

## **New Challenges in South Africa's Fight for Climate Justice**

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As South African climate justice veterans fall,  
consciousness begins reviving, from below and across

*Deaths of four frontline KwaZulu-Natal activists – and latest  
Durban oil refinery explosion – define 2021 battlegrounds*

- Fikile Ntshangase, 1957-2020, murdered fighting coal expansion
- KwaZulu-Natal Rural Women's Movement founder Sizani Ngubane, 1946-2020
- South Durban activist Patrick Mkhize, 1960-2020
- Durban eco-feminist Faith ka-Manzi, 1968-2020



**Fikile Ntshangase**



**Sizani Ngubane**



**Patrick Mkhize**



**Faith ka-Manzi**

On three days last week – December 23-25 – South Africa's east coast province of KwaZulu-Natal (KZN) lost three of its clearest voices for social justice and environmental sanity: rural women's leader Sizani Ngubane (74), trade unionist Patrick Mkhize (60) and progressive activist Faith ka-Manzi (52).

Ngubane and Mkhize were Covid-19 victims, as a new variant moved rapidly with a sharp scythe through KwaZulu-Natal (KZN) province and across South Africa during December. The latter three Durban-based activists did not work together – aside from periodically joining city-wide protests in the country's main port city. But their passions and politics were closely interconnected, drawing from anti-apartheid backgrounds and, after 1994, despairing – and then fiercely resisting – a persistently repressive capitalist class and its allied state bureaucracy.

All were allied in spirit, too, with Fikile Ntshangase (63), whose October 22 assassination at the hands of pro-coal thugs – threatened by her success in stalling a local mine’s expansion – reflects multiple forms of fossil-fuel terror and ecocide in the Somkhele region of northern KZN, on the border of Africa’s oldest proclaimed nature reserve.

The beneficiary of the hit was meant to be the vast Tendele coal mine, owned by Johannesburg-based Petmin and originally financed in part by the World Bank. Reparations demands by her community’s lawyers were advanced in court ten days after the assassination but the immediate prize would be halting the mine’s creep into hundreds more homesteads, in an area [renowned](#) both for breathtaking natural beauty and the coal mine’s ecocide.

And in between these losses, on December 4, a massive explosion at the country’s second-largest oil refinery, Engen (owned by Malaysians), located in the South Durban port-petrochemical zone very close to Mkhize’s home, was another reminder of the desperate need to decarbonize this economy in a just manner. The country’s Parliament appeared to finally take Engen’s record of pollution and fires seriously with a special hearing including community testimony a few days later. But South Africa’s ruling party and corporate power brokers show no inclination to permit – much less promote – environmental justice.

Hence the unity of environmental, community and potentially even labor movements at these sites of struggle – driven increasingly by militant youth – must in 2021 be the renewed objective, so that memories of what each of these frontline activists have contributed never fade, but instead refresh and reverberate.

Their lessons are inspiring but also sobering. Because although each played their role with vigour, the potential connectivities between their activism were generally too weak to establish sufficient counter-power to defeat what is termed, in this region, the Minerals Energy Complex. The term refers to a century-old power bloc: the coal mines that feed a dozen massive generation plants run by state energy agency Eskom, that in turn supply electricity to several dozen deep-level mining houses, metals smelters and petrochemical industries, causing the world’s third-highest greenhouse gas emissions per unit of GDP output per person.

And all this relies, still, on the residual-apartheid migrant labor system – hence family destruction and super-exploitation of women – plus ever-generous state permission given to mining houses, to dispossess small farmers of land, so as to dig out more (drought- and pollution-creating) coal. This leaves eastern South Africa’s main coal-mined regions with what are today among the world’s worst air-pollution hotspots for nitrous oxide and SO<sub>2</sub>, as Greenpeace has [demonstrated](#), not to mention the water despoliation [litigated regularly](#) by the Center for Environmental Rights.

### **Rising climate chaos**

Such an adverse balance of forces – between eco-social movements (typically driven by local women) and multinational carbon-centric corporations (mainly run by older mostly-white men)

– is evident nearly everywhere, across the world. And as is clear from the coastal areas near Ntshangase’s residence as well as South Durban, the resulting climate chaos mainly hits the poor.

More evidence of this emerged over the last 12 months because in spite of economic lockdowns caused by Covid-19, 2020 provided what Yale Climate Connections researchers Jeff Masters and Dana Nuccitelli [list](#) as these top ten ecocidal events:

- likely tie for hottest year on record (with 2016);
- the Wild 2020 Atlantic hurricane season (30 storms);
- record-high atmospheric carbon dioxide levels despite record emissions drop;
- apocalyptic wildfires from Australia to California and Brazil;
- Super Typhoon Goni, the strongest tropical cyclone to hit land on record;
- hottest reliably-measured temperature ever (130F or 54.4C in Death Valley);
- exceptionally expensive 2020 disasters, including flooding in China (\$32 billion in damage);
- near-record low Arctic sea ice;
- U.S. withdrawal from Paris Climate Agreement on November 5, the day after the election of Joe Biden; and
- a near-record number of global billion-dollar weather disasters.

This latter bullet includes catastrophies such as the floods that devastated China, India and Pakistan, causing more than \$40 billion in damage, and the climate-related locusts that spent 2020 eating \$8.5 billion worth of crops in the Horn of African. The Atlantic and Gulf hurricanes caused another \$40 billion in damage, including in the wealthy U.S., with the overall cost of 2020’s climate damage [estimated last week by Christian Aid](#) at \$150 billion. But in *relative* terms, Christian Aid observes, the ability to survive in East Africa or Bangladesh is far less than East Texas, because in the Global South, only an estimated 4 percent of 2020’s damage was formally insured, compared to 60 percent in the North.



Cyclone Idai in central Mozambique, March 2019

Here in Southern Africa, the most damaging climate-crisis episode was the March-April 2019 confluence of three processes:

- two cyclones drawing on the Indian Ocean's substantially warmer Agulhas Current, battering Mozambique, Zimbabwe and Malawi, killing more than 1000 and drowning a vast amount of agricultural land;
- an [Easter Monday 'rain bomb' that killed scores of people](#) – all black, mainly women – in Durban and its southern coastline; and
- a sustained drought that created hot, dry spots in many vulnerable areas, leaving several cities and towns without bulk water supplies this year, including Zimbabwe's second-largest, Bulawayo, and South Africa's fifth-largest, Nelson Mandela Bay.

If not these weather warnings, what will shake South Africa's society and ruling class from a boiling-frog future? Some imagined Covid-19 would, because the pandemic's mismanagement directly resulted in three major opportunities: Donald Trump's electoral defeat and Joe Biden's imminent revival of the Paris Climate Agreement; the Davos World Economic Forum's 'Great Reset' rhetoric; and here in South Africa, repeated presidential pronouncements about 'building back better' after a lockdown that will cause at least 8 percent GDP shrinkage in 2020.

There is no space here to provide details, but all are, quite predictably, Trump-caliber cons – especially any faith that the Paris deal will have any impact at all, given its [multiple hard-wired flaws](#). As for the South African government's agenda, it hasn't changed at all:

- in 2020, as the local currency collapsed along with energy prices, the benefits of the former outweighed the costs of latter so coal exports continued apace and massive state-parastatal-corporate investments to mine and export 18 billion tons of coal from the sensitive Waterberg mountain range resumed (even as the locomotive contract was subject to deep dispute due to Chinese corruption);
- the world's two largest in-construction coal-fired power plants (Medupi and Kusile) continue in spite of fatal construction flaws and blatant corruption riddling both the Hitachi boilers and World Bank-led financing;
- there was another \$10 billion mandated from parastatal coffers to expand Durban's port-petrochemical complex;
- fracking was given preliminary approval for the sensitive Karoo and Drakensburg regions;
- offshore gas drilling by Total, ENI and Sasol in deep-water sites of the rapid Agulhas Current will include hotly-contested offshore terrain near Durban;
- there, at Africa's largest refinery complex in South Durban, antiquated facilities suffer regular explosions in the immediate vicinity of black residential neighbourhoods;
- opponents of KZN coal mining fear assassination, with no apparent state interest in prosecution;

- vast state and parastatal subsidies go to the carbon-intensive metals-smelting and auto-export industries, in spite of rising unemployment as capital-intensive production methods prevail; and
- construction of a new Chinese-dominated Special Economic Zone of at least \$10 billion will include a 3300MW coal-fired power plant (known as Musina-Makhado).

Also, due largely to Covid-19, the causes and effects of climate crisis were not subject to the mass coordinated global protests that had unfolded in 2018-19 thanks to Fridays for Future, Extinction Rebellion and other networks.

Nevertheless, various local battles against polluters have continued, exemplified by grassroots resistance movements in Somkhele's Mfolozi Community Environmental Justice Organization and the South Durban Community Environmental Alliance. And to its credit, the South African chapters of XR – joined by Londoners – offered a series of vigils to remember Fikile Ntshangase on December 10, Human Rights Day, including a [confrontation](#) with the Minerals Council mining-industry bosses in central Johannesburg.



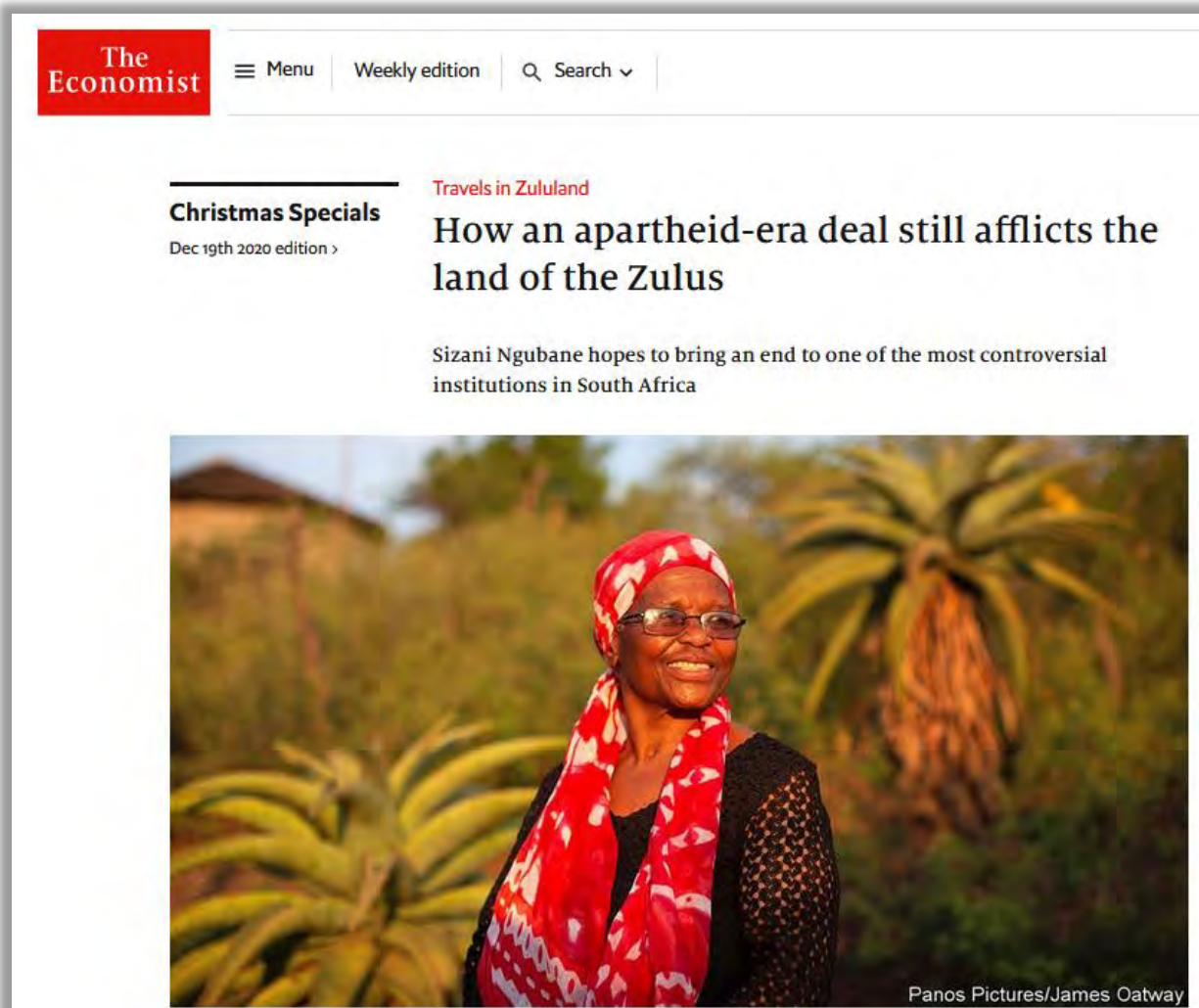
Reconsidering the strengths and weaknesses of oppositional climate politics is one way to pay tribute to the four activists who died in late 2020, all without the satisfaction of imagining that their struggles will be won in the foreseeable future.

One key question is, will local environmental-justice groups move forward in 2021 recognizing not only the urgent need to defensively fight their immediate enemies (coal and oil firms in the cases we consider below), but also the potentials for *uniting with labor* to demand and win a genuine Just Transition. The latter would logically emphasize detoxing the poisoned land, plus a food sovereignty strategy that emanates from landless women's campaigning against both corporate agriculture and ethnic patriarchal power?



## Detoxing land from capitalist, patriarchal and U.S. influences

Such recognition would serve to expand the late activists' lessons for their successors. For example, in late December (three days before she died), even Britain's haute-bourgeois *Economist* magazine acknowledged the harsh injustices that Ngubane battled on behalf of rural women, and profiled her in a [major article](#), "How an apartheid-era deal still afflicts the land of the Zulus."



Land was one part of her environmental repertoire. I'll never forget Ngubane's courageous role in the December 2011 Durban protests against the United Nations Framework Convention on Climate Change. Her group, the [KwaZulu-Natal Rural Women's Movement](#) (RWM), "is made up of a coalition of 501 community-based organizations and some groups of orphaned and vulnerable girls and some boys – with a membership of approximately 50,000," she [told](#) another journalist.



*Rural Women's Movement sit-in at COP17 summit, 2 December 2011*

As for the [overall movement's](#) guiding philosophy,

"The RWM envisions a democratic country where all indigenous women/girls become self-sustaining and remain well-recognized in their respective communities, well respected and truly empowered... The main girls and women's rights issues that RWM works on are Gender-Based Violence, climate change/environmental justice, women/girls land, property/inheritance rights and influencing and effectively participating in the country's policy-making processes both at provincial and at national levels."

On December 2, 2011, RWM and the broader Southern African Rural Women's Assembly led 1000 protesters onto the Durban streets outside the Hilton Hotel, blocking traffic and defying a ban on activism next to the continent's largest convention center, where the annual world climate summit was taking place. The following day at an all-in march to the same place, they were the most animated of 10,000 demonstrators, with vivid green and black tee-shirts signaling the women's rootedness in the region's soil and crops. [According](#) to their press release:

"We, the poor and working class of South Africa and the world, demand Climate Justice. We demand that our governments stop selling out to the rich and demand significant, legally binding emissions agreements. The retreat from the moderate targets set out in the Kyoto protocols and a legally binding second commitment period for Annex 1 countries is a disgrace. The historical responsibility for the climate crisis sits with them, yet now they want to stand aside while the people of the global South perish."

Inside the convention center, meanwhile, desultory hosting by South African diplomats left the final "Durban Platform" serving U.S. chief negotiator Todd Stern's interests so well that he emailed Secretary of State Hillary Clinton on December 13 (as we know thanks to [WikiLeaks](#)):

“In a word, Durban was a significant success for the United States... We left Durban with virtually everything we sought.”

As just one example, climate justice requires that countries agree on “common but differentiated responsibilities” (in part so as to get the U.S. to pay its climate debt), yet as Stern happily told Clinton, “the phrase is conspicuously absent from the Durban agreement.” At one point, he even [berated](#) fellow negotiators, “If equity’s in, we’re out.”

Two days before that historic sell-out of poor people’s interests was finalized, Ngubane took the stage at a Durban City Hall mass meeting, where she sat close to her country’s president, the corrupt subimperialist Jacob Zuma, ever the caricature sexist Zulu patriarch. Ngubane took the microphone, standing up to tell Zuma he was not doing enough. Several of her eco-feminist supporters immediately [raised](#) supportive banners – “Zuma stand with Africa not USA” and “Stand with Africa, say no to Durban mandate” – and within seconds, three were beaten up ... by municipal workers deployed as a goon squad by Durban city manager Mike Sutcliffe.

One victim of the violence was Rehad Desai, the Emmy-award documentary winner (for “Miners Shot Down” about the 2012 Marikana Massacre of 34 platinum mineworkers in which Zuma was implicated). As Desai [told](#) a reporter, “It was upsetting to be attacked by my fellow trade unionists. Since when are placards alien to our meetings?” The country’s current health minister – then provincial leader – Zweli Mkhize (no relation to the late Patrick) dictatorially pronounced from the floor, “Posters are for outside; in here you listen.”

Ngubane knew this attitude all too well. Her last words to *The Economist* writer applied equally to Zuma’s rule and the sexist Zulu chiefs whom she hated: “What they’re doing is not our culture – it’s greed.”

It was also a matter of economic policy, for during Zuma’s 2009-18 presidential reign, he arranged for a 2012 National Development Plan – whose deputy chair was current President Cyril Ramaphosa – featuring two mega-projects, the largest in the country’s history, mainly profiting Zuma’s home KZN province. The first is for \$60 billion to expand coal digging (18 billion tons), rail transport and export via the Richards Bay terminal not far from Somkhele, and the second was a \$25 billion expansion of the port-petrochem complex in Durban, tripling the Durban-Johannesburg oil pipeline capacity and raising container throughput capacity by a desired factor of eight.

Activists like Ntshangase in the coal fields and Mkhize in South Durban helped slow down both mega-projects. But such fossil-centric white elephants will remain prominent within the state infrastructure agenda for years ahead, especially when it comes to the corruption-riddled parastatal firms Eskom and (rail and port operator) Transnet.

While Ramaphosa, a former coal-mining tycoon, [termed](#) Zuma’s era “nine lost years” due mainly to widespread corruption, the same ecocidal, fraud-filled projects remain the top two “Presidential Infrastructure Coordinating Commission” priorities, joined by others – e.g. a



proposed 3300MW Chinese coal-fired power plant in his home province of Limpopo – that Ramaphosa himself [boosted](#) in 2018 while co-chairing the Forum on China-Africa Cooperation in Beijing.

As for Ngubane’s many local battles against patriarchy, it is also a matter of state policy – even if neither *The Economist* nor Ramaphosa would acknowledge this openly – that rural women continue playing a vital role in the ultra-cheap social reproduction of internal-migrant workers for the South African economy. They do so without receiving even rudimentary human rights in many ethnic-patriarchal areas, much less remuneration that is due.

Only a monthly child-support grant (worth \$29) and old-age grant (\$120) reflect income transfers back to these peripheral sites, far less than the women deserve given that they raise children, look after sick workers and take care of the elderly above and beyond what is paid in worker remittances or the monthly grants. There is negligible state support for rural pre-schools, primary and secondary education and clinics (compared to what is available in urban areas), with resulting levels of learner achievement at the world’s lowest levels and a systemic collapse of the public health system.

New national [legislation](#) advanced by Zuma and signed into law in late 2019 by Ramaphosa – though firmly opposed by Ngubane along with rural advocacy organizations – now empowers traditional leaders even more, exacerbating what are often despotic rural power relations. As Ngubane [expressed it](#) in an interview earlier this year, the countervailing political, civil and socio-economic rights won in the 1996 Constitution don’t really make a dent: “Domestic legislations and laws passed at provincial and national levels are, at best, not implemented, when not openly discriminatory towards women and girls’ independent rights.”

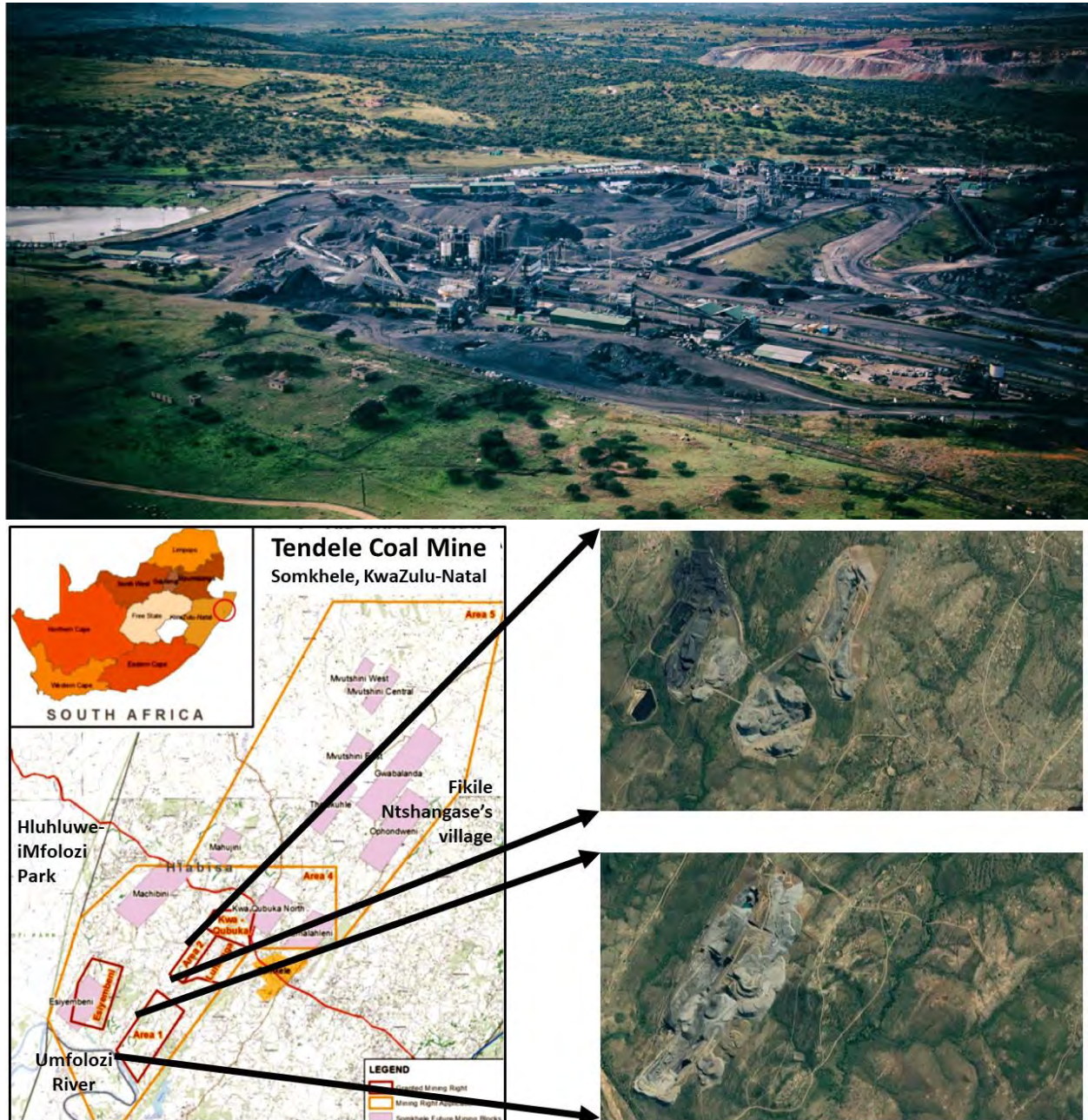
The system she fought keeps South African capitalism ticking thanks to a systemic relationship of capitalist to non-capitalist oppression, an “articulation of modes of production” in local academic lingo (from the work of radical scholars Harold and Ann-Marie Wolpe). Put differently, this fusion of class, race, gender and socio-ecological power explains the world’s worst ‘uneven development.’

It was this fusion that Rosa Luxemburg [described](#) in her 1913 book *Accumulation of Capital*, which pegs South Africa as a classical outpost of imperialism: “Non-capitalist relations provide a fertile soil for capitalism; more strictly: capital feeds on the ruins of such relations, and although this non-capitalist milieu is indispensable for accumulation, the latter proceeds at the cost of this medium nevertheless, by eating it up.”

### **Fighting coal extraction and ecological destruction, from rural KwaZulu to Johannesburg**

Luxemburg would not be surprised when more than a century later, Sizani Ngubane specially [referred](#) to a local Zulu traditional leader who doled out land already dotted with homesteads to white-owned Petmin for its Tendele coal mine in Somkhele, just 17 kilometers from the border of Hluhluwe-iMfolozi Park (HIP). The nature reserve was established in 1895 and

became most famous for reviving the near-extinct Southern White Rhinoceros in the 1960s. But the Petmin deal, in 2006, resulted in Tendele coal mine literally eating up the land farmed by Fikile Ntshangase and her allies in the Mfolozi Community Environmental Justice Organization (MCEJO), which at peak had 4000 members.



[According to Ngubane](#), speaking in April 2020,

“vast pieces of land leased to mining companies, polluting our environment and not benefiting the communities. The communities of [Somkhele] are saying about 85 percent of the people who are bedridden or attending clinics/hospitals or passing – they pass away as

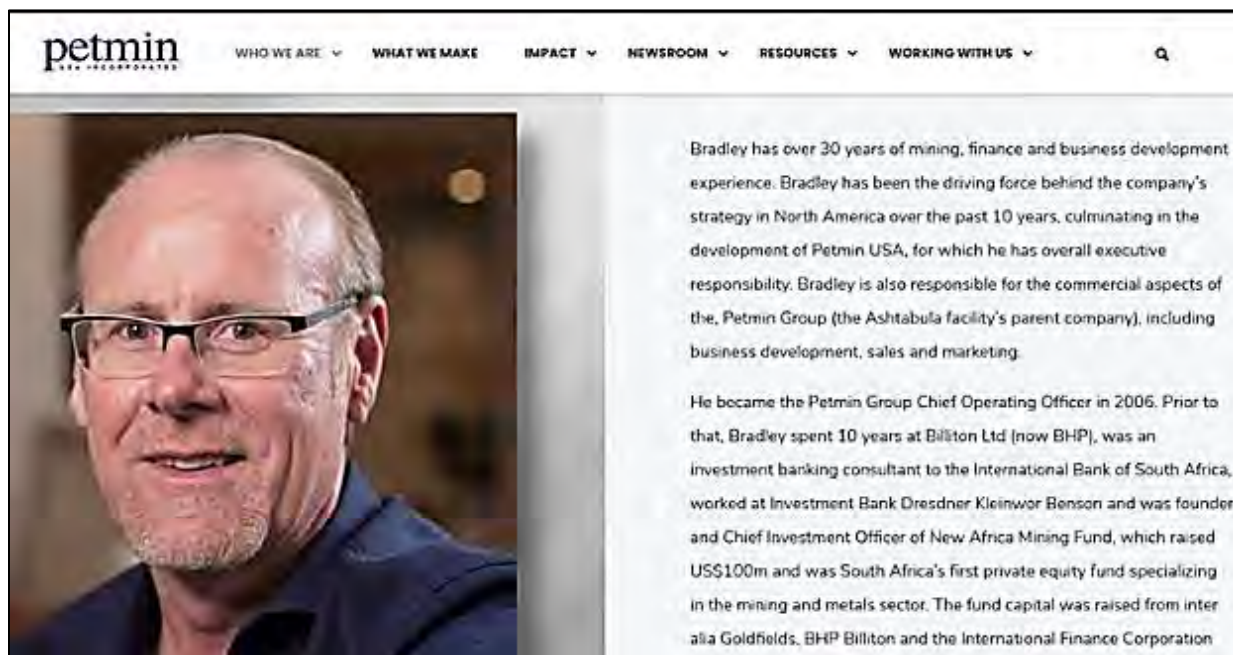


a direct result of respiratory or lung-related diseases. Women have dumped the old culture of rain-water catchment because their roofs are always covered with thick black dust from the coal-mine. The livestock is dying because its grazing land is always covered with thick black dust. The communities have run out of water because the mine diverted the Umfolozi River into the mine and when the women followed Umfolozi into the mine – the authorities locked them out. Their houses are cracking when the mines are blasting the rocks and the members of the communities are not compensated and are not employed by these mines.”

It’s even worse once you listen in on corporate gossip. In March 2016, *Business Day* newspaper [interviewed](#) Petmin executive Bradley Doig: “You need water to wash the coal and if the drought persists, what are the next six months going to be like? Will you have to scale back production quite substantially?”

Doig: “We had lots of contingency plans in place obviously and one of them was we found a lot of underground water in the vicinity of our mine so we’re in a very fortunate position right now that we have sufficient water available to run all three plants at maximum capacity to the end of this calendar year.”

Surprised, the interviewer asked, “Is this something that you should do?” Doig’s answer: “Yes, we believe it’s necessary. The market is there for our product, we have the water available, and obviously we’re still anticipating rainfall. But assuming it does not rain at all, we still have sufficient water for 12 months.”



But some nearby villages certainly did not have sufficient clean water, and three years later, MCEJO women [suffered 29 arrests in a protest](#) against [Tendele’s water grabbing](#) and state water-supply failure.

Then in April 2020, the Covid-19 lockdown reinforced the extreme urgency of improved hygienic infrastructure. As Durban's main newspaper [reported](#),

"The desperate search for clean, free water in the cluster of villages that make up Somkhele has long been a women's burden: walking for as much as six hours, risking sexual harassment and rape. And now, with the threat of Covid-19, the struggle has become more harrowing for the women of Somkhele."

The main lawyer for Ntshangase and MCEJO, Kirsten Youens, [begged](#) the water minister for access to tankers, boreholes and taps:

"As you may be aware, these communities are living on the border of the Somkhele open cast coal mine, which causes pollution of the rivers and streams as well as of the run-off rainwater that the communities collect from their roofs into JoJo tanks. This makes it impossible for people to utilize ways in which they used for water security... Those without access to clean, reliable water are immediately at risk. Our client and the communities living in these areas are in need of urgent government intervention for the protection and fulfilment of their basic Constitutional rights, not only to address the current Covid-19 crisis but also to provide sustainable access to water."

Ntshangase's close allies in the Africa-wide anti-extractivist network WoMin also [complained](#),

"With the onset of the Covid-19 pandemic, these communities are facing a major crisis. Last week, there was no water, not even the local clinic has access to water... The only water tanks available to communities are the ones placed by the municipality in central locations, but as of now, they are empty. The Umfolozi River and dam were fenced off so that the community could not have access to these water sources. The little water remaining has dried up due to a series of droughts."

The core problem remained Tendele coal mine. A few months later, Fikile Ntshangase [told friends she was approached by mine management](#) with a \$24,000 bribe to support even more coal digging, in spite of the terrible damage it was causing. Worsening intimidation by the pro-mining lobby, including the provincial government, is [documented](#) in a chilling statement by a group of allied organizations and lawyers. But Ntshangase refused to withdraw her court challenge to the expansion project: "I refused to sign. I cannot sell out my people. And if need be, I will die for my people."

This refusal was widely considered the motivation for Ntshangase's murder; she was [reportedly](#) one of several names on a local hit list. For at stake if the expansion did not proceed, the mine's owners [argued](#) in rebuttal (while denying involvement in the hit job), were the loss of several hundred local jobs and the 20 percent community-worker shareholding in Tendele mine mainly controlled by local patriarchal ethnic leadership (the Mpukunyoni Traditional Council) and three trade unions. Tendele's white-male executives had used local financier Nedbank's funding in



2015 to buy off not only ethnic patriarchs with a 16 percent ‘community’ share, but an additional 4 percent for workers represented by three unions, including the one best known for fighting Lonmin at Marikana: the Association of Mineworkers and Construction Union (AMCU).

This was especially tragic, because the other two were not a surprise: the National Union of Mineworkers, founded and led by Ramaphosa during the 1980s and still allied with the ruling party; and ‘Solidarity’, a mainly white-Afrikaner union whose allied ‘[cultural](#)’ policy lobbyists – the [apartheid-minimizing](#) ‘AfriForum’ – had so [impressed](#) Donald Trump with bogus claims of mass murder of white farmers in 2018. These unions’ traditional focus is on jobs and pay in the mining sector, without much attention to the broader ‘resource-cursing’ so evident in Somkhele.

But even AMCU’s national treasurer Jimmy Gama [described](#) Petmin’s “Economic Benefits Sharing” scheme (based on an extremely expensive borrow-to-buy strategy) as “an innovative Broad-Based Empowerment approach that will effect real economic benefits sharing to bridge the gap between social and mining economics.” Maybe one day in the future – but at an extremely high cost to community and environment.

There was an additional dubious ‘conservation NGO’ that favoured the mine’s expansion, albeit not westward towards the animal-rich HIP but instead north-easterly *into low-income residential areas*: the white-dominated, climate-unconscious Wildlife and Environment Society of South Africa. In 2014 the group [expressed satisfaction](#) that when Petmin

“discovered another viable coal seam close to the HIP boundary a few years ago, they acknowledged the tangible value of the iMfolozi wilderness area and chose not to mine this seam; instead they laudably [*sic*] selected a seam further away to reduce the negative impacts on the HIP.”

In contrast, several trusted solidarity groups with an environmental justice philosophy – groundWork, Earthlife Africa, Mining Affected Communities United in Action, Women Against Mining United in Action, ActionAid, Southern Africa Human Rights Defenders Network, Global Environmental Trust and WoMin – have provided support to MCEJO, alongside the group’s lawyers from Youens Attorneys and the Center for Environmental Rights.

To be sure, the conservationist agenda is not always anti-people in this region, though KZN Province has witnessed more than a century and a quarter of forced removals of Zulu peasants to make way for nature reserves (mainly enjoyed by whites), whether public or privately owned. A different model was applied by HIP’s most famous employee, Ian Player, who is credited with raising the park’s white rhino population (unique in the world) from 440 in 1958 to what is now a global census of 18,000. It was possible only because Player [worked closely](#) with HIP border communities, especially through the legendary guide Magqubu Ntombela from Somkhele.



*White rhinos, Hluhluwe-iMfolozi Park*

Even before Player died in 2014, Tendele mine's blasting for coal and air pollution had become a major threat to animal welfare, at a site the white rhino is again threatened, this time by poachers. And if the state permits a future Tendele dig (the planned Esiyembeni seam) to directly border HIP, that will also intensify poacher penetration, the Global Environmental Trust [argues](#). In 2019 there were 126 rhinos [killed](#) for their valuable horns in HIP, mainly sold by Chinese and Vietnamese crime syndicates, but due to the Covid-19 lockdown the number fell to 88 in 2020.

This is, in short, an ideal site for conservationists to unite with communities and climate activists – against coal. Environmental justice is core to this campaign, with WoMin's report "[No longer a life worth living](#)" documenting the eco-social atrocities caused by Tendele coal mine, including the theft of water which resulted from Petmin ignoring even relatively weak environmental regulations.

The mine is the largest African producer of anthracite used in steel, an industry whose local output halved due to Chinese competition during the 2010s – so much more is now exported to Brazil. Tendele also provides several million tons of thermal coal annually for both South African

and export markets, contributing to climate catastrophe. This being South Africa, such global damage was never assessed in the coal firm's and government's environmental analyses.

Days after Ntshangase's assassination, Petmin's reply to critics reflected its confidence that the state's backing – and worker survival needs in these desperate circumstances – were sufficient to roll over objections. The Tendele coal mine, Petmin [insisted](#),

“is the primary source of economic activity for a community of 220,000 people in the area 85km north of Richards Bay in KwaZulu-Natal. To be sustainable for more than another two years, the mine needs to expand its operations to be able to mine a new ore body which will extend the life of the operation by another 10 years. Mining rights for this have been duly granted.”

Indeed Petmin's three core points are true, since there are currently few employment alternatives; Tendele mine has voracious expansion plans; and the state is in the mining industry's back pocket, to the extent that Petmin had for years simply ignored water-use licensing requirement when *washing its coal for better combustion*, even though the Umfolozi River and its water table regularly suffered from droughts.

For peasants and other residents, water shortages worsened to the point in June 2020 that during one community protest just south of Somkhele, a [Tendele coal truck was stopped by three men and set alight with petrol bombs, completely burned](#), with the driver fortunately escaping.

Another example of community dissent was a 2017 demonstration in which, the *Zululand Observer* [reported](#), men and women

“barricaded the entrance to the mine as a protest against a lack of jobs... preventing vehicles, employees, contractors and visitors from entering. The group reportedly forced a truck to tip its coal and prevented others from leaving the mine with their loads. The company said these actions resulted in ‘material loss of production and substantial financial losses’. Shortly after the group was released with a warning, the Global Environmental Trust issued a statement in which it said the mine had promised the men jobs. ‘These men were relocated by the mine in 2014 and promised jobs and training which never materialized. They are all unemployed. The men blocked the entrance to the mine and demanded to speak to mine management about their grievances. The police were called and the men were arrested. Later, the wives and mothers of these men did the same thing in protest of the earlier arrests and mine management had them arrested too.’”

Without substantial alternatives to mining or corporate agriculture – such as a more coherent food sovereignty option, plus public works projects to prepare Somkhele for more climate chaos – Sizani Ngubane and Fikile Ntshangase correctly feared that the various forms of environmental, economic, social and physical violence so common in South Africa would fuse



against rural women. To illustrate, Tendele's own "Local Economic Development" strategies in Somkhele were pathetic even on their own terms, an [in-house audit](#) revealed.

### **"The Right to Say No!"**

Standing up against these realities and demanding a different future is therefore hazardous, due to the combined forces of state and capital. Ntshangase's [assassination](#) reflected the extreme [dangers](#) facing human rights and environmental defenders. As the Global Initiative Against Transnational Organized Crime had [reported](#) just five weeks before her murder,

"Since 2016, there have been at least 38 assassinations and 14 attempted assassinations in mining localities in KZN... Our research found only one hit definitively linked to the KZN mining industry before 2016. Other organizations such as Human Rights Watch have documented the climate of fear and oppression which activists in South African mining communities endure."

Why the rise in tension the past five years? It may not be a coincidence that the commodity super-cycle ended in 2015, with soaring mineral prices starting in 2002 peaking just before the world financial meltdown in 2008, then recovering and plateauing from 2009-14, and crashing hard in 2015. The two main minerals in the most hotly-contested KZN sites are [coal](#) – whose dollar price has zigzagged but today is a third of the 2008 peak – and [titanium](#), which is now half the 2006 peak dollar price. With price declines of that magnitude (partially compensated by South Africa's own currency crash), the mining industry became both more oriented to increase volumes – so as to make up for lower prices per unit – and also more violent.

So too is resistance rising, [observes](#) the Global Initiative Against Transnational Organized Crime: "mines are frequently at the frontline of community frustration. The industry itself has noted increased opposition to its operations among neighbouring communities. Incidents such as roadblocks, hijacking of vehicles to transport protesters, arson, damage to property and labor disruption have reportedly almost doubled in some areas between 2018 and 2019."

The philosophical stance of many mining-community activists is now often termed "the Right to say No!" A vibrant alliance of movements is [making this case](#) not only at anti-mining protests but in activist [webinars](#) such as the World Social Forum's [Thematic Forum on Mining and the Extractivist Economy](#) in August. This followed the first such [major Thematic Forum anti-mining gathering](#) two years earlier in Johannesburg, and contrasts vividly with the 2009 African Mining Vision – an African Union plan that [celebrates transnational corporations](#) – and the annual African [Alternative Mining Indaba](#). (One international network promoting this movement is [Mines and Communities](#).)

Though MCEJO's members differed over whether to advocate closing Tendele outright, the *Zululand Observer* [reported](#) in 2016 that an important local group – the Mpukunyoni Community Property Association, led by Bongani Pearce – regularly marched because, "Fed-up with living in close proximity to Somkhele mine, Mpukunyoni communities seek closure of the



mine.” Pearce regularly suffered physical attacks and even arson due to his strong anti-mining stance. The same year, 2016, neighbouring communities southwest of Somkhele, in Fuleni, engaged in successful [protests against a proposed coal mine](#) that would have bordered the HIP.

The most famous such case of saying no to mining in South Africa is a community’s successful struggle against titanium extraction at Xolobeni, several hours’ drive from Somkhele, down the highway along the Indian Ocean. There, the [Amadiba Crisis Committee](#) (ACC) has engaged in sustained resistance since 2007. In 2018, ACC lawyers persuaded a High Court judge to [declare](#) a brazen Australian firm’s mining agenda illegal because the community had not given what is termed by the United Nations “Free, Prior and Informed Consent.” The pro-mining government minister Gwede Mantashe – who is also chair of the ruling African National Congress – swore he would [overturn the ruling or otherwise compel ‘consent’](#), but has failed so far.

In September, another judge [ruled](#) the same Australian mining house’s deals with Mantashe and his predecessors must be made public, pleasing ACC’s well-known eco-feminist-socialist spokesperson Nonhle Mbuthuma:

“The news arrived today when we were holding a meeting discussing our community issues. It just changed our mood. We were so happy. Dealing with companies is so difficult for us. They only want to tell us what they are going to do but they don’t want to give us papers.”

But less than a month after Ntshangase’s murder, Mbuthuma [received a death threat](#) on her phone, referencing the assassination of ACC chairperson Bazooka Radebe in 2016 and the suspicious death of his successor, Sibusiso Mqadi, in early November.



*Nonhle Mbuthuma at Xolobeni*

## Follow the mining money, back to the banksters (and then to... Ohio)

While activists and their lawyers are warning off the mining industry from pursuing eco-socially destructive projects like those at Somkhele and Xolobeni, the firms' bankers also need attention. In addition to Petmin's main local financier, Nedbank, one target on the horizon is the World Bank, because it was one of Tendele's main venture capital supporters in 2007 when the digging began. The Bank's private sector investment arm, the International Finance Corporation, was the original [backer](#) of the venture capital fund that resurrected Petmin – an apartheid-era shell company – to start digging coal at Somkhele, a point worth returning to since reparations are obviously in order.

The firm's subsequent primary banker, though, is Nedbank, an institution which postures absurdly about being South Africa's most eco-aware financier. In September 2007 it began lending to Petmin with a generous \$11.5 million credit, most of which went to Somkhele. In 2015 it offered a \$19 million loan package to Petmin to make possible the 20 percent 'Broad-Based Empowerment' deal that split the community. But Petmin's dividend payments covered only the interest payments, so the passive 'owners' (local ethnic elites and labor leadership) were simply earning notional wealth, in turn leading to growing suspicions about the bonsala from those the coal mine oppressed: community members affected by pollution, ordinary workers and progressive conservationists.

As for Nedbank, it was a [no risk proposition](#), because "Petmin effectively guarantees the redemption of the Nedbank funding as it will subscribe for additional preference shares in the event of a potential default in payments to Nedbank." The deal is so pro-creditor that in mid-2020 when the Covid-19 lockdown briefly prevented Tendele from operating, hence defaulting on a loan payment, Nedbank gladly rolled it over. The interest rates paid in South Africa on commercial bank loans far exceed inflation (usually by more than 6 percent); and internationally, only the Turkish and Pakistani governments typically pay a higher interest rate on 10-year state bonds than South Africa (8.8 percent [today](#)).

Tellingly, at that very moment, South Africa's state Competition Commission was [charging](#) Nedbank with manipulating the local currency (starting in 2015), a crime which the much more *laissez faire* South African Treasury hadn't bother investigating, thanks to Finance Minister Tito Mboweni's deregulatory orientation. As he [explained](#) in mid-2019:

"The investigation before the Competition Commission appears to be related more to the conduct of bank traders towards clients, rather than providing evidence of their affecting the actual value of the rand... We do not have any evidence that any bank has taken part in currency manipulation."

In reality, tens of millions of dollars in fines for South African currency manipulation (dating to 2007) had already been paid – mainly to the United States government – by some of the world's largest banks and their agents, including [Standard Chartered](#) and [Citibank](#).

In this context, three weeks before Ntshangase's assassination, Nedbank [slapped itself on the back](#) in this sickening press release:

"we are proud to say that in 2020 we have proven once again that green is the new gold standard... As the green bank, our mission to achieve sustainability is reflected in how we live, work and invest. We are innovating in green finance solutions continuously by aligning our strategies for sustainable lending and investment to the United Nations' Sustainable Development Goals. Our steadfast belief in going green has focused our lending book towards renewable energy."

This is the kind of combined con-artistry and corporate coziness between regulators and regulated financial institutions that gave South Africa the leading position in PwC's biannual ratings of corporate corruption – or more politely, 'economic crime' – for many years (though [this year](#) the local bourgeoisie ties with China's for second most fraudulent, behind India's gold medal). That means, even a Treasury official [admitted](#) last year, that 3-7 percent of the country's annual GDP output is squandered away through Illicit Financial Flows.

Whether licit or illicit, Petmin found a route to evacuate massive funding to the United States, one of the world's great tax havens (especially Joe Biden's Delaware). Its executives may correctly claim they are doing nothing different than Ramaphosa did with Lonmin's Marikana revenues: denying workers, communities and the state a fair return on the underground minerals – through offshoring massive profits.

In Lonmin's case it was a [Bermuda tax dodge](#), kept alive until the Marikana massacre unveiled why workers were so badly underpaid, thanks in part to lead South African investor [Ramaphosa's influence](#). (He was also instrumental – through [emails](#) he sent the police minister, which he [sort-of-apologized](#) for five years later – in demonizing wildcat-striking mineworkers as 'dastardly criminal,' one day before the massacre.)

In Petmin's case, the Somkhele profits are now being used to construct a \$474 million Lake Erie (Ohio) pig-iron plant to supply the local steel industry. Just like Ntshangase and MCEJO, the community's leading environmental activists are disgusted with their state government's environmental regulator. The Ashtabula County Water Watch NGO [appealed](#) against its nudge-nudge wink-wink to Petmin, even after the firm's 2020 filing of new – much higher – estimated emissions of nitrogen oxides, particulate matter and CO2 equivalents. As the group complained,

"the Petmin project relies on natural gas produced in a way that is immensely taxing on the environment and public health. We may think the consequences of fracking are out of sight and mind in western Pennsylvania, but wastewater from this process is being pumped into the earth here in any of 15 active fracking wastewater injection wells in Ashtabula County. More wells will likely follow as the fracking industry continues to ramp up production since individual wells are becoming less productive and require more and more fracking fluid. Basically, we are cheaply selling clean water from Lake Erie to the fracking industry in Pennsylvania only to have it severely polluted and then shipped back to Ashtabula County

and injected into the earth where it puts our water and soil resources at risk of contamination and causes increased risk of earthquakes.”

The opportunity to derail Petmin will come if Somkhele (or even Ashtabula) activism is sustained through this very tough period, but would also reflect the company’s major internal financial contradictions. Looking through brand new [Tendele mine corporate filings late last month](#), it’s becoming a bit easier to assess how much Ntshangase and other local critics of coal mining have been costing its parent firm Petmin. The mine has been running out of easy-to-dig surface coal and now must drill much deeper into the KZN crust, since Petmin doesn’t yet have approval for the new areas it wants to stripmine thanks to protests and court cases.

Looking at these books is tricky because Petmin is no longer a publicly-listed firm, and hence is not subject to shareholder oversight (its management removed it from the Johannesburg Stock Exchange in a buyout three years ago). Its bookkeeper KPMG and the broader South African accountancy profession are [utterly unreliable, if not outright corrupt](#) these days, with KPMG’s roles in various local corporate scandals even exceeding those of PwC, EY and Deloitte (the big four ‘conslutancies’). As a result of its record throughout the 2010s, many South Africans believe KPMG should suffer the same fate here that London PR firm Bell Pottinger and World Bank-owned Cash Paymaster Services did over the past three years, thanks to activist pressure: the corporate death sentence of bankruptcy.

It’s possible to digest – with a large grain of salt – the [new Petmin figures](#), e.g. massive 2018-20 machinery depreciation in Somkhele that doesn’t correlate to the firm’s fast-rising output. Nevertheless, we can learn about the profit flows that permit such a vast Ohio investment for this smallish firm: since Tendele mine began its Somkhele operations in 2007, easily \$800 million worth of coal has been dug there, reaching an annual peak of \$120 million in 2018. Over the past seven years, Petmin boasted an average net profit rate of nearly 10 percent, in part because South African royalties and taxes are so low (only around 15 percent of revenue).

As an aside, recall that the decline in South Africa’s own natural resource wealth (i.e., that \$800 million worth of coal, if coal can be said to be ‘worth’ anything) [never gets calculated](#) within these corporate accounts. Nor are they calculated nationally within a “Gross Domestic Product” measure designed by white male economists: men who not only didn’t believe the extraction of resources to be worthy of a ‘debit’ (only of a plus on the GDP accounts for mining output), but who also don’t consider the likes of Ntshangase to be productive unless they sell their output in the market, which most rural women in her situation don’t do much of. So the harder Ntshangase worked voluntarily to protect her household, her community and her local and global environment, *the lower the country’s GDP*.

Other revealing information from Petmin’s [November 2020 balance sheet](#) includes a sharp drop in sales in the fiscal year through June 2020. Covid-19’s lockdown meant two local anthracite customers – Glencore (the world’s biggest commodity trader) and Samancor – plus Brazil’s Vale (the world’s second largest mining house) all stopped buying for a few weeks in April-May. That \$35 million hit to sales was devastating (which is weird since the mine’s output for the *whole of*



2018-19 was \$120 million) and resulted in a \$7 million net loss for the year 2019-20. MCEJO's blockage of further coal digging was therefore seen by Petmin as an existential threat.

This crisis, in turn, prevented mid-2020 loan repayments to Nedbank, which was typically making \$2 million a year in interest revenues from its Petmin lending. Indeed, due to the Covid-19 crash and KPMG's generous glance at the financials, Petmin now claims to be unable to pay \$41 million in debt, requiring rescheduling.

But what's difficult to understand here, is how the earlier impressive profit stream from Petmin's only genuine asset – Tendele coal mine – was reversed by the brief 2019-20 loss (again, just \$7 million), leading to \$41 million in immediately-unrepayable debt... and yet at the same time Petmin USA began construction (early in December 2020) on the huge pig iron plant in Ohio.

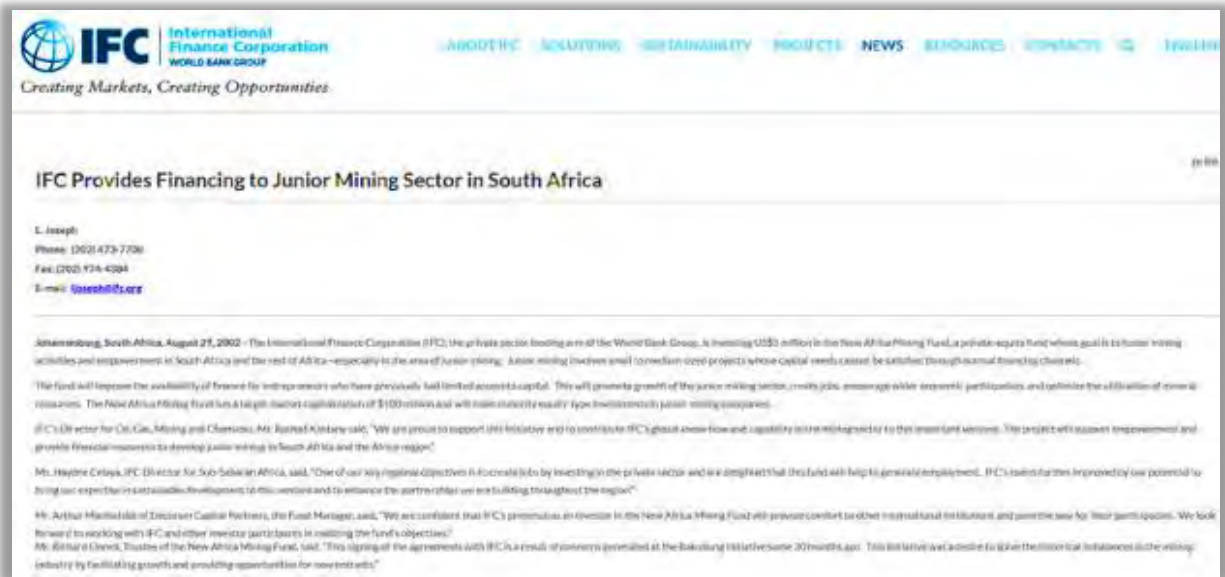
The conclusion from such data should be obvious: *vast reparations are due to the people of Somkhele and South Africa, for what can best be described as smash-and-grab resource looting.* But it is also useful to go back to the original scene of the crime, if we want to follow this money trail that culminated in Ntshangase's recent murder.

### **World Bank(ster) reparations also overdue**

The World Bank's International Finance Corporation (IFC) funded part of Tendele's start up during a critical phase when the IFC dabbled in mining 'juniors' [under the impression](#) (stated by officials Rashad Kaldany and Haydee Celaya in 2002) that this would promote black capitalism. But as the lawyers working for Ntshangase and MCEJO – Tembeka Ngcukaitobi and Kirsten Youens – told the Supreme Court of Appeal on November 3, 2020, the mining operation was actually illegal from the outset, lacking crucial government permissions to make such a destructive impact on the local environment and people.

And since those authorizations were missing when mining operations began, a precedent case in the Constitutional Court (Allpay) allowed Ngcukaitobi to [argue](#) that effective remedial relief must follow a declaration of unlawfulness. He asked for a disclosure of profits made by Tendele coal mining since 2007, and that such profits acquired illegally – which include generous dividends sent to the IFC for several years – “should be paid over to communities or other entities.” Judgement on this demand will be delivered at some point in 2021.

Petmin's earlier promises of community prosperity, black advancement and environmental responsibility made when the IFC initially got involved were all jettisoned. While remaining an all-white-male executive operation (with one black board member), Petmin's roots in apartheid mining evolved into fronting for Black Economic Empowerment operations. As a small mining shell company, Petmin had raised venture funds to open Tendele from the New African Mining Fund (NAMF), which was the recipient of a \$5 million initial IFC commitment escalating to \$30 million for its second stage (albeit aborted in 2014 during the global mining crash).



NAMF founder Doig soon also became Petmin's highest-profile leader. He began working as Chief Operating Officer there in 2006, and still [brags](#) on the Petmin website about the IFC investment that got Tendele up and running. Petmin initially received the majority of funds from NAMF for its main operation, Somkhele, and that stake, in turn, was the main reason the NAMF could declare an [annual 39 percent profit rate](#) at the time the IFC enjoyed its 6 percent stake in the fund.

It is not known how much the IFC earned from the NAMF and the largest investment, Tendele coal mine, for data about its Petmin shares remain opaque. But it is likely to exceed \$10 million. (Another NAMF investment at the time was catastrophic: the Canadian firm Africo was victimised by the notorious Israeli tycoon Dan Gertler and his New York ally the Och-Ziff investment firm, as [pointed out in a 2019 report](#) by the NGO Rights and Accountability in Development, which complained about the IFC's blasé attitude to mining industry corruption.)

If such profits were returned, they could begin a process of financing the desperately-needed detox and decarbonization of Somkhele. For the economically-impooverished local men supporting the coal mine, there remains no alternative in what for generations had been an apartheid Bantustan zone of economic despair, where before freedom in 1994, the only cash income came from migrant workers' remittances. By using potential reparations payments to link more closely the community, conservationists and potential climate-solidarity movements, a demand for a genuine Just Transition would potentially be capable of addressing the deep-seated conflict over coal mining.

In this way, protecting the climate also would entail interconnected eco-socio-economic objectives in Somkhele: emissions-source mitigation, drought adaptation and other climate-crisis resilience projects, funded by the state, self-managed by workers, controlled by communities and especially women and youth. The need has never been greater.

Specifically, though, World Bank reparations are certainly due to oppressed South Africans. Apartheid profiteering by the Bank began in 1951 and lasted more than two decades before the United Nations forbade further loans. Its neoliberal policy advice is a major reason inequality increased to the world's highest level (a Gini Coefficient of 0.63) *after apartheid ended in 1994*. Other Bank and IFC investments here have reeked of socio-ecological destruction, the most predatory capitalism, and outright corruption.

For example, the largest coal-fired power plant underway anywhere now was the Bank's largest-ever loan: \$3.75 billion for Eskom's Medupi generator, one riddled with fraud and without exaggeration a [clear case of Odious Debt](#).

And at the same time the IFC was investing in the NAMF, another controversial mining stake in South Africa was simultaneously underway: the IFC's \$50 million equity share in – and promised \$100 million loan to – Lonmin, so as to promote Community Social Investment (CSI) at a particularly controversial mine producing a vast share of the firm's platinum: Marikana. The IFC made this mine its [poster child for CSI](#), yet the hatred that mineworkers and their community supporters felt towards Lonmin built up, resulting in the strike in August-September 2012, five years into the IFC intervention. (An interesting footnote here is that in 2009, Ramaphosa in alliance with the world's largest commodity dealer, Glencore, had [attempted to purchase](#) Tendele coal mine but Petmin retained control.)

In 2015, the main Marikana women's group, Sikhala Sonke, [attempted](#) to get the World Bank's Compliance Advisor/Ombudsman (CAO) to force the IFC to take responsibility, requesting a formal Dispute Resolution process with Lonmin to give community relief from socio-economic repression. They gave up after the [internal Bank process proved useless](#). Lonmin, facing bankruptcy, was purchased by a local mining house in 2017 and the Sikhala Sonke grievances against the IFC and the Marikana mining operation remain unresolved.

In [another appeal](#) to the Bank CAO to compel the IFC to make good on massive damages caused by a South African investment, the well-regarded women-led social advocacy group Black Sash insisted the IFC's \$107 million (22 percent) share in Cash Paymaster Services (CPS) compelled it "to put measures in place to address and rectify impugned conduct." The activists documented "unauthorized and fraudulent deductions from the social grants of beneficiaries to the benefit of" CPS (and the IFC), "unlawful and unethical use of social grant beneficiary data and information, persistent allegations of corruption and other unethical business practices.

Failing to get relief from the IFC, [Black Sash](#) and local allies not only had CPS's lucrative "financial inclusion" contract with the state welfare department cancelled but also sued CPS for reparations, and in 2020 the firm's holding company placed it into bankruptcy to avoid further damage. But this demand for [profit repayment](#) is the precedent for forcing the IFC to "pay back the money," a local activist phrase [used regularly](#) since the Zuma era's corruption became the source of social fury.

All of these efforts to discipline IFC-owned firms in South Africa occurred prior to the Bank's 2019 [loss of its immunity from prosecution](#) in the U.S. Supreme Court. That may scare the Bank into settling in other jurisdictions, for fear the Foreign Corrupt Practices Act or other tort law may hold the IFC accountable in the belly of the beast.

Meantime, since the culture of criminality that prevails in the South African IFC portfolio is so obvious, perhaps instead of relying upon the institution's own fatally-flawed internal review mechanisms, South Africa's courts will now take the advice of MCEJO's lawyers, and begin a long-overdue process of not only cease-and-desist against IFC-owned corporations, but the compulsion of reparations payments from the firms and their ethics-challenged financiers.

### **The climate debt they demand and deserve**

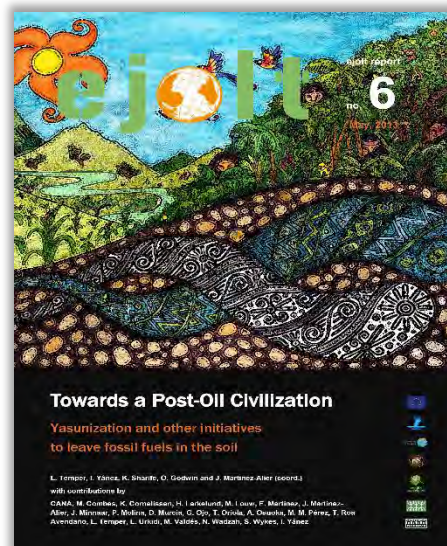
There is another financial linkage to the other late Durban activists that may also be vital in 2021: reviving climate debt demands. In 2014-15, veteran Durban activist Faith ka-Manzi traveled to Somkhale several times, first working within Durban's Center for Civil Society (which I then directed) and in 2016 translating and organizing with WoMin, to not only help the activists there articulate their stories, but also provide climate critique to bolster their case for halting Tendele in its tracks. One 2015 visitor was the head of Greenpeace International, [Kumi Naidoo](#) – also a KZN native, born and raised in Durban – and he spoke to MCEJO (through ka-Manzi) about the urgency of switching from coal to renewable energy.



*Kumi Naidoo, Faith ka-Manzi and MCEJO members, April 2015*



But how to pay for all the Just Transition transformations that will be necessary in such sites? One approach is a northern downpayment on climate debt that is due to places like the Somkhele villages ravaged by drought for several years. The concept of a wealthy northern country making such a downpayment comes from indigenous and eco-feminist Ecuadoreans who opposed Chevron (then Texaco) and later Chinese oil extraction from the eastern part of the country, in the upper reaches of the Amazon Basin. The Yasuni Park is the most biodiverse site in the world, but contained an estimated \$10 billion of oil – so the ‘[Yasunization](#)’ strategy is the demand by climate justice activists that such fossil fuel *not be extracted*, but instead compensated.



Activists demanded that, as part of the climate debt, the Global North should pay \$3.6 billion to the people of Ecuador, via its state, then run by Rafael Correa, in exchange for Yasuni’s permanent protection. The proposal failed in 2013 because of bad faith negotiations by both the German and Ecuadoran governments, with Berlin insisting on carbon trading instead of a climate debt downpayment to raise (what was a tiny proportion of) the needed funds, and Correa secretly negotiating Yasuni oil-drilling contracts with Sinopec as his Plan B. But the idea is [continually revived](#).

The most famous proponents of Global North liability for climate damage are former Bolivian UN Ambassador [Pablo Solon](#) and writer-activist [Naomi Klein](#), dating to 2009. But a decade earlier, Quito-based eco-feminists Accion Ecologica and Joan Martinez-Alier were [defining](#) the concept as,

“the debt accumulated by the Northern industrial countries towards the countries and peoples of the South on account of resource plundering, environmental damages, and the free occupation of environmental space to deposit wastes, such as greenhouse gases.”

Against this, the single most famous critique of climate debt was a Trump-style denialist declaration by U.S. State Department climate negotiator Stern, [replying](#) to Solon at the 2009 Copenhagen climate summit:

“We absolutely recognize our historic role in putting emissions in the atmosphere up there that are there now. But the sense of guilt or culpability or reparations? I just categorically reject that.”

As the most influential figure in the UN talks, Stern maintained this stance over the subsequent years, and was successful in forcing it into the 2015 Paris Climate Agreement, which refused to countenance ‘polluter pays’ liability principles, among its other various [fatal flaws](#).

Having witnessed the 2011 United Nations climate fiasco in Durban, Faith ka-Manzi was adamant that base activists do more to both think locally and make demands globally. When describing the struggles in Somkhele and Fuleni after a 2015 visit, for example, we [wrote](#) together of why and how

“a climate debt paid to anti-coal activists might work. The present system of payments for greenhouse gas mitigation and adaptation via the Korea-based Green Climate Fund is already a failure on multiple levels, and the ‘loss and damage’ liability accounting Third World countries have pushed for in the United Nations climate summit since 2012 is being blocked by rich countries. Instead of relying on the elites to start this process, a people-to-people solidaristic strategy is needed, initially. More successors are needed to the heroic but unsuccessful ‘leave the oil in the soil’ campaign for Ecuador’s Yasuni national park...

“The challenge to coal companies to leave the coal in the hole seems like a losing battle if it is only to be waged by poor women in rural areas who are disadvantaged by traditional patriarchy and a lack of resources to fight this battle. Still, hope now rises that the Fuleni campaign will inspire not just animal lovers and conservationists, but more climate activists and many more ordinary citizens who do not like seeing such extreme environmental injustice along the lines of race, gender and class.”

Although we failed to establish a fund that could have helped Ntshangase and MCEJO activists fight Petmin more effectively, and though ka-Manzi last week died, leaving her comrades engaged in so many ongoing Durban struggles, so far from victory, she will be remembered with enormous admiration. Ka-Manzi spent enough time between Somkhele and KZN Province’s other extreme fossil-fuel complex – South Durban oil refineries, Africa’s largest prior to a near-completed Nigerian plant – to regularly make climate politics one of her great passions.

Other deep activist commitments she shared were for a free Palestine, for the decent housing and basic services denied to a third of Durban residents in the black townships, for indigenous culture, fashion, literature, poetry and music, for the rights of immigrants (during periodic xenophobic upsurges), and for AIDS medicines access.

Ka-Manzi lived – and nearly died on a half-dozen prior occasions – with HIV and TB. As her CD4 count regularly collapsed, she shifted from traditionalist beliefs to writing eloquent [columns for Africa Report](#) as a Treatment Action Campaign [supporter](#), demanding and helping to win free, state-supplied generic medicines (just as is needed now for Covid-19 vaccines and treatment). Ka-Manzi was anti-imperialist at every opportunity, in part through assisting the late South African radical poet Dennis Brutus with numerous projects, including his [Marx in KwaSuka](#) adaptation of Howard Zinn’s *Marx in Soho*.

And in the same spirit as Ka-Manzi demanded, Northern climate-liability consciousness may be rising again, witnessed in 350.org founder Bill McKibben’s *New Yorker* [column](#) on December 3, 2020, entitled “The climate debt the U.S. owes the world.” There, the influential McKibben endorsed a report from the (ordinarily justice-deficient) Climate Action Network, authored by [EcoEquity](#) and the [Climate Equity Reference Project](#). McKibben [summarizes](#) its findings:

“It tries to calculate how much of the burden each country should be bearing, based on its historical contribution to the cloud of greenhouse gases and its ‘capacity to pay’ – a reflection of how rich the nation became during the fossil-fuel era. The report finds ‘that the US fair share of the global mitigation effort in 2030 is equivalent to a reduction of 195% below its 2005 emissions levels, reflecting a fair share range of 173-229%.’ That is, we can’t meet our moral and practical burdens simply by reducing our own emissions; we’ve already put so much carbon into the air (and hence reduced the space that should rightly go to others) that we need to make amends. Of this hundred-and-ninety-five-per-cent reduction, Athanasiou says, [seventy percent](#) would be made domestically, by building solar panels, rolling out electric cars, and insulating buildings. ‘This is about the maximum achievable by 2030, though cuts of this magnitude would require a full Green New Deal war footing,’ he notes. ‘The rest – the other 125% – would come by way of financial and tech support for adaptation and rapid decarbonization in poor and developing countries.’”

Paying that climate debt, McKibben [concludes](#), is

“the only honorable, and only sensible, course: they don’t call it global warming for nothing, and you can’t control it anywhere without controlling it everywhere. Our political debate has poisoned the idea of foreign aid in recent years, and it will be a hard lift for the Biden Administration to come close to meeting the requirements of justice.”

Of course, with the corporate neoliberal John Kerry as Biden’s new climate czar, repackaging the awful Paris deal-making managed by Todd Stern, this ‘hard lift’ requires all the rest of us to add our muscle to climate justice campaigning wherever possible.

### **South Durban’s pollution and climate catastrophe**

The December 4 explosion at the Engen oil refinery gave Patrick Mkhize the opportunity to again emphasize that genuine Marxist-Leninist, Black-Consciousness politics were not just red and black, but also green. After taking part in the 1976 Soweto student uprising, Mkhize moved to Wentworth, a mixed-race (so-called ‘Coloured’) working-class area of the South Durban basin known for involuntarily hosting the largest petro-chemical complex in Africa. Many Wentworth households were victims of forced removals from other parts of the city during the 1950s-60s, as formal apartheid tightened which race of people could live where.

Wentworth was, until the early 1990s, off limits to ‘African’ blacks like Mkhize. But he settled into a public housing unit regardless, regularly defying petty apartheid regulations. And soon he not only joined the tradition of former Wentworth resident Steve Biko (who lived in a university dorm while studying medicine nearby) and other Durban Black Consciousness Movement leaders, especially Strini and Asha Moodley and medical doctor [Aubrey Mokoape](#) (who also died of Covid-19 in Durban the next day). With wife Thandi and two children, Mkhize’s family also became labor, community and social movement stalwarts.



After democracy dawned in 1994, they stayed put in Wentworth instead of moving to formerly-white suburbs and enjoying petit-bourgeoisification, while around them, the country faltered under neoliberal-nationalist leaders just as he had predicted. Inequality, poverty, unemployment, gender-based violence and ecological damage all rose, as Mkhize responded by organizing even more furiously. In 2010, complaining of energy injustice in a [radio interview](#), Mkhize observed how rich people can cope with electricity price hikes,

“but for the poor it will be back to candles and paraffin stoves notorious for accidents and injuries and even burn down homes. We are heading for disaster.... Electricity like water and other resources important to human survival is a right, not a privilege. If we had a true democracy this country, hailed by many other countries for having the best constitution, would give energy for free considering where many of us come from in terms of race and segregation.”

Mkhize was a crucial force behind the broad-based South Durban Community Environmental Alliance (SDCEA) from its 1995 founding, always pulling it towards eco-socialist framings. In 2016, for instance, testifying at the national energy regulator’s hearing on electricity price increases that in part followed directly the massive fraud at two new 4800MW coal-fired power plants under construction (including World Bank-financed Medupi), Mkhize [insisted](#) on behalf of the Wentworth Development Forum,

“We say No to Tariffs Increase, No to corruption and No to use of Coal to generate energy! Yes to renewable energy, Yes to Accountability and Transparency!”

He was also a leading revolutionary trade unionist, and in his most recent leadership role as general secretary of the 10,000-strong Transport Retail and General Workers’ Union, Mkhize helped build the SA Federation of Trade Unions (SAFTU), a left alternative to the traditional Congress of SA Trade Unions which after a quarter-century alliance with the ruling party no longer served the black proletariat properly, Mkhize felt. SAFTU general secretary Zwelinzima Vavi [eulogized](#) at his memorial on December 30,

“Mkhize would have reminded us that we should spare no energy to ensure that we do not go back to the ‘normal’ after the coronavirus pandemic. Even before the pandemic struck, ‘normal’ South Africa had world-record levels of inequality, worker fury, and corporate-state corruption. Our pollution levels including CO2 emission have been at the world’s worst levels per capita per unit of output; only Kazakhstan and the Czech Republic have higher levels among countries with 10 million people. The need for a Just Transition to a decarbonized economy in which workers do not suffer losses is as great as ever, but no serious efforts appear imminent from the austerity-oriented government. Mkhize was on the frontline of the battle to change this power dynamic at his death, joining SDCEA to replace Engen’s explosion-prone refinery with a labor- and community-centric strategy for detoxing South Durban.”

Local environmental campaigners aiming to shut Engen have been frustrated ever since it opened in 1966 – as a Standard Oil refinery – in the middle of Wentworth, right next to houses and a primary school. The school recorded a 52 percent asthma rate by the early 2000s, and so SDCEA compelled Engen to install SO<sub>2</sub> scrubbers, which led to substantial air-quality improvements, although heavy metal emissions keeps the cancer rates nearly twenty times the national average.

No matter the scrubbers on massive oft-flaring smokestacks, the Engen ‘rustbucket’ refinery – the country’s second largest (at 120,000 barrels daily), behind only the neighbouring Sapref refinery owned by BP/Shell – periodically exploded. SDCEA’s coordinator [Des D’Sa](#) counts more than 50 fires, explosions or major pipeline leaks since 2000.

## Pupils taken to hospital after blaze at refinery

Tony Camie      October 10, 2011

**MORE** than 100 primary school children were taken to hospital yesterday – some struggling for breath, others with itchy skin and eyes – after being splattered by air-borne droplets of crude oil and a cloud of smoke and soot from another fire at the Engen fuel refinery in South Durban.

Wentworth Hospital manager Suriya Kader said 101 children from Settlers Primary School in Merebank and 10 adults had been brought in with signs or symptoms of dizziness, itchiness, headaches and sore eyes.

About 20 of the children were treated with allergy medication, headache pills or calamine lotion, while two were nebulised because of breathing problems.

None were admitted, however, and most did not require medical treatment.

Meanwhile, the refinery remained closed late yesterday after flames erupted from a crude oil distillation unit, which caught fire just before 11am.

Refinery manager Kamal Bah-



seen by The Mercury at Wentworth Hospital, Anna-Lydia’s white school clothes were stained with blotches of an oily substance carried downwind to the school, less than a kilometre from the refinery fence.

“Some of the kids were getting oxygen from paramedics and others were feeling sick. Our noses were burning and our eyes were watering. I’m still feeling a bit shaken up and my skin was also very itchy from the black drops which came in the air,” Anna-Lydia said.

Her mother, Charmain Andreoli, said it was “high time” that something was done to improve safety and reduce environmental pollution from the refinery.

Desmond D’sa, of the South Durban Community Environmental Alliance, said the latest fire was an indictment against both Engen and government health and safety officials.

Ahmad said it was too early to say what had caused the fire.

“We regret any inconvenience or discomfort caused,” refinery spokesman Herb Payne said.

Onlookers gather at the main entrance to the Engen refinery in Durban yesterday as smoke billows from a fire.

PICTURE: SOUTH DURBAN COMMUNITY ENVIRONMENTAL ALLIANCE

rin Ahmad said it had taken 20 minutes for Engen firemen to bring the fire under control. No staff had been injured.

There have been several fires at the refinery in the past few years, including a petrol tank which burned for 38 hours after being struck by lightning in November 2007.

The latest fire has also sparked new calls from local community groups for a government commission of inquiry into safety issues and maintenance at the refinery.

Anna-Lydia Pillay, an 11-year-old pupil at the school in Lakhimpur Road, said that many pupils were outside during break when they saw a cloud of dark smoke.

Along with several other pupils

*The Mercury, 10 October 2011*

In 2011, just before the UN climate summit in Durban, an [Engen eruption](#) sent countless drops of boiling oil high into the sky, falling on the primary school where more than 100 children having a quick recreational recess were burned and hospitalized. The government finally expressed concern, but crony-capitalist power relations were quickly revealed when provincial environment minister Lydia Johnson angrily threatened to close the refinery for good but was instead, as a result, fired by provincial premier (now Health Minister) Zweli Mkhize three weeks later.

The difference between the refineries turned on, and off, is striking. With the strict Covid-19 lockdown affecting the entire petro-chemical complex in April-May, Wentworth suddenly smelled

clean – no more rotten-egg and ‘cat’s-wee’ ammonia stench – and the skies turned clear. As D’Sa [said](#) in May, opposing the refineries’ imminent reopening,

“We have been nurturing the beauty of our Mother Earth with all its fauna and flora. The land is healing, the birds singing, the animals recuperating, and marine life recovering. Our rivers, ocean and estuaries are cleaner than we can remember. When we get out for morning exercise, our hearts beat faster, and our spirits rise with admiration for nature’s powers.”

“Not just local pollution, but global climate crisis will be amplified by the refineries’ restart. We have witnessed gale-force winds, tornados, unprecedented rainstorms and droughts across KZN. In Durban and surrounds, the 2019 storm that arrived just after Easter dropped 148 mm of rain in 24 hours, killing more than 80 people and leaving hundreds of families homeless. The two cyclones that devastated Mozambique, Malawi and Zimbabwe in March-April 2019, killing 1000, the drought still afflicting much of South Africa, and the current locust plague in the Horn of Africa, are other symptoms of the climate catastrophe. Shell and BP are primary villains, and have not yet paid their ‘climate debt’ from the super-profits they have earned. Nor have they paid their ecological debt to neighbours in South Durban or other refineries across the world. Instead, as is well known in many countries, they have corrupted governments to turn their heads away from their citizens’ suffering. We insist that until Sapref and any other petrochemical industry in our area has paid its ecological debts, offered plans for ceasing toxic pollution including greenhouse gas emissions, and ensured worker and community safety, they stay closed. We value our lives and planet, and we will fight the refineries and other polluters with renewed confidence – and anger.”

Anger returned when the refineries reopened in May-June, even though petroleum demand was much lower in 2020. As a result of weak profitability, Engen in October [threatened](#) to close the Wentworth complex by 2023 – becoming an oil-storage tank farm – and hence there is a strong community suspicion that the site is being milked, with little or no concern for maintenance and proper decommissioning. D’Sa’s predecessor (and SDCEA founder) Bobby Peek – now running groundWork – [testified](#) to parliament on December 8:

“The oil refinery industry in this country is crumbling. We know that we have to move away from fossil fuels. Our President Cyril Ramaphosa has said very clearly that it is time for a just transition. It is time to recognize that we have to move forward. When we move forward, we cannot leave any African behind. But that is what Engen is going to do. It is going to move, it is going to leave the valley, and it is going to leave us with an unjust future. The first thing to recognize is that all we are asking is to get what the President has promised us: A just transition away from Engen. That is really critical. But we cannot do this if we do not have an open democracy. An open democracy is not when Engen tells parliamentarians; it is the community in South Durban who can come and talk to them.”

Parliament listened for a change, and its Environment Portfolio Committee even allowed climate crisis to be heard, a rare occurrence. (The prior sitting of the same committee two weeks earlier [celebrated](#) the offshore Indian Ocean discovery of more billions of barrels of gas by French firm Total, with no questions asked about greenhouse gas emissions and climate implications.)



*Wentworth, South Durban, 4 December 2020*

The reason for the elite politicians' respect for D'Sa, Peek and others from SDCEA (who on another occasion when testifying on pollution and climate crisis were simply booted from the room by rude parliamentarians), was one of South Durban's worst pollution incidents, four days earlier: the Engen explosion early in the morning of December 4.

The massive fire left several Engen workers and nearby residents injured and the neighbourhood terrified of a Bhopal-type conflagration. At least two members of parliament were thus slightly more sensitized to the argument (disclosure – [which I made in brief testimony](#)) that refinery methane, CO<sub>2</sub> and all the other pollutants emitted over the decades, should result in a massive reparations bill, due by Engen.

Paying such an ecological debt would then cover the health costs of residents plus the refinery deconstruction and detox, soil rehabilitation and conversion of the prime land into something the communities and workers would together value: a genuine Just Transition.



## Towards climate justice in 2021

The choice ahead – fight or succumb – is one that each of the four activists who died this year would readily make with renewed vigour but also a sense of realism.

- Fikile Ntshangase knew the coal industry's local and global damage, ranging from water degradation to the role of fossil fuel in the Somkhele area's persistent drought, and MCEJO and its supporters still despair when local workers join with capitalists to expand the damaging Tendele mine because there are no alternatives.
- Sizani Ngubane knew that without rapidly-increased control of good cropland and water during the worsening climate crisis, ethnic-patriarchal malgovernance and mineral resource-cursing in rural KZN will make it impossible for women to take their rightful place as the leading rural producers and as the forces of social reproduction in households and communities.
- Patrick Mkhize knew that workers will be central to winning a humane, ecologically-sensitive society including the detox of his home neighbourhood in South Durban.
- Faith ka-Manzi knew how the rise and fall of personal health and political movements were intertwined, and how a more profound set of local and global connections needed to be fought for every day.

Where does this leave those following in their wake, especially next-generation activists? Across the world, turning to the critical area of climate politics, the tragic aspects of the KZN stories recounted above are evident in many sites: divisions, especially green-red splits; apathy, including too many of the youth for whom this issue will be life or death; violent (often patriarchal) resistance to change; profiteering and cooptation; and ideological confusion.

Partly as a result of these adverse conditions, at the global scale the rise of a Climate Justice movement during the early-mid 2000s – including the [Durban Group for Climate Justice](#) in 2004 – was generally less visible than the shallower, NGO-dominated Climate Action Network, whose standard-bearer was often the carbon trader Al Gore. The latter's members eschewed militant activism, put minimal pressure on the state, often made deals with capital, and offered scant solidarity to base struggles.

In South Africa, the failure of insider climate-advocacy lobbying is obvious, as the Minerals-Energy Complex continues to thrive. Moreover, the mess made of unity between climate justice and climate action camps at the 2011 UN climate summit led me to write a worried (and auto-critical) account in 2012: "[Durban's conference of polluters, market failure and critic failure](#)."

On the other hand, perhaps it is the inability to thus far mainstream progressive climate justice politics, that has resulted in a more radical and hopeful – albeit still divided – terrain of citizen activism, such as that pursued by the four who have fallen. In South Africa, three distinct attempts to link labor with environmental and community activists – in the best radical spirit – emerged from the late 2000s through the 2010s: the [Million Climate Jobs campaign](#) for a Just Transition (based at the Alternative Information and Development Center); a [Climate Justice](#)

[Coalition](#) (driven by 350.org with SAFTU giving support); and a wider-ranging [Climate Justice Charter](#) movement that one day in October 2020 recorded 70 discrete actions including parliamentary protest, notwithstanding ongoing Covid-19 restrictions.

There were other signs of hope here, over the years, including a very radical 2015 conference mixing metalworker strategists – at the time, among the most eco-socialist anywhere – with a variety of communities and environmentalists furious with the parastatal Eskom. But regrettably that and several other attempts to gather up South Africa's fractious activist community – the early 2010s Democratic Left Front, the mid-2010s United Front and the C19 People's Coalition in 2020, which each offered great potential – did not prove durable. Aside from ever-present personality politics and sectarianism, movements like these typically suffer excessive dependency on international funders and overweight influence of NGOs or academics.

So the model of successful radical social change continues to be the kind of 'single-issue' mass social movement politics that led to massive victories in gaining access to AIDS medicines, or free tertiary education, or occasional micro-battle wins in other sectors. In climate politics, aside from a victorious legal battle to halt a small coal-fired power plant (Thabametsi), there have been too few wins, in comparison to the terrible continuation of Minerals-Energy Complex power.

The hope will always be the youth, but although the Global Climate Strike in September 2019 did bring thousands of young people into the streets in the largest cities, the subsequent cooling during Covid-19 has allowed the government to build back worse. Likewise, although there is a great militant potential in the Extinction Rebellion movement and though it appears to have taken off in several cities, there remain race and class inequalities that remind how XR's very intense climate activism is not as rooted as it could be in the sorts of coal-face and frontline struggles described above.

And that intimidating balance of power is what the four late activists would look at and implicitly understand, and like so many similar South Africans, they would grit their teeth for the next battles around the corner. So must we all in 2021.