

## Original article

## Corporate social responsibility and power relations: Impediments to community development in post-war Sierra Leone diamond and rutile mining areas



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## ABSTRACT

This article examines the influence of transnational mining companies' (TNMCs) Corporate Social Responsibility (CSR) initiatives in diamond and rutile dredge-mining areas in post-war Sierra Leone. The CSR framework applied encompasses the social license to operate, community engagement and accountability, and a critical lens of power dynamics. Key informant interviews and secondary sources provided data for the study. Findings from the research reveal that with the exception of the establishment of Kimbadu, the resettled town, implementation of CSR initiatives facilitated minimal, and at times, unsustainable, community development. It is argued that such 'development' outcomes are primarily due to asymmetrical power relations between TNMCs (i.e. Octea Mining and Sierra Rutile Limited) and the mining communities in which these companies engage in pre-defined development projects that are, in many instances, at variance with community needs. Moreover, the social structure at the local level impedes community development. The study recommends active engagement of disparate groups within the community in decision making at all stages of mining-driven community development rather than the extant social structure that gives exclusive powers to traditional leaders. It also calls for the establishment of an independent regulatory team to ensure enforcement of legal responsibilities in mining areas.

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## 1. Introduction

Although industrial mining can be regarded as a catalyst for economic development and a vehicle for improving the living conditions of affected communities, its contribution to local development in developing countries, especially those in sub-Saharan Africa (SSA), is highly debatable (Hilson, 2006; Maco-nachie and Hilson, 2013; Mutti et al., 2012). While most transnational mining companies (TNMCs) tout their 'development' contribution to mining communities, a number of grassroots-level analyses have shown that they make minimal impact (Hilson, 2006; Hilson and Yakovleva, 2007). Increasingly, though, TNMCs have embraced Corporate Social Responsibility (CSR) initiatives geared towards the development aspirations of the host countries, themselves, and civil society groups (Mutti et al., 2012). Generally, CSR is recognized to be "a concept whereby companies integrate social and environmental concerns in their business operations and in their interaction with their stakeholders on a voluntary

basis" (European Commission Green Paper, 2001), and as "balancing the diverse demands of communities, and the imperative to protect the environment, with the ever present need to make a profit" (Jenkins and Yakovleva, 2006:272). Community development has become an integral element of CSR for a number of TNMCs.

In the case of Sierra Leone, despite a remarkable growth in industrial-scale mining in the post-war years (since 2002), there are mixed signals as to whether it has made meaningful contributions to community development.<sup>1</sup> Part of the problem is that large incentives to TNMCs in the form of tax concessions and waivers reduce total mineral revenues for the state and mining communities in particular (Akiwumi, 2012; Zulu and Wilson, 2012). Nevertheless, the 2009 Mines and Mineral Act (MMA), which is the current overarching mining law, contains specific clauses requiring that companies invest in the local development of mining communities. Indeed, Article 138 stipulates that industrial (large-scale) mining companies must assist in the

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E-mail address: [swilson@rsu.edu](mailto:swilson@rsu.edu) (S.A. Wilson).<sup>1</sup> As of 2010, there were 35 small-scale mining companies engaged in alluvial mining, and five Transnational Mining Companies (TNMCs).

development of mining communities affected by industrial mining in order to promote sustainable development, improve the general welfare and quality of life of mining communities, and recognize and respect the rights, customs, traditions, and religion of mining communities (GOSL, 2009). While such legislative reform demonstrates that more emphasis is being placed on CSR in post-war Sierra Leone, the extent to which companies have contributed to community development is debatable.

Scholarly investigations have revealed divergent outcomes about the impact of CSR initiatives on mining communities in developing countries (Hinojosa, 2013; Van Alstine and Afonis, 2013). Some scholars maintain that CSR is little more than a public relations practice (Eweje, 2006; Hamann and Kapleus, 2004). Others report that it has not made significant in-roads towards the development of mining communities due in part to the community development models adopted by mining companies (Hilson, 2006; Kamlongera, 2013). Indeed, Yakovleva (2005) notes that TNMCs' community development initiatives are guided by models of governance such as company-led approach, philanthropic corporate foundations, and the tri-sector partnership model. The tri-sector partnership model in which mining community development and other concerns are addressed by cooperation between mining companies, the state and civil society organizations, is regarded as a more viable way of fulfilling CSR objectives (Hamann, 2003). Another group of scholars emphasize the need for critical perspectives on CSR in the developing world. Their views include consideration of how broader structural and contextual factors affect what CSR initiatives can or cannot achieve, and the need to pay specific attention to issues of power and participation (Blowfield and Frynas, 2005; Prieto-Carrón et al., 2006). However, very little empirical research has explored the complex role of power in examining links between CSR and community development in sub-Saharan Africa. The purpose of this study, therefore, is to broaden knowledge of the corporate mining-community development nexus by providing a more nuanced understanding of the ramifications that power differentials between and amongst disparate actors could have on community development. Community development here refers to activities undertaken by mining companies in collaboration with host communities that are geared towards positive social outcomes such as improving people's quality of life (e.g. better social services and infrastructure), fulfilling human development aspirations, and enabling community members to be active participants in decision making to achieve long-term control over their lives (Hamann and Kapleus, 2004; ICMM, 2012; Kemp, 2010).

In this paper, power is construed as the ability of actors to influence decisions that would enhance access and control of social benefits from corporate mining and is also manifested in the form of authority and capacity of action (Kemp, 2010; Long, 2001). Power asymmetry refers to the disproportionate power wielded by disparate mining-industry stakeholders and amongst local community members – in other words, how power is wielded by different actors, their motivations, and the factors that allow, reinforce or fail to mitigate these power differentials.

This paper draws upon elements of a typical CSR framework, specifically a 'social license to operate', accountability and community engagement approaches, and uses power as a lens more critically, to examine how company-led efforts in this area influences community development in two mining areas in post-war Sierra Leone. This framework is suitable for the study as it allows for a nuanced understanding of how power relations between and amongst mining actors and the social structure at the local level influence community participation and development outcomes (or a lack thereof) in mining communities. The paper examines the impact of effort made by OCTEA Mining (OM), a

kimberlite diamond mining company, and Sierra Rutile Limited (SRL), a rutile dredge-mining company, on community development in eastern and southern Sierra Leone, respectively. Its specific objectives are as follows:

1. To broaden understanding of the amount of power wielded by, and level of participation of, mining stakeholders in company-funded development projects, and the extent to which these dynamics have influenced community development.
2. To identify measures that are capable of facilitating tangible community development in mining areas.

The study draws on secondary data sources and feedback from interviews with key informants, including company authorities, community representatives and local government officials, and interviews with officials from development organizations. It is argued that CSR is not a panacea for addressing community development challenges in mining areas and that failure to manage unequal power relations amongst various actors in practical processes and methods, as well as adequate representation from all areas of the social structure in communities, present major challenges moving forward.

The remainder of the paper is organized as follows. Section 2 addresses the key debates on CSR and the extractive industries in developing countries. Section 3 presents a brief background on industrial-scale mining and CSR in Sierra Leone, as well as provides an overview of the study areas. Section 4 describes research methods. Section 5 presents and discusses research findings. Finally, conclusions from the study results are highlighted in Section 6.

## 2. CSR in the extractive industries in developing countries

The literature on CSR in the extractive industries in developing countries is replete with several concepts/themes (Aaron, 2012; Hilson, 2012). The main debates, however, center on 'the business case', 'a social license to operate', accountability, and community engagement. Focusing on these ideas, this section of the paper examines CSR, primarily in the mining industry in developing countries, and reflects on its impact on development in host communities.

The main message emanating from the burgeoning literature on the 'business case' is that high social and economic performance is good for profits; yet, it is unclear whether it results in meaningful community development (Utting, 2005; Hilson, 2012). Proponents of the business case maintain that a more responsible approach to environmental management, labor issues, and community development yields improved access to mining concessions and finances, better community and worker relations, an improved reputation, and therefore greater profits (Hamann, 2003; Humphreys, 2000). However, a number of studies have shown that corporate investments in communities affected by extractive industries result in corporate-controlled development rather than community-led development (Hilson, 2006; Maconachie and Hilson, 2013). Different layers of power within such communities may also undermine community development.

Others maintain that companies in the extractive industries have the power to initiate partial, superficial or public image-related changes which imply that they are accommodating social interests, even though their primary goal is profit-making (Hamann and Acutt, 2003; Utting, 2005). However, such actions may be at odds with meaningful community development, and can therefore significantly diminish their impact, developmentally, at the local level (Hamann, 2004).

A 'social license to operate' (SLO) has also been identified as another major strand of CSR in the extractive industries. As Owen

and Kemp (2013) explain, it “is premised on the idea of informal or ‘tacit’ licensing that signals the presence or absence of a critical mass of public consent, which may range from reluctant acceptance to a relationship based on high levels of trust” (p. 31). It is argued that if confronted with a potential risk to its operations that could adversely affect its profitability, a company in the extractive industries shifts from ‘business as usual’ towards an approach which emphasizes greater consideration for the community (Prno and Slocombe, 2012; Parsons et al., 2014). Extractive industry companies are of the view that a community can ‘withdraw’ the SLO, the implication being that it wields some power and influence (Syn, 2014). While the granting of a SLO often implies that community members have been actively involved in decision making and have benefited considerably from the project (Prno and Slocombe, 2012), diverse groups are often viewed homogeneously, thus preventing marginalized people from participating meaningfully in decision-making processes (Owen and Kemp, 2013). Research by Martinez and Franks (2014) on two mining companies in Chile elucidates the processes and consequences of some of these issues. Codelco, one of the operators, safeguards the interests of the community board rather than the community as a whole, and focuses on short-term projects with low impact on the development of the community. But Los Broches–Anglo America, the other operator, uses tax exemptions to sponsor human development and maintain a close relationship with the local government. However, the process of establishing a dialogue of community development was similar in both cases, as each had pre-defined investment and participatory parameters that limits the strength of the company-stakeholder relationship.

Corporate accountability has also been singled out in the debate on CSR and extractive industries in the developing world. Corporate accountability is stricter regulation of corporate behavior by national governments or international bodies (Lund-Thomsen, 2005; Utting, 2005). Proponents of corporate accountability seek more effective and legally-binding regulation which, they believe, would ensure that extractive industry companies fulfill expectations in the area of CSR, rather than walk away from them (Rivas-Ducca, 2002). This is compelling because mining investment in sub-Saharan Africa is often occurs in contexts in which government oversight is weak and policymakers are unable to ensure that sound regulations are implemented and enforced (Campbell, 2012). Monitoring and enforcement mechanisms for corporate activities are generally weak. Consequently, government leverage in negotiations with TNMCs in mineral-rich developing countries calls into question the issue of accountability and transparency.

Community engagement is yet another strand of the extractive industries CSR discourse. It characterizes the interaction between mining operations and local communities and other stakeholders in facilitating CSR (Kepore and Imbun, 2011). Key questions which proponents seek to answer include “Who has the power to make decisions”, and what power structures are in place (Prieto-Carrón et al., 2006).

The absence of meaningful community engagement due in part to differences in power between stakeholders in the extractive industries has important implications for community development. For instance, TNMCs in Ghana have in general embraced a company-led model of community development in which they design their rules and make decision, finance community development programs/projects based on their choice. However, such an approach lacks full consultation with and ownership from the community and does not address communities’ occupational skills preference (Hilson, 2006). Though companies such as Newmont Company and AngloGold Ashanti have pursued livelihood initiatives (including agrarian and livestock activities) geared towards community development, they have only provided

subsistence wages and have not succeeded in improving the standard of living of local residents. Local community members have also been sidelined from project management in the New Copper Belt area of Zambia and in uranium and ruby mining in Malawi with minimal community development outcomes (Kamlongera, 2013; Van Alstine and Afionis, 2013).

The social and cultural dynamics of communities may influence local development outcomes. Nuances of culture and human agency are integral to how CSR strategies are integrated and comprehended and should be more pivotal to policy debates and practices (Gilberthorpe and Banks, 2012; Gilberthorpe, 2013). Whether the structures of participatory projects include, protect, or secure the interests of communities should be considered (Cleaver, 2001). Nonetheless, communities in general are heterogeneous with multiple layers of power and authority. Thus, those with considerable power within a community, such as traditional leaders and political elites, may reap considerable benefits at the expense of the entire community, thus undermining efforts to facilitate local-level development (Fanthorpe and Gabelle, 2013; Lange and Kolstad, 2012).

Similar to most of the aforementioned studies that implicitly discuss power relations in CSR-development nexus, this article examines various power disparities between actors and amongst community members explicitly, and reflects on what implications these dynamics have for development. It presents a case study of CSR and community development in the diamond and rutile mining areas of Sierra Leone.

### 3. Background on corporate mining in Sierra Leone and the study area

Sierra Leone is endowed with a significant amount of mineral resources, including bauxite, gold, diamonds and rutile. Although these minerals are extracted by TNMCs, there is a general belief that local communities have not benefited significantly from such capital-intensive mineral exploitation (Zulu and Wilson, 2012). Industrial mining dates back to 1934 for diamond mining in Kono District, and 1967 for rutile extraction in Bonthe District. However, they, along with all other official corporate-led large-scale mining activity, came to a virtual halt in the mid-1990s due to the rebel war (Akiwumi, 2011; Wilson 2013a).

Although a number of factors such as poor governance, appalling socio-economic conditions and social injustice played a part in fuelling, there is consensus that ‘conflict diamond’ exploitation perpetuated the violence (Wilson, 2013a; Grant, 2005). Several players such as the Revolutionary United Front (RUF) and its sub-regional allies, Sierra Leone’s two military juntas, and international peace keepers, utilized ‘conflict diamonds’ for economic/political benefits while the country was riddled with conflict-ridden underdevelopment (Zulu and Wilson, 2009). A major player was Charles Taylor, the Liberian warlord, whose country was the center for the exchange of diamonds for arms, drugs, and foreign rebels. These transactions were aided by unscrupulous middlemen and rogue industrialists who capitalized on the fragile state conditions in Sierra Leone (Kabia, 2008). Nevertheless, a combination of peace accords and enforcement, military intervention, and the establishment and implementation of the Kimberley Process Certification Scheme, which was launched specifically to stem the flow of conflict diamonds in the international market, helped to bring the war to an end in January 2002 (Grant, 2005).

Though post-war Sierra Leone has witnessed improvements in the mining sector due in part to reforms promoted by international and local organizations, governmental challenges such as deficient state capacity, corruption, illegal mining/trading, and demands for elite accommodations have undermined the country’s potential to

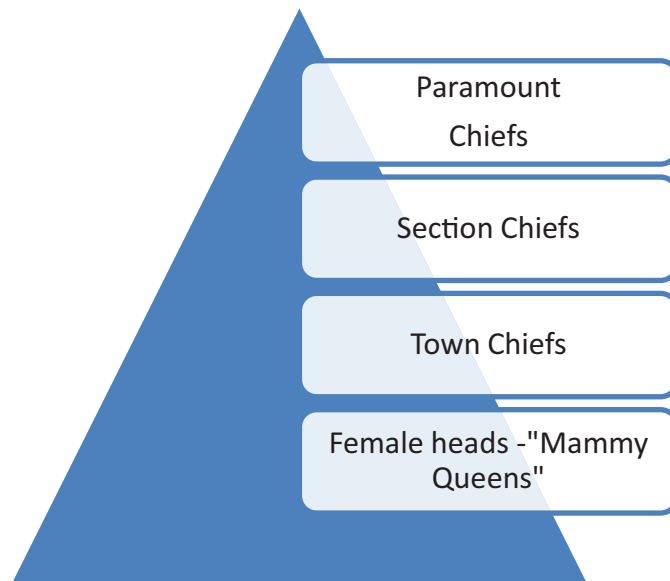


Fig. 1. Hierarchy of chiefs in mining communities in Sierra Leone.

generate optimal levels of revenue from mining for development (Zulu and Wilson, 2012; Grant, 2005). Problems in the areas of transparency and accountability initially resulted in underutilization of the Diamond Area Community Development Fund (DACDF), established to finance participatory development projects in diamondiferous communities. However, the establishment of regulations requiring the disbursement and usage of the DACDF, including the need for project proposals, have led to improvements in project management.

Furthermore, post-war government policies such as the 2004 Core Mining Policy and the Sierra Leone Investment and Export Promotion Agency (SLIEPA), both of which were established to stimulate mineral-led development, have promoted a 'business-friendly approach' to investment (Maconachie and Fortin, 2013). The primary goal is to attract TNMCs which would meet the criteria of their business agenda and also contribute to development at national and mining community levels. While this strategy is expected to be beneficial to the various parties, there has been a 'clash of expectations' with regards to how such operations would benefit the government, local communities and the companies (FIAS, 2006). Moreover, there have been incidences of conflicts between aggrieved communities and mining companies in the post-war era, especially over land-related issues and perceived benefits (Human Rights Watch, 2014; Wilson, 2013b). In order to ensure a 'win-win' outcome, the CSR agenda has become an important business strategy for TNMCs operating in Sierra Leone as in other natural resource-rich developing countries. These TNMCs also have to cope with the expectations of diverse, and structured mining communities.

A hierarchical structure of chiefs gives paramount chiefs considerable power in mining communities. The hierarchy of chiefs comprises the paramount chief (PC) who is the head of the chiefdom; section chiefs, who are in charge of sub-divisions of the chiefdom; town/village chiefs; and female leaders, commonly called 'Mammy Queens' (Fig. 1). These chiefs are elected members and are officially recognized by the national government.

In this study, Kono District was selected because it hosts OM, the largest diamond mining company in the country, while Bonthe District has considerable amounts of rutile deposits mined by SRL (Fig. 2). OCTEA Mining, formerly known as Koidu Holdings Limited

(KHL), is a subsidiary of OCTEA Diamond Group based in South Africa with Israeli investments; Sierra Rutile Limited (SRL) mines 25 percent of global rutile and is part of Titanium Resources Group whose headquarters is in London, the United Kingdom. Despite corporate mining, diamondiferous communities also engage in artisanal and small-scale mining while the major livelihood activities of most inhabitants of rutile mining communities are subsistence farming and cash crop production. However, rutile dredge-mining has adversely affected the most productive agricultural land, which has had an adverse impact on land-based local livelihoods (Akiwumi, 2011).

#### 4. Data and methods

Data for this paper were obtained primarily from semi-structured interviews conducted in June and July 2012 and additional interviews in December 2013. The intention was to solicit local perceptions with the aim of broadening understanding of the role and potential of CSR to enhance community development in mining areas and to identify the major challenges. Thirty interviews were conducted in Tankoro Chiefdom, Kono District while 25 interviews were carried out in Imperi Chiefdom in Bonthe District. Respondents included local government officials, development organization personnel, traditional leaders, youth and elders of mining communities, and company officials.<sup>2</sup> A focus on youth was necessary considering the history of involvement of disgruntled and unemployed youth in conflicts in Sierra Leone. SRL officials declined to be interviewed, stating that it is against their company's policy. To help bridge this gap, information acquired from SRL reports and the company website, which admittedly provide a potentially-biased view of the corporation, was used. Interview questions included the role of the mining company in development, assessment of the company's approaches to community development in mining areas, and measures to boost development in mining communities.

<sup>2</sup> Advocacy organizations included the Network Movement for Justice and Development (NMJD), the initiatives for Community Development (ICODEV), and the National Advocacy Coalition on Extractives (NACE).



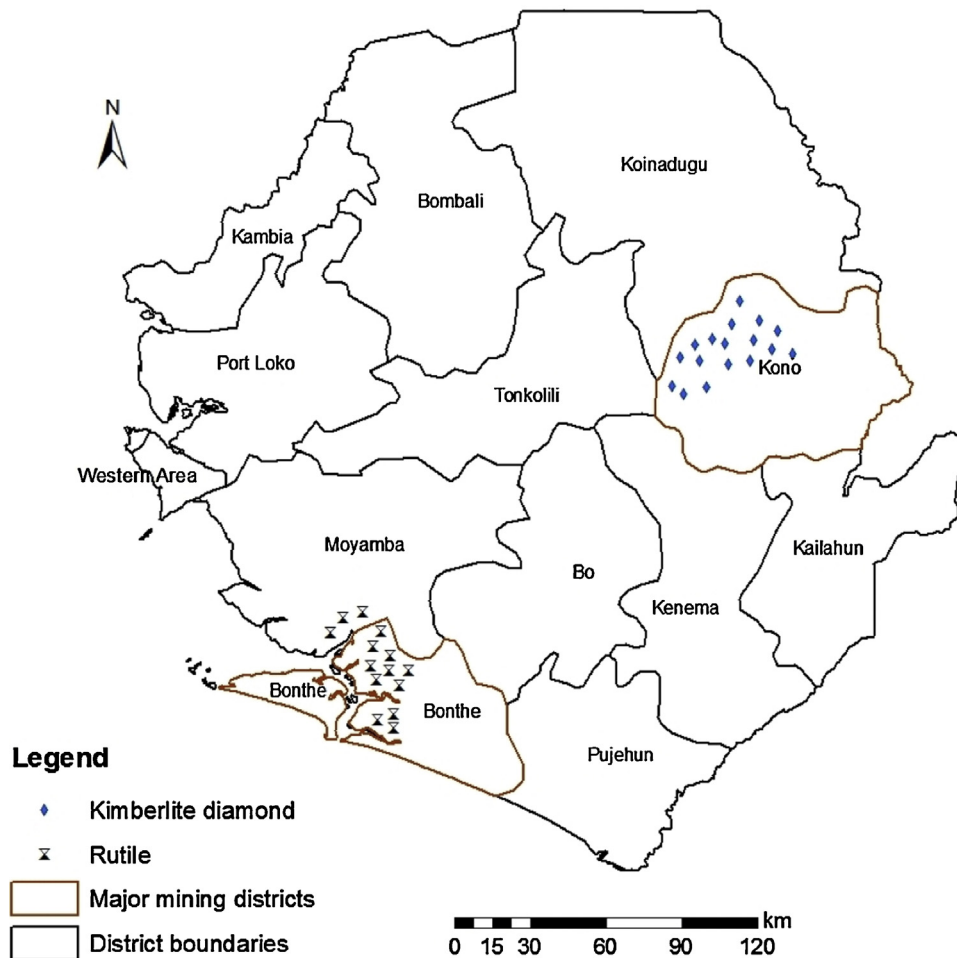


Fig. 2. A map showing OM and SRL mining areas in Sierra Leone.

After interviews were undertaken and recordings were transcribed, qualitative data were thematically analyzed. This involved identifying, coding and categorizing the major themes (including levels of participation) from the findings, with reference to CSR and community development. Interviewees' responses were presented in the form of contextualized description. Information obtained from secondary data sources such as government documents, NGO reports and media articles supplemented these data.

## 5. TNMCs and community development in diamond and rutile mining areas

### 5.1. Community–corporate perspectives of companies' approaches to local development

Several residents of the diamond communities have called into question the development approach of OM. An NMJD official noted that “if a company wants to engage in community development, its officials have to do a lot of consultation in the community in order to know what community members need and to take the views of the people into consideration.” A Koidu City councilor stated that “OM and the national government intervened in our community without proper consultation with various sectors of the community. They only consulted the traditional leader, the paramount chief.” A number of women and youths further stated that OM

sidestepped them in the community development agenda. A female elder had this to say:

“Company officials discuss with the traditional leader about development issues. However, they did not ask us (women) about our development needs and do not get us involved in community development. We are not benefiting from kimberlite diamond mining.”

These cases are examples of passive participation in which locals had little opportunity to influence the projects designed for their benefit while powerful bodies such as the company and traditional governing body are the ultimate decision makers. The inclusion of the PC and other traditional leaders such as town chiefs and section chiefs, and local councilors reflect the social structure within the mining community. However, given the dominant role played by the PC in negotiations, he is certainly in a position to advocate for community benefits, which is not always the case. There are instances where PCs look after their personal interests first, and are easily co-opted by the more powerful company and influential national government officials at the expense of the local common good. Furthermore, local representatives' lack of voice, and the general absence of local representatives, such as mammy queen, section chief, and youth leader, from negotiations undermine the very essence of community development. It also contravenes Article 140 (1f) of the MMA which mandates that negotiation takes place with the primary host community, as well as details the means by which the community

may participate in the planning, implementation, and management of community development activities.

An OM official noted that people's expectations were too high. He had this to say in an interview:

We are an investment company seeking profit, that is why we paid all the taxes required by law and we have done a lot of sensitization for the people to understand. However, community members still expect the company to assist them in development projects such as construction of good roads, agriculture, and microcredit support.

As a creative measure to sustain its SLO, OM has partly supported the Koidu Sembehun City Council. The company has supplied machines and gravel stones to resurface roads, refurbished the airfield at Yengema, and funded training of councilors in South Korea.<sup>3</sup> While such assistance partly satisfied the expectations of some local government officials, many of the youth, elders and women interviewed were of the view that the company has not contributed to community development, possibly due to their resentment over their lack of participation in decision-making processes, and the disparate community interests of local community groups on the one hand, and OM and some local government functionaries on the other hand.

Individuals interviewed in the rutile mining community expressed similar views about community development in their area. Indeed, youths and elders of Imperi Chiefdom maintained that they were unaware of company-supported development initiatives in their community because SRL and traditional leaders sidestepped them in decision making. A youth leader had this to say:

When the company wants to engage in any development activity or something, they do not consult the youths. The company will go through the PC and other traditional leaders and would give them the benefit for the community. But traditional leaders never use it to develop the community; instead they share it amongst themselves.

This is an indication of how the social structure within a community allows traditional leaders to participate in development process while less influential persons such as youth and women are excluded. Such structures are the legacies of colonial history in which traditional leaders were given considerable power at chiefdom levels. While the law (Article 139 of the MMA) stipulates that a company should negotiate with the person, persons or entity who represents the host community, customary practice calls for the PC of the community to be the main community representative. The youth desire a pivotal role in decision-making because they see themselves as a part of the community and seek a share of the mining benefits. However, the law is rather ambiguous because it is grounded in the principles underpinning an inequitable colonial era law, which explains why these power imbalances still continue today. It does not specifically categorize the various community groups that should be represented. This allows companies in general to follow the path of least resistance by going through traditional leaders.

Notwithstanding considerable power differentials between TNMCs and mining communities, community expectations of development from mining establishments are very high. In a country recovering from war, with high poverty levels (about 70% in rural communities in Kono and Bonthe Districts), locals perceive corporate mining as a catalyst for community development (Zulu and Wilson, 2012). However, TNMCs have fulfilled their statutory fiscal obligations to the GOSL, part of which should be channeled to community development in mining locales. However, weak

bargaining power between the GOSL and TNMCs has resulted in the government deriving meager mineral revenues, as low as 1.1% of GDP as of 2010 (Dan Watch, 2011), and by extension a smaller amount assigned to local governments in mining communities.

## 5.2. Community engagement and community development impact

Evidence suggests contradiction between rhetoric and reality in executing OM's CSR initiatives in the Tankoro chiefdom. The majority of respondents indicated that the social infrastructure such as schools, local court building ('barray'), and religious structures, which OM has publicized as their contribution to community development were not new projects based on a community development agreements between the company and the community. Rather, they were part of the Resettlement Action Plan (RAP), a statutory provision that required the relocation of affected people in the newly created Kimadu resettlement center, following the inclusion of former communities as part of OM's mining concession. The implementation of the RAP 1 was delegated to the Resettlement Committee (RC).<sup>4</sup>

Asymmetrical power relations amongst the mining stakeholders who comprise the RC have undermined development outcomes. Although the RC is supposedly a participatory body with representation from various sectors of the local community, several respondents underscored how most local representatives on the committee were the PC nominees who were also subordinate to the PC himself (i.e. they were answerable to him) and could not challenge his decision. The PC did, however, insist that despite this, the views of every member of the RC is taken into consideration before a final decision is made, but as the leader he ensures that agreements between his chiefdom and the company is reached when it comes to projects. In a similar vein, a senior OM official maintained that the RC is the avenue for community development as various stakeholders are represented and they can channel their views. The PC and OM official emphasized that phase one of the resettlement project at Kimbadu has facilitated the improvement of living standards among affected people, bringing about improved social infrastructure and services, improved housing, a school, pipe-borne water supply, a market, a church and a mosque, a community health center, and an internet café.

Nevertheless, a town councilor, also a member of the RC, who strongly advocated for the reimbursement for those affected house owners who had to pay rent for three years due to the delay in building the new houses in the resettlement center (more than three years contrary to the provisions of the RAP 1), has not been permitted to attend meetings in the PC's compound where the RC meets. He is considered too outspoken and intimidating for the PC. Moreover, a number of respondents, including local government functionaries and development organization officials, stated that considerable power in the hands of the PC who is Chairman of the RC, and the OM representative in deciding when and what can be implemented has, for the most part, influenced community development in the Tankoro community. A case in point was that some relocated households were given three or four bedroom houses, even though some had six or seven bedroom houses prior to relocation. Moreover, the foundations of over 300 houses in phase two of the resettlement were constructed using hollow blocks that may not be sustainable. Respondents also pinpointed that although community social activists condemned these houses, at times voicing their opinions over the local radio stations, OM

<sup>3</sup> Communication Officer, OM, July 2012.

<sup>4</sup> The Resettlement Committee comprises the Paramount Chief, town chiefs, chair ladies of affected villages, a representative of the town council, the youth leader of the chiefdom, and representatives of local government, lands and agriculture ministries.

went ahead and continued the project. They revealed that part of the problem was that the national government has not been monitoring the activities of OM and the town council has not been given the mandate to do so. Such occurrences are clear manifestations of the power inequities between local actors, and weak state capacity in ensuring monitoring and respect of state mining regulation. Others scholars have drawn attention to similar deficient state capacity in natural resource-rich countries in general (Campbell, 2012; Slack, 2012).

On the whole, though some community members were losers, the implementation of RAP1 at Kimbadu can be regarded as community development. Kimbadu contains social amenities that are better than what was in the affected communities and other areas within Tankoro Chiefdom. Though the company acted slowly and initially constructed mud buildings, considerable pressure from mining advocacy groups, affected land and property owners association, youth groups manifested in open letters to higher authorities, demonstrations, protests and violent confrontation in December 2007, may have contributed to increased pace of implementation of the resettlement program as well as better structures and amenities in the resettlement area (Wilson, 2013b). However, such measures can also be regarded as OM's effort to minimize the reemergence of confrontation with affected communities and protecting its 'social license' to operate.

In the case of SRL, its 'community development' initiatives are channeled through the SRL Development Foundation. The Foundation is managed by a steering committee comprising various stakeholders such as representatives of the company, the local government, community representative, and the paramount chiefs. The main goal of the Foundation is to undertake projects geared towards improving the lives and employment opportunities of communities proximate to the company's area of operation (SRL, 2013). SRL affirmed that after consultation with representatives from mining chiefdoms, the Foundation undertook community development projects such as construction of court barracks, a 6-class room primary school in Imperi Chiefdom, and rehabilitated water wells and latrines in Imperi and Jong Chiefdoms (SRL, 2012, 2013).

Although the company claimed to have consulted with representatives from mining chiefdoms before the Foundation completed a number of 'development' projects, the locals were unsatisfied with the manner in which the foundation operates. According to them, the major issue was that company representatives in the Foundation decided what projects to undertake while the interest of the local people were inadequately represented by the PC and a chiefdom council representative who have very limited voice in decision making. Thus, according to them, SRL has done very little in terms of constructing needed community infrastructure such as roads and health care facilities. Some respondents also mentioned that the medical facility for community members was poor, and that the mines only paid much attention to its workers. While members of the community did not have free access to the mines health facilities, chiefs in the community got medical assistance from the company's health team. Others stated that company officials listen to the PCs and other government officials that mainly request and receive personal assistance. However, the company should be aware that if it needs true community participation, and it should for the stability of its operations, then it has to go beyond the chiefs who often look after their personal interests. They should also engage other partners in development such as community-based organizations, NGOs and civil society groups. Indeed, others studies in SSA have also underscored the need for greater community participation in decision making geared towards development of host communities (Kamlongera, 2013; Van Alstine and Afionis, 2013).

How power is wielded by SRL can be manifested in its unilateral decision making in a project choice and implementation, resulting in negative outcomes on a mining community. The company instructed the SRL foundation to buy a machine to produce biodiesel, apparently without consultation with a cross-section of the community. Although a number of projects to be supported by the Foundation were catalogued, including community's preference for basic necessities like water and decent school equipment, the company's choice for a biodiesel project was the first major one even without the approval of the mining communities, demonstrates that company's choice takes precedence. The Foundation went ahead and bought the machine. However, the diesel project failed due to the following reasons: lack of support by the locals who were expected to provide raw materials, the purchase and use of contaminated palm oil that contained considerable amount of sodium chloride which affected the machine, and internal contract issues.<sup>5</sup> The general perception of rutile mining communities was that the company controls the use of funds, rather than local stakeholders.

The whole process of genuine corporate-community engagement in the mining sector in developing countries, especially in SSA, has been highly questionable due mainly to entrenched power inequities. While mining companies appear to engage with communities in executing projects, they are, in most cases, inflexible to local stakeholders' preferences and focus on pre-defined 'development' goals of the mining industry (Coumans, 2011; Hilson, 2006; Mutti et al., 2012). Consequently, the outcomes in general have been lack of, minimal, or unsustainable community development in mining areas.

### 5.3. Community engagement and impact on local education

Lack of meaningful community engagement in OM-funded scholarship project has resulted in very limited impact in the Tankoro community. While the new diamond mining agreement of 2010 stated that OM should allocate \$100,000 for scholarships at all levels of education, many interviewees maintained that they were unaware of how these funds were managed. Koidu City council officials lamented that though education was devolved to council, they had no knowledge or involvement in the scholarship process. They claimed that the PC and the OM official handpicked those that were given scholarship, mainly their cronies. Moreover, the scholarship distribution was done at the national level and that most of the scholarships were given to students outside the Kono District. Twenty five students at tertiary level of education were awarded scholarship in 2012. However, council officials maintain that OM did not follow merit-based criteria in the scholarship disbursement process such as which chiefdoms were in need of support, the socioeconomic status of students and commitment of students to education. In general, a focus at the national level, a lack of a participatory body with representation of a cross-section of the community, including the council in scholarship management, have resulted in minimal impact of the scholarships in the Tankoro community.

A lack of meaningful community engagement was also detectable with other company-supported educational projects in the diamond and rutile mining communities. Several respondents noted, for example, that the construction of a computer laboratory (equipped with 10 computers) at the Ansarul Boys High School was the exclusive decision of OM. Although traditional leaders were informed, neither they nor community members were involved in the decision making process which informed the project. However, the town chief regarded the construction and

<sup>5</sup> A local councilor and a community development organizer, July 2013.

fully equipped computer laboratory as a major success story for the chiefdom as it prepares the students to be abreast with the digital age. Nonetheless, some Tankoro community members noted that had they been a part of the decision-making process, they would have advocated that the computer laboratory be accessible to other high schools within the chiefdom on a rotational basis. This, they believed, would have increased the number of high school students that would have benefited from the facility. In a similar vein, respondents in the rutile mining community stated that though the SRL had the national government support in establishing the Sierra Rutile Technical Institute in Imperi Chiefdom, there had been no agreement reached beforehand between community representatives and the company to undertake this venture. This, however, has not stopped the company from championing the importance of the Institute, which has provided technical and engineering skills training to approximately 300 students in the mining areas and beyond. The company's management regards the educational initiative as fundamental to providing the necessary skills training in mining and for improving the employment prospects and livelihoods of the local populace (SRL, 2012). However, some members of the rutile community stated in interviews that if they were part of the decision making process, rather than limiting the focus of the Institute to engineering and technical training, they would have advocated for a school that would cover other areas of expertise, which, in their view, would be more beneficial to locals of the rutile mining areas.

#### 5.4. Securing a social license to operate and development outcomes: football (soccer)

Officials at OM pointed to the company's investment in football (soccer) as evidence of its commitment to CSR in the community. They explained that OM has invested US\$100,000 in its mining communities: US\$50,000 for Gem Stars in Tongo Field, Kenema District, and US\$50,000 annually on Diamond Stars football club, the local football (soccer) team in Koidu. However, the overwhelming view of respondents was that the decision to invest in the football team was the sole choice of OM. It was explained that the main reason why the company invested in football (soccer) was to obtain a SLO, as community-operation relations became strained following the extension of OM's concession. Company officials sought to sanitize its relations with the community,<sup>6</sup> and believed that most locals' love for football would be a means of appeasing the people. Yet, apart from informing the Paramount Chief (PC), this (i.e. OM authorities) was a decision made on its own. The company maintained that the PC should manage the football association, and therefore, funds for the football club were sent directly to him. It should be noted that the PC is a paid member of OM's Board of Directors while also supposedly serving his community interests. These dual roles, however, appear to be a conflict of interest. There were strong allegations made of financial irregularities, followed by public outcry, especially by the youth. This was translated into a vote of no confidence in the manager of the association (i.e. the PC), who subsequently resigned. Nonetheless, the PC stated in an interview that the accusation levelled by the youth concerning financial impropriety was baseless, as they assumed that extra money was allocated to the association, which was not the case. In fact, and as noted by a senior OM official, the withdrawal of funding after two years of sponsorship was primarily due to higher operational costs so they had to give up football funding. It should be noted that the program though unsustainable had some success. It provided recreational activity for thousands of people in Kono District, players and officials were

well paid, they lived in decent quarters, and Diamond Stars won the Sierra Leone Premier Football League in July 2012.

Nevertheless, several interviewees noted that the football team was not a priority need of the community but instead was to enhance the company's public image. As an NMJD official explained, "instead of spending money to relocate the people to a good area, and improve condition of services for workers, company officials prefer to spend it on a football team." This is a telling indication that companies have considerable authority in determining and executing 'development' projects in Sierra Leonean mining communities.

#### 5.5. Accountability

On the topic of executing company-funded community development projects, accountability was a concern raised by the officials interviewed from development organizations and civil society. Although they attested that the Chiefdom Committee/Council was involved in the selection and implementation of programs, these individuals maintained that adequate monitoring was still a major challenge as the bidding and awarding of contracts were opaque. They maintained that there is no local or national regulatory institution that monitors and evaluates effectively company-funded development projects. Consequently, they noted, some if not most construction projects were sub-standard and unsustainable. While a lack of capacity hinders the ability of mines officials to work effectively, allegations of widespread corruption affect the way regulatory teams do their work. Indeed, some industrial mining occurs outside of official regulations. It appears that regulatory officials are aware of such practices but yet still permit them (Jackson, 2005). Thus corruption is one of the reasons why the central government fails to ensure that mining companies fulfill their commitments in the area of CSR to mining communities. Accountability and transparency have been perennial challenges in the mining industry across sub-Saharan Africa, as several studies have shown (Campbell, 2012; Emel et al., 2012; Maconachie, 2014).

#### 5.6. Local perceptions of measures to enhance community development

Respondents in Tankoro and Imperi chiefdoms suggested various measures to foster community development. Youth noted that representatives of the disparate groups within the community, including traditional authorities, should be actively involved in decision making at all stages of mining-driven community development, as opposed to relying on the extant social structure that has given virtually exclusive decision making power to traditional authorities (particularly the PC). Youth constitute a significant proportion of the population of Sierra Leone's mining communities and therefore need to be included in CSR initiatives and could benefit from community development schemes if their highest priority proposed project is approved annually. Youth have called for the establishment of a youth agricultural farm that would reduce the staggering unemployment but has yet to be pursued. The clarion call amongst community youth for companies to provide skills training for them before possible employment should also be addressed.<sup>7</sup>

Local government officials suggested that the companies should work with the city council and civil society, not just traditional leaders, and to follow council's approach to community development since it is the council that is responsible for local development. According to these officials, the approach should

<sup>6</sup> Interviewees of Koidu, Communications Officer, OM, July 2013.

<sup>7</sup> Youth leader, Tankoro Chiefdom.



be as follows: Chiefdom council releases development plan every year to all local stakeholders through open forum; people of various groups give priority needs at ward (chiefdoms are subdivided into wards) committee level; a workshop is held to evaluate development plan; and ideas from various groups such as youth, religious leaders, disabled, and women are taken into consideration. Such community development would likely be more capable of accommodating local people's needs.

Officials interviewed from development organizations based in both mining areas opined that representatives of community groups such as youth, traditional authorities, local government, development organizations and companies should engage in meaningful stakeholder consultations in order to fulfill the development aspirations of mining communities. This, they argued, would prevent co-optation of local politicians and chiefs by the company (a strong accusation that has been widely circulated in the communities) to which both parties benefit at the expense of the wider community.

Several respondents called for new legislation that would empower the regulatory team to oversee enforcement of legal responsibility in the diamond and rutile mining areas. Some contended that the National Mineral Agency officials responsible for monitoring do not always act in the best interests of mining communities but rather tend to serve their own interests and that of central government officials. The independent monitoring team (comprising media representatives, civil society, community representatives such as youths, women, and elders, council, and mines ministry personnel), therefore, should include people of integrity who would evaluate community development plans, monitor and evaluate companies' CSR projects. Members of the team would be required to have qualifications and some experience in one or more of the following areas: community development, planning, project management and evaluation, and structural engineering. This team would be funded by the national government and associated International Financial Institutions, should be housed within the President's Office, and should report findings periodically to the mining committee of the national parliament. The hope, people explained, is this multi-disciplinary team would work diligently so that mining companies would fully uphold their commitments to their CSR in the mining areas of Sierra Leone, which hopefully would augment mining community development.

## 6. Conclusion

This study has revealed that asymmetrical power relations, especially between TNMCs (that is, OM and SRL) and residents of mining communities, and the social structure at grassroots, have undermined community development in the kimberlite diamond and rutile mining communities of post-war Sierra Leone. Companies' leverage over mining communities in executing corporate-controlled development rather than community-led development and the considerable power wielded by traditional authorities over community representatives (passive participants) and the community more broadly, have undermined community development. This has resulted, for example, in the launch of low impact educational projects in both communities, and a failed bio-diesel project in the rutile community. However, the establishment of Kimbadu, the resettled town, the RAP1, is a case of a successful implementation of CSR.

The study has shown how elements of the CSR framework such as community engagement, a SLO and accountability in the midst of asymmetrical power relations amongst mining stakeholders have undermined community development outcomes in both communities. Although both TNMCs have contributed to some form of social development, a lack of active participation from

most community groups in development processes, and companies' leverage in most instances, in deciding what they want to implement undermined community-led development. The study further demonstrates how companies can use a creative measure to 'maintain' a SLO, the example here being the football (soccer) project implemented by OM in Tankoro chiefdom, which was clearly not a community need. Findings revealed that both OM and SRL dominate decision making with minimal participation of diverse local stakeholders in the design, implementation and management of community development programs, contrary to Article 138 of the MMA 2009. The study also shows how the issue of accountability can affect community development, as manifested by sub-standard infrastructure and murky contract deals, and allegations that traditional authorities and local politicians receive benefits from companies.

This study contributes to a growing literature on TNMCs' CSR initiatives and community development in developing nations and pinpoints policy implications. In consonance with the works of Hilson (2006), Kamlongera (2013) and Martinez and Franks (2014), and others, the study shows how corporate-centric 'development' projects are, in many instances, not responsive to community desires and needs. Thus, such initiatives facilitated minimal, and at times, unsustainable, community development. This study goes further by underscoring how the dominant role of traditional leaders, especially the paramount chiefs (PCs) over other local community representatives, in decision-making regarding company-supported local projects have undermined community development. The study calls for the inclusion and active engagement of disparate groups within the community in decision making at all stages of mining-driven community development rather than relying on the extant social structure that gives virtually exclusive powers to traditional authorities. Community groups such as youth, women and elders, the local government, development organizations and companies should engage in meaningful stakeholder consultations in order to fulfill the development aspirations of mining communities. It also underscores the need to formulate legislation that would give mandate to an independent regulatory team to ensure enforcement of legal responsibility in the diamond and rutile mining areas, through monitoring and evaluation of companies' activities, including appraisal of CSR initiatives. It is hoped that such measures will enhance community-led community development in mining areas in Sierra Leone.

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