

Community Participation in Community Share Ownership Trusts in Bikita Rural District of Zimbabwe

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ABSTRACT

This study focused on the participation of communities in Community Share Ownership Trusts (CSOTs) with specific reference to Bikita rural district in Zimbabwe. Qualitative methodology was used for the study. Key informant interviews and semi-structured interviews were used to gather data with various respondents from Bikita rural district. Community participation in CSOTs has far-reaching effects on development in Zimbabwe. It stimulates broad-based participation at community level and catalyses development through CSOTs. Conditions such as clarification of the roles of communities in the CSOTs, an effective legal framework which empower communities and making communities active participants in decision-making especially on development projects should be met in order for community participation to be effective. These conditions do not only promote effective participation but facilitate economic empowerment of local communities in rural areas.

Keywords: community participation, community share ownership trusts, empowerment, development

INTRODUCTION

Economic development initiatives through indigenization and empowerment have become common practice in Africa. Mabhena and Moyo (2014) cites CSOTs like the Mwadiri Community Diamond Partnership by the De Beers Company in Tanzania and the Zimele Scheme by the Anglo-American and the Impala Bafokeng Trust by the Impala Platinum Holdings in South Africa. These schemes have been acknowledged for incorporating local communities in areas they were established. In Zimbabwe, CSOTs were initiated in 2011 through Statutory 21 of 2010. The Statutory Instrument was a follow up to the Indigenization and Economic Empowerment Act (Chapter 14:33) of 2007 (Mazarire, 2013). The Statutory Instrument specifies that at least fifty-one percent of shares of public companies and any other businesses owned by foreigners shall be owned by local communities in which mining companies are located. CSOTs were then established to manage funds released by the mining companies (Tsvakanyi, 2012).

Zimbabwe 2010). The key objective of the schemes is to ensure that communities benefit from the exploitation of natural resources in their immediate environments (Wushe and Mandudzo, 2014; Mtisi, 2011). Through section

14 of the statutory instrument, companies are obliged to avail at least 10 percent of shares out of the total value of the company to a community represented by a trust (Mtisi, Dhliwayo and Makore, 2011). This was perceived to be the source of funding of community share ownership schemes.

Since their inception in 2011, community share ownership schemes became the main subject of discussion on talk shows, political meetings even in parliament and as such they became very popular. More than fifty schemes have been launched in Zimbabwe up to this day (Wushe and Mandudzo, 2014). They include the Mhondoro/Ngezi/ Zvimba Community Share Ownership Trust established by Zimplats in 2011, the Tongogara Community Share Ownership Trust established by Unki mine in 2011 (Tsvakanyi, 2012). The Mimosa-Zvishavane Community share Ownership Trust and the Gwanda Community Share Ownership Trust launched in 2012 (Matsa and Masimbithi, 2014). Lastly the Masvingo Community Share Ownership Trust which gave birth to Bikita Community Share ownership Scheme was launched in 2013 (Tshuma, 2013).

It was anticipated that such a scheme would be key to community development in Bikita as it was forecasted that they would transform local

economies and in turn bring about community development. The district is blessed with a lot of natural resources which among other things are minerals which include tantalite and lithium mined at Bikita minerals. The mine was established in 1952 and has supplied more than a million tones of high grade lithium minerals in the name of petalite, spodumene, pollucite and lepidolite to numerous destinations in Europe, North America, the Far East and Africa (Bikita minerals undated). Establishing community share ownership in this case could bring development to the district which is punctuated by abject poverty.

In Bikita debates about the scheme have been very severe with critics arguing that the scheme is vague as it is not clear on what the local communities should benefit, how they should participate and what they should own. The main criticism emanates from the indigenisation and economic empowerment law itself which according to Mazarire (2013) was initiated with the intention of gaining support by ZANU-PF and not merely intended to promote empowerment.

PURPOSE OF STUDY

This study focuses community participation in Bikita Community Share Ownership Scheme with the aim of developing strategies for participation which promote community development.

RESEARCH METHODOLOGY

Qualitative research was used in this study. It was relevant in this study as it managed to a wide range of perspectives on community participation in community share ownership schemes. A case study design was adopted in order to produce a detailed analysis the meaning, context and effective ways promoting community participation in community share ownership schemes. Bikita was chosen because the community is detached to its community share ownership scheme. Convenience sampling and judgemental sampling were used to identify key informants of the study. A sample of 18 respondents was used to carry out this study. Groups of people interviewed included local members of the society, traditional leaders and civil society representatives Respondents were drawn from members of the local community including women, local leaders and traditional leaders, the community share ownership trust, Ministry of Local Government and other government official working in the community,

especially those directly involved with Bikita community share ownership scheme and local nongovernmental organizations. Secondary sources included policy documents and legislation on indigenization and empowerment and community share ownership schemes, newspaper articles, and reports by civic organizations.

THEORETICAL FRAMEWORK AND LITERATURE REVIEW

The research has thus adopted Arnstein's (1969) ladder of participation in a way to address the questions. The ladder represents what the scholar depicts as the levels of citizen participation. As noted by Cornwall (2008) there are three phases of levels of participation which include non-participation, tokenism and citizen power. Non participation is placed at the bottom of the ladder portraying a situation where decisions are made from the top and handed down to citizens. As noted by its level at the ladder, the phase portrays a situation when citizens are at the receiving end. This may have effects of deterring citizens from being willing to participate in development initiatives.

The next phase which is slightly higher at the ladder of participation is tokenism as noted by Arnstein (1969). Tokenism is thus viewed as a scenario when participation is through informing and consulting citizens without giving assurance that their contribution will be considered for decision making. In other words it is an attempt by states to hoodwink their citizens as well as the international community that they are complying with democratic best practices yet the political environment in such states is not conducive for such practices (Mapuva, 2014). As noted by the same scholar, tokenism is simply used to mollify, pacify and appease citizens without due respect for their contribution in policy formulation in public affairs (Mapuva, 2014). Though slightly different from non-participation tokenism makes citizens very passive in development initiatives.

The most important phase in the ladder is citizen power. At this stage citizens play a central role in decision making though the ruling elites have the final say to public decisions (Arnstein, 1969). Under citizen power communities are given the opportunity by legislation to contribute or influence decision making processes. Citizens should be empowered in such ways for them to contribute meaningfully towards development. As noted by Mapuva (2014) the failure by the state to give citizens

the right to free political choices and decision making powers presents unacceptable form of a governmental dispensation. This manifests in various forms which include unwillingness by citizens to participate in development initiatives and lack of development in communities.

Arnstein's ladder of participation is relevant in that it points out to participation as a seamless process which constitutes a terrain of contestation in which relations of power between different actors are reflected (Kabele, 2013). Such contestations shape and reshape the boundaries of action by individual elements of a community. In this case it becomes imperative for communities to identify appropriate stakeholders so as to regulate the use and abuse of participation. Mathbor (2008) noted that there is a critical difference between going through an empty ritual of participation and having real power needed to affect the outcome of the process. This has however been characteristic of development initiatives in Africa where development programmes have failed to influence transformation in the lives of communities where they were initiated.

Equally, a wide range of people might be involved as noted by Chirenje, Giliba and Musamba (2013). However if they are only informed or consulted, their participation may remain weak. What it means is that community engagement should be holistic to cover issues to do with decision making, budgeting, implementation and evaluation as well as weighing material benefits. A holistic approach may not only empower local communities but may be used as an instrument to measure inclusion, exclusion and degree of involvement. As such Arnstein's model provides a guideline which assists in building effective participation especially in this study.

Conceptualising Community Participation

The need for community participation stems from historical marginalization of local communities in development when their natural resources will be exploited. Macfarlane (in Chifamba, 2013) defines community participation as collective efforts to increase and exercise control over resources on the part of groups and movements of those hitherto excluded from control. In the context of rural development, community participation involves an active process whereby beneficiaries influence the direction and the execution of development projects rather than merely receive a share of project benefits (Chifamba, 2013). In

this case local communities should control development by being actively involved in designing the project, influencing public choices and holding public institutions accountable for goods and services they provide.

Community participation as a concept has been upheld at the World Conference on Agrarian Reform and Rural Development, (WCARRD) convention held in 1979 (Chifamba, 2013). It declared that rural people should participate in institutions that govern their lives. As a result of the convention participation was considered to be a basic human right. Ideally it should be beneficial to citizens and as noted by Mapuva and Muyengwa-Mapuva (2014) it should be voluntary. It is important to note that after the WCRRD participation in community development as well as in development at large gradually became more established among governments, donors and international governments (Chifamba, 2013). While participation has become so ubiquitous, there is a wide range of views on the concept and ways of achieving it. This explains why after many years of attempted poverty alleviation poverty continues to be endemic and communities continue to languish in poverty (Van Laerhoven and Barnes, 2014).

What participation should achieve in practice is the expression of the community members' opinions regarding what the objectives that need to be realized should be, how financial resources to achieve the defined objectives must be allocated (Kabange, 2013). It should also necessitate equitable distribution of benefits, give the local community chance to express how they perceive or assess policy, programs and projects comparing them to defined objectives. Such participation promotes the re-direction of resources to satisfy the critical needs of the people to achieve economic and social justice and to emphasize self-reliance on one hand and on the other to empower the people to determine the direction and content of development (Du Plessis, 2008).

The Concept of Ownership in Community Share Ownership Schemes

Ownership is the assumption of sovereign control over property, to the exclusion of the rest of the world (Lefevre, 1966). Literally it means that rightful owners have authority and the power of control over property. In addition to that the owned property should have the following characteristics among others, it must be valued by the owner and it must have a

boundary that is recognizable to others (Mack, 2010). For joint ownership or community ownership to occur, the lines of demarcation designating the owner who exercise sovereign control and authority and who also is held responsible for the item owned must be precise (Lefevre, 1966). In other words there should be legislation which should clearly define owners and their roles in the joined ownership.

Owners should enjoy certain rights which empower them to claim ownership. Gaus(2011) classifies them into various categories which include the right to use which entails that the owner should have liberty to use the property and also should have the authority to refrain others from using the property. The other fundamental right is the right to income and in this case the owner has a claim to the financial benefits of forgoing his own use and letting someone else to use it (Gaus, 2011). Such rights empower owners to have control over property and also to benefit from the property.

A scrutiny of the Indigenisation and Economic Empowerment Act (Chapter 14:33) indicates that the regulations of the policy largely pronounce communities as owners of natural resources (Matyszak, 2011). The policy also states that its main motive is to empower the once disenfranchised Zimbabweans so that they become 'owners' of businesses (Tsvakanyi, 2012). The policy cited the mining companies blaming them for benefiting a lot from the extraction of natural resources at the expense of locals who remained poor yet they are the custodians of the resources (Matsa and Masimbiti, 2014). Within this broad spectrum of enhancing ownership by local communities, mining companies are required to cede 10% of their shares to community share ownership trusts who in turn would see to it that local communities have benefited from the natural resources being extracted from their areas through the provision of various developmental projects (Tsvakanyi, 2012).

However one may want to ascertain whether communities have rights over these schemes since they are always at the receiving end of their governance. According to Matyszak (2014) the framework for indigenisation in general is based on a shaky legal framework. The act dictates that foreign companies should dispose part of their shares to locals but companies do not own shares in the companies, members of the companies do (Matyszak, 2014). The legal title to shares and thus the power to treat with

the shares lies with those who own the shares, not the company (Matyszak, 2011). Such an oversight gives the mining companies an advantage over local communities in that they can get away without being punished if they fail to honor their promises. Such a loophole does not lay the basis for effective transfer of economic benefits to locals.

Communities as Shareholders

Shareholders are investors who invest capital in a business. In business terms they are regarded as owners of the business and as such they are entitled to dividends (Velasco, 2006). Dividends are profit sharing schemes for investors but they have different classes and different classes have different rights in corporate law (Lefevre, 1966). The classes include preference and ordinary shares and the later class enjoys less rights. Their values do not accumulate at the end of each financial year and as such the value does not change. Mawowa (2013) has classified the 10% shareholding of local communities as ordinary shares and thus according to the author communities are entitled to less rights in the share structures.

In fact Matyszak (2014) laments that ordinary shares of communities have no value because according to him the government refused to take the honor of paying for the shares after they were transferred into the hands of communities. A legal explanation to this issue indicates that paying for the shares makes the shareholding of communities more valid in that the community would have invested capital into the business and thus could have ownership rights. The prevailing situation in Zimbabwe indicates that local communities have less influence in the whole process.

Theoretically since they are considered as owners of capital, shareholders should enjoy some rights. Gaus (2012) groups the rights broadly into economic, control, information and litigation rights. Economic rights empower shareholders to receive dividends and to vote on important matters relating to the business which gives them some control over the corporation (Gaus, 2012). Shareholders should also receive quality periodic and non-periodic information about the corporate affairs. They should have capacity to seek judicial enforcement of their rights under certain circumstances (Matyszak, 2011). Such rights make them owners of the corporations and as such they remain important aspects of the corporations.

Contextualising the aspect to the Zimbabwean situation, the indigenisation policy and its regulations failed to clarify the role of the community in the share ownership scheme. As Dhliwayo (2013) noted, the schemes have no legal framework which binds mining companies to cede 10% shares to the local communities. Matyszak (2014) notes that the policy does not make it compulsory for mining companies to release money to community share ownership trusts. If they decide not to release the money, communities have no capacity to question the companies. The policy is based on the willingness of the companies making it voluntary for companies to finance community share ownership trusts despite the fact that they are referred to share ownership schemes. Sibanda (2015) referred to the scheme not as share ownership schemes but rather as disguised forms of corporate social responsibility schemes.

The Concept of Community in Development

A community should signify a collective process of social change. Communities emerge through people's efforts in dialogue, working cooperatively, trusting each other, holding each other accountable and working together to bring their strategies and tactics to bring about social change (Esposito, 2010). These indicators signify communities as collective processes which bear an immediate result of development, a vision desired in social change (Tan, 2009).

Tan (2009) sought a redefinition of community and categorized the community into various ways. Communities as hospitality, this involves considering the way in which ends and means are enfolded within one another as destinations and as processes of moving towards those destinations (Tan, 2009). In other words it refers to the practice of welcoming other people, other ideas and other ways of thinking about community life, living together, naming and solving community problems (Westoby and Dawling, 2013). What it entails is that members of the community view each other as equals and as such there will be interaction which in turn encourages cooperation in community activities which in turn brings about development.

Contextualising Community in Cstos

In community share ownership trusts communities have been classified in a way which makes them very crucial if such schemes are to achieve their main objective of community development. The main objective of

CSOTs through section 14(b) of Statutory Instrument 21 of 2010 is to ensure that local communities, as custodians of natural resources, benefit directly from the extraction of natural-resource wealth in their areas and are able to shape their own development (Government of Zimbabwe 2010). The provision thus regards local communities as major stakeholders in the schemes as they should play a pivotal role towards the achievement of the objectives of the schemes. However communities should share a sense of unity among individuals that also preserves their individual distinctiveness (Tan, 2009). This purposefully weaves a connection between dialogues, community and development, signposting the need for dialogical skills enabling ethical decision making about the process and trajectory of development people choose (Tan, 2009). As envisaged under the indigenisation policy, this initiative will transform the socio-economic circumstances of the communities concerned.

The Role of Trustees in Principle

Just like agents, trustees should represent the interests of the people they claim to represent. They should perform fiduciary duties and as noted by Mack (2010), a fiduciary play certain specific duties to their principle. Rohe and Galster (2014) classified the fiduciary roles as follows, the duty to be loyal, that is acting solely in the best interests of their principal to the exclusion of all other interests including their own self-interests. Trustees are also obliged to disclose to their principals all relevant and material information that the agent knows and that pertains to the scope of the agency (Rohe and Galster, 2014). Other important roles include obedience and being accountable to the principle. In the context under study, the principles should be local communities which the trusts should represent.

Relating these roles to community share ownership trusts in Zimbabwe there is fear that these roles may not be effectively fulfilled because trusts are made up of trustees which are imposed on communities by the government. According to the indigenisation policy, the minister of youth development, indigenisation and empowerment shall cause the establishment and registration of all Community Share Ownership Trusts who in turn imposed trustees on the established trusts (Murombo, 2013). What is surprising is that the trusts are expected to represent local communities but communities have no capacity to choose the trustees. What it

means is that the trusts may fail to fulfil their fiduciary role as they are expected to do.

COMMUNITY SHARE OWNERSHIP TRUSTS, LESSONS FROM SOUTH AMERICA

South America has experienced substantial radicalization of community perspectives and policy towards extractive sector governance (Mawowa, 2013). In Bolivia for instance, the central government shares royalties with regions. Similarly, in Peru fiscal reforms were designed to return 50% of the “canon minero” (a type of royalty) to the regions (Sirolli, 2010). Whilst policy in most Latin American countries does not prescribe community ownership in mines, communities are often involved in the negotiation of mining contracts (Mawowa, 2013). The negotiations make up what is commonly known as mining agreements in the region. As noted by Sibanda (2015) this owes partly to the legal regime governing land and mineral rights in most of these countries which does not give the total control over mining rights.

Acquisition of mining rights involves a complex process of contract negotiations with respective regions, land owners and communities, in the case of common land. This gives communities leverage and ability to insist on employment of locals, local procurement and infrastructural development as part of the mining agreement (Mawowa, 2013). The most important fact to note is that it is also very common for communities to renegotiate contracts once new information comes out. Because of such practices, collaborative relations have emerged between mining companies and local communities. In Puquio Norte in Bolivia, a mining company and the local community combined funds to build a gas pipeline to the mine that was larger than what the company needed (Sirolli, 2010). Though community engagement in South America may be far from ideal, it is robust. It is true to note that it has been criticized for its weak and ineffective communication between central and local government and communities with regards to policy as Mawowa(2013) noted, but its framework promotes community ownership of their natural resources.

Share ownership schemes did not originate in Zimbabwe. Several countries in Africa have pushed for the establishment of share ownership schemes. Mabhena and Moyo (2014) cites schemes like the Mwadiri Community Diamond Partnership by the De Beers company in

Tanzania and the Black Economic Empowerment (BEE) schemes in South Africa which led to the establishment of the Zimele Scheme by the Anglo-American and the Impala Bafokeng Trust by the Impala Platinum Holdings in 2007. These schemes have been acknowledged for incorporating participation by communities in areas they were established.

A lot of lessons can be noted from the Latin America and other African countries. The most important lesson is the inclusion of communities in the negotiation of mining rights. This places local communities and companies at the same level if they are to make any negotiations in the future. The other lesson is that negotiations have to involve all stakeholders in an open and transparent manner (Mawowa, 2013). If possible, negotiations should include representatives from the local communities, local government, central government and the companies carrying out the extraction.

DISCUSSION OF RESULTS

This section focuses on the findings of the study. In Zimbabwe community participation in community share ownership schemes is very minimal. This is because of a range of factors which include exclusion of community representation at the formative stage of the schemes, a weak legal framework for the policy, imposition of trustees to the trust and lack of capacity by the community to negotiate, own and control capital invested in the trust. These factors are discussed below.

Exclusion of Community Representation at the Formative Stage of Community Share Ownership Schemes in Bikita District.

Exclusion of community representation at the formative stage of the community share ownership scheme was indicated as a factor which limited community participation in community share ownership schemes in Bikita. In the interviews done, one member of the community confirmed that:

The community did not make any contributions towards the scheme. The community was only introduced to the scheme not asked what they wanted.

In this regard citizens were merely informed on decisions merely made by ruling elite. According to Mapuva(2014) consultation in this case will simply be a formality, done without guaranteeing that the contribution of citizens will be taken into consideration and it involves

mollifying, pacifying and appeasing citizens without due respect for their contribution in policy formulation in public affairs.

One of the respondents also confirmed this as he noted that:

We do not know about the people who initiated the policy. As a community we heard about that through hear say.

Other members of the community however indicated that they were told about the scheme in Bikita but at platforms which did not encourage community participation in the scheme. Another respondent also mentioned that:

Everything about the scheme was said at political gatherings.

At the initiation of the policy, participation would also include capacity building of members of the trust and the community as well as consultations of members of the community. As much as this was a noble idea, MYIEE did not consult the community in Bikita. As one informant noted, the exercise was irrelevant in Bikita, given the amount of money which was at stake. Bikita minerals private limited had ceded \$50 000 and capacity building, consultations and hiring of cars gobbled the majority of the money, the total cost was valued at \$35 000 by the trust. He indicated that:

Members of the trust grumbled over the compulsory regulatory operations exercises as they noted them as irrelevant because they were expensive. They also questioned the imposition of ZIPAM in conducting the capacity building instead of a local organization which would be cheaper.

To him the compulsory consultations with communities were a duplication of duties since what was obtained was similar with what was planned by the council. Another key informant also noted that the exercise was too expensive for the trust considering the amount of money deposited in the trust. To him the exercise was meant to misdirect funds away from the actual beneficiaries who in this case are supposed to be the local communities in Bikita. In practice, the formulation process of any policy should always include affected communities to avoid conflict (Kabange, 2013).

A Weak Legal Framework for the Policy

Key informants noted that community share ownership schemes are backed with a weak

legal framework. This has affected the operations of Bikita community share ownership trust. One key informant explained that:

The company only deposited seed money into the trust account and began to resist honoring the pledge and as we were pursuing the issue we discovered that it is not compulsory for the company to disburse funds to the trust.

Companies pledge money to trusts and according to Matyszak (2014) a pledge is not legally binding and can be reversed if need arise. Section 4(b) 4 requires that qualifying business should be willing to contribute to the trust. If a company choose to contribute to Employee share ownership scheme and ignores community share ownerships schemes, the company may not face any legal action because the policy gives them the opportunity to do so. In the absence of clear legal backing, the CSOTs will only participate and own shares at the discretion of the Minister and mining companies (Mawowa, 2013). Faced with this, it may not be surprising for one to claim that communities are not owners of the share ownership schemes.

The Imposition of Trustees to the Trust

The trust in Bikita has been accused not representing the needs of the community this is because of the fact that trustees were imposed on the trust. As noted by one key informant:

Trustees in community share ownership trusts are appointed by the ministry and some of them have automatic entry especially traditional leaders who become trustees by virtue of them being community leaders.

This is stated in Section 14(b) of Statutory Instrument 21 of 2010, the Minister of Youth Development Indigenisation and Empowerment acting in consultation with the Provincial Committee appoints the Trust members who hold office for a period of 3 years which can be extended to another 3 years if necessary with the exception of traditional Chiefs who shall serve for as long as they remain in post as Chiefs (Government of Zimbabwe 2010). Imposing members of the trust weakens the capacity of the community to question the trust. Another informant noted that:

The current leaders of the trust may go without being questioned and may work for their personal benefits because they are feared by ordinary citizens, the community is not free to question accountability to the chief because they cannot challenge them.

An ordinary member of the community in Bikita reinforced by stating that it is also difficult for councilors to monitor the CEO or the council chairperson because according to him, “*subjects cannot question accountability to their superiors*”. Complaints of this nature are common in development projects imposed on communities from above, asserting that only those with expertise, access to resources and well-connected to government officials are given the chance to make inputs into the decision making processes (Mapuva and Muyengwa-Mapuva, 2014).

Lack of Capacity to Negotiate, Own and Control Capital Invested in the Trust

The general feeling of both members of the trust and ordinary citizens in Bikita is that, the community has no capacity to negotiate, own and control the funds ceded to the trust. Complaining about being left out in the negotiations, one key informant who is a traditional leader clearly stated that negotiations were done in Harare not in Bikita, by people who are not from Bikita, the scheme was also not launched in Bikita and one may wonder if the community in Bikita is really the owner of the so called shares. Another key informant, a member of the trust highlighted that when \$50000 was deposited into the account of the trust they were instructed to channel the bulky of the money towards capacity building, a development which did not please the trust. To the community in Bikita if communities are owners, they should be given some autonomy to decide and control what they own not to be claimants of what they do not own.

Lack of Community Consultation in Development Projects Implemented by the Trust

The research established that there was no consultation in development projects implemented by the trust. In as much as the projects were welcome in the communities they were implemented, residents in some of the communities complained about being left out in choosing projects. What came out of the research indicates that the trust carried out school painting projects which resulted in the painting of three schools in Bikita which are namely Beadmore primary school in Bikita West, Chirorwe primary school in Bikita East and Mafaune primary school in Bikita South. One key informant noted they were not consulted on the projects which were relevant to their community.

Circumstances surrounding the prioritisation of the projects live no doubt for disgruntlement from the community. As noted by one of the key informants, the prioritisation did not consider the input of the community. Mendes (2008), postulate that community development should place local communities on a central role in development initiatives. Involvement of local communities contributes towards the establishment of community development initiatives which are relevant in communities they are applied. The trust claim that when they prioritized the project, they consulted the Ministry of Primary and secondary Education and then later consulted school development committees on their priorities. The researcher however discovered that the school development committees were not consulted they were rather informed and as a result some believed it was a donation.

The other aspect is that the prioritization of the painting project was not the best priorities even at schools where the painting was carried out. At Beadmore primary school, the school development committee noted that they looked forward to projects like replacing old roofs with new ones. Their priorities also centered on renovating classrooms to improve ventilation, and drilling a borehole for the school. In Chirorwe the major priority of the community were water projects, especially for the community. The water situation in the area is very serious to an extent that some communities in the area depend on the dried up Chivaka river where they dig holes (*mifuku*) for their water.

Lack of partnership between Communities and the Trust

The research discovered that interactive participation does not exist between the community and the trust. As one key informant noted the community was only introduced to the scheme not asked what they wanted. The other respondent also feels that there is no partnership between the scheme and the community because the community was never consulted and the program was never fulfilled. This was very common among ordinary members of the community who felt that they had to play a central role. One key informant even claimed that:

There is no feedback on the problems being faced in the trust, the scheme is not for the community and it does not exist because it has no results.

If the input of the community is absent in community development initiatives, projects may fail to satisfy the needs of the community. For community development to be relevant in communities there should be partnerships between the community and development agencies. Partnership involves interactive participation where people participate in joint analysis, development of action plans and formation or strengthening of local institutions (Cornwall, 2008).

CONCLUSIONS

The study found out that the community in Bikita is not effectively participating in the community share ownership scheme established in the area and this in turn has made them feel they are not benefiting. Such a feeling clearly qualifies what Van Rooyen (2007) called weak participation. Weak participation only involves consulting or informing citizens and denies the community strong partnership and control (Westoby and Dowling, 2009). It is this weak participation which fails to promote continuous partnership between the trust and the community. This partnership should be pronounced through continuous consultation and effective communication between the community and the trust.

While it appears as if there are mechanisms for community representation through the established trust and other mechanisms, the community was not considered at the formative stages of the community share ownership trust. The people in Bikita feel that the scheme has been imposed on them. Such a development is an effect of what Arnstein (1969) portrayed as non-participation, a situation where decisions are made from the top and handed down to citizens. As noted by Cornwall (2008) the scenario portrays a situation when citizens are at the receiving end. They feel the community was supposed to contribute to the scheme even at policy formulation including negotiating with the qualifying business. What it entails then is that the minister of indigenisation must not take a leading role more than the community. As established in the research the predominance of the minister disempowers local communities as they end up at the receiving end of policies crafted from above. This may have effects of deterring citizens from being willing to participate in development initiatives (Andrews, 2012).

The study found that lack of an effective policy and legal framework ignited problems in Bikita.

The act dictates that foreign companies should dispose part of their shares to locals but companies do not own shares in the companies, members of the companies do (Matyszak, 2014). The legal title to shares and thus the power to treat with the shares lies with those who own the shares, not the company (Matyszak, 2011). In addition to that the policy is also not very clear on what should be done in the event of change of ownership. This has affected progress in Bikita because the qualifying business changed ownership from Speedy Holdings to PABST Investments. The new investors are refusing to own the pledge made by previous investors because it was not their agreement. This has affected the operations of Bikita Community Share Ownership Scheme because it is not receiving the money it was promised.

The lack of a clear policy framework has also affected the relations between the community and the qualifying business in that the policy is not clear in distinguishing community share ownership schemes and corporate social responsibility programs. As Dhliwayo (2013) noted, the schemes have no legal framework which binds mining companies to cede 10% shares to the local communities. Matyszak (2014) notes that the policy does not make it compulsory for mining companies to release money to community share ownership trusts. This is visible in Bikita where Bikita Minerals Limited is implementing corporate social responsibility programs like building clinics, providing quarry and quarry to surrounding schools which are undergoing construction when the community is expecting the company to contribute to the community share ownership scheme. This has ignited conflicts because the company feels there is duplication of responsibilities.

There is need to include the community at the formative stage of the community share ownership schemes. This incorporates the views and specific needs of local communities and in turn empowers them. The legal and policy framework surrounding the schemes must be informed in a way which benefits all stake holders involved including local communities. It is also important give local communities' preference to choose trustees. Such a move promotes accountability and partnership between the community and the trust. Trusts should also have the capacity to negotiate, own and control capital invested in community share ownership schemes. This will assist in

implementing development projects which are relevant to the community.

REFERENCES

- [1] Arnstein, S.R.(1969). Ladder of Citizen Participation, *JAIP*, 35(4):216-224.
- [2] Chifamba, E. (2013). Confronting The Challenges And Barriers To Community Participation In Rural Development Initiatives In Buhera District, Ward 12 Zimbabwe, *International Journal of Current Research And Academic Review*, 1(2):1-19.
- [3] Cornwall A. (2008). Unpacking ‘Participation’: Models, Meanings and Practices, *Community Development Journal*, 43(3):269-283.
- [4] Creswell, J. W. (1994). *Research Design: Qualitative and Quantitative Approaches*. London. Sage Publications.
- [5] Du Plessis, A.(2008). Public Participation, Good Environmental Governance and Fulfilment of Environmental Rights, *Potchefstroom Electronic Law Journal*, 2:1-34.
- [6] Gaus, G. (2012). *Property and ownership*.www.Gaus.biz/PropertyOwnership. (Accessed 20 January 2018).
- [7] Government of Zimbabwe, (2008). *Indigenisation and Economic Empowerment Act14/2007*. Harare: Government Printers.
- [8] Government of Zimbabwe (2013). *Constitution of Zimbabwe Amendment (No.20) Act of 2013*. Harare: Government Printers.
- [9] Government of Zimbabwe (2010). *Indigenisation and Economic Empowerment (General) Regulations, 2010, Statutory Instrument 21/2010*.Harare: Government Printers.
- [10] Kabange, N. (2013). *Improving The Governance Of Mineral Resources In Africa Through A Fundamental Rights Based Approach To Community Participation*(PhD Thesis. University Of South Africa, South Africa).
- [11] Kurebwa, J.(2013). *Rural Women’s representation and participation in local governance in the Masvingo and Mashonaland Central Provinces of Zimbabwe*,(PhD Thesis, Nelson MandelaMetropolitanUniversity,South Africa).
- [12] Lefevre, R. (1966). *The Philosophy of Ownership*. Colorado: Pine Tree Publications.
- [13] Mabhena C. And Moyo F.(2014). Community Share Ownership Trust Scheme and Empowerment: The Case of Gwanda Rural District, Matabeleland South Province in Zimbabwe, *IOSR Journal Of Humanities And Social Science*, 19(1): 72-85.
- [14] Mapuva J. (2014). Locating the Dictates of Arnstein’s Ladder of Participation in the Zimbabwe State, *International Journal of Politics and Good Governance*, 5(5.3):1-30
- [15] Mapuva, J. And Muyengwa-Mapuva, L.(2014). The Citizen Participation/Democracy Dichotomy, *International Journal of Politics and Governance*, 5(5.2):1-17.
- [16] Mathbor, G. M. (2008). *Effective Community Participation in Coastal Development*. New Jersey: Lyceum Books.
- [17] Matsa M. And Masimbiti T. (2014). The community Share Ownership Trust Initiatives as a Rural Development Solution in Zimbabwe: The Tongogara Experience in Shurugwi District, *International Journal of Humanities and Social Science*, 4(1):151-163.
- [18] Matunhu, J.(2012). The Indigenisation and Economic Empowerment Policy in Zimbabwe; Opportunities and challenges for rural development, *Southern Peace ReviewJournal*,1(2):5-20
- [19] Matunhu, J. and Mago, S. (2013). Rural Banking for Rural Development in Zimbabwe, *Stud Tribes Tribal*, 11(1):43-48.
- [20] Matyszak, D.(2011). *Everything You Wanted To Know (And Some) About Zimbabwe’s Indigenisation and Economic Empowerment Legislation But (Quite Rightly) Were Afraidto Ask*. Harare: Research and Advocacy Unit.
- [21] Matyszak, D.(2013). *Digging Up the Truth: The Legal and Political Realities of the ZimplatsSaga*. Harare: Research and Advocacy Unit.
- [22] Matyszak, D.(2014). *Madness and Indigenisation: A History of Insanity in the Age ofLawlessness*. Harare: Research and Advocacy Unit.
- [23] Mawowa S. (2013). *Community Share Ownership Trusts (CSTOT) in Zimbabwe’s MiningSector*. Harare: ZELA.
- [24] Mtisi, S. Dhliwayo & M. Makore G.S.M. (2011). *Analysis of the Key Issues in Zimbabwe’s Mining Sector. Case Study of the Plight of Marange and Mutoko Mining Communities*. Harare: ZELA.
- [25] Mtisi, S. (2011). *Sowing the Seeds of Advocacy Work on Transparency and Accountability in the Extractive Sector in Zimbabwe*. Harare: ZELA.
- [26] .Sibanda, M. (2015). *From The Great Dyke to the Great Threat. A Narrative and PictureTestament of the Impacts of Chrome Mining Activities in Zvishavane*. Harare: ZELA.
- [27] Tshuma, L. (2013) Shurugwi Community Benefits from CSOT.www.chronicle.co.zw (Accessed 20 January 2018).
- [28] Tsvakanyi G (2012) Share Ownership Trust, the Right Way to Go. www.sundaymail.co.zw. (Accessed 20 August 2017).

- [29] Van Laerhoven, F. And Barnes, C. (2014). Communities and Commons: The Role of Community Development Support in Sustaining the Commons, *CommunityDevelopmentJournal*, 49(S1):1118-1132
- [30] Westoby, P. And Dowling, G. 2013. *Theory and Practice of Dialogical CommunityDevelopment: International Perspectives*. London: Routledge.
- [31] Zvauya, C. We Were Cheated On Share Trusts. *Daily News*, 22 November 2013.

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