useful for the mining companies to utilise the following developmental plan to support them in the implementation of sustainable development projects on the Copperbelt.

10.5 SOCIAL INVESTMENT DECISION ANALYSIS TOOL (SIDAT)

In doing CSR projects, companies will do well if they work with a system/method that helps them to decide what the project should be. It seems that mining companies on the Copperbelt are struggling with certain implementation challenges when it comes to performing CSR. The **Social Investment Decision Analysis Tool (SIDAT)** (Esteves, 2008) is a decision model for evaluating social projects in order to create value for both the company and the community. It is a decision process that aims at addressing some of the challenges faced by managers responsible for selecting social projects. The phases of SIDAT involve integrating and

understanding the critical issues facing the business and the potential for social investments to address these issues through **community participative processes such as needs assessment and partnering**. The phases of SIDAT are the following (Esteves, 2008):

- **Phase 1: problem structuring**

The starting point is critical, as it involves defining the business issues at a site level over the next three years and how value can be created by investing in the social environment in which the site operates.

- **Phase 2: development needs analysis**

Community needs and priorities are generated using quantitative and qualitative social assessment methods (at a micro, meso and macro level). This typically involves socio-demographic analysis and other social profiling methods, identifying stakeholders for participation in the assessment, as well as interviews or focus groups. Rather than limiting the assessment to identify a range of possible projects for the company to support, the emphasis is on identifying areas of need.

- **Phase 3: preference evaluation I: setting objectives**

Using a simple 'weight and rate' method, company decision-makers aggregate business and community objectives, and rank and select community need to be addressed, according to the extent to which addressing these also address business needs. The resultant shortlist represents the area of convergence between business need and community need.

- **Phase 4: alternatives generation**

Once a narrowed-down set of focus areas has been identified, the next step involves an in-depth investigation into how the issues can be addressed. Typically, this involves consulting with government agencies and experts working in the area, and working jointly to understand community needs and identify alternative strategies. Screening is undertaken to ensure that project alternatives are self-sustaining and provide ongoing benefits after the life of the project.

- **Phase 5: preference evaluation II: selecting projects**

This phase iterates the previous as, as the process of selecting projects involves refinement of objectives, since learning is transferred between participants. Business and social indicators and performance measures are developed at the end of this stage.

- **Phase 6: management systems**

Finalising the project plan also involves selecting appropriate project management and governance structures and systems. Decisions are made regarding the ongoing participation of stakeholders in project implementation and governance.

- **Phase 7: annual review**

Integral to the success of the process is a feedback loop that enables the manager to evaluate and revisit priorities to ensure that the project remains relevant and is undertaken with rigor. Integration with annual business planning process ensures programs are adequately resourced and business needs are met. Two key outcomes of the approach are a clear vision for the company's social spending and well-defined areas of focus; and performance measures that show a pathway between the selected project and its business impact and social impact.

Mining companies operating on the Copperbelt will do well if they apply the **Principles, Criteria** and **Bench Marks** as specified in the Bench Marks Foundation's (2003) *Principles for Global Corporate Responsibility: Bench Marks for measuring Business Performance*, in all the phases of **planning** as well as **implementing** CSI and CSR projects.

10.6 SUMMARY OF ANALYSIS

This research revealed **vast differences between expectations, perceptions and needs of the different role-players in the mining communities**. The only way to start an alignment process between micro, meso and macro level expectations and the perceived responsibilities within these communities, is to embark on a community engagement process aimed at **mutual understanding and improved community relations**. Even before any social or developmental problem in any of these communities can be addressed, serious efforts have to be made to start establishing common ground among the role players and to address the lack of trust and vast differences in expectations and perceptions that this survey has unveiled. Community engagement initiatives, through **participative communication programmes**, linked to the mining companies' communication strategies are the vehicles that should be used to address the current lack of common ground and mistrust among the role-players.

Broadly speaking, improvements should come about as a **result of better communication, integration and power relations within and among communities, implementing institutions and government**. Acknowledgement of power and how it impacts on other role players is important because if is not used well it can result in further exploitation of others. There are **power struggles** and **lack of coordination** within these institutions which can

hamper development. Therefore to achieve effective change and sustainable development, these issues have to be addressed and dealt with. However, it is important that the **Zambian government takes a leading role** in achieving these objectives, as this is its **legitimate role to protect the rights of its citizens**. The aim should be to get a better understanding of each of the role players' needs and to then work towards supporting each other. It is also important to note that, at this stage, most communities are focussing on basic needs and therefore may not be full partners to the sustainable development agenda. The SWOT analysis is encouraging in that it shows that within the Zambian mining industry there are sufficient resources to achieve effective CSR that can lead to sustainable development. However, as is the theme throughout the study, the issue of organisation relating to training, capability, communication, governance and commitment, that need to be there to put these resources into effect. Lastly, the description of utilising the Social Investment Decision Analysis Tool (SIDAT) provided mining companies with a decision model for evaluating social projects in order to **create value for them as well as their communities**.

11. RECOMMENDATIONS AND CONCLUSION

11.1 RECOMMENDATIONS

At this point, the third and last aim of this study (*see point 4*) – ‘to make recommendations which will help mining companies in the region to achieve their corporate social responsibilities (CSR) and ensure sustainable development’ - will be placed under the magnifying lens. In the first sub-section a **contextualisation for recommendations (11.1.1)** in terms of strengths, weaknesses, partnerships and the discussed critical underlying factors will be set. Consequently, **specific recommendations (11.1.2)** will come up for discussion.

11.1.1 Contextualisation for recommendations

First of all the lack of development in the mining sectors from the countries being studied could be linked to the **poor structure of the SADC region** as a whole. The organisation (SADC) and every one of its members lack the human, financial and institutional capacity to realise (or facilitate by means of other actors) most of SADC'S objectives and plans. This affects practically every facet of the region, including the mining sector. The members are too poor, their governance mechanisms and institutions are too weak, their needs too great, their skilled staff too few, the demands of usefully participative capacity in all the national, regional, continental, global and other initiatives too onerous (Oosthuizen, 2006/7).

Thus far the research has been focused mainly on the **negatives**, which is understandable as it is mainly based on the perceptions of communities who have been disadvantaged and feel that they have been exploited for the past few years post privatisation. This is the reality for these communities and it is impossible to address these perceptions if the mines do not know what exactly these perceptions and expectations entail.

However, when making recommendations, it can be advantageous to focus on the **positives** that each role player can bring to the relationship. The negatives are important for understanding what the communities have been going through – occasionally as a result of their own actions, but more often as a result of those of other role players (e.g. government and mining companies) - and can be used as a lesson that must not be repeated. On the other hand, if the negatives are not managed well, they can leave the role players accused of exploitation, feeling vulnerable and force them to make quick, dramatic responses and decisions, which can be detrimental to the entire process of achieving sustainable development.

The research results of this study showed vast differences between expectations, perceptions and needs of the different role-players and stakeholders. The only way to start an alignment process between community expectations and the mines' own expectations and perceived responsibilities within their neighbouring communities, is to embark on a **community engagement process** with the aim of mutual understanding and improved community relations.

Broadly speaking, improvements should come about as a result of **better communication, integration and power relations** within and among government, the mining companies, civil society and the communities. Acknowledgement of power and how it impacts on other role players is important because if not used well it can result in further exploitation of others. So far the power relationships that have been discussed have focussed on the power struggles between institutions, namely government, the mines, civil society and the communities. Currently there are power struggles and lack of coordination within these institutions which can hamper development. In the case of communities, the relationship between those with power and the powerless comes in several forms including: gender, age, class, ethnicity, employment status and migration status. All these variables need to be taken into account at the consultative stage to ensure that all interest groups, including the most vulnerable such as the youth, children, elderly and women, are taken into consideration. The aim should be to get a better understanding of each of the role players' needs and to then work towards supporting one another. As already mentioned in this report, it is important to note that most communities are focussing on basic needs and therefore may not be full partners to the sustainable development agenda. The point is that communities may be overwhelmed by the

sudden interest in their welfare and be pushed to contributing to decisions that have a short-term impact because of their inexperienced negotiating position.

As a way of contextualising recommendations regarding the **Zambian mining sector**, the study has made use of the **capability approach** and the **SWOT analysis** to determine the policy and practice gaps in terms of the human rights as well as sustainable developmental achievements in the Zambian mining communities' context. The capabilities approach has helped to identify the human rights gap as well as the developmental gaps at all levels (macro, meso and micro) that need to be taken into account when making recommendations to improve practice. The SWOT analysis has identified some of the tools (through the identification of elements, such as the **strengths, weaknesses, opportunities and threats** at all levels within the Zambian mining context) that need to be taken into account when making recommendations to improve practice. The Bench Marks CSR tool is a useful instrument to all stakeholders as a measure of achievement objectives for optimum human rights and sustainable development through CSR.

11.1.2 Specific recommendations

Against the background and context sketched above, the following are some of the recommendations:

- Mining companies as well as the Zambian government must work towards achieving the **Principles, Criteria and Bench Marks** of CSR, as lay down in the framework (Principles for Global Corporate Responsibility: Bench Marks for measuring Business Performance) of the Bench Marks Foundation (2003).
- There are serious concerns about the legislative environments within which mining corporations operate throughout SADC. The researchers would **recommend that legislation be standardised throughout the region** so as to avoid some countries becoming 'pollution havens' for unscrupulous mining corporations; in the divide and rule rush for mineral investments some African countries may fall pray to abuse and exploitation.
- Communities are characterised by **high cash dependency** with no informal activities relating to extra income earning projects, such as cottage industries, back yard vegetable gardens, etc. Consequently, the levels of poverty are dependent on the employment status of the community members. **Continuous sustainable projects** that generate local employment are thus crucial; also with the possibility of future mine closure in mind.
- Community projects require **creative marketing strategies** and **comprehensive business plans**. Project consultants can be used in this regard.

- Mining companies are listed on the **International stock exchanges**; therefore are able to raise more money than African governments in some cases. Consequently they have been able to enter into international agreements with national governments which national governments cannot overturn in order to implement their CSR policies. Strategies must thus be found to enable governments to **utilise legislation** to overcome these financial deficits.
- Mining companies' **cost accounting** must include the environment, economic and social costs of the communities.
- The research highlighted **infrastructure** as one of the major priorities. A good working relationship and partnership between all parties (the mining companies, national and local government, NGOs, traditional leaders and communities) are crucial to resolving the housing issue.
- **Mine management plus key employees require training** with regard to community engagement, communication and dealing with communities and traditional leaders at different levels. A strategic alignment process is needed to align employees, especially those on middle management level with company values as expressed in the policy documents of the mine. In order to achieve this, the mine could make use of training and research institutions such as universities, or business consultancies, which can assist with this long-term process.
- **Technical language** with regard to environmental affairs often leaves a large proportion of the communities in the dark about the efforts and improvements that mining companies are making towards the environment. When dealing with community members, the mines need to appreciate that there is a difference between what is scientifically acceptable and what is socially acceptable and understandable in terms of environmental issues.
- The Zambian economy is currently growing at more or less **5.0%**. One of the reasons is the large scale investment in the copper sector. Since 2001, **copper production has increased as follows**: 2001, 296 446 metric tons (mt); 2002, 337 367 mt; 2003, 349 814mt; 2004, 398 154mt; 2005, 444 514mt. January-May 2006, 220 017mt, which is 50% of what was produced in 2005. **Record high copper prices** were also reached on world markets: the copper price has risen from US \$1 713/ton in 2001 to US \$6 918/ton in June, 2006. Though copper mining has become prominent in terms of exports and to some extent employment, **government strategies and policies are focused on reducing the country's dependence on copper** through economic diversification as articulated in the FNDP (2006-2010). In these diversification efforts, **attention will need to be paid to those areas that have high potential for creating employment**. This will make the economy resilient to future external shocks and ensure sustained development (Fundanga, 2007:11-14).

- **Rising commodity prices** are a reality over the past few years. This leads to **astronomic economic growth** in some resource rich African countries, amongst others Zambia. Although African economies are being advised not to be too dependent on mining and to diversify (e.g. agriculture and the manufacturing sector – *see above point*), they cannot afford not to take advantage of this window of opportunity. But, it is also very important for Africa to **stop its subordinate role in the global economic playing field**. The **grip of the World Bank, the International Monetary Fund (IMF) and the Chinese** on African economies must also be broken; in this regard the national governments of African countries must play a leading and innovative role (Visser, 2008:16).
- The SADC governments must develop the capacity to have **control of mineral resources** in **processing, manufacturing and marketing** the minerals that are currently being undertaken beyond national borders.
- To operate within Zambia's **current economic transformation era**, **CSI/CSR practices** on the Copperbelt should definitely (CSI Handbook, 2007:26):
 - Be closer aligned with core business
 - Comply with requirements of charters and other Industry Codes
 - Put formula-based CSI budgets in line with charters and Industry Codes
 - Come up with new and refined CSI strategies with defined benefits for the business
 - Integrate CSI thinking throughout the business
 - Have specialist staff to manage formalised CSI programmes
 - Make wide use of EVPs (Employee Volunteer Programmes) to mobilise employment involvement
 - Form long-term working partnerships with NPO (Non-Profit Organisation) service providers and other partners
 - Put social investment, rather than grant making to the fore, with emphasis on development returns
 - Measure CSI results against output-based objectives and CSI indicators
 - Externally verify CSI results
 - Increase communication about CSI and formal reporting
- **Government should take a lead role** in the sustainable development of mining communities and corporate social responsibilities.
- The government together with other stakeholders in the mining communities should set up **strategies for effective community engagement** as an important part of the sustainable development process of CSR and sustainable development. **Clear communication channels** at all levels are essential in this regard.
- The government and other stakeholders should **establish one vision for corporate social responsibility and sustainable development** for the Zambian mining communities.

- The government should undertake research into **good CSR practice in SADC and international approaches to CSR and sustainable development in mining communities**. The research findings should be used to make informed directives in setting up Zambian legislation on CSR and sustainable development for the Zambian context. A follow-up on this Bench Marks project could be valuable.
- Research must be undertaken at the **micro, meso and macro levels to ascertain capacity** to be part of a CSR strategy to achieve sustainable development through CSR.
- Strategies must be formalised by government that include **training, capability, engagement, governance and commitment** to prepare all role players (at micro, meso and macro levels) who will be involved in the **implementation of sustainable development through CSR legislation**.
- **Company policies and contracts must not override national legislation**. The Zambian mining legislative structure must give guidance to what is to be achieved by whom, where, how and when. The Act must also provide fitting (effective and severe enough) **punitive directives** for non-compliance.
- **Welfare legislation** must take into account community members burdened with obligations to support other community members suffering with HIV/AIDS and TB. **Tax incentives** for employees must support this state of affairs.
- Legislation must have identified **monitoring agencies** and targets embedded within it. Capacity of monitoring agencies must be effective and targets must be realistic.
- Government should undertake either **structural or upgrade infrastructure** as a necessary and non-negotiable requirement for sustainable development in the mining communities.
- Development projects should focus on employment creation as a priority in order to set the foundation for community members to set up **income generating projects**.
- **Self-help projects** to focus only on those with entrepreneurial motivation rather than income generating reasons.
- An **ongoing developmental process** must be achieved through reviewing and evaluation of progress.
- Companies should also do more in the area of **CSR reporting**. Companies operating on the Copperbelt must aim at **regularly disclosing** issues relating to sustainability, CSR strategies (including projects) and policies in a **uniform and truthful manner**. This will not only help companies in gaining and maintaining their SLOs and improve on their corporate image (e.g. community perceptions), but it will also form part of bridging the 'gap' in communication that is currently in existence between companies and their stakeholders.

- To achieve effective CSR and sustainable development in the surrounding mining communities on the Copperbelt, government and other stakeholders must also act in a **transparent** way in all their actions.
- In doing CSR projects, companies will do well if they work with a **system/method** that helps them to decide what the project should be, for instance the **SIDAT model** (Esteves, 2008) (see 10.6). Dedicating personnel specifically tasked with the CSR and sustainable development process is essential.
- The Zambian government should be committed to legislate the use of a **set percentage of mining companies' annual turnovers to finance sustainable development** in the mining communities. Government must also be committed to **use income from taxes for financing CSR** and sustainable development projects.

11.2 CONCLUSION

In a regulatory sense, it seems that the industry in Zambia is embedded in a thorough, clear and **well-regulated legislative framework** in terms of mineral extraction. However, legislation in terms of CSR seems to be lacking. The implementation and monitoring of these policies also seem to be problematic. As a result, **serious environmental and social problems** exist throughout the country. Health, safety and labour issues are quite a threat to the mining environment and present huge challenges to the industry. For the industry to be successful in the long term, it needs to obtain the support of the communities in which it operates. Sound relationships and cooperation between the different stakeholders (mining companies, civil society, government and communities) are essential for the sustainability of the mining sector in Zambia, where human rights often take second place to profitability whilst corporate social responsibility remains a theoretical aberration. Issues relating to poor governance and poor resources in terms of human and financial capacity appear to be the major cause for these continued practices. The implications are that CSR driven development is rendered ineffective unless the Zambian government takes the necessary steps to overcome these limitations. Government must take into account that, in a democratic nation, it has the role to protect the rights of those who elect them rather than sacrifice their human rights for the sake of foreign investment.

One of the main issues that came to the fore from this research is the opinion of the new investors which state that “their core business is mining”. This statement has been mentioned occasionally during the research (literature and empirical work) and it has become part of the general knowledge of ordinary Zambians who might have expected something different. The fact of the matter is that, when this ‘business’ relates to the extraction of minerals that are supposed to belong to all the people of a given country and because mining has so many

impacts on all levels of society, the companies' core business should at the very least be **'responsible mining'**.

Currently, this (responsible mining) is **not** happening on the Copperbelt, as is evident from the **'poor results'** that were obtained from the measure of CSR practises against the *'Bench Marks Tool'*. This can also be derived from the fact that there are certain companies who **operate with much lower standards** in terms of health, safety and environmental protection than their parent companies are doing in more developed countries (*compare* Dam & Scholtens, 2007). However, not all companies are behaving like this, as it has been mentioned that the new mines that are opening in the Northern part of the province are starting, as ECZ describes it, *'on a clean slate on international standards'*. Knowing that this is the situation, a few questions came to mind for consideration: How is it possible for new mines that are beginning to operate in the Copperbelt, to work with modern technology, but already existing mines still have to work with old equipment dating back to the '70s? Why can all the companies not at least apply the same standards of health, safety and pollution prevention as elsewhere in the world? Do they not value the lives of Zambians the same as lives of people living in their home countries? Does all of this mean that mining companies are exploiting Zambia's desperate need for investment and economic growth and its consequent disempowerment to enforce stricter legislation, to advance their profits?

It is important to state that there are extreme social problems in the communities and the perception in the communities is that most of the problems are caused by the mines and their operations, as well as by government's passive nature during all of this. Therefore the solutions, according to the communities, are the corporate social responsibility of the mines, but also the responsibility of government entities. Although there is a strong sense of dependency in the communities, it is important to note that there are people within the communities looking to move away from this dependency on the mines. However, in order to do so they acknowledge that they need some initial support. Also important to note is the role of government as a development partner. The vast differences between perceptions and expectations mean that this study represents the start of a long-term process; in this process **the aligning of the actions and expectations of all relevant role-players** in the quest for sustainable development in the mining companies' neighbouring communities must be a priority. Finally, the study can form the basis of **an annual monitoring** study to monitor progress and identify additional stumbling blocks on the road to improved community relations.

Although **Corporate Social Investment** (CSI) is often the starting point of companies' involvement, companies must also move on to the natural second step of **Corporate Social Responsibility** (CSR) igniting a conscious awareness that a business should build a strong

public reputation for social responsibility **inwardly** (workforce practices) and **outwardly** (treatment of and respect for customers, stakeholders and the environment) (Njenga & Smit, 2007:4-8).

Lastly, it is very important to think “new and differently” about **sustainable development in Africa**. Economic growth without **job creation**, as is the case in the Zambian mining environment (see *Desktop Report 7.3.1.3*), is not sustainable; **technology and innovation** are very important principles in this regard (Vollgraaff, 2007:9). **New developmental initiatives and paradigms**, contrary to a philanthropically approach, must be considered (Anon, 2007:10). One example in this regard is the newly founded **Pan-African Infrastructure Developing Fund (PAIDF)**; what is special regarding this fund, is that it is the first fund for the development of infrastructure in Africa being launched by Africans (Mulder, 2007:10).

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