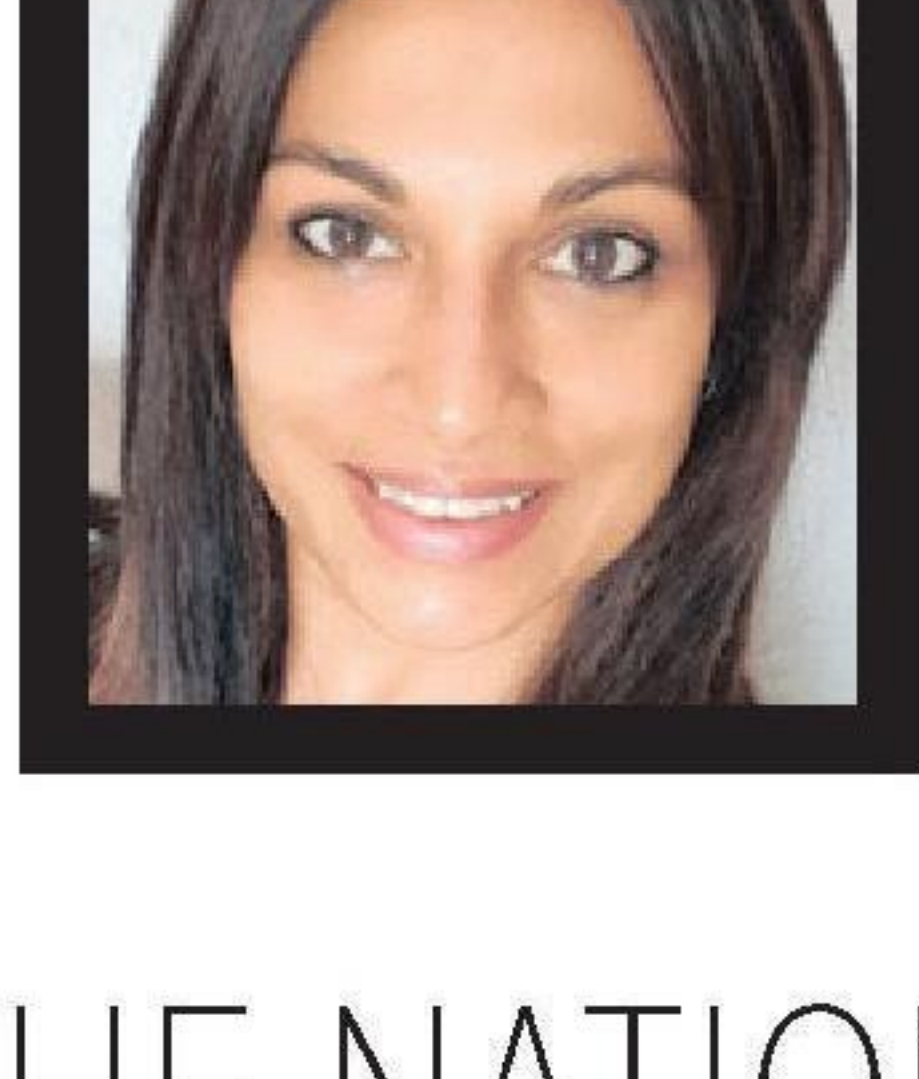


COMMENT



THE NATION NEEDS MORE THAN BAND AIDS

AVENA JACKLIN

THE government is putting people's democratic rights to know, and to say "no", under sustained attack. Government ministers are dodging their democratic duties to consult people and promote public participation by deliberately excluding communities affected by their decisions.

Their constitutional right to an environment that is not harmful to their health is undermined in the process, along with their rights to information, free speech and assembly.

Gwede Mantashe, the Minister of Mineral Resources and Energy, tried pushing through the Draft Upstream Petroleum Resources Development Bill by publishing it on December 24, when most people were on holiday.

That did not work. Seventeen community groups registered their objections to a bill that favours industry, weakens environmental protections, is heedless of the climate crisis and cuts public participation short.

The Department of Minerals Resources and Energy then arranged consultations exclusively with corporate and legal respondents for March 9 in Pretoria, excluding community groups whose livelihoods, land rights and water catchments would be compromised.

Officials said it was each person's duty to call the department to ask if there was a consultation process and if they might be included. The department had no plan to consult communities nationally. In the event, the corporate and legal consultation was cancelled as the Covid-19 pandemic swept into South Africa and the president declared a National State of Disaster.

In a separate process on amendments to the Mineral Resources Development Act and draft guidelines on the resettlement – that is, removal – of mining-affected communities, community consultations in eMalahleni, Mtubatuba and Kriel were called off without explanation.

Following a lengthy struggle to access information on the amendments, communities from Springs, eMalahleni, Middelburg, Wonderfontein, Phola and Ermelo gathered to meet department officials on March 12.

The department, however, did not show up. Deeply frustrated, people then marched to the department's offices to demand an explanation for the cancellation.

With the police present, acting department's regional director, Mashudu Maduka, blamed the municipality and the department's national policy unit for the failure to communicate, as they were leading the process on consultations.

More police were deployed and communities were asked to leave.

The long struggle against the autocratic colonial and apartheid regimes and for a democratic practice embracing human rights, inclusion and transparency, is being undermined. The Constitution calls for a participatory democracy that enables all community members to influence the decisions that affect their lives. Freedom of information is fundamental to this process.

This government is the extension of the economic relations of colonialism and, as in the colonial period, it requires restrictions on people's rights of access to information, free speech and assembly.

Issuing directives, gazetting regulations and granting authorisations while excluding those who the system makes vulnerable is a disease of a political past that is spreading through the cracks of a negligent and reckless official leadership. Washing, sanitising and band-aiding will not heal a suffering nation. But developing more resilient communities with the power to demand inclusion in the planning and decisions that are made about their lives and the future of their children will bring us to a more equal, more connected and healthier society, a society based on open democracy.

Jacklin is the climate and energy justice campaigner for groundWork, Friends of the Earth SA.