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LARGE DAM DEVELOPMENT AND DISPLACEMENT: UNDERSTANDING REASONS AND DYNAMICS FOR CONFLICT OVER CONSTRUCTION OF POLIHALI DAM IN MOKHOTLONG DISTRICT

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Declaration

I hereby declare that this thesis is the result of my work, except where otherwise indicated and due acknowledgement is given.

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Ms Reitumetse Lehema Date

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Dedication

- This research report is dedicated to the God of Mount Zion who gives me strength‘‘... *Do not be afraid; do not be discouraged, for the Lord your God will be with you wherever you go’’*. Joshua 1:9

- To my Parents *Ntate Maele and‘Me’ ‘Matheko Lehema* for raising me to believe that anything is possible. I am also grateful for their love, prayers and encouragement throughout this journey. I am also indebted to my siblings who never stopped believing in me.

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Abstract

This dissertation explores the reasons behind the impasse over the implementation of the LHWP II between communities affected by the construction of the Polihali Dam in Mokhotlong District in Lesotho and the Lesotho Highlands Development Authority. This conflict which has threatened the implementation of the project has been looked at in terms of disagreements over the compensation package for the displacement and losses. Using an actor-oriented approach, the contention was that explanations of the impasse should go further than the simplistic explanations of compensation and non-compensation, but should focus on the dynamics of interaction between different actors involved in the Polihali case. The investigation of the particular context of the Phase II implementation reveals a complex arena; where different actors are pursuing different agendas and using the power at their disposal to achieve these agendas eventually struggled to find common ground.

It also reveals a need to incorporate the perspective of these actors into any explanation of the impasse. Using this approach, the investigation identifies a number of factors of which the compensation package is only a part which contributed to the conflict. Chief among these factors was how the LHDA handled the situation. Dislocations are traumatic experiences and require that those affected should be fully involved in decisions that affect their situation, yet the LHDA engagement failed on the basic participation principles. The authority modeled its approach to community engagement on tokenism and allowed people's consultation, but disregarded their inputs in the final decision making. This resulted in a skewed understanding of society and losses resulting from dam construction, which caused tensions between the authority and the communities.

Therefore, this dissertation concludes that; while compensation was certainly a significant aspect in the impasse, the gap between what was compensated and expectations reflects a general lack of knowledge of society and the social dynamics guiding life in these societies, which arose from the failure of the approach adopted by the LHDA. The study therefore advocates a search for a new rural development narrative that will move away from assumption about the viability of

small-family farms. It also reveals a need to incorporate people affected by large dam development in all aspects of the project that affect their lives.

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List of Acronyms

AIDS	Acquired Immune Deficiency Syndrome
COP	Council of Parties
HCSAG	Highlands Church and Solidarity Action Group
HIV	Human Immune Virus
Int	Interview
JPTC	Joint Permanent Technical Commission
LCN	Lesotho Council of Non-governmental Organisations
LHDA	Lesotho Highlands Development Authority
LHWC	Lesotho Highlands Water Commission
LHWP	Lesotho Highlands Water Project
NBA	Narmada Abachao Andolan
NGO	Non-Governmental Organisations
PNEAR	Polihali Northern Access Road
POB	Polihali Operations Branch
PWEAR	Polihali Western Access Road
SOLD	Survivors of Lesotho Dams
TCTA	Trans-Caledon Tunnel Authority
TRC	Transformation Resource Centre
WCD	World Commission on Dams
WW II	World War II

Chapter One

Introduction: Understanding the Impasse over Implementation of LHWP II

1.1 Introducing the Research Problem

This work was motivated by the conflict that developed between the Lesotho Highlands Development Authority (LHDA) and the Malingoaneng community in Mokhotlong District over the implementation of the Lesotho Highlands Water Project (LHWP) Phase II, which involved the construction of the Polihali Dam. The Polihali Dam is part of the broader Lesotho Highlands Water Project, which harnesses water from the highlands through network of dams in order to transfer it to South Africa.

Large dams remain a popular development initiative in developing countries and have long been considered as ideal to provide water to rapidly urbanising areas. They also serve as hydro-power generation and promotion of general development in rural areas, thus contribute to poverty alleviation (Biswas, 2012). In the recent past, such developments have gained legitimacy due to increased realities of global climate change that has augmented the need to increase water and energy (Fujikura et al., 2009). These dam projects have been driven by governments as projects for national interest while affected communities rarely have choices to make in their developments (Hausermann, 2018).

As such, the resultant displacement of local communities from large dam construction has become a major social challenge, which has seen local communities suffer from disruption of their socio-economic, natural and political lives (Cernea, 2006). These people are often the economically marginalised, illiterate rural residents who are attached to their natural environment as their source of living (Terminski 2013). The costs borne for their relocation is often framed in terms of compensation which in most cases does not account for the actual losses suffered by these communities, thus leading to impoverishment (Cernea, 2003).

The losses suffered by communities due to development of large dam projects have both tangible and intangible value. However, hydro authorities often focus on the tangible assets

which can be assigned monetary value at the expense of intangible costs of dam construction, and this has generated a greater discontent on the affected communities (Fujikura et al., 2009). Hydro-authorities have emerged as powerful actors in large dam constructions, and they have used their power to the detriment of the people and communities that are affected by large dam developments (Nayak, 2010).

Non-Governmental Organisations that are opposed to the development of large dam injustices have often leant their support to the affected communities by mobilising and advising them in their interaction with hydro-authorities (Nayak, 2010; Mathur, 2011). As a result, conflicts and impasses over dam constructions have become a critical feature in dam construction the world over. This is because the affected communities contest their displacements and associated deprivations and reparations (World Commission on Dams, 2010). These conflicts are detrimental to the water projects as they lead to delays in execution due to interruptions which in turn lead to overrunning costs as projects become behind schedule (Mahato & Ongulana, 2011).

This was the case with the implementation of the Phase II of the LHWP in Lesotho as affected communities supported by the NGO community challenged the hydro authority in charge of the implementation - the Lesotho Highlands Development Authority (LHDA). Affected communities in Mokhotlong District organised themselves into the Survivors of Lesotho Dams (thenceforth, SOLD), a civic human rights organisation committed to promoting social justice among communities affected by dams, mines, and other large infrastructure, and threatened to disrupt the construction of the proposed dam if the hydro authority failed to attend to their grievances (Kabi, 2018).

In Lesotho, explanations for the conflict abound. More specifically, mention is often made of stipulations in the Phase II policy that; affected communities will be compensated up to a maximum of fifty years, while the affected communities are demanding a life-time compensation plan or at least ninety-nine years minimum (Ntaote & Matheka, 2018). From this perspective, the compensation package is seen as the major cause of the conflict. Such reasoning does not depart from general explanations in large dam conflict (see for example Lee et al., 2015). Others have explained the conflict in terms of past experiences with the project and affected communities during the implementation of the first phase of the project.

Broadly, the LHWP compensation has been criticised as being inadequate, since Phase I (Manwa, 2014). As a result, affected communities and individual households were thrown deeper into poverty after physical dislocation and subsequent losses while there were hardly any programmes or life-time safeguards to assist them in coping with these enforced changes (Thamae & Pottinger, 2006). It has been argued that, this was partly due to the fact that affected communities were not fully included into the project from its inception to the monitoring phase (Mashinini, 2010; Makoro, 2014 & Mofokeng, 2013).

Indeed, the importance of involving communities in projects that would affect them adversely cannot be overemphasised, and there is a need to apply lessons learnt from the past experiences to prevent recurring consequences. Yet, in terms of the Phase II compensation policy, lessons appeared to have been learnt from the Phase I experience, and a consultation process with affected communities is said to have been followed, to engage them on the implementation and to determine the compensation package (LHWP, 2016). This position, however, has been challenged by a lobby of NGOs, which has supported these communities in the conflict with the LHDA (Kabi 2019). These NGOs have shown how the LHDA turned consultative meeting into information dissemination sessions with people playing minimum role (TRC, 2018).

The argument adopted in this dissertation is that the impasse between the affected communities in Mokhotlong District and the LHDA should not be looked at only from the perspective of past experiences from the implementation of the Phase I, and those from the LHDA as the implementing authority, even if we are to agree that these may have some relevance. Rather, an investigation of the particular context of Phase II and the Mokhotlong community reveals a complex arena where different stakeholders have different needs and agendas, and struggled to find common ground. It also reveals a need to incorporate the perspectives of these stakeholders into any explanation of the impasse.

At the core of this study is an examination of different perspectives of these stakeholders, the affected communities, the LHDA and the NGOs that have championed the cause of these communities. While it appears to be fairly and widely acknowledged that the LHDA has failed to create sustainable livelihoods for communities affected by its dam construction in the past, the resistance of the Mokhotlong communities has been seen in this light. However,

what is less appreciated is that the situation faced in the Phase II case was a specific context. By neglecting to examine the impasse from the specific context of the second phase and failing to understand the problem from the actors themselves, the debates are robbed of a critical viewpoint.

1.2. The Lesotho Highlands Water Project

The Lesotho Highlands Water Project is a multi-phase initiative established in 1986 following a treaty signed between South Africa and Lesotho. It has a dual mandate to provide water to Gauteng Province wherefore South Africa pays royalties, and to generate hydro power for Lesotho. In Lesotho which has water in abundance, the project would harness water from the highlands through a network of dams in order to transfer water as a strategic resource to sustain socio-economic development in South Africa, and to improve revenue in Lesotho, as well as promoting general development in the highlands (LHDA, n.d).

The Lesotho Highlands Water Project treaty established three authorities namely; the Joint Permanent Technical Commission (JPTC) composed of three delegates per country. Secondly, the Lesotho Highlands Development Authority was also established as the body that formulates policies, ensures the implementation of the LHWP and represents Lesotho. The third authority was the Trans-Caledon Tunnel Authority (TCTA), representing the Republic of South Africa. The project was divided into two phases. Phase I comprised of two parts – Phase 1A, comprising of the development of the Katse and Muela dams commenced in 1987 and ended in 1998, and Phase IB which consisted of the construction of Mohale Dam, started in 1998 and was completed in 2003, while Phase II is still on-going (LHDA, n.d.).

The agreement for Phase II was signed in August 2011.This phase was conceived as having three components. The first was the development of the Polihali Dam reservoir, which will be a high 163 m concrete faced dam that will be constructed in Mokhotlong District. The second will involve the development of a 38km transfer tunnel to Katse Dam and the associated infrastructure including the maintenance of roads, bridges, electricity supply and telecommunications services, and lastly, the construction of Kobong Storage pump scheme (LHWP, 2016).

The Lesotho Highlands Water Project Phase I, besides the royalties received by the government of Lesotho and the generation of Hydropower brought positive impacts to the affected communities. The provision of infrastructure, mainly road constructions enabled access and schools, health centres, bridges as well as administrative offices were upgraded. The project provided high employment opportunities for both skilled and unskilled people during the construction of roads, dam, tunnels and power lines (Ramaili & Cloete, 2008). The rural development project for the loss of communal resources brought cooperatives of which 50% of income is given to communities (Ramaili & Cloete, 2008).

However, the adverse impacts tended to outweigh the positives. Communities suffered losses of arable and grazing land, trees and shrubs for energy, medicinal plants, and spiritual sites as well as the social connections (Hoover, 2001). To make matters worse, water and electricity benefits from the project never accrued to the affected communities, and the 50 year compensation period has been described as inadequate for loss of lifetime assets (Manwa, 2014). Studies reveal that after resettlement, poverty worsened and the communities were dying from HIV and AIDS (Thamae & Pottinger, 2006). The sum of 573 families were displaced and resettled during the Phase 1A and B jointly, while 27,000 were indirectly affected (Hitchcock 2015). During the Phase 1A, the construction of Katse and 'Muela dams, 2,345 households lost about 1,900 hectors (hereinafter, ha) of arable land and the implementation of the Phase 1B added a further 1,000 ha, which affected 1,000 households (Mashinini, 2010).

According to feasibility studies for the second phase, the reservoir will inundate 5,040ha of land, of which at full supply level, an estimated 1,128ha is arable land. Implementation will also lead to physical displacement of the Mokhotlong communities. This has potentially significant impacts on the livelihoods and socio-economic status of the local population (LHWP, 2016). The construction of the Polihali Dam will require the relocation of 272 households from 10 villages because of the complete inundation or proximity to the water body (LHWP, 2016).

1.3 This Investigation

1.3.1. Aims of the thesis

This dissertation seeks to understand the reasons and dynamics of conflict over the construction of the Polihali Dam in Mokhotlong District in terms of actors and their roles, and how they explain the conflict. The conflict cannot be dismissed as just a common occurrence in large dam construction and displacements. Rather, it should be treated as a specific independent occurrence that involves different set of actors pursuing different interests. The study explores how these actors interacted and the role of the interaction dynamics in the impasse that ensured. It specifically seeks to draw explanations of the conflict from the actors involved.

1.3.2. Research questions

The principal question that this study seeks to provide answers to is: *How do we explain the impasse over the implementation of the LHWP Phase II between the LHDA and communities affected by the construction of the Polihali Dam in Mokhotlong District?*

A number of other questions arise from this inquiry, such as:

- Who are the main stakeholders in the construction of the Polihali Dam under the LHWP Phase II in Mokhotlong District? What are their role, motivation and interests?
- How do these stakeholders explain the impasse that has threatened the development of the dam project?
- To what extent were affected communities consulted on the dam development and subsequent impacts of such developments?
- Did the LHDA consider the position of affected communities in decisions over the dam development and compensation?

1.3.3 Significance of the study

This dissertation is about the implementation of the Lesotho Highlands Water Project (LHWP) Phase II in Mokhotlong District, North East of Lesotho. It is an analysis of the impasse over the construction of the Polihali Dam, and an assessment of the causes for the conflict. The study understands that there are many sides to any conflict, and the Phase II impasse has been characterised by competing explanations. It is these conflicting views (mainly between the affected communities and the LHDA) that the study sought to capture. It will help to explain the context of the impasse and to improve our understanding of it. In this respect, it carries significant lessons for the LHDA and other actors in the LHWP as the implementation of the LHWP Phase II gets underway and affects more communities.

1.4 Structure of the Dissertation

The dissertation is organised into five parts –which are the introduction, literature review, methodology, results and conclusion with each looking at different aspects. This chapter introduces the dissertation and provides the rationale for the study which includes the research objectives, questions and significance of the study. Chapter Two explores the conceptual issues through a review of selected literature and attempts to provide a framework for the study. Chapter Three is the discussion of the methodological approach adopted by the study. Chapter Four, discusses the context. This context involves a presentation of the various actors involved in the LHWP Phase II and the impasse over the construction of the Polihali Dam. Chapter Five analyses the dynamics of interaction between the actors, and presents their different perspectives on the interaction process and impasse. Lastly, Chapter Six, provides conclusions by discussing the main themes that emerged from the study and their implications for policy.

Chapter Two

Literature Review

2.1 Introduction

Despite the evidence of their detrimental social and environmental impacts, the construction of large dams remain popular the world over. They also are deemed as a necessary option to deal with the increasing population of urban areas in the industrialising nations and for hydro power generation (Scudder, 2005). Dams are also needed to store and transfer water to areas that are expanding due to population growth, thus contributing to poverty alleviation (Biswas, 2012). Moreover, the development of large dams for hydropower, water consumption and irrigation, remains an endeavor for governments in pursuit for development and food security (Fujikura et al., 2009).

The negative impacts caused by big dam constructions on people and the environment are severe. People suffer losses through dislocations, and they are often off set by national development benefits. Since communities affected by such developments emerge worse off, with little power to resist these developments, non-governmental organisations that are opposed to the development of large dam' injustices', have often supported affected communities in their struggle against hydro authorities (Nayak, 2010). The terrain is therefore highly contested and it involves multiple actors, with different motives and power (Biswas, 2012). This chapter is a review of relevant literature on large dams. It focuses on how different actors' interaction in the implementation of large dams contributes to conflicts. The aim of this literature review is to provide a framework of analysis, which can be used in our attempt to understand the subject.

The analytical framework guiding this study draws largely from five concepts that over the years have dominated debates on large dams, large dam development, displacement, compensation, stakeholder participation and power dynamics. These concepts on large dam development, although in practice are used in many instances in critic of the post-World War II development discourse (mainstream development) have been deployed in analysis of large dams and the consequences of their development. These are covered in the first section,

while the next section focuses on the micro level interaction dynamic in an attempt to link broader international dynamics to Lesotho specific situations.

2.2 Large Dam Development

Large dams remain a prominent feature in the development frameworks of developing countries because they are viewed as strategic resources that yield multiple benefits (Biswas & Tortajada, 2010). Large dam development in the developing nations proliferated in the post-World War II era when most countries gained independence (WCD, 2000). The escalation in the development of such projects is evident in the growth in the number of dams in China and India from the period immediately after WW II. For example, China had only 22 dams in 1949, and more than 22 000 in 2000, while India's dam tally increased from 300 Dams before independence in 1947, to 4 000 in 2000 (WCD, 2000).

The increase in the development of large dam projects worldwide is often linked to financial assistance by international financial institutions as well as the multinational corporations, which enables the construction of large dams (Biswas &Tortajada, 2001). For example, in developing countries, most dams have been constructed with the financial aid from the World Bank, African Development Back, etc. According to Magadza (2006), two thirds of the world's existing dams are in developing countries and were made possible by the technical and financial support from the developed countries through the World Bank. Good examples include the Kariba Dam in Zambia and Zimbabwe, which was built in the 1950s and the Katse and Muela dams in Lesotho that were built in late 1980s respectively (Hitchcock, 2015).

The development of large dams in the 1950s in most countries was part of a process of development of 'grandiose schemes', which were guided by a high modernist ideology (Scott, 1998). These development projects including large agricultural schemes, large factories, transportation routes, forest reserves and urban infrastructure, were part of mainstream development manifestations (Pearce-Smith, 2014; Scott, 1998). Such projects were introduced and implemented by powerful officials and visionary politicians who had a firm belief that the strategy would increase the economic growth of their countries, which would ultimately improve the standard of living for all people (Scott, 1998).

Other dimensions such as environmental, cultural, social and spiritual beliefs within the societies were excluded in determining the benefits (Pearce-Smith, 2014). In fact, the aim of mainstream development linked to large dams was to erase the societal norms of developing countries which were observed as backward and to propel them into modernity (Sachs, 2010). This approach to development portrayed the existing indigenous knowledge that had sustained the survival of the developing countries worthless, therefore the main use of science and technology, capital, aid and natural resources was a necessity (Matunhu, 2011). The use of capital-intensive technology and the financial aid enabled the development projects of mega structures (see for example, Ferguson, 1994).

The construction of large dams was a top down approach advocated by the states. The mega projects mainly of large dams, megacities and mines were perceived as symbols of development in developing countries. Most Head of States in the underdeveloped nations viewed large dam developments together with other big infrastructural projects, as the nations' prestige that symbolised their independence and development. For instance, President Nkrumah of Ghana believed that the Akosombo Dam was a symbol of independence, and he further noted the necessity of large dams for powering Ghana's shift from the tradition to the modern nation which the future Ghanaians would enjoy the modernity prospects (Hausermann, 2018). The president of India echoed the same sentiments as Nkrumah postulated the importance of suffering for the sake of national prosperity (Biswas &Tortajada, 2001).

The narrow focus of large dams as the means for economic growth brought great repercussions to the physical environment (Sachs, 2010). The development of large dams changed the river patterns and had dire impacts on the flora and fauna (Richter et al., 2010). It is estimated that one out of five fish species got extinct or were endangered because of the construction of these dams (Miller & Spoolman, 2012). For instance, in Lesotho, the maloti minnow (an indigenous fish species that lives in Mohale catchment) is critically endangered after the introduction of larger fish species like trout and yellow fish into the Mohale Dam that predate on Maluti minnow (Horta, 2007). In addition, the dams also changed the river patterns by decreasing the flow of nutrients silt downstream and risk of downstream flooding (Richter et al., 2010).

Moreover, large dams also have technical failures and in some instances trigger earth quakes and tremors which damages homes. For case in point, the earthquake that damaged more than fifty houses along the Katse Reservoir (Hoover, 2001).The attention to the adverse impacts of large dams became significant in the 1970s by the environmentalists from the developed countries. These led to opposition from an environmental viewpoint in the 1970s that the dams are destroying the ecosystem, which actually highlighted the plight of dams on the riparian communities (Biswas, 2012).

The displacement of the affected communities from their land became a major concern as to whether large dams can still be considered as development. The large dams became a highly debatable issue with debates revolving around whether to abandon them altogether, or to improve certain institutional operations, policies and whether to adopt participatory approaches. However, proponents pointed to the benefits that the developing countries could earn from large dams with some corrections and pre-cautions in their implementation (Biswas, 2012).

The opponents portrayed large dams as the continuous model for peoples' impoverishment and blamed it for its disregard for ecology. Their critiques were guided by the question of who really benefits from large dams (Escobar 1995; Ferguson 1994; Pearce-Smith 2014 & Sachs, 2010). Proponents of large dam developments have been critisised for their concern for national economic growth, with scant attention to environmental and social impacts (Pearce-Smith 2014). In the 1970s, large dams inflicted major harm on the physical environment and on the riparian communities. The main social cost of the development programmes has been displacement without proper measures to restore and improve their lives (Cernea, 2003). Hence, the affected people became impoverished in the name of development.

At a global level, 40 million people are estimated to be poor owing to displacement by large dams (WCD, 2000). The deterioration of the livelihood status leads to resistance to the construction of large dams by the communities in conjunction with the non-governmental organisations assisting them to fight for their cause. The anti-dam campaigns were heralded by the NGOs both from the United States of America and the Western European countries,

like the Ecologist NGO, International Rivers Network and Environmental Defense to name but a few (Dwivedi, 1999). In consonance, Nayak (2010) adds that the Transnational NGOs focusing on human rights, environment and development also increased their spread and alliance both at the local and transnational level.

In Lesotho, the Highlands Church and Solidarity Action Group (HCSAG), which was the local NGO based in Lesotho that monitored the project together with the Lesotho Council of Non-Governmental Organizations (LCN), International Rivers Network and Environmental Defense Fund, met with the officials to lay grievances of the people living near the Katse Dam. This was because of the increased crime rates as well as lack of compensation for their loss of land during Phase I of the implementation (Meissner, 2016). However, the efforts of the NGOs were blamed upon by the South African Minister of Water Affairs and Forestry who labelled them 'Green Terrorists' for ignoring the positive benefits of the Katse Dam (Meissner, 2004).

By the end of the 20th century, large dam development declined. The loss of faith was due to the evidence of environmentally destructive and socially inequitable impacts of large dams (McCully, 2001). The support for dams was waning and the financial institutions pulled back due to the persistent protests by the NGOs, affected communities and the scholars' contributions which highlighted the extent of the adverse impacts of the dams (Nayak, 2010). In India, the demand for irrigation and hydro-power led to plans for the development of the Sardar Sarovar project on the Narmada River, which was proposed in the late 1970s were later shelved in 1990s (Anton & Shelton, 2011).

This owed much to the Save Narmada Movement against the social and ecological destruction of the Sardar Sarovar Dam, which mobilised through villages across the Narmada Basin (Sahoo et al., 2014). The movement blocked the roads, and protest action was finally dissolved by the India Supreme Court that stopped the construction of dam hence stopping the World Bank financing of the project (Sahoo et al., 2014). This movement was against the lack of resettlement provisions and wanted a review of provisions before displacement (ibid). Even though the Supreme Court in India stopped the construction of the dam in 1994, in 1999 it ruled in favour of the construction of the dam. The Narmada Bachao Andolan (NBA) resorted to hunger strikes as well as refusing to move as the flood rose up to their shoulders

and was finally removed by police (Anton & Shelton, 2011). The Sardar Sarovar Project was estimated to displace about 40 252 families and submerge 13385.85 of the forest (Sahoo et al., 2014). Commenting in the difficult period in the development of large dams, McCully (2001) noted that it was clear that the development paradigm that blended well with the large dams had lost the public's interest.

However, the proponents of large dams have denounced the arguments of anti-dam campaigns by indicating the benefits which these arguments have ignored (Biswas, 2012). They point to the adequate supply of water for both industrial and domestic use, the generation of hydropower, supply of water for irrigation, improved tourism and general development in terms of roads and health centres and schools as major benefits for the development of dams (Biswas &Tortajada, 2001).

Drawing on some crude form of dependency perspective, they have argued that the NGOs from the Western countries aim to disrupt and delay big infrastructural developments that are geared towards the improvement of lives of many people through water supply given the population at growth (Biswas &Tortajada, 2001). Such arguments, influenced by the dependency perspective, point to how Western Countries are enjoying the benefits of large dams which improved their way of living, but they shift to developing countries to obstruct the development of large dams by engendering negative perceptions (Biswas &Tortajada, 2001).

Due to the diverse opinions about the dams development the World Bank was pressured to set up a World Commission on Dams in 1998 which consisted of both the opponents and proponents. The purpose was to assess the impacts of dams and to map a way forward (Srinivasan, 2001). In the beginning of the 21st century, the World Commission on Dams released a report on the new framework on decision making pertaining to the development of large dams, which entailed emphasis on inclusion of all interested stakeholders in decision making and ensuring that all affected people become the beneficiaries of the large dams being constructed in their midst (WCD, 2000). In addition, it illustrated the desire to improve the affected people's lives rather than the restoration of the means of livelihood (WCD, 2000).

However, studies have shown that large dams are back on the development agenda of countries, especially in the developing countries despite a number of debates on inequitable distribution of costs and benefits of the development of large dams (Pearce-Smith, 2014). The return of large dams on the policy agenda in the 21st century is premised on the global climate change, which according to forecasts will lead to constant droughts and floods. Such manifestations will make large dams a necessity in order to mitigate the negative impacts of climate change and thus alleviate poverty (Fujikura et al., 2009). The emphasis is on the intense droughts and floods that would make the prospects of climate change mitigation more challenging (Huber-Lee & Wishart, 2016).

The United Nations Convention on Climate Change has also adopted the Hydropower under the clean energy mechanism (Manibo, 2016). The banks have increased their financing of large dam construction including the World Bank which had stopped the financing of large dams during the turn of the century (Crow-Miller et al., 2017). The French President in United Nations Climate Change Conference, Council of Parties (COP) 21 also declared his support for Africa's renewable energy generation including that of hydropower (Manibo, 2016).

During this new era, there is an upsurge in the development of large dams particularly in the Global South (Pearce-Smith, 2014). Richter et al. (2010) points that in South America, about 2 200 large dams were planned or under construction including Brazil alone with about 1 700 dams. According to Shah et al. (2019), the resurgence of large dams comes simultaneously with the strong coalition between the local, and the transnational, social and environmental movements against the large dams bringing the awareness to the most marginalised communities and empowering them to challenge the decisions regarding dams.

Not everyone agrees though. Mehta (2001) does not support the popular perception that link natural resources, mostly drought and floods, to the re-emergence of large dams on the policy agenda of countries in the Global South. Rather his critical examination on the Sadar Sarovar Project in India reveals manufacture of water scarcity to suit the developers' needs. Based on the rate of precipitation of the past sixty years, he found no convincing evidence of decreasing rainfall, but only variations although the dwindling rainfall and drought had gained popularity in both the local and states level (Mehta, 2001).

2.3 Large Dams and Displacement

Displacement has been a companion of large dams mainly because they are constructed on areas that are already occupied by people for different purposes. The global level displacement of people induced by dams is estimated to be higher than the range of 40-80 million people and increasing with the continuous construction of dams (WCD, 2000). During the decades when the development of large dams grew rapidly, displacement was narrowly conceptualised as the physical removal of people in order to make a way for dams (Cernea, 1995). Other measures such as the economic, social, and spiritual connections of the displaced people towards their habitual areas were not given a second thought (Dwivedi, 1999; Vanclay, 2017).

The narrow focus of displacement failed to take into account other losses suffered by the affected people and reduced displacement to geography of displaced and ignoring the economics of land and loss of access to it (Cernea, 2006). Displacement in large dam development pertains to all necessary works that facilitate large dam development, including the construction of roads, drilling of tunnels, building of camps, etc (Mahato & Ongulana, 2011).

The massive displacements of communities caused by the development of large dams brought catastrophic impacts to the affected communities. The plight of communities, which had to bear the costs of the development justified for greater public good is better captured in Sachs (2010: x)'s statement that "the shiny side of development is often accompanied by a dark side of displacement and dispossession''. The common losses that contribute to further impoverishment of affected people are landlessness, joblessness, marginalisation, food insecurity, decrease in health levels, and loss of common property asset and community disarticulation (Cernea, 1995). These impacts of large dams often extend beyond the displacement, thus stimulating secondary effects on livelihoods, economic structures, social and community cohesion, cultural heritage health and well- being (Brown et al., 2009).

2.3.1 Landlessness, homelessness and loss of common property

The displacement of communities due to the development of large dams often result in landlessness, homelessness and loss of common resources, which negatively affects peoples well-being, and leave them worse-off than they were before relocation (Cernea, 2000).

Landlessness occurs where people are compelled to give up their land for the sake of the project (Cernea, 2000). The constructed large dams often inundate large tracts of land which is mostly viable for farming (Singer, 2015). This has been a major challenge for the affected communities because their deprivation of fertile land meant a loss of their means of livelihood since they could no longer farm (Dwivedi, 1999). In some cases, people affected by displacement were relocated to areas that were not fertile enough compared to their lands (WCD, 2000).

A case in point is the Tonga people affected by the construction of the Kariba Dam in the Zambezi Valley who had occupied fertile land on the valley, but were relocated to areas that had shallow soils with less rainfall (Scudder, 2005). Their loss of fertile land plunged them deeper into poverty as their produce was three times less, and currently they are the poorest tribal group in the country (Dzingirai, 1999, 2003).[1]

Besides the economic losses due to reduced productivity, social ties and relationships are often disturbed which contribute to losses that are intangible, but equally important in the life of societies (Nayak, 2010). Moreover, the riverine communities who in most cases are the indigenous people practice common pooling of resources in their economic activities including practices of sharecropping in the case of Lesotho and perform ceremony together as society (Hoover 2001).

All these societal aspects that hold society together are lost through dislocation as populations are relocated and have restricted access to land. As a result, neighbours find themselves separated and in different geographical areas (Nayak, 2010). Displacement also leads to

homelessness, which is a process where people are displaced from their homes and shelter which impacts people beyond physical loss (Cernea, 1990).

The development of dams means that large areas that were used or occupied by people are going to be annexed for the dam projects. This however, leads to loss of common resources that have been used by these communities. In most cases, indigenous communities occupy land under communal tenure regimes which also guide access to resources. These communities lose these common resources such as grazing land, forests and water resources (Srinivasan, 2001). These resources are common means of livelihood for communities and affect poor community members yet these losses are often overlooked by planners (Cernea, 2000). Such losses lead to declines in the incomes of affected people as they lose their means of livelihoods. Furthermore, the loss of the commons tends to increase pressure on the land that is unaffected as communities use such land beyond the carrying capacity (Singer, 2015).

This is particularly evident in the displacement of communities where animal husbandry is practiced. The annexation of affected land leads to competition for space in the unaffected areas by both animals and humans, which tends to exacerbate soil erosion and declines of plant cover resulting in the deterioration of the quality of livestock products and subsequently, the decrease of income generated from livestock (Manwa, 2014). In Lesotho, the competition for grazing land induced by inundation affects the production of wool and mohair (Manwa, 2014).

Besides, the loss of common property equates to the loss of the communal identity and practices which affects the social relationships that were held together by such resources (Bildhaeuser, 2010). Moreover, the affected communities mostly face acute hostility by the host communities who often see their arrival as an encroachment and competition for the scarce common resources. For instance in Lesotho, the displacement of communities affected by the implementation of Phase I, led to the conflict between relocates and the local communities over grazing land (Manwa, 2014).

2.3.2 Food insecurity and increased morbidity

Dislocation of communities has been known to increase food insecurity and morbidity as vulnerabilities are increased. Critics of large dams have often raised the issue of impacts, which leave those affected far worse than they were before (Dwivedi, 1999). Food insecurity pertains to the inability to get sufficient nutrients necessary for the normal growth and work which is caused by relocation of people and restricted access to their resources that supplemented their diet. According to Mashinini (2010), the consequences of displacement are associated with loss of land, which is fundamental for social, cultural and economic life. Food insecurity is reinforced by numerous factors of displacement.

Firstly, the deprivation of land prohibits people from cultivation of the crops that they are used to and thus, expose them to food shortages which decreases their nutrient-uptake level normally exhibited by malnourished children (Singer, 2015). Secondly, the restriction of access to the river and other spaces due to displacement is a challenge to food security both directly and indirectly (Singer, 2015). The direct restriction is for communities that practice fish farming to supplement their diet hence, foregoing their food due to displacement.

Displacement has also been associated with the decrease in health of the relocated people (Scudder, 2005). There are numerous variables that contribute to the increased deaths rates, which are mainly caused by the psychological trauma where most affected communities suffer from stress due to the dismantling of their means of livelihood and the marginalisation (Scudder, 2005). Similarly, the restricted access to resources directly and indirectly negatively affects their food securities, which contributes to food insecurity and increase their exposure to disease and morbidity (Scudder, 2005).

In addition, displacement especially from the means of livelihood during the construction of dams leaves some people without jobs, which lead to social problems like prostitution as the means to survive, which in turn leads to increases in infectious diseases (Hoover, 2001). For instance, during the construction of the Katse Dam in Lesotho in 1992, there was a noticeable increase in HIV/AIDS infections. Hoover (2001) claims that the level of HIV/AIDS infections was 0.5% in surrounding villages while in the construction camps it was 20% higher. Elsewhere, people were relocated to areas which were hostile to human habitation.

For example, the Tonga tribes that were affected by the construction of the Kariba Dam in Zimbabwe were located to the mid-Zambezi frontier forest, which was infested with mosquito carrying malaria and tsetse flies. Their relocation increased morbidity while the tsetse flies killed their livestock which in turn affected livelihoods negatively.

2.3.3 Joblessness and marginalisation

Losses due to dislocations are often not compensated through employment either at the construction project or at the new place, and marginalization often occurs. According to Cernea (2000), loss of jobs pertains to formerly landless labourers who were employed such as service workers, artisans, and small businessmen. While dam construction brings with it promises of jobs for those who may be affected, but not relocated, jobs are not easily accessible. Thus, unemployment also relates to loss of access to jobs due to the implementation of the project. The construction of large dams is driven by science and technology (Boelens et al., 2019). Hence, there are more machines performing tasks, and people who do not have skills fail to secure jobs in the project even though they are already displaced in terms of their access to resources they used as form of employment (Rifkin, 1995). Dwivedi (1999) points that marginalisation creates resentment among affected communities who often opt for protests in expressing their concerns.

For instance, the rural people who gather wood and shrubs for selling and those who practice fishing become displaced from their jobs upon large dam construction, but they still cannot be accommodated in the construction projects which mostly bring its own skilled employees (Hausermann, 2018). This was the case during the implementation of the LHWP Phase II, where companies contracted to perform part of the construction brought their own employees which became part of the reasons for the impasse that occurred between affected communities and the LHDA (Motsoeli, 2020). In addition, Devitt & Hitchcock (2010) points that creation of jobs is more difficult especially after physical relocation.

According to Cernea (1995), marginalisation occurs when people lose their better way of living and degrade to the lower status. This is due to displacement and the expropriation of land for dam construction and related activities (ibid). It happens when middle- income farm households begin a shift downwards to become small land holders while the craftsmen drop

below the poverty threshold. Cernea (1995) further asserts that marginalisation begins when the spaces people own are demarcated for future expropriation necessary for the dam construction. The marginalisation increases the sense of despair as people become aware that they have indeed lost their resources. Dwivedi (1999) has pointed out that marginalization triggers strong resentment among the affected communities who express themselves through protests, resistance and movements. This was also the case with communities affected by the implementation of the LHWP Phase II in Mokhotlong Districts whose resistance continues to threaten and disrupt the implementation of the phase (Motsoeli, 2020).

2.3.4. Community disarticulation

Community disarticulation is the disintegration of communal networks and social ties that keep associations which cannot be measured but contribute to their means of livelihood (Cernea, 2000). Dam construction induced displacements mostly affect rural communities whose lives are supported through common pooling of resources, and the relocation of these communities aptly dismantles their way of life. The disarticulation occurs where some of the community members' resettlement divides people to different areas, hence breaking the neighbourly benefits (Cernea, 2000). In some cases, the dam becomes a barrier to a community requiring a lot of time to visit the neighbours (Scudder, 2005). The detrimental effects of community disarticulation were felt by the Tonga people who were under the same local chief but were separated to resettle at different places far away from each other (Magadza, 2006).

The group that settled in the Gwembe Valley was further pushed to their disarticulation of their cultural norms like the drumming at the funerals, which the host community did not approve. In addition, in the case of the Katse Dam, the dam water mass submerged the sacred place near the Malibats'o River where Makobane Mapanya used to receive visions and pray for rain at the area, and after celebrations attended by the villagers the rain would fall within twenty four hours (Hoover 2001). After the loss of the sacred place, the visions that were associated with the rains were also lost (Hoover, 2001). Robinson (2003) associates disconnection due to dislocation to be psychologically traumatising.

2.4 Displacement and Compensation

Despite the challenges associated with large dam developments, mechanisms are often put in place to reduce the negative consequences of involuntary displacement. These are often framed in terms of compensation. And in large parts, compensation policies have been developed with an aim of restoring peoples' lives that have been disrupted by intervention (Dwivedi, 1999). In this way, compensation is understood to refer to specific measures intended to make good the losses suffered by people affected by the dam and it is also intended to restore and improve the livelihoods of the displaced people.

However, critics have argued that compensation had been determined without paying attention to the restoration of means of economic production, and the disintegration of social, spiritual and cultural methods that have been felt by the affected communities (Nayak, 2010).Compensation tend to focus on physical resettlement at the expense of intangible aspects that govern life in rural communities and cannot be easily restored. Pearce-Smith (2014) has argued that the difficulty of measuring the informal economy means that development does not consider the value that nature provides for the people and this has resulted in inadequate, delayed and unequal compensation.

In order to establish the total economic value of impacts of the dam, Moleko et al. (2011) adds that attaching monetary value on intangible losses and gains was a major challenge. The inability to calculate how the intangible access to resource yields for the displaced people means that the contribution of the other factors are overlooked in the formulation of compensation rates (Pearce-Smith, 2014).

Such discrepancies can be observed in most compensation policy interventions. While the compensation is used to balance the trade-off for those who bear the costs, the failure to consider a holistic of factors often push the displaced people into impoverishment (Cernea, 2003). In the majority of cases, real compensation cannot be achieved as it is higher than the offered compensation packages (Lee et al., 2015).

From this perspective, the World Commission on Dams (2000) has criticised the tendency by planners to focus on physical resettlement of the affected without necessarily taking into

consideration the means of livelihoods that is sustainable. Cernea (2000) has argued that some resources are irreparable even though they are beneficial to the affected communities. Globally the compensation policy has faced resistance from the affected people who have argued that it is inadequate compared to the benefits generated from the resources they have lost. This has led to their inability to support any means of livelihood as agricultural yields decline while they have to cope with various psychological stresses (Hitchcock, 2015).

In some cases, the resettlement has focused on the loss of residences with little to no attention on loss of access to the means of production like arable land, grazing lands and the wild resources (Hitchcock, 2015). Compensation for loss of land has been carried out by replacing the loss with land in areas where land is in abundance and cash or produce in areas where land is in scarcity, or alternatively and thus enabling various options for the people who suffered loss to make choices (Nayak, 2010).

In other cases, people who have had their land annexed for the project are moved to areas that are ecologically different and unable to support livelihoods (Singer, 2015). There have been numerous cases where relocated communities complained that land, they were compensated with had lower productive value to the land they lost, and they were struggling to support themselves from the land (Singer, 2015). In some instances, the limitations of the compensation create other negative externalities. For instance, in Vietnam in Quang nam Province, the ethnic group that was displaced by the development of a hydropower dam started burning forest land to develop fields leading to deforestation (ibid).

Apart from the land compensation, cash compensation has been considered for displacement that cannot be replaced with the common resources that have been lost. Cash compensation has been popular because of the flexibility to meet the immediate needs of the affected people (Slate & Mphale, 2009). However, such a mode of compensation has been known to impact negatively on the food security of households, since the cash compensation is rarely spent on food packages only (Slate & Mphale, 2019).

Literature has documented how hydro authorities ‘delays in compensation, provisions, titles to land holdings and houses, and provision of basic services have occurred thus leading to further impoverishment of the people (Vanclay, 2017).

Cases illustrating inordinate delays from 5 to 15year include the Aswan High Dam in Egypt, the Nangbeto in Togo (Hitchcock, 2015). The delay for disbursement of compensation is widely experienced in the developing countries, and it leaves the affected people stranded after relocation (Slater & Mphale, 2009). These challenges with compensation have been one of the reasons why the NGOs intervened to support the affected people against the hydro authorities (Thamae, 2015).

2.5 Stakeholder participation

In the first era of large dam development which was guided by the modernization ideology, there was no participation of the affected communities in the planning and implementation of dam projects. The decisions to construct a dam, to relocate and compensate the affected communities, were made by the government and the implementation departments (Fujikura et al., 2009). The development of dams took a top-down approach which excluded people that were claimed to be the intended beneficiaries of development (Boelens et al., 2019).

This resulted in a situation where the development of large dams would displace communities, and the state would design measures to compensate these communities in isolation which led to such processes failing to address their needs properly (Boelens et al., 2019). The inability to influence the compensation measures fuels resentment and protests more than the hardship of displacement often attributed to the compensation gap between the expected and actual receipt which tends to be lower (Lee et al., 2014).

Exclusion in compensation and livelihood restoration measures led to the impoverishment of the affected people because the project authorities overlooked some of the resources supporting the livelihoods of the affected communities in formulating compensation packages (Cernea, 2000). This may have been the case in the implementation of the Phase I in Lesotho, where the water authority constructed brick and corrugated iron roofed houses as compensation which however did not suit the needs of the beneficiaries who complained that the houses were very cold during winter compared to their stone houses that were thatched with grass (Thamae & Pottinger, 2006).

While participation as a guiding discourse has a long pedigree in development, it gained legitimacy and a status of a buzzword in the 1980s and 1990s (Leal, 2007). Participation emerged mainly from the protests against the top-down strategies and technocratic approaches to development which caused more harm to the people than good. Critics advocated for incorporation of affected people in decisions affecting them (Haddock et al., 2009). According to Vincent (2004), participation is a people centred approach which is premised on the principle of empowerment of communities.

This does not take away the complexity of the concept as the actual meaning can only be captured on the way that it is used. Chambers (1994) has brought three major uses of participation which include: participation used as the cosmetic label, co-opting practice and as an empowering process. Firstly, participation as a cosmetic label implies the use of participation in order to make plans and proposals convey adherence to the participatory approaches to the donor agencies and governments while the top down approaches are actually used. Secondly, participation as a co-opting practice is when people are mobilized to participate in projects in order to reduce the costs without necessarily getting their input.

Thirdly, participation as an empowering process is when participation is used to help local people gain confidence and make their own decisions. It involves the ability of individuals and groups to make conscious decisions that transform their lives for the better (White, 1996). Certain scholars have argued that the incorporation of participation into mainstream development has changed the meaning of participation and its practice (Cornwall & Brook, 2005; White 1996 & Williams, 2004). Such views have long been associated with social movements and the struggle for rights and voice in decision-making. However, in mainstream development, participation does not envisage a radical shift of power, but upholds sharing of costs and burdens of development (Cornwall & Brook, 2005). Thus, in mainstream development participation is limited to cost sharing and consultation (White, 1996).

It was discovered that whenever people were locally involved and actively participated in projects, much more was achieved with less financial burden. As such, participation has been adopted to minimise the costs of projects (Stinglitz, 2002).The roots of participation were founded on giving power to the marginalized individuals and groups to decide for themselves. However, the discourse has shifted to the marginalized people being incorporated

as intended beneficiaries within the development projects (Williams, 2004). According the WCD (2000), conflicts and complaints become minimal when the displaced populations come to be stakeholders in the development process and feel that they are engaged and have a sense of ownership. In order to restore and preferably improve the displacement of people's lives, it has been recommended that the affected people should be involved in the formulation and implementation of policies through their participation (Vincent, 2004). This counteracts the idea of designing compensation packages in isolation. It aims to ensure that the change is more appropriate to their needs, and to discover problems that may come up as well as minimisation of conflicts (Stinglitz, 2002).

Although participation is widely embraced in all policy levels from the domestic to international levels by the World Bank, the United Nations and the World Commission on Dams, development projects are still displacing people without adequate compensation (Robinson, 2003). Despite participation plans in large dam development projects, policies still face resistance from affected communities (Bildhaeuser, 2010). This brings to question the concept of participation by communities affected by the development of large dams. This takes us to Chambers' three uses of participation and Arnstein (1996)'s argument that participation without power is an empty and frustrating process for the powerless (Arnstein, 1969).

The most appropriate way to classify forms of public participation is by adopting the ladder of participation by Arnstein (1969), which remains useful in describing the uses, strengths and weaknesses of the participation arrangement. The typology of participation and non-participation has got eight levels arranged in a ladder pattern with each rung corresponding with each citizen's extent of power in determining the end product.

The bottom rungs of the ladder represent the non-participation process, namely manipulation and therapy. The bottom level which is manipulation on the one hand, is a non-participation process where the power holders turn the participation process into information dissemination. They only teach people without engaging them in the planning process (Arnstein, 1969). This is meant to mobilize support for plans by persuading the citizens to agree with the already set plans. Therapy, on the other hand, allows citizens to express

themselves, but works towards changing those citizens' attitudes and perceptions in planning in order to support the power holders' ideas (Le gates & Stout, 2016).

Level three and four consists of consultation and informing which is referred to as tokenism (Arnstein, 1969). Informing pertains to the one flow of information from the power holders to the citizens thus informing the latter about their rights, responsibilities and options (Ross et al., 2002).Even though consultation allows many people to make inputs, this form discourages questions from the citizens and does not have will to change their stance to emerging alternative ideas (Ross et al., 2002). This level allows citizens to express their needs to the power holders, but have no power and guarantee as to whether their ideas will be taken to influence decision making (Arnstein, 1969).

Rung five is placation, this is where citizens are allowed to advice, but institutions allow for the power holders to make final decisions (Arnstein, 1969). Placation has the ability to ignite conflict sparks at the end of the planning process where citizens may find that despite their extensive participation their advices were not taken. Level six is partnership, where power is distributed and allows for the negotiation of both the power holders and traditional power holders or leaders to engage in trade-offs including the sharing planning, decision–making and responsibilities (Arnstein, 1969).

The top rung, level seven and eight which are delegated power and citizens control is whereby the have 'nots' have the ability to influence decision-making. Delegated power is when the citizens have the dominant control over the plan or programme. This favours their ideas to be taken into decision making (Arnstein, 1969). The citizens' control is when the citizens have a degree of control, which allows them to govern a particular institution or being in control of a policy as well as the managerial aspects of it. This level of power then speaks to power dynamics among actors in any development project. These dynamics of power and their implications are discussed in the next section.

2.6 Power dynamics

According to White (1996), participation always represents the power relations revealed by who gets involved and how they participate. She argues that sharing in participation does not include sharing in power. Power influences the participation process and dictates the decision-making process in such a way that those who have power have a leverage to make decisions on behalf of those who do not have power. Chambers (1994) observed that power tends to exclude the marginalised people from decision making even though they will be invited to participate which tends to inhibit the visibility of their losses. There is a need to redress power in order to achieve visibility of losses of communities and to lead to just outcomes for all parties (Andrews et al., 2018).

In practice, however, the knowledge of indigenous people is often marginalized. Despite participation from diverse interests, the administrative and formal science is privileged (Chambers, 1994).This implies that power relations guided by different knowledge systems, may limit the engagement of participants in governance arrangements and constrains appropriate use of diverse knowledge (Andrews et al., 2018). To understand how power is expressed in relation to decision-making there is a need for empirical insight. Luke's (2005) theory of power claims that an individual or a group exercises power over another group or individual when the former or latter acts in a way contrary to the affected groups interests.

There are two dimensions of power analysis relevant to this study which is structural power and discursive power. Structural power involves political, administrative, financial and organisational constraints that are codified into law and the formal policy that include or exclude individuals or groups' perspective or knowledge in the decision-making (Luke, 2005). Thus, structural power explains the rules and procedures that promote certain behaviour.

Discursive power explains the less visible way individuals or group perspective and knowledge are privileged in writing, speech and dialogue that eventually shape the way problems are defined and addressed (Luke, 2005). It involves the way decisions are made and the outcomes are legitimized (Hausermann, 2018). Power is often involved in any negotiations to determine which interests are preferred to others (White, 1996). As noted by

White (1996), while participation has the potential to challenge patterns of dominance, it may also be the means through which existing power relations are ingrained and replicated, and sharing through participation does not necessarily means sharing power. All participants have competing vested interests, but powerless groups normally do not make it to decision making (Chambers, 2004).

Power relations are eminent in settings where there are different types of groups' or stakeholders. In large dams, the project authorities that implement the dams have been understood as the most influential group of stakeholders. This is because of their legitimisation by the governments stipulated in the structures that guide their work, which are mainly the rules, laws and the policies (Hausermann, 2018). In interactions on dams and displacement, literature present affected communities as being marginalized from the decision-making process because of their lack of power (Boelens et al., 2019). Biswas (2012) also presents environmentalists who are primarily from the developed world, as being able to exercise considerable power directly and through financial and intellectual support to their counterparts in the developing world.

Local NGOs also have the power and have intervened and empowered affected communities to confront the water authorities and to voice their concerns in all matters that affect them in order to direct the development project's attention to their needs as well. Because of their power, they have contributed to raising awareness of the plight of affected communities (Biswas, 2012). These NGOs are well endowed with resources and expertise that enables lobbying against the policies and have the ability to get international support. Thus, the alliance of these NGOs and affected communities has helped in balancing the power relations in large dam development (Meissner, 2016). White (1996) has noted the likelihood of conflict if participation means the formerly marginalized people gain power, since they will challenge the power relations within the project.

2.7. Implications of Displacement

It is clearly evident that the effects of large dams on the affected communities are greater and difficult to measure. Affected communities suffer loss of both tangible and intangible resources that support their lives (Andrews et al., 2018). While the focus of planners has been

on the tangible losses, the intangible aspects of displacement have been overlooked on a number of cases because of the inability to quantify their market value although they contribute to the livelihood (Pearce-Smith, 2014). It is also clear that the lack of attention to the intangible aspects has negatively affected people. Studies reveal that more that 20 million of the displaced people are poor (WCD, 2000). The major concern with displacement is the uneven distribution of both benefits and costs (Pearce-Smith, 2014).

This has resulted in resentment by the displaced communities for sacrificing their resources, especially land while benefits accrue to those in the urban areas. According to Terminski (2013), displaced people are often the economically marginalised and illiterate rural who are attached to the natural environment, which provide a source of living. However, the benefits in the form of portable water and energy are normally received by urban residents while those who made the sacrifice receive relatively little in terms of benefits (Hausermann, 2018).

Pearce-Smith (2014) observed that the electricity generated by the hydropower dams located in rural areas is consumed by industry and the urban dwellers. A case in point is the Mekong Basin in Thailand, which has a number of hydropower dams, but lacks behind with rural electrification (Pearce-Smith, 2014). The Lesotho Highlands Water Project which led to the displacement of rural communities in the Katse area has still not fulfilled some of its promises to electrify and provide access running water to the areas as part of the livelihood restoration and development (Letsebe, 2012).

Displacement, together with unequal distribution of resources and inadequate compensation has led to resistance by the local people together who are often supported by Transnational and local NGOs. Some of the local people have resisted compensation packages because their assets were already expropriated due to infrastructural works leading to the construction of a dam which has often resulted in the deployment of coercive force by the state in order to remove them from blocking roads in pressing the LHDA to address their grievances (Kabi, 2019). This has been the case in Lesotho where the communities have offered serious resistance that has threatened the implementation of the dam project (Kabi, 2019).

According to WCD (2000) displacement of about four million people has been achieved through coercion. For instance, eight Tonga people were killed when they disputed the

relocation from their area for the development of the Kariba Dam in 1956. McCully (2001) has pointed to the military intervention used in the development of Chixoy Dam in Guatemala where 376 people mostly consisting of women and children who refused to give up their land that they had farmed for generations for the hydroelectric project were killed (WCD, 2000).

The detrimental effects of the displacements invited campaigns against such developments. The transnational NGOs proliferated in the Third World countries during the 1970 and 1980 when the construction of large dams increased (Nayak, 2010). The transnational NGOs grew very rapidly from 41 to 190 between in 1973 and 1993 (Nayak, 2010). They united with indigenous people and local NGOs and waged campaigns against the big dams (Meissner, 2016). In Lesotho, the NGOs have played prominent roles in assisting affected communities to engage with the LHDA (Meissner, 2016).

They started engaging affected communities during the LHWP Phase IA when they were excluded in matters concerning their livelihood restoration (Meissner, 2016). They also helped level the unequal power relations between the authority and the rural communities by offering expertise and giving capacity to these communities (Bildhaeuser, 2010). This shifted the power dynamics as the communities could stand for what they believed during the Phase II implementation (TRC, 2018).

2.8 Chapter Summary

The chapter reviewed literature on dam development and its negative impacts on the environment, communities and people. It presented dam development as a development imperative that is supported by states and financed by donor institutions. While dam constructions have negative implications on society, they also reflect the development of a country and in the recent past they have become necessary because of the challenges of climate change and the needs for mitigation. Thus, large dam developments have their own supporters. Despite the support, they also have their critics who often point to their negative impacts on the affected people. NGOs have been presented as very vocal in their opposition to large dam development and have stepped in to support affected people.

The entry of NGOs is seen as having balanced the asymmetrical power relations, which often worked against affected communities. The alliance of NGOs and affected communities has been presented as effective as evidenced through the resistance by affected communities against imposition by hydro authorities. Acts of imposition were presented as prominent in issues of compensation where hydro authorities have failed to accommodate the needs of the affected people.

Compensation has often been based on tangible assets which are attached to compensation value at the expense of intangible losses that are important to the lives of people. Without compensation for these intangible assets, affected people are often thrown into poverty. Impoverishment is often due to a number of factors including the quality and size of the land in the new area, loss of social dimensions of production as populations are scattered or divided and monetary compensation which is quickly exhausted. While the chapter did not focus specifically on the Lesotho situation, which is amply covered in chapter 1, it alluded to a situation of a top down process where the participation process was skewed towards information dissemination and manipulation than delegation or citizen control.

Chapter Three

Methodological Approach

3.1. Introduction

The rationale for the methodology adopted in this study of the impasse over the implementation of the LHWP II lies in the nature of this study, which is more qualitative and lends itself towards a case study approach. Firstly, the overarching is about how we can explain the impasse between the water authority and the affected communities, which require an in-depth inquiry and analysis of dynamics of interaction and also the historical context. Secondly, this study seek to ground the analysis of the conflict from those involved and those who have developed interest in the conflict and other matters surrounding the conflict. The study benefits substantially from accounts of actors, direct observations and expert opinions.

According to Baxter & Jack (2008), such an approach makes a qualitative design, most appropriate approach. This chapter presents the methodological approach guiding this dissertation. It begins by discussing the philosophy behind approach, the research design and research strategy. This is followed by the research locale. After the research locale, the chapter discusses the research techniques used to collect data. Following this, it presents the data analysis approach adopted, ethical considerations involved in the study and fieldwork challenges encountered by the researcher.

3.2. The Research Approach

3.2.1 Philosophical foundations

According to Creswell (2009), all forms of inquiry are shaped by philosophical traditions normally referred to as epistemologies or paradigms that inform the selection of research approach. This study of conflict over Phase II implementation focused on understanding dynamics of conflict from the actors involved. It thus, followed the interpretive and social constructivist paradigm. This study was interpretive in nature in the sense that understanding of phenomena was derived from interpreting the subjective meaning from individuals'

interviews, and constructive in the sense that meaning associated with the phenomenon was constructed through research (See Silima, 2007).

The study involved undertaking an in-depth analysis of stakeholders and their roles in the conflict and how they explained the conflict. The study developed a detailed understanding of a series of interaction processes and practices that in turn provided insight into the causes of conflict. As Creswell (2009) argues, reality is socially constructed as peoples' experiences and behaviour in their natural settings is developed by the context of their daily lives, which can be formed by historical and cultural norms.

This study also explored the position and opinions of the affected communities, the LHDA and the NGOs towards the implementation of Phase II, displacement, compensation and the ensuing impasse. In such a situation, instead of developing facts the researcher had to look at the phenomena at hand through the lenses of the participants, which enabled her to get insight formed from multiple perspectives of opinions, feelings and experiences of the stakeholders. According to Hennick et al. (2011) the constructive or interpretive approach accommodates people's perception and subjectivity, unlike positivism, which is premised on a single truth, thus reducing people to statistical figures.

3.2.2 Research design

In terms of research design, the study adopted a qualitative design, designed at capturing the intricate details of the conflict between the water authority and the communities affected by the development of the Polihali Dam in Mokhotlong District. The conflict has been explained in a variety of ways by different people, and the study sought to tap on the voices of the actors involved. According to Creswell (2009), a qualitative design has the ability to explore and understand the meanings that individuals ascribe to a social or human problem.

This proved to be an ideal approach because it allowed the researcher to draw rich data from perceptions and action, and to infer motives of actors. In qualitative research researchers need to understand the complex lived experiences of individuals, rather than argue for explanations and control (Stake, 1995 & Hennick et al., 2011). In the study, the researcher was able to

identify certain aspects of the conflict, understand and develop meanings and motives from the perspective of participants.

3.2.3. Research strategy

The study investigated the actors' actions and perceptions and also aimed to provide a counter narrative to the popular description employed in explaining the conflict. These explanations have been guided by past experiences with earlier phases of implementation and the general discourse of large dam development and displacement. The various aspects, which the study sought to explore were local level issues that could be understood through a case study approach (Yin, 1994). A case study is a strategy of inquiry that allows for an in-depth examination of a phenomenon over a small geographical area in order to generate rich data that would not be achieved by using large-scale survey methods.

The qualitative case study allows for exploration of a phenomenon from the natural setting using variety of data sources. It explores these issues through different viewpoints which allow the multiple features of phenomenon to be revealed and understood (Baxter & Jack, 2008). In this study, the conflict took place in a small geographical area, Malingoaneng in Mokhotlong. The study was therefore focused on the local level dynamics rather than broader national issues. The study was confined to the Mokhotlong case and sought explanations in relation to a specific case. While there was reference to experiences outside the Phase II implementation, this was mainly for reference purposes.

3.3. The case study

The study was conducted in two villages of Tloha-re-bue and Masakong in the area of Malingoaneng in the Mokhotlong District, North East of Lesotho. The two villages and the whole of Malingoaneng form part of the area that will be impacted by the development of the Polihali Dam. The selection of the villages was based on a purposive sampling technique. It was based on the understanding that not all communities will be impacted by the development of the dam in the same way. Other communities were going to be more affected than others and therefore had a lot to lose. The assumption was that communities which were going to be affected the most were more likely to resist the development of the project than

those that experience minimum disruptions. As such, the study focused on those communities, which would be affected most once Phase II was implemented.

In this case, the two villages were going to be affected most, and some households were going to be relocated while others would lose fields. Others had already lost land to developments like infrastructural works that preceded the implementation of dam construction. Owing to their proximity to the dam wall, some households have already lost fields that have been annexed for the development of roads, construction workers' camping sites and quarrying. Furthermore, access to grazing land and river has been impeded due to the barrier lines and development of the safety zones for blasting and other hazardous infrastructural works. Moreover, Malingoaneng was at the centre of protests and demonstrations that were organised to demonstrate dissatisfaction with the hydro authority.

One of the villages, Tloha-re-bue was the host village for public gatherings and consultations on the development of the dam. But even more importantly, the official opening ceremonies for the dam and tunnel, which were attended by both the Minister of Humans Settlements, Water & Sanitation (South Africa) and Minister of Water (Lesotho) were held at the race course in one of the villages. On a more personal level, the researcher comes from neighbouring Mahemeng village, which made it easy for her to conduct a solid ethnographic inquiry. Coming from a neighbouring village and being treated as one of them (since Mahemeng Village has also been affected by the dam development), it was easy for the researcher to gain entry and to gain trust from people in the community who knew her relatives. This eliminated barriers to entry which is one major challenge in any ethnographic inquiry.

Since the researcher came from the local community and was very conversant in the local Sesotho language, interaction was made easy, and she could seek audience with senior citizens who do not understand English. Being a member of the community, the researcher also understood the culture. This, however, does not mean that the researcher came to the community with no preconceived ideas. As a member of the community, the researcher was exposed to narratives and explanations on the dam construction and started the study with a particular understanding of the situation, which affected the way she looked at the local people and the LHDA.

However, she also understood that the picture she had may not necessarily be true and needed to be redrawn through her interaction with these different actors. The approach she adopted was that of coming to learn from these actors and not to judge. After all, the purpose of qualitative studies is to describe a phenomenon from the perspectives of those involved mainly through interviews and observations. In this process, the researcher came into the community with an intention to listen to the voices of participants and to observe them in their natural environments. The research techniques employed by the study are discussed in the following section.

3.4 Research techniques

The study is about actors with conflicting views in order to fully understand how the conflict manifested history needs to be captured. This means that the research techniques adopted by the study had to take into account this history and other broad macro level factors. This dictated that the study adopts a number of research techniques with each geared towards capturing particular aspects of the problem.

The study employed both primary and secondary research techniques, which complemented each other and assisted the researcher to develop a holistic and balanced picture of the Phase II problem. In order to develop this holistic picture, the study divided actors into two namely, institutional stakeholders LHDA and the NGOs, and the affected communities. The study began with a rigorous review of literature that was used to generate the history and profiles of institutional actors. This history became necessary in order to determine the fault lines that caused the impasse.

Crotty (1998) states that qualitative researchers seek to understand the context or setting of the participants through visiting the context and gathering information personally. Thus, primary data was largely gathered through ethnographic research in the community and interviews with key informants, LHDA officials and officials representing the TRC and SOLD. Personal observations and transact walking were used to supplement interviews and discussions, which generated data that was difficult to access through mere interviews.

3.4.1 Literature review

Literature review was conducted on both secondary and primary literature. According to Bryman (2008), secondary data analysis involves the review of existing pre-produced texts while primary literature sources are those that have not been published. The LHWP has attracted a lot of academic interest both locally and internationally, and there exists rich sources of academic literature while NGOs have also produced a fair amount of literature on the LHDA and affected communities. The experiences, particularly the challenges during the implementation of Phase I are well publicised, and the study drew on these academic sources in order to understand the context. Reports on the LHDA have been generated and these became important sources of information. The study reviewed reports from the LHDA and those produced by the Transformation Resource Centre.

Literature was also reviewed on NGOs and their role in the dam construction question in Lesotho. Some of this information is in the public domain and is easily accessible. The review of literature was particularly made easy by easy access to the worldwide web whilst the TRC opened its library doors wide. The data from literature, which guided the direction of this dissertation was sourced from websites, hard books, journal articles and commissioned reports, non-commissioned reports, media reports and other unpublished documents and the newspaper articles.

3.4.2 Interviews

The choice of a semi-structured model was guided by the need for control, but also to be non-restrictive and allow participants to share as much information as possible. Semi-structured interviews process is not a platform or a two-way dialogue; rather it is an in-depth special kind of knowledge meaning-making conservation between the respondent and the interviewer. The adoption of a semi-structured interview design was therefore guided by this consideration. By adopting such an approach to interviewing, the interviewer only acts as a facilitator while the participant is allowed space to share information and dominate the process. In this study, the focus of the interviews was to draw information from the actors. The aim was to understand the conflict over the implementation of Phase II from the perspective of these actors. Such an approach gave these actors the platform to share their

side of the story. Interviews were conducted with both institutional stakeholders while they were also used at community level during the ethnographic study.

Interviews with LHDA officials

The LHDA can be described as the main protagonist in the LHWP Phase II, and stand accused of all the problems associated with the first phase. In fact, the impasse over Phase II implementation is often explained in terms of the experiences of Phase I implementation and how the authority handled the already volatile situation during Phase II. It was then important that LHDA officials were interviewed to get their side of the story, otherwise our understanding of the situation would be highly skewed. As the implementing authority, the LHDA has played a huge role in achieving the LHWP mandate. Its officials operate within a particular structure and are guided by certain guidelines.

Certain officials were important for this study due to the position they occupy in the organisation and their role in the LHWP Phase II. Some of these officials are in decision making while others interacted with the communities and executed the mandate. The selection of officials was guided by such issues, and by considering these issues certain officials selected themselves. The officials were thus selected through a purposive sampling approach. The criteria for selection included the following; position in the organisation, role in the project and role in the community liaison process.

The study targeted top management as decision makers, officers in community liaison and those who were involved with affected communities. A total of four officials were selected and interviewed. These included a representative of top management Branch Manager a Community Liaison Officer, and two officials that were involved with affected communities in Mokhotlong District. These were asked for their views on the project, compensation, participation of affected communities, community grievances, the NGOs and the impasse. Since the researcher was granted permission to carry out the study, interviews were held at LHDA offices. The interviews took over an hour where officials shared both official information and opinions. For control, the researcher used an interview schedule which was not restrictive, but acted as a guide.

Interviews with NGO officials

Non-governmental organisations play active and sometimes antagonistic role in large dam developments. They lobby, mobilise and capacitate these communities and support their struggle against hydro authorities the world over. In Lesotho, the Transformation Resource Centre and Survivors of Lesotho Dams have played active roles in the struggle by victims of the LHWP against the LHDA. During Phase II implementation, the two organisations supported the people of Mokhotlong. The study considered these NGOs as major role players in the impasse.

Interviews were conducted with officials and members of the two organisations. Officials and members were interviewed for their involvement with the people of Mokhotlong. A total of four officials, two from each organisation were selected to participate. These were interviewed on their role in the communities, their views on the LHDA and the impasse. These officials were also interviewed at their offices, although interaction was continuous since the researcher would meet these officials on numerous occasions. Because of this relationship, the interviews were extended and focused on a range of issues. In total 12 interviews were held with these officials, although there were also a number of informal discussions.

3.4.3. Ethnographic research

Ethnographic research was conducted in Malingoaneng for a period of 6 months between August and January. Ethnography focused broadly on understanding the position of the affected communities. General explanations of the impasse tend to relate it to the compensation. According to these explanations, the communities affected by the development of the dam had problems with the compensation package offered by the hydro authority. Ethnographic research involved participant and non-participant observations and transect walks.

Transect walks were particularly important in understanding the geographical area, the losses the communities were going to suffer due to preconstruction development and the construction of the dam, the places where the communities will be relocated, and the interaction between the communities and LHDA officials. The researcher spent the bulk of the six months in Malingoaneng either in the company of NGO officials, or young women. During the time, the researcher would attend workshops conducted for affected communities

by the NGOs. She attended three of these workshops during the course of the study. The researcher also attended the LHWP official opening for the roads and tunnel construction in November 2019 where the South African Minister of Human Settlements, Water & Sanitation and the Lesotho Minister of Water were in attendance.

The researcher also attended meetings between the LHDA and communities affected by the dam construction, which were mostly held in Masakong where issues on the dam projects including compensation were discussed. These interactions enabled an understanding of the underlying issues of the problem. During these meetings, the research would take note of discussion, areas of disagreement and how the interaction took place. Besides participant observation, the non-participant observation technique was used in order to supplement the participant observation technique. Non-participant observation mostly took place during transect walks and focused on landscapes. Interviews were conducted with community leaders and other community members to understand certain pertinent issues of interest. Key among these were the reason behind the conflict, the conduct of LHDA officials, community needs, and these were mostly planned interviews, which were guided by an interview schedule.

However, there were also a number of unplanned and informal discussions with community individuals which took place during the course of the research. While these had no structure and discussed random issues, they raised a number of critical issues, which assisted the research to develop questions for formal interviews. More interviews were conducted with members of the community who represented the views of households that were going to experience losses than community leaders. The selection of individuals to be interviewed was guided by the extent of the loss and it was observed that interviews covered different categories of losses.

3.5 Data Analysis, Ethics and Fieldwork Challenges

This section presents certain aspects of the methodological approach which determine the quality of any study, and need to be factored when designing the methodology. Some of these aspects like the data analysis approach are determined when the research design is designed,

while the other two are fieldwork issues and should be handled in the process of doing field research.

3.5.1. Data analysis approach

The data analysis approach adopted in this study was guided by the research design. The study adopted a qualitative approach which necessitated that data analysis would be analysed using qualitative methods. The major purpose for conducting a qualitative study is to transform data into findings, and the purpose of data analysis in qualitative research involves reducing the volume of raw information, sifting significance from trivia, identifying significant patterns and constructing a framework for communicating the essence of what the data reveals (De Vos et al., 2005). The qualitative data analysis method that was adopted by the study was the thematic analysis approach. This entailed a step to step approach, designed to generate themes, which were used to develop the thesis. Thematic analysis determines precisely the relationships and linkage between concepts and identification of variables from the interviews that will help the researcher to code and categorise data into themes (Ibrahim, 2012).

Once data collection was completed and data were transcribed, it was placed into group categories and coded. Coding is an analysis strategy used in qualitative data analysis that assists in the identification of themes, patterns and concepts that exist in the data and aids in better understanding the perspective of each participant. It was only after saturation that the data collection seized. Miles and Huberman (1994) see categorization as the most vital element of qualitative data analysis, and they define it as involving the classification of things, events, and persons.

The second step involved comparing category groups and grouping similar categories to develop sub-themes which were also allocated codes. This process of comparison and grouping data and coding continued until data categories were narrowed down to two broad groups which represented broad thematic areas. At the end of the data analysis process, two emerging themes had emerged: first, was the significance of past experiences and second, was the standard bureaucratic approach that LHDA adopted which alienated the affected

communities. These themes were used to develop the argument of this dissertation, although some data was still in its raw state either as quotations or case illustrations.

3.5.2 Ethical considerations

Qualitative studies are frequently conducted in settings involving the participation of people in their everyday environments. This study involved human participants and dictated that certain ethical standards should be adhered to. The ethics are vital for the researcher to bear in mind during the field work process (Mollet, 2011). The study adhered to research ethical standard as guided by the University of Pretoria's Faculty of Humanities. Therefore, any research that includes people requires an awareness of the ethical issues that may be derived from such interactions.

Permission to conduct research: the study was conducted at a community and involved interviews with officials from two organisations. This means that permission had to be granted by the community and the two organisations for the study to be carried out. To begin with, permission to conduct a study in Malingoaneng was sought and granted by the chief and Community Councilor with jurisdiction over the community. Permission was also sought from the TRC, SOLD and LHDA, which are all located in Maseru. Once permission was granted, the researcher could begin research in Mokhotlong including conducting interviews with SOLD, TRC and LHDA officials.

Informed consent: Capron (1989) identifies the respect of the rights of participants, which involves the right to be informed by the study, the right to freely decide whether to participate and the right to withdraw any time without tome penalty, as an important ethical aspect of research. The principle of informed consent applied in situation where interviews were conducted, although the researcher also needed the consent of the community members to be part of them. Such consent was granted through permission of introduction to the community by the chief.

However, as alluded to earlier, the researcher was a member of the community and was known. With regards to interviews, participants were informed of the project and its objectives and their expected role in the project. They were also informed about the voluntary

aspect and the freedom to withdraw at any stage during the research. Once they had agreed to be interviewed, they were asked to sign a consent form (see Appendix 4). Some people did not want to sign the consent form, but they were still allowed to participate without signing the form.

Anonymity and confidentiality: The study also adhered to the principle of anonymity and confidentiality. Some participants did not want their identities to be revealed while others held positions of authority, which made it difficult for them to remain anonymous. These issues were explained to the participants, and the study opted to use pseudonyms which were acceptable to all participants although others did not mind being identified. In this study therefore, no participant or their households were identified with their real names.

The participants were further informed about the confidentiality of the information they provided. This involved issues of access to information and storage during and after the study. The participants were informed that the information they provide will be accessible to the researcher's dissertation supervisor at the University of Pretoria. In terms of storage, the data was stored in a password protected computer during the time of research, and in the Department of Anthropology and Archaeology at the University of Pretoria where it will be kept for fifteen years. The participants were also informed that the information will be used to write a Master's dissertation and scientific papers, and it could be presented at local and international conferences.

3.5.3 Fieldwork challenges

At the community level, the researcher encountered no major challenges since she was a member of the community who is known by community members, and the community was happy that one of their own was studying about their problem, which they believed needed to be publicised. This was also easy because of the introduction by the chief and the presence of the NGO officials in the community. This allowed the researcher to interact with community members as a companion of NGO officials. More importantly, the researcher understood the culture and spoke the Sesotho language which made interaction much easier. She was not treated and seen as a stranger, and therefore this allowed people to go about their everyday life freely, to speak freely and plan actions and protests without restrictions.

The challenge that was anticipated even before the study came from the LHDA and other organisations. Getting permission to conduct the study proved difficult due to bureaucratic processes. With LHDA, I applied for permission to conduct the study in 23/August/2019 and was only granted permission in 30/September/2019 (see Appendix 1). However, these delays did not affect the study since the researcher had approached the LHDA quiet early. By the time permission was granted, fieldwork was already underway in the community.

3.6 Chapter Summary

This chapter on the methodology began with a discussion of the philosophical approach that underpinned the research study. This was followed by a brief account and justification of the study location. After this the chapter provided a detailed discussion of the methodological approach adopted by the study. It discussed the significance of the literature review technique and the semi-structured interview process with LHDA and NGO officials that allowed extensive engagement with the themes by participants. As part of the research techniques, the ethnographic research was discussed together with the various activities that were employed. Lastly, the chapter discussed the data analysis approach, the ethical considerations and the challenges faced during field research. The chapter shows that despite the challenges encountered, they did not compromise the research.

Chapter Four

The Malingoaneng Community and Actors in the Impasse over the Construction of the Polihali Dam, Mokhotlong District

4.1 Introduction

In large dams' construction, displacement of local communities has become a major social challenge that has seen local communities suffer from disruption of their socio-economic, natural and political lives. Yet, these communities face limitations which exacerbate their vulnerabilities. The affected communities often lack the capacity to resist the plans for dam construction by governments and developers. In most cases, the hydro authority has provided insufficient compensation which has left displaced communities impoverished further. Given the vulnerabilities of communities affected by dam constructions and their lack of power, non-governmental organisations and other similar institutions have often provided their support to ensure that they are not disadvantaged by the construction of dams.

In the case of Lesotho, communities affected by the implementation of the LHWP organised themselves into Survivors of Lesotho's Dams (SOLD) and also received support from the Transformation Resource Centre (TRC) in their struggle against the Lesotho Highlands Development Authority in the implementation of the Lesotho Highlands Water Project (Phase II). This chapter therefore is a discussion of these actors, which have featured prominently in the conflict over the construction of the Polihali Dam in Mokhotlong District that forms part of the LHWP phase II implementation.

These role players, the affected communities, the non-government organisations that support them and the hydro-authority (LHDA), are central to our understanding of the conflict and the subsequent impasse. The chapter looks in great depth into these major role players by focusing on their general profiles, roles in the development of the dams and the impasse in the implementation of the second phase and the motivation of each of these stakeholders.

In particular, the chapter highlights certain aspects guiding each stakeholder's position in the impasse over the implementation of LHWP Phase II. The chapter begins with an overview of each actor involved in the impasse, their circumstances and position in the implementation and what guided their position. This will help to contextualise each actor's role in the implementation of this phase and in the impasse. This section will also look at how each actor conducted itself and the implications of their conduct on the impasse.

4.2. Affected Communities in Malingoaneng (Tloha-re-bue and Masakong)

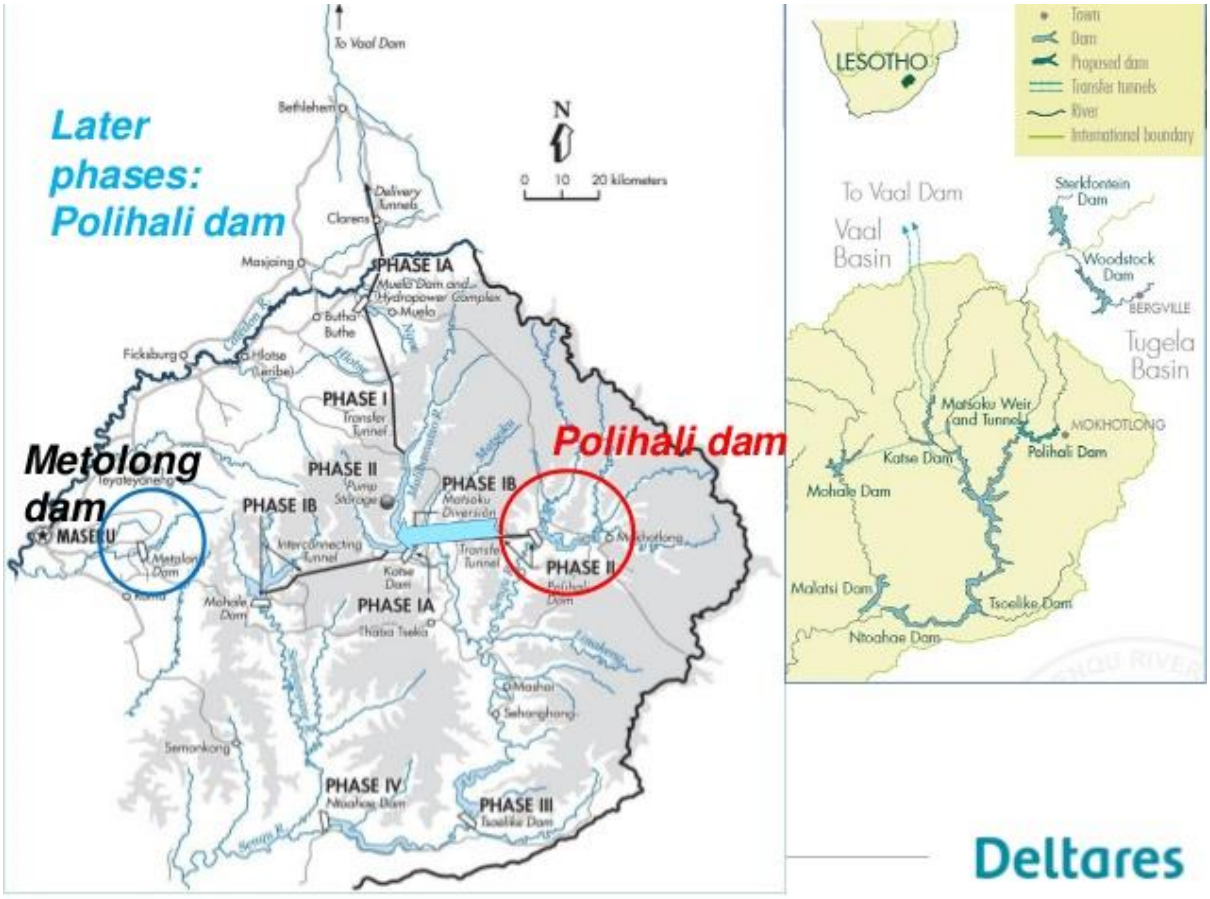
The Tloha-re-bue and Masakong Villages often referred to as Malingoaneng locally, are the two villages in Mokhotlong District that will be widely affected by the construction of the Polihali Dam during the implementation of the LHWP Phase II. The chapter also notes that these and other surrounding villages have already been affected by the ongoing project works happening in the area. These effects include among others, the construction of a road to the Polihali Dam site, which has cut through the villages and disrupted certain natural, social and economic aspects such as the building of camps, quarrying, barrier line and blasting, which have accompanied by serious noise pollution and disturbances to people's way of live as well as affecting their livestock.

4.2.1 Geographical setting

Map 1: Lesotho Political Map

Source: ontheworldmap.com

Map 2: Map showing Polihali dam



Source: Passchier, Deltares (2017)

These villages like most of the Mokhotlong District are situated on the highest terrain in the Maloti Range. The district hosts two of the big rivers in Lesotho namely, Khubelu and Senqu River and acts as Lesotho's primary watershed. These rivers will also act as sources of water, which is subject to harvesting for the consumption of South Africa's major industrial city, Johannesburg. The villages in question lie south of the Main North 1 Highway, the only gateway to Maseru and low land regions District like Butha-buthe and Hlotse. The highway which connects Mokhotlong Town to the capital Maseru passes through Mapholaneng, which serves as a semi-urbanised service centre for these rural communities.

The centre also provides services including supermarkets and government offices, education facility (Mapholaneng High school), a clinic, a police station, ATMs and a Post Office Bank. There is also a bus terminus for people heading to the lowlands and to other areas. Mapholaneng provides the essential services including places of socialisation and relaxation, such as taverns and similar outlets while there are also recreational facilities that keep youth occupied. The centre has saved people from surrounding villages including the two villages, the trouble of travelling to Mokhotlong Town about 40 km away for services.

The two villages (Tloha-re-bue and Masakong) are connected to the Mapholaneng Centre by a road that is still under construction (and would be tarred once completed), the Polihali North East Access Road (PNEAR), leading to the Polihali Dam where the construction activities are currently taking place. There is also the Polihali Western Access Road (PWEAR), which is a tarred road under construction between Masakong and Ha-seshote road that leads to the Katse Dam. Within this broad setting, Malingoaneng as a broader community setting is situated in the middle of a mountain adjacent to the Khubelu River, which will be a tributary to the Polihali Dam.

The location of the community in the middle of the mountain is significant, since the mountain provides a shield from heavy rains and storms. It is also here that a big construction camp for the ongoing project works has been set-up. More-importantly, much of this area has been designated as Polihali Dam Project area. The designation means that most part of the village will have to be relocated to the other area once the implementation gets underway.

Like the rest of the mountain regions, the community experiences rainy summers and snow in winter which melts quite easily due to the sun facing slopes. These weather patterns are suitable for the crops and animals produced in this region. The region generally receives good rains for agriculture. The area experiences rains in October, declining precipitation between March and May and a drier month of June. On average, the region receives between 600mm and 1044 mm per annum. Rains in October, November, December and January are important for early crops while the February rains support crops that were planted late. The rain pattern also allows farmers to stagger their crop and provides mitigation against crop loss due to under-precipitation during any one of the rain phases. It is these good rains and the

availability of water that motivated the harvesting of water through a network of dams in the area.

The area is characterised by wet winters with temperatures that range between -2 to 12C accompanied by snow and frost. The summers are comparatively cool and summer temperatures can range from 12 to 24 degrees Celsius. These weather patterns make it an ideal location to produce livestock including goats and sheep, which are a source of mohair and wool.

Mokhotlong has basaltic mountains with steep valleys and ridges. The steepness of the slopes inhibits soil profile development and on the mountains, there are shallow and immature soils. The deep soils only occur where the topography is flat enough to permit colluvium accumulation. The soils in Mokhotlong are dominated by *calcimorphic* soils, mainly *Rendzinas* and Brown *Calcerous* soils (Carroll & Bascomb, 1967). They form a very thin layer of dark grey brown loose loamy sand over the mountains overlying the solid basalt lava. The *Rendzinas* of the lower mountain slopes have a slight acid to neutral reaction and has high content matter (ibid).

Masakong and Tloha–re-bue with the gentle slopes and as the lower mountain plateau, have more productive soils compared to the mountainous areas due to the topography which allows deposition of weathered mountain soils. For a rural community, there is an element of planning in the village set-up, and people have invested in their homes. While some homes are built of mud and thatch grass, there are also some modern structures built of cement bricks with corrugated iron sheets or tile roofing. Some of these structures can rival buildings in an urban setting and all these structures will be lost upon relocation.

4.2.2. Governance and origin

In terms of governance, the two villages fall under the Seate Community Council (J01) and the authority of Malingoaneng Ward Councilor Mosa Lengoasa of the Democratic Congress. In broad constituency terms, the affected communities are in the Malingoaneng Constituency No. 77, which is represented by Honourable Serialong Qoo also of the Democratic Congress. The village chief is Masiphola Sekonyela whose office also serves a number of other villages

falling under the broader Malingoaneng constituency. The people are part of the Batlokoa clan under the Principal Chief Qethu Sekonyela who is one of the chiefs in the upper house in the National Assembly, the Senate. His offices are located in Tloha-re-bue Village. Thus, the affected villages form part of the chieftaincy of the area, and Malingoaneng is the centre of the Batlokoa in Mokhotlong District.

The Batlokoa lineage claim rights to this part of Mokhotlong District. Oral tradition traces their occupation of the area to the late 1880s when Lelingoana Sekonyela of the Batlokoa lineage was granted rights to settle on the east of Malibamatso River and north of River Senqu as a reward for his assistance to paramount Chief Letsie I during the Gun War in 1881. Chief Lelingoana is said to have settled in Malingoaneng, and after settling in the area, Lelingoana appointed his sons as chiefs of surrounding villages, thus consolidating the Batlokoa dominance of these parts of the mountain region.

In the 1920s, Paramount Chief Lerotholi decided to appoint his kinsmen as Principal Chiefs and then he appointed Chief Seeiso as the principal chief of the area. However, Chief Lelingoana is said to have objected to be a subordinate to the King's appointed Principal Chief Seeiso because he had found him already settled in the area. This point is of interest in our attempt to understand the impasse between the communities and the hydro authority. Chief Lelingoana saw the appointment of Seeiso to rule in an area, which he saw as his territory as an act of encroachment.

The dispute was finally settled in 1946 when the colonial administration awarded the senior chieftainship to Mosuoe, Lelingoana's successor following the demarcation of Mokhotlong as a district (Quinlan, 1996).This history is important in our understanding of the territory, the people and the sense of belonging, and how displacement tends to alienate people from their belonging. This history should be factored in any attempt to understand the impasse and people's position on dislocation.

4.2.3 Livelihoods

In Lesotho rural areas, despite the diversity of the means of livelihoods, agriculture in terms of animal husbandry and crop production is still practiced by households of all kind. In the

Masakong and Tloha-re-bue villages, the practice of agriculture forms the basis of livelihoods. Households still own livestock both small (goats and sheep) and large mammals including cattle, horses and donkeys. Livestock is often penned at night and grazed either in the residential zone or cattle posts. Lesotho is generally a grassland country although overstocking has contributed to massive land degradation which subsequently has led to gull erosion.

Tloha-re-bue and Masakong village are not an exception to the pernicious problem. The land which occupies the part between the river and village settlements and the mountain provides pastures for the village stock. While the land is overgrazed and looks bare with only rocks and stones visible after summer along the riverbanks are the community woodlots, which for long have provided energy for households and are a source of alternative pasture, the river also provides water for the animals.

Cattle are mainly used for ploughing while horses are used as transport as most areas are unreachable with the use of motor vehicles, and donkeys transport luggage. A span of six or eight oxen is often used for cultivation, although the farming task also requires human labour. People perform these tasks as individuals or as networks of related households in the community. Pooling of resources this way has been a key aspect of the rural area agricultural system. A household may not own all farming resources', including ploughs, draught power, labour and inputs, forcing it into resource-pooling arrangements.

Such practices are prominent in these parts of Mokhotlong District and many households practice agriculture through these social systems of reciprocity. The small animal stock, which consists of sheep and goats are the household's immediate source of income. Ownership of these animals like that of cattle is a symbol of wealth and social status valued both quantitatively and qualitatively in the region and country. Small animals are kept for the annual supply of wool and mohair that provide the owners with annual income and can be sold to local butcheries. These small animals prefer shrubs and have benefitted from the vegetation on the mountain slopes and along riverbanks. Virtually, every successful farmer owns small animals in Malingoaneng and the whole of Mokhotlong District.

The fields are mainly located on the flat terrain down the mountains, which mostly have shallow rocky topography of the highlands and are utilised for cultivation of wheat. Most fields by the river and near the village are the most fertile due to the erosion from the mountain that is deposited on these areas. The most common ploughed crops are maize, sorghum, beans, and pumpkin. Crops are cultivated during spring around late August to October with beans being produced between December and January. The harvest time is normally in winter. It is consumed after harvest until December and saves the community from purchasing maize meal for that period.

In most households with animals, some of the harvest is taken to the cattle post during summers where animals are relocated for better grazing. The stalks are also harvested and kept for supplementary feeding for the animals during cultivation time to keep up their strength. Shrubs and minor maize peels are beneficial to livestock which feed from the fields after harvesting because of the reduced plant cover on terrains due to overgrazing. Women and children gather stalks after harvesting for fuel purposes. Besides the large fields, households own small garden plots referred to as *lentloane* for planting vegetables while some households own orchards of fruit trees mainly peaches and plum trees. Because of the need for energy and the policy of planting trees introduced by various governments, some households own woodlots which have been in existence for a time immemorial.

4.2.4 The community struggle with the hydro authority

The affected communities in Mokhotlong have presented a major challenge to the LHDA in its attempt to implement the second phase of the project. These communities have been uncooperative and at worst very hostile towards the implementation. They have mounted a serious challenge that has threatened the project. In this section, an attempt is made to capture the impasse between the community and the LHDA and in particular, the activities and actions that the community has embarked on in its pursuit for justice and to have their voices heard.

Firstly, the communities have rejected the compensation plan presented by the LHDA to compensate for the adverse effects of dam development including physical dislocation. They particularly disagreed with the LHDA on the communal and arable land compensation

duration. They further disagreed on the compensation rates for their land. The compensation rejection began during the public gatherings which were normally held at Chief's yard in Tloha-re-bue and other platforms whereby the affected communities engaged with the LHDA. After the Compensation Policy draft was distributed in 2014, they approached LHDA for the review of the compensation duration and compensation rate for arable and communal land.

When the LHDA presented the approved LHWP Compensation Policy in 2016, the communities rejected it outright since the compensation period and rates were not revised. The affected communities constantly refused compensation plan and staged a protest in 2018 against the LHDA and threatened to disrupt the construction of the dam that was set to commence in 2019, if their demands for livelong compensation or at least 99 years were not addressed. They particularly did not take kindly to the order barring them from cultivating their fields without being compensated upfront of the intervention.

In 2019, they organised themselves to present their grievances and seek intervention from the LHDA after companies that were doing works in the project failed to honour a promise made by the LHDA that casual jobs will be given to people in Mokhotlong communities. The mobilisation followed the failure by the LHDA to respond to a letter the communities had written to the authority seeking intervention on the jobs issue. The LHDA had promised the community that they will benefit from employment once the project is implemented. According to the labour recruitment plan, unskilled labour would be recruited from communities in Mokhotlong. This was done through a ruffle at the community council where people would be hired according to the list of the number tossed from ruffle. The same procedure was applied in the entire community wards in Seate Community Council and others affected by the construction of the dam.

However, Companies performing works in the project brought people from outside and employed only a few people. As part of the protest, these communities demoted the person they had elected as Area Liaison Officer whom they accused of being ineffective. They elected their own Area Liaison Officer and a committee that was tasked with communicating directly with the LHDA. When the LHDA failed to attend to these concerns they radicalised

their demand and threatened to stop the commencement of the project as a way to force a response from the authority.

This radical position took the form of a blockade of the road in Masakong early one morning in April 2019 where they stopped all workers and traffic from proceeding to the construction site. They expressed their disapproval for the construction of the dam through songs and dance denouncing the dam development and insulting LHDA officials who have been working with them. Their position was communicated through clear messages on placards like, 'We do not need your 50 year compensation', 'This is our land', 'we need jobs', and 'We are hungry'. They even brought the pots along to cook there by the roadside. More protests were held in Masakong following the delay of compensation for the already affected assets and the receipt of compensation lower than they anticipated.

In their desire to express their grievance against the authority, the communities failed to follow proper procedures. The protests were not authorised by the police, since the local authorities denied authorising such protest action. This allowed LHDA to seek intervention from the police to disperse the protesting crowd. The reluctance of the local headman and Councilors to grant the committee authorisation to radicalise their demands was that they wanted peaceful negotiations between the Community and the LHDA. However, to push their protest agenda, the new committee started by-passing their own local authorities by seeking authorisation letters from neighboring villages, which were also affected and used these to seek protest permits. The committee organising procedures for laying grievances to the LHDA is a cluster of people from Malingoaneng and the neighbouring villages which are also affected by the dam.

4.3 The Lesotho Highlands Development Authority

The world over, hydro authorities have stood accused for their role in the displacement of communities affected by the development of large dam projects. As authorities responsible for developing dams, these establishments have often carried this mandate in ways that are unfair to affected communities. These authorities have been accused of ignoring certain groups of people and under compensating those directly affected which has led to

impoverishment (Van Cleef, 2016).[2] In the majority of cases, these hydro authorities enjoy the support of governments with the hope that the projects they develop will lead to development. This is certainly the case in Lesotho where the dam projects were signed by government and benefits have accrued to the government through royalties from South Africa. This section is a discussion of the hydro authority in Lesotho, the Lesotho Highlands Development Authority (LHDA). It provides a brief view of the authority, its mandate, its activities and its role in the impasse with communities affected by the implementation of Phase II of the project in Mokhotlong District.

The Lesotho Highlands Development Authority (LHDA) is the organisation that implements the Lesotho Highlands Water Project (LHWP). It was established in 1986 after the signing of the LHWP Treaty between South Africa and Lesotho. It has its head office in Maseru and satellite offices at various sites in order to execute project decisions. However, it would appear that the power of decision remains with the office in Maseru that has left communities affected by the project frustrated. LHDA officials in satellite offices seldom have the answers and issues have to be referred to head office and take longer to be attended to.

4.3.1 The LHDA and the implementation of LHWP

Since the signing of the treaty, the LHDA has implemented the LHWP Phase IA (comprising of the development of the Katse Dam and Phase IB (involving the Mohale Dam) respectively. While these dam projects were developed with some success and the dams now supplying Gauteng with water, these were achieved at the expense of local communities the majority of which had to be relocated. After the completion of the Phase 1 projects, the LHDA was charged with the implementation of Phase II, which involved the construction of the Polihali Dam after the Government of Lesotho and South Africa signed the Phase II Agreement in 2011. Following the signature, the LHDA opened a Branch in Tlokoeng in Mokhotlong

[2]VanCleef, A. 2016. Hydropower Development and Involuntary Displacement: Toward a Global Solution. *indiana Journal of Global Legal Studies* Vol. 23, No. 1 (Winter 2016), pp. 349-376

called the Polihali Operations Branch. This field operation branch focused on community outreach to include communities in participation and the resettlement planning and tendered the resettlement companies that would help to carry out the resettlement process.

In Lesotho, the LHDA has been blamed for the way it has managed the resettlement and compensation of communities affected by the LHWP some of which have been impoverished by displacement (Hoover, 2001). The LHDA has been highly opposed by affected communities, NGOs which support the communities, international financial institutions and scholars (e.g. Thamae & Pottinger, 2006; Makoro, 2014; Manwa, 2014). As shown earlier in Chapter 1, the implementation of the first phase led to the dislocation of about 239 families in Phase IA and 510 during Phase IB, which had to be moved elsewhere including peri-urban settings that were unsuited for their type of lifestyle (Makoro, 2014). The LHDA, as the implementing agency is often accused of failing to sufficiently compensate affected communities so that their situation is not worse than before their displacement. On the positive note however, the LHDA has also been associated with major infrastructural developments including the development of road infrastructure, upgrading of schools, hospitals and clinics (Ramaili& Cloete, 2008).

4.3.2. The LHDA's Implementation of Phase I

The LHWP was a secret between the project authorities and the government while the communities affected by the project were denied access to information pertinent to them as their livelihoods were altered in many ways (Mashinini, 2010). The military government denied expression of opinions and used coercion to dispel participation in contestations against the LHWP (Mashinini, 2010).In this situation, Katse dam was constructed and it displaced 71 families, which were relocated to the uplands and nearby villages. These people lost 2700 ha of grazing land and 925 ha of arable land which in total affected 20 000 people (Devitt & Hitchcock, 2010). At the beginning of compensation people who lost arable land were compensated with grain equivalent to their land that was planned to run for fifteen years.

The affected communities complained about the quality of maize and the NGOs pointed to the nutrient limitation of compensation package, which contributed to malnutrition in the

highlands (Hoover, 2001). The LHDA responded by adding pulses to the package in 1993. The affected people saw the deterioration of their livelihood as land flooded was the best for communities suitable for their agricultural production and there were no permanent jobs for the relocated people. This led to dissatisfaction among the affected communities who argued that the compensation package was not enough and the Rural Development Programme did not have expected positive impacts (Devitt & Hitchcock, 2010).

Besides the compensation, the LHDA introduced the Rural Development Plan (RDP) in 1990 for the restoration of the lives of the affected communities (Hoover, 2001). The plan included animal husbandry, range management, village water supply, rural sanitation, rural electrification, commercial trout rearing and the skills training (Hoover, 2001). However the LHDA fell short on implementation as some of the relocated villages did not have electricity as promised and there was also no water supply in some of the villages where taps were only installed without water (Thamae & Pottinger, 2006; Hoover, 2001).

Villagers in Ha Mensel near Katse argued that they had better access to water before the project than post the project as most springs had dried up (Hitchcock, 2015). The range management programmes were not achieved instead the pasture left was overstocked, thus decreasing the quality of livestock that forages on it (Hoover, 2001; Manwa, 2014). Villagers who lost both arable land and pastures to the construction of Katse dam expressed their disappointments with the LHDA for unfulfilled promises after more than 25 years as indicated in the excerpt from Letsebe (2012:113) study in Khohlo-nts'o:

> 'They said that we were going to have a better life, electricity, clean water, all these things, but now we don't have. None of the promises have come through (Female respondent, age 57)'.

She also showed that the rural training skills programme also failed to contribute to the affected people's livelihoods as the skills did not give them work opportunities, and they did not have capital to start small businesses (Letsebe, 2012).The combination of these failures have contributed to deterioration of the affected people's livelihoods and loss of trust in the LHWP (Letsebe, 2012).

With the pressure from the affected families and the NGOs, the JTPC revised the Compensation Policy of 1997 and included the extension of the compensation package from fifteen years to fifty years due to the unpromising RDP (Devitt & Hitchcock, 2010). The

policy allowed affected people to either choose from the receipt of grains and pulses, the annual cash compensation or the lump sum compensation. The participation program was also instituted, which had seen the formation of Area Liaison Officers and the Combined Area Liaison Committees. In comparison to the Katse dam in Mohale the displaced communities were consulted and interacted with the LHDA and they were given the opportunity to decide whether to relocate or resettle to the low lands. Devitt & Hitchcock (2010) noted that the displaced families in Mohale were about 425 with 1125 ha of grazing land and 875 arable land inundated affecting a total of 7 400 people who relied on the fertile land of the oxbow.

The TRC (1999) has shown how resettled people experienced challenges in the resettlement area where the host communities showed a lot of hostility towards them because the LHDA had failed to follow procedures by negotiating with the chiefs in order for the resettled to be integrated within the hosts. This failure resulted in the host community in Makhoakhoeng denying resettled people from burying their dead in the village's graveyard. Makoro (2014) told of a similar situation with people that were resettled in Ha Thetsane, Ha Tsolo and Ha Matala in Maseru urban who were living in poverty after the LHDA failed on its promises of good wealth, lives and successful businesses.

In an urban setting, the resettled people were expected to pay for water bills, sewage removal and electricity bills, to avoid municipality cuts, something that they were not accustomed to the paying and did not have money to settle the bills. More than 80% of the people claimed that the compensation for arable land was inadequate and not enough for the land that they had lost, which is an inheritable resource and is passed down to generations (Makoro, 2014). The fifty year duration was also regarded as compensation disfranchisement (Manwa, 2014).

Hoover (2001) states that compensation and rural development programmes were severely delayed and affected people received the compensation while they were already in debts due to delays. With those people who opted to take lump-sum, their money was delayed as the LHDA required them to produce the business plans of which the people did not have the technical know-how and their compensation was delayed severely (Thamae& Pottinger, 2006). Communal compensation also was delayed and caused the affected communities to

resort to protest marches in order to receive it (Thamae, 2015). According to Makoro (2014), a combination of delayed inadequate compensation rates disturbs many resettled households.

Scholars such as Devitt and Hitchcock (2010) and Thamae and Pottinger (2006) stated that the participation in the LHWP was a mere window dressing that lacked important elements of participation mainly empowerment of affected people to make decisions. Participation was used to get support from the communities and minimise the opposition of the project as important decisions were made by the Project Authorities with limited choice for affected people. Hoover (2001) and Devitt and Hitchcock (2010) stated that the compensation, resettlement and development programs for the LHWP are considered highly funded, however the LHDA failed dismally in the implementation of the programs. Although the community members were able to interact with the LHDA in LHWP Phase IB, the inability to decide on important issues resulted to loss of trust and stand offs (Devitt & Hitchcock, 2010).

4.3.3 The LHDA and the guiding statutes

The authority's operations are defined and guided by a number of legal instruments, which have given it a mandate as a quasi-government institution. Some of these legal instruments include; 1) the LHWP Treaty; 2) the LHWP Order of 1986; 3) the Constitution of Lesotho of 1993 and 4) the Land Act of 2010.

- The LHWP Treaty was the agreement signed in 24 October 1986 between the Government of Lesotho and the Republic of South Africa. It entails harnessing water from the Lesotho highlands through the network of dams to provide water to South Africa in return for royalties in Lesotho. In terms of compensation of people affected by the project, the LHWP Phase II Compensation Policy is provided in Article 7(18) of the Treaty. The article reads as follows:

> The LHDA shall effect all measures to ensure that members of local communities in the Kingdom of Lesotho who will be affected by flooding, construction works, or other similar project-related works, will be enabled to maintain a standard of living not inferior to that obtaining at the time of first disturbance: Provided that such Authority shall effect compensation for any loss to such member as a result of such project related causes, not adequately met by such measures (LHWP, 2016).

Article 15 of the Treaty further addresses issues of the environment and the welfare of people that are affected by the projects. It states:

> Parties agree to take all reasonable measures to ensure that the implementation, operation and maintenance of the Project are compatible with the protection of the existing quality of the environment, and in particular shall pay due regard to the maintenance of the welfare of persons and communities immediately affected by the project (LHWP, 2016).

The Land Act of 2010 governs the land ownership, occupation and the acquisition of property for public and development purposes. It was passed in 2010 after a protracted period. While the act governs land in Lesotho and not specifically land for people affected by the LHWP, its provisions apply to resettlements affected by the LHWP. The LHDA is guided by part IX of the Act on Land for public purposes, which stipulates the circumstances in which land maybe expropriated for public purposes that included but not limited to improving roads, providing social services, by means of water conservation and providing any service which is in the public interest or would enhance or promote national resources and prosperity (LHWP, 2016).

Section 56 of the Act states that in all cases in which the implementation of this Act results in compulsory acquisition of property, the person deprived of such property shall be entitled to compensation at market value. However, the LHDA deems the Act not applicable for the Phase II because there is no legal active market of affected assets for instance trees, houses, arable land (LHWP, 2016).

In terms of the Constitution of Lesotho of 1993, the authority is guided by Article 17(1), which states that:

> ….no property, movable or immovable, shall be taken possession of compulsorily, and no interest in or right over any such property shall be compulsorily acquired, except where the following conditions are satisfied: (a) the taking of possession or acquisition is necessary in the interests of defense, public safety, public order, public morality, public health, town and country planning or the development or utilization of any property in such manner as to promote the public benefit; (b) the necessity therefore is such as to afford reasonable justification for the causing of any hardship that may result to any person having an interest in or right over the property; and (c) provision is made applicable to that taking of possession or acquisition for the prompt payment of full compensation (LHWP, 2016).

As highlighted in the above excerpt, these provisions are clearly articulated and the LHDA was fully aware of them as guiding regulations. However, it purposely chose to ignore some of them, and in the process left people in as far worse situation than they were before the

implementation of the project. The manner in which the LHDA conducted the process punished people for being affected by the project.

4.3.4. Understanding the role of LHDA in the impasse over Phase II

As alluded to earlier, the LHDA was charged with the implementation of the second phase of the project after the two governments had signed the agreement. The Phase II mainly involved the construction of the Polihali Dam. The construction of the dam in an area occupied by communities entailed the dislocation of certain communities, negative impacts on others, resettlement and compensation. These are all sensitive issues and given the challenges in the history of the project in Lesotho, the LHDA was expected to be strategic and pay due diligence to issues that had created problems in the past.

The main challenge was always going to get a buy-in by the community for the project, which would allow for the construction of the dam. The LHDA embarked on a sensitisation campaign geared at selling the project to the community. It organised workshops and public gatherings, through chiefs where the project was discussed and its implications and solutions were also deliberated on. Thus, the LHDA presented the project as a national priority, which would generate opportunities for the communities and the entire country.

The LHDA also made promises that the project would create employment and also draw unskilled labour from Mokhotlong communities. This was a serious miscalculation since the LHDA was not in control of the recruitment process. Its role was to offer tenders to individual companies to provide certain services. Whether the authority had a stipulated clause in its tender agreements is not clear, but what is known is that companies brought their own labour and there was no promised employment for local people.

The LHDA had proceeded with great caution in an attempt to avoid the problems experienced in Phase I, and knowing that the problems that affected Phase I implementation were known to these communities, and that they would use them as reference points. According one official:

> …. the organisation had learnt from the challenges in Phase I and came to Mokhotlong with changed attitudes. They expected hostility and it was evident during the initial stages, where the community

> often referred to the problems faced in the first phase. The LHDA was also aware of the role of civil society organisations, which were already on the ground working to turn people against the project.

This made the task of the authority difficult, but the way they approached the issue got people excited about the project.

One of the responded noted:

> The public gatherings were initially meant to involve the community and create a participative platform where the community would be part of the decisions taken on aspects of the project…. the majority affected the community. These public gatherings sought to build community level structures. These were voted representatives including the Area liaison officers (ALCs) and the Combined Area Liaison Committee (CALCs) (int, Ntate Moloi, 2019).

The LHDA missed an important social aspect about society. Every community has its own structures, which include leadership that has the respect of the people. The community already had its representatives. Unfortunately, such leadership did not fit into the geographical footprint of the project and departed from the democratic process required by the authority. The LHDA ignored this structure and went about facilitating elections for representatives that would relay information to and from the affected community.

Even though the LHDA held gatherings to discuss issues of compensation, the major challenge facing the organisation was that compensation for Phase II was guided by the Phase I Compensation Policy and according to Phase II feasibility studies. This meant that the contribution of the affected communities was a supplement of the already known Compensation policy. As such, both affected community with the support of the NGOs had waged a campaign against the LHDA for imposing compensation policy and denying them to participate in determining the compensation package.

While the situation of compensation and jobs were always going to present challenges, the LHDA further exacerbated the situation through its failure to address people's grievances. Instead, it made promises that communities' issues are still in the pipeline creating more unfulfilled expectations and perpetuating loss of trust. The lack of authority to attend to problems by satellite offices meant that issues had to be referred to Maseru and often took longer to solve. This further agitated the affected communities who then opted to stage demonstrations that have threatened the project. Furthermore, the LHDA further strained its relationship with the affected communities by failing to negotiate and instead, resorting to the

use of force. As mentioned earlier, the LHDA took advantage of the fact that the demonstrations were not sanctioned and called the police to disperse demonstrations. The use of police as one of the community members said 'was coercion' (int, Ntate Mahlele, 2019). People felt that the organisation was forcing them out of their land without proper compensation.

Instead of attending to the grievances raised by the community, the LHDA diverted their attention to the non-governmental organisations that were assisting affected communities and blamed them for instigating tensions between the authority and the communities. It was not happy with the role played by the organisations and accused them of pushing the communities to demand compensation rates that are way beyond their assets' worth. In an article titled *Polihali Communities Demand Review of Paltry Compensation Rates* the LHDA Branch Manager was quoted saying the compensation plan was very lenient and will improve the lives of affected communities. He made reference to the value of houses in the affected community, which he said were not even worth M3000 compensation in terms of current market value (Ntaote & Matheka, 2018).

It was not surprising therefore that this was met with resistance from the affected communities and non-governmental organisations who claimed that it was too low and it was not enough for their long-time asset. The LHDA had been aired in seeing losses and compensation in economic terms which contradicts the LHWP Phase II Compensation Policy which deems Section 56 of the Land Act of 2010 not applicable for Phase II because there is no legal active market. As stated earlier, Section 56 of the Act states that in all cases in which the implementation of this Act results in compulsory acquisition of property, the person deprived of such property shall be entitled to compensation at market value (LHWP Phase II Policy, 2016). As an institution, it failed to see beyond market value which is different from how communities look at their society. It was mainly based on these observations that the LHDA had drafted the compensation policy and distributed it to all affected communities to the local councils and the chiefs written in Sesotho and in English.

4.4 Non-Governmental Organisations

The world over, communities affected by the development of large dam projects are powerless against hydro authorities which have the support of the state (Andrews et al. 2018). These communities have often found support from non-governmental organisations which have fought their cause. In Lesotho, such support was not in short supply after the implementation of the LHWP. As Meissner (2016) puts it "these NGOs are interest groups that are interested in a project and are able to influence it" and these interest groups were therefore an omnipresent phenomenon in the LHWP during the Phase 1 where out of 40 actors 33 were from these interest groups.

In LHWP the NGOs and Civil Society Organisations started working with the communities even before the treaty was signed (Meissner, 2016). The LHWP had attracted interest from both the international and national NGOs. For instance, international organisations such as the Save Narmada Movement from India, International Rivers Network showed great interest in the Lesotho issue while the Highlands Church Group represented local non-governmental interest (Meissner, 2016). These groups documented the atrocities faced by affected communities and the damage to the environment, thus they mobilised support and advised the LHDA on the inclusion of affected communities on resettlement planning (Meissner, 2016).

Nonetheless, the LHDA has accused the NGOs for meddling in its affairs with the affected communities and inciting negative attitudes towards the project (Bildhaeuser, 2010). The Authority has also blamed the NGOs for drawing attention to projects challenges on affected communities while disregarding the benefits they received (Meissner, 2004). While all non-governmental organisations have played significant roles in the LHWP in general, here the focus is on the Transformation Resource Centre and SOLD, which have been the major players in the Phase II development of the Polihali Dam project.

4.4.1 Transformation Resource Centre

The TRC is a non-governmental organisation based in Lesotho that promotes human rights, justice, peace, good governance and participatory development. The main objectives have been to promote human rights, participatory development and democratic governance and the peaceful resolution of conflicts in Lesotho (Thamae, 2015). It was founded in 1979 by South

African Catholic couple Jimmy and Stewart during the struggle against the apartheid (Thamae, 2015). The TRC is based in the country's capital Maseru and runs the following programmes:

- Democracy and Governance,
- Human Rights,
- Information and Resource Centre,
- GEF and
- Polihali Community Liaison Participation.

The organisation has been an interested party in the LHWP since the signing of the treaty in 1986, but became fully involved in 1997 through monitoring developments in the Mohale catchment. Its involvement followed what it saw as gross human rights violations by the LHDA in the resettlement of households dislocated after the development of Mohale Dam. Over the years of operation, the TRC has raised awareness about the problems of the resettlement by large dams in Lesotho. It also monitors the resettlement, integration and development of the affected people in the areas they are relocated to. The TRC uses the following strategies to get justice for the affected communities, direct talk with the LHDA, peace marches and litigation (Thamae, 2015). TRC interacts with the many institutions such as the UNDP, International Rivers, Irish Embassy, European Union and the sisters of Holy Names.

The organisation continues to support communities affected by dam construction in the country by identifying problems associated with resettlement and relocation and also advises the LHDA on proper measures to address them. They help the affected communities solve their own problems through lobbying, advocacy and participatory development. With regards to the LHWP, it has provided capacity building for the communities. The TRC trains communities about their rights which enables them to determine the violations of their rights and be able to fight for their justice thereof. The TRC has worked with affected communities, listened to their grievances and shared them in order to mobilise support through publications. In the LHWP Phase I, it took the grievances of affected communities, which the LHDA had failed to address to the LHWC being the highest form of decision making on the project.

With regard to the second phase, the TRC has been interacting with the communities affected by the construction of the Polihali Dams in Mokhotlong District since 2013 and has provided advocacy and shareholding principles well ahead of their construction (TRC, 2018). The objective was to prevent mistakes that occurred during Phase I recurring. Its activities have focused on awareness campaigns on the impacts of the Polihali Dam project. Its capacity building activities have also focused on how communities should articulate their dissatisfactions, needs and wants and to stand for their rights. To achieve this, it has developed and implemented the Polihali Liaison Community Programme (PLCP), which addresses the compensation and resettlement issues that affect the Polihali communities. The PLCP assists the affected communities to re-establish themselves and advocates for fair and adequate compensation for their loss of assets. It also monitors the consultative engagements and involvement in decision making.

The TRC supported by the Sisters of Holy Names of Jesus and Mary has also provided platforms for dialogue between the community representatives, LHDA and other NGOs in number times. It organised sessions in Mokhotlong which included Polihali Dam affected communities, the LHDA officials and Mokhotlong MPs in order to talk about community concerns regarding compensation, resettlement, pastures, employment opportunities (Mokhele, 2019). The similar meeting was held in Peka where all stakeholders gave their perspectives on the progress of the Phase II process in order to facilitate smooth implementation of the project. According to one informant:

> The communication platforms were provided to get all the stakeholders together and to get different perceptions on the Polihali Dam, and to allow them to lay their concerns and challenges regarding the Polihali Dam progress. Such platforms were helpful in that even powerless groups were heard, and they also got some of the answers (int, Ntate Reithabetse 2019).

The TRC has also supported the communities in their struggle for jobs in the project and have stood firm on what it defines as unfair labour recruitment where outsiders are employed over locals. The TRC has claimed that the companies have hired South African nationals who do not even have work permits to occupy the jobs that the locals can do. The TRC has taken the LHDA to task over delays in disbursement of compensation and has questioned the logic of offering people as little as M100 as compensation. Using as a basis the provision of the Land Act, which pegs the period of compensation for land at 90 years, the TRC has also challenged the period of 50 years proposed by the authority. The TRC has thus called for a review of compensation rates for arable land that have only increased by 3c from the 65c in Phase I.

4.4.2 Survivors of the Lesotho Dams

Unlike the TRC, which is a non-governmental organisation, the Survivors of the Lesotho Dams (SOLD) is a typical social movement of victims of the LHWP who advocate for justice and aim to create awareness on the human rights and the environmental impacts of the large dams, mines and other large infrastructure developments. It emerged in 2004 following disappointments by people who were affected by the LHWP Phase I and had struggled for their compensation years after the completion of the project phase. Its emergence was due to the support from the TRC. Given the circumstances that led to the emergence of the movement, its mission was to advocate for justice, adequate compensation, inclusion and participation in decision making and rights to water and sanitation for people affected by dam construction. According to one of the informants:

> SOLD aimed to sensitise the affected people about their rights and ensure that compensation policies are in accordance with the laws and regulations. It advocates for right of people affected by dams and strife for inclusion. Its role is also to monitor the social and environmental impacts of large dams as well as the compensation and resettlement issues (Ntate Pitso, 2019).

SOLD continue to advocate for fair and adequate compensation and improved lives and development of the affected communities through lobbying. In 2005 SOLD managed to solve the compensation of affected communities which was being delayed, and postponed from August 2005 to April 2006 because of internal auditing. In order to force the compensation packages to be paid on initial time SOLD resorted to a peace march with about five hundred people in Maseru Capital. Below is an example of SOLD and affected communities' initiatives taken in their demand for increase of compensation duration and rates in Mokhotlong District.

Fig. 4.1: Mokhotlong communities petition water project

Source: Billy Ntaote *news@lescij.org* - *May 17, 2019*

In the specific case of the Polihali Dam development, SOLD has demanded a fair compensation policy for affected communities. It has rejected the 50 years compensation plan for arable and communal land and demanded life time compensation of at least 99 years. In 2018 SOLD threatened to disrupt the dam construction if these demands were not met. In a media report, SOLD National Coordinator, rejected the compensation policy:

> '... *we* have used the courts before to force the Authority to come to the table and listen to community grievances, we will use our numbers to ensure that the project comes to standstill' (Charumbira, 2018).

Like the TRC, SOLD has demanded a review of the compensation policy. It's most significant achievement was creating awareness of the grievances of affected communities through various platforms including the media, other publications and the South African Parliament, which was invited and made aware of the social problems created by the development of the Polihali Dam and how Lesotho has paid little attention to these concerns (Selebalo, 2018).

4.5 Chapter Summary

In order to understand the current impasse over the implementation of Phase II of the LHWP which involves the construction of the Polihali Dam in Mokhotlong District, it became necessary to provide the context. The context included understanding the main role players in the second phase of LHWP, their profiles and the role they have played over the years. These role players are important because without them there will be no impasse. The chapter has presented us with a rough understanding of the stand-off. It has also highlighted the long history of the affected communities in the area and the sense of belonging they have in the

area where they were going to be displaced. It also highlighted the losses that they may incur if they relocate from the area.

It also showed how these stakeholders differed on their understanding of compensation with the LHDA, which took compensation as an economic issue where people should look at the market value of assets before laying complaints. The LHDA operated on a standard policy that has been used in the past which unfortunately missed the realities of people's losses. The chapter highlighted how the LHDA as the implementing authority, failed to engage with the communities despite the sensitivity of the problem. Its interaction with affected communities was bureaucratic and lacked the human element. This was not going to work where non-governmental organisations had been drawn in and were fighting on the side of the affected communities. These organisations provided the platform upon which the affected communities could resist the authority's plans. They built people's capacity and mobilised communities to air their grievances and challenge the authority. They also publicised the plight of the people through a variety of media and made the world aware.

Chapter Five

Explaining the Phase II Impasse from the Perspective of the Actors

5.1 Introduction

In Lesotho, the LHWP has left a trail of social disruptions that the mere thought of another displacement invokes the sad experiences of the past. Displacement is an unfortunate consequence of large dam development. Displacement is not a question of choice. All communities prefer to stay in a familiar environment, but they rarely have choices. The cost of such displacement is often framed in terms of compensation, which often does not compensate for the losses suffered by those who are forcibly displaced to give way to these large development projects. Affected communities do not lose only their tangible assets that can easily be compensated, but they also suffer loses of intangible aspects which are key to their existence.

These are aspects that hydro authorities and governments have failed to recognise when calculating the costs of displacement. It is possibly the lack of appreciation of these important social aspects that lead to resistance by communities even when the hydro authority sees the compensation package as generous. The LHDA in Lesotho also fell into this trap, and the experiences of the past appear to have caught up with it during the implementation of Phase II. The communities affected by the implementation have dug their heels and refused to give in. They have also found support in organisations that are against large dam injustices' which have stood by these communities against the LHDA.

The impasse that has developed has received extensive coverage in which there has been a lot of finger pointing, and yet it is difficult to blame any one of the actors. They have their own reasons for their position whether good or bad. The objective of this chapter is to understand the impasse from the perspectives of these actors. The chapter is guided by the understanding that we can understand an issue better if we hear it from those concerned. The chapter begins by focusing on the position of the affected communities and factors that guide their position on the implementation of the dam project.

5.2 Explaining the Impasse

In every conflict situation, there are always different explanations. Each actor to a conflict situation will always interpret the situation in ways that vindicate his/her/its actions, and attempt to justify the position taken, while also placing the blame on the other role players. Explanations are important since they can either lose or win you sympathy and support. In the majoring of situations actors in a conflict contest for public sympathy and tend to portray themselves either as victims or good Samaritans, and the other as aggressors.

In Mokhotlong during the second phase, the contest was between the affected communities (supported by the non-governmental organizations) and the hydro authority (the LHDA). Numerous explanations abound, but sympathy and support are bound to be with those affected, and it is not surprising that the hydro authority has been seen as the perpetrator. On its part, the hydro authority has failed to shake-off the unwanted tag that all hydro authorities the world over carry in large dam construction. Given the experiences of the past, the LHDA should have handled the Phase II situation better.

5.2.1 The LHDA is to blame

In Mokhotlong, attitudes towards the LHDA have hardened. No one talks about the authority without showing some agitation. People are angry, but at the same time they feel let down by an institution, which was supposed to lighten the burden of dislocation. Listening to people talk, one gets a feeling that trust has been lost and it is not going to be recovered. The LHDA is often accused of failing the 'good faith' test. It engaged with affected communities and consulted them but without 'good faith'. Such efforts were therefore fruitless. While people understood the implications of dam construction and had heard about the experiences of communities affected by the Phase I implementation process, they feel that the authority was forcing decisions on them. The LHDA was imposing its will on the communities and compliance was expected. These issues emerged during the study:

> We were told that a dam was going to be constructed here, and that we will have to surrender our assets and our land. No one came to us and asked to develop a dam that will displace us. The government never asked whether we wanted the dam to be constructed here. It was a decision that was made, and we had to accept, no questions asked... just like children (int, Ntate Ramoepa 2019).

> This is bulling. We are being bullied into accepting. We are being treated as outcasts…. people you can move as you wish. The LHDA has too much power and has used that power to displace us from our land. I do not want to lose, my land but I am told that it is within the Dam area. We are going to move even if we do not want to. The LHDA wants us out of here. No negotiations…. We have to move (int, Ntate Pelesa 2019).

Besides people feeling coerced into unfavorable situations, they feel misled by the authority in order for them to buy into the project. The LHDA officials knew that the project would face a serious resistance from the communities due to the challenges faced during the Phase I, so they told them about the benefits of the project and promised to work together with the communities throughout the project life cycle. To these communities, this entailed a consultative process which of course the LHDA introduced. People still remember the consultative meetings and information sessions which were organised. During these consultative meetings, people's opinions were sought and people felt involved, and their involvement would prevent a situation similar to that experienced during the Phase I of implementation. These expectations were shuttered as time passed and it increasingly became clear that the LHDA had its own agenda.

There is a general consensus that the LHDA acted in bad faith, thus leading to lack of trust. While the authority held consultative meetings with the communities and appointed liaison officers, people believed that those were not genuine processes meant to bring communities in a consultative process. A major issue among the many grievances that the communities feel has been stage managed, and was being imposed upon them was the issue of compensation. In the consultative meetings, compensation was a major issue and communities affected by the dam construction have made contributions. These contributions were guided by what they saw as being fair compensation for the disturbances brought by the dam project. Interestingly, the compensation package that was presented to them by the LHDA had not taken into consideration their contributions. Instead, it was a standard package which did not differ a great deal from the package offered to victims of the Phase I project.

As a result, People still complain that;

> These were not worth the effort. They were wasting people's time. Otherwise decisions were already made. The LHDA failed to take any of the inputs from these gatherings. The final decisions remained their prerogative. You then ask, 'why did they call us if they are not going to accommodate our views (int, Me'Likhabiso 2019).

> All these meetings meant nothing. The package was already known. The LHDA knew what they were going to offer, they only came here to waste our time. This is called treachery. The LHDA is treating us like children. They cannot determine what we have lost. They do not know the pain of losing because they are not us (int, Ntate Phetang 2019).

These excerpts also point to the critical aspect of community participation. In fact, these bring to question issues of participation by the communities affected by the development. It is clear that affected communities had serious issues with the LHDA which have not been resolved and were threatening the project thereof. The main issues that emerged from the study that contributed to the position adopted by the affected communities are discussed below.

Lack of participation and unilateral decisions

Discussions with community members contradict the Compensation Policy, Section 1.6 public disclosure which states that 'The Policy has been prepared on the basis of consultations with affected communities, their authorities and other key stakeholders' (LHWP, 2016).In the interviews community members, accused the LHDA of taking unilateral decisions and marginalising their views in the decision making process. People were particularly concerned with their exclusion from decisions on the compensation issue which they felt was important to them since they were the ones bearing the losses. People were particularly not happy with the fact that their contributions were ignored.

On the issue of compensation for arable and communal land, the affected communities were clearly against the 50 years compensation plan that the LHDA offered, and they had made this known to LHDA officials. One respondent complained that LHDA decided on their assets without involving them. The community had settled for lifelong compensation because their land is a generational property. In their stand, they said they have the support of the NGOs which have also advocated for extension of the duration of compensation in line with the Lesotho Land Act of 2010. The Land Act provisions for 99-year period, which the communities were prepared to consider. The NGOs have argued that the 50 year compensation period offered by the LHDA is in violation of the provisions of the Land Act of 2010.

Another area of contestation which communities feel that their needs were ignored was the area where they will be relocated. There is dissatisfaction with the area that is higher and

therefore exposed to wind and colder than their current place. Moreover, the soils are too shallow to allow them to establish garden plots near settlements. One of the residents reasoned that

> We will move from here and lose our gardens and the income, which comes with the operations of those gardens. At the proposed place there is no place for gardens. Is this not a loss? We have communicated our concerns to the LHDA, but we have received no satisfactorily answers. They have no solution to this issue…., they have promised to provide households with soils, but this is not a sustainable solution, these soils will not last there because they are not indigenous. Moreover, they would eventually be lost due to strong wind and run-off. We had identified the land where fields are located behind Tloha-re-bue. We asked LHDA to purchase the land for our settlement, but we were told that the land outside the urban areas cannot be bought (int, 'Me' 'Makhetsi 2019).

Other community members were not happy with the house plans provided by the LHDA for them to choose from because they were differently designed from the ones that they had built for themselves and some were seemingly of poor quality. As mentioned earlier this community has invested a lot in their houses. Some members of the community were going to see their standard of living lowered by relocations, and the LHDA was failing to realise that even though the LHWP compensation policy 2016 aims to preferably improve or to maintain standard of living at the level which they were before relocation.

The unsatisfactory compensation rates

Simply put, the communities were dissatisfied with the compensation rates which tended to undervalue their assets. As alluded to earlier, instead of benefiting from the project as the LHDA had promised, they would experience declines in livelihood and well-being. The LHDA was paying 20 cents per square metre for grazing land which did not capture the value of the land to the community. The value extended beyond grazing of animals to medicinal plants and other organism which had become a part of their life process. Grievances extended to compensation for agricultural land which the LHDA was offering 68 cents per square metre. This was too low and SOLD was advocating for a much a M30 per square metre for land. A member of the organisation said,

> An amount of 68 cent is ridiculous. How did they arrive at that figure? In an acre of land, a farmer can produce maize cobs which can be sold for M10.00 per cob. How many cobs does one produce in a square metre of land? (int, Ntate Nkalimeng 2019).

In their support of these communities, the TRC argued for a revision of the compensation which differed marginally with that paid to Phase I beneficiaries that was 65 cents. As the

LHDA was offering 68 cents, it had only increased the rate by 3 cents, 16 years after the implementation of the first phase.

Affected People also complained about the delays in the payment compensation, despite having surrendered their rights to assets. Some people had already lost their land affected by road construction, quarrying, and the establishment of camps which commenced in early 2019. However, by October 2019 they were still not paid any compensation. These people had lost land which was a source of livelihood and without any compensation they were destitute. The NGOs have argued that the LHDA has left some people more vulnerable.

Others said that they had been paid part of the compensation, but it was too little to sustain them in the absence of crop production. They had already used the money in the hope that the authority would settle the balance. While these issues remain unsolved, the argument has continued, and the people are using the demonstrations to alert the LHDA and the whole country to the issues that require urgent attention. They have resorted to demonstration as a last resort and say they are not going to allow the LHDA to drive them into poverty as one respondent said angrily. They are prepared to fight for their cause and to ensure that justice is done.

For the people who were already compensated, they expressed frustration with metrics used to determine their worth of their part of their residential plots and arable land lost to the Project.

> We do not know the maths used to calculate how much we should get from our assets and they do not explain how much is affected and what I should get…. We only see money when they give us cheques' …when they measured our assets they did not explain properly and when I refused to sign the papers LHDA workers told me I should go to court if I have queries…how can I take such a big project to court… I had to sign (int, 'Me' 'Maqetang 2019).

During the assets registration, the affected members were not aware of the extent to which their assets were affected and the amount of compensation to expect. People who received less money than they expected were shocked and angry at the LHDA as to how the calculations were made. This issue became part of the reasons for strikes as one individual complained about the cheque of M 277.35 received (Kabi, 2019). The SOLD members also added that the formula used by the LHDA was not clear to understand as well as how the compensation payouts were determined.

Unfair labour recruitment

The LHDA also stands accused for further misleading people within the vicinity of the dam construction project. During the early stages when the LHDA was seeking cooperation from the people for the implementation of the project, it promised people jobs. According to community sources, the LHDA assured people that non-skilled labour was going to be drawn from communities on the vicinity of the dam in Mokhotlong while skilled labour is allowed to come from all over Lesotho. However, since the other parts of the project started, companies doing work on the project have been bringing their own labour force and leaving no space for locals. The affected communities have held the LHDA to its promises and are demanding that they be given first priority to jobs whether skilled or unskilled as a reward for handing over their assets. They are supported in their demands by the NGOs that have held the LHDA to task for failing to control the companies. According to an informant:

> The companies have brought their own workers including casual labour. Most of them come from outside these communities. Some are believed to be from South Africa where these companies are from and are working in Lesotho without work permits. They may have the skills, but these skills can also be taught and acquired by locals. It does not take a degree for one to operate a machine (int, Ntate Seoli 2019).

Some people in the community said they have the necessary skills required in some of the tasks that are performed by outsider and feel overlooked. One young man complained:

> I have experience and license and have driven big machines. I used to work in Maseru at the contractors. When the project commenced, I came home knowing that I would be hired first, because the project is in our village. However, the hiring process is full of corruption; I have seen people being tested at night for driving. I do not have a job now, even though I have the necessary skills. It is painful to look at other people working especially in your area while you are sitting home and feeling hopeless (int. Tsela 2019).

The main contention of the communities is that they have raised the issue with the LHDA on numerous occasions including writing official letters of complaint, but the authority has failed to address their concerns. The affected communities had expressed their concerns over compensation starting from the early LHDA public gatherings which were normally held at the Chief's yard in Tloha-re-bue. They claimed that compensation demands always swayed the discussions from the agenda put before the resumption of the meeting to focus on the compensation packages. The LHDA would constantly remind the affected people during the gatherings of the agenda of meeting that they wanted to discuss and would promise to take

communities' grievances to their higher authorities. The community was agitated by this because they saw it as the LHDA's way of avoiding discussions to address their concerns.

With the already lost assets, the Authority constantly pleaded for patience from the affected people while they were processing disbursements and promising to take their demands to Authorities. This created further resentment among the community as the LHDA was seen as keen in dam implementation with less concern on addressing their grievances. The affected people then resorted to roadblocks and work stoppages in Masakong because they felt they had exhausted all avenues for peaceful negotiations. Affected communities were deeply concerned about the poor handling of grievances as they mentioned that they were already missing the job opportunities which they will never get as the work will be completed. A member of the community captured the general feeling:

> When they say we will address your concerns…I know it ends there……but the dam works are progressing….this people came here to build a dam….whenever we block roads they come very fast to make promises they can't fulfill because they don't want to delay dam progress but don't care about us at all ….we will never get tired to fight for our land (int.Ntate Fihlelang, 2019).

Undermining the affected people's grievances, especially the failure to iron out job opportunities complaints undoubtedly has a potential to result into hostility towards foreign people if not held in check.

5.2.2 The Position of the LHDA

The LHDA appears to have adopted a more technocratic approach to dealing with the communities affected by the project. In a number of platforms, the LHDA made indications that the demands for the life time compensation plan which is in the apex of queries cannot be changed. However, such an approach is inappropriate when dealing with human suffering as highlighted by one key informant:

> The problem with the LHDA is that it deals with the issue through rules, procedures, regulations and models. It has failed to deal with the case as a specific one, requiring a specific approach different from approaches used before. Displacement and loss are highly emotional issues, and as an agency there is a need to be humane (int. Ntate Reithabetse, 2019).

Firstly, in their engagement with the affected communities, the LHDA intended to deal with the issue once and get it over with. This was the guiding principle behind the drafting of the 50- year compensation period, which was a compromise from the initial desire to provide

once-off payment in a lump sum and 'part ways' (int. Ntate Tsebang, 2019). Thus, the 50-year compensation period was considered fair and lenient enough. Even miners were offered once-off severance packages which they took home. Of course, the officials were made aware of the experiences of the miners who ended up in grave poverty despite the large sums, hence the change to 50 year. In other words,

> It was a way to avoid a situation similar to the miners. We discovered that people were against the once off payment option during initial consultations and changed to accommodate their desires (int. Ntate Tsebang 2019).

It was on the basis of such understanding that the LHDA then introduced other two options for compensation of arable land in the form of cash compensation and compensation through grain or pulses. This was considered a considerate gesture as people had options to choose between the two packages. Cash compensation could be once-off to allow for those who prefer bulk payment, cash compensation in trenches or annual compensation in the form of cash or the receipt of grains and pulses. The authority has acknowledged that the compensation is not enough to sustain the livelihoods, but the project will bring in their midst the livelihood projects to avoid people plunging into poverty.

LHDA officials said they had begun teaching people about financial literacy and other skills to enable them to make informed decisions in selecting the proper compensation option, and also to be able to explore viable means of compensation before receiving it so that they could multiply their sums. On its part, the authority thought it had played its role and had gone beyond its expected responsibilities. In other words, everything was done in good faith. 'This was meant to prevent a disastrous situation' (int. Ntate Tsebang, 2019).From their points of view, the communities were being unreasonable in their demand as far as the authority was concerned the compensation package was lenient and fair.

Furthermore, the institution sources claimed that the compensation was guided by results of feasibility studies and the LHWP Phase I Compensation Policy. In other words, the assets lost were not worth the demands by the community. This narrative was carried over by the LHWP Phase II Divisional Manager who argued that the value of land and its productivity claimed by the affected community with the NGOs was overstated.

He was quoted in a gathering in Peka which was organised by TRC held specifically for the affected communities and the LHDA. He said:

> "There was an example made that on a square metre of a potato field the owner would make at least M300, a square metre such a small space? To determine that, I had to quickly recall just how much a bag of does potatoes cost and recalled it was less that M50…"It is very pivotal to advise the public to make wise decisions when demanding justice,'(Ntaote and Matheka, 2018).

Such a position was captured by Polihali Operations Manager who argued:

> Without being disrespectful I will speak of the state your houses. If they were to be compensated according to the market value, people would get compensation as little as M3000 for their houses. But at present, a house per square meter is going to be compensated between M2000 and M3000 (Ntaote & Matheka, 2018).

From the excerpts, it is clear to see the position of the LHDA on compensation. It was compensating even where it should not have done so. A good example, mentioned during interviews was fields that had been unutilised for a long time that was still taken as fields and subject to compensation. The other point was that of incomplete and dilapidated buildings, which were still covered as full house structures under the compensation package. A point that consistently came up during interviews was that compensation was above market value:

> The compensation package has been done in consultation with affected people the productivity is already low for the crops and the pastures are bare its only rocks so at least for the coming years they will receive compensation and Rural Development Programs benefits (int Ntate Sabelo, 2019).

He further claimed that:

> Some people are complaining…. but the project is determined to help them to improve their lives… most houses are not in good condition, but the Project will built them new houses…….slight interference into property mainly land which the payments are below M100.00 are compensated besides, there is M1000 on top as compensation for interference (int, 2019).

The authority also mentioned that the Polihali dam is a national project so every Mosotho on skilled labour is entitled to apply and work at Polihali contrary to what some of the members of communities with skills demand in Masakong and Tloha-re-bue. The Authority maintains that the compensation policy was made after the extensive consultations with the affected communities.

> For instance, the tree trunk, which was formerly not compensated during the Phase I, would be compensated during the Phase II. We noted it during the consultations with the affected communities who raised the importance of tree trunk during the ceremonies which they said it lasts for the whole night when cooking (int. Thapelo, 2019).

The LHDA officials emphasized that it is through consultations with the affected communities that most losses invincible to them were brought to light by affected people and they are compensated in the LHWP Phase II Compensation Policy. They also argue that NGOs had applauded their public participation which they have turned against it. The

Authority was disappointed at the affected communities who opt to report their grievances on media without approaching them whereas their offices are nearby the communities.

The LHDA admits that their internal weakness has fuelled conflicts as the disbursement of funds was delayed and affected people lost patience with them while they were trying to modify the Phase I systems to make it suitable for the Phase II. One of the officials during the interview pointed that they are already upgrading their systems for timely and satisfactory disbursement of funds. In addition, they reiterated their ongoing consultation with the affected communities to listen to their grievances every time.

The LHDA has also defended its compensation policy on grounds of the legal framework that directs their implementation of the dam. The armour of legal instruments enables the LHDA to forcibly displace people from their land for water development purposes. Its stance on seizure of land is that the Lesotho Land Act of 2010 prescribes that the government has the authority to take land from the citizens for the development and water projects purposes as can be seen from the excerpt from a comment by an LHDA Branch Manager below:

> The Authority is guided by the rules and abides by the Lesotho Land Act that allows for the dam construction…So what we are doing now is exercising those rights embedded within the legal instruments of this country (Ntaote & Matheka, 2018).

It is further supported by the fact that the Lesotho legal framework does not have the prescribed duration for compensation for the development projects. One of the officials said:

> In the national laws and rules there is no stipulated compensation duration … land belongs to the king and the legislation allows the taking of land for the sake of national development purposes. The legal framework and the LHWP Treaty aim to restore affected people's lives to ensure that they are not worse off their initial state.

If we are to follow such a position, we are going to come up with the following which is a rather misplaced accusation. The accusation was that the Civil Society Organisations were initiating the resistance to compensation package and influencing people to demand rates beyond the value of the communities' property. This was however not the issue. As has been shown through their interactions with the NGOs, communities in Mokhotlong were better prepared and well informed than those affected by Phase I.

The TRC and SOLD had capacitated the people to engage with the LHDA and they had been taught about the project. They were therefore aware of aspects that others were not aware of.

They understood their rights and knew that as affected communities, they deserved better treatment from the authority. They also were capacitated on how to air their grievances and voice their concerns. These were enlightened and had an advisory committee that worked closely with the NGOs and reported back to the people in meetings held for regular updates on the project. This would imply that their demands and concerns were well thought, well articulated and had merit.

5.3 Interpreting the Community Losses

Land is a highly regarded asset in any rural society, and it has the potential to unite or break families. In his study of youth and agriculture in Ethiopia, Bezu and Holden (2014) found that youth from parents with large landholding and with prospects of inheriting land are likely not to migrate from the rural area while those from parents with small landholding are more likely to migrate and seek livelihood opportunities elsewhere. This alludes to the social cost and value of land that has no price tag and is not quantifiable. Generally, land in a rural context has that social value, which in traditional Basotho culture is better captured by the phrase ‘land is not property’.

The value of land extends beyond agriculture and agricultural yields therefore cannot be sold. Elsewhere, Thebe (2009) has shown how land can be used to develop social capital where the landholder can lease the land for use to other households, which ultimately expands the landholder’s social networks. The situation described by Thebe is not unique, and Basotho households also engage in these transactions of social relevance. Even in the case study, some households had entered into sharecropping agreements with other households in a way similar to that described by Thebe (2009). In the case study, land can be leased to a household in exchange for monetary or other compensation. These have long been a strategy of survival for poor households without land.

These social aspects which define a particular society were missed by the LHDA in their engagement with affected communities and by missing these, an impasse ensued, which was always going to be difficult to handle without understanding these basic givens of society. The LHDA adopted a conventional approach of property valuation and then determined compensation. This would have worked in any urban setting where land has commercial

value. The evidence that the LHDA had a completely different understanding of land value from that of the communities can be derived from the argument that some land was lying idle, and some buildings were not even worth this particular amount of money. As one of key informants reasoned:

> It is not about monetary value because communal land has no such value. Such land is valuable to people as long as they have access and can identify with the land. Their identity and relationship to land does not cease because the land is not in use. That land still has value, which does not diminish (int.'Me 'Mantlameng, 2019).

As seen already in Chapter 1, the affected communities have already lost physical assets and other natural aspects of agricultural land, grazing land, access to wood fuel and annual crop harvests, even before the full implementation of the full dam projects. These could be compensated since their value could be determined, and the LHDA had indeed conducted a valuation and put a package into place. Notwithstanding these tangible losses, households will lose their identity, since the dam construction will lead to physical changes in the immediate environment and many familiar features will disappear.

These are important to any society, yet there is no physical value that can be attached to it. In this section, a discussion is conducted of aspects and issues related to their loss of land that might have informed people's position and demands. These can be caricatured into four categories which are land has no compensation since land is regarded as inheritance and unchangeable product, land remains a source of livelihood, the speculation beyond stipulated 50 years and the experience of the neighbours from the Katse dam Project.

5.3.1 Loss of inheritance

In interviews, the importance of land for inheritance came out strongly. The study was even reminded of the history of the land in Mokhotlong and how Lelingoana had resisted the imposition of Seeiso as Principal Chief of the area by Paramount Chief Lerotholi. The people's understanding of land can be understood from the following excerpts:

> Land is a generational property which is inherited from fathers and forefathers in the family tree. The current occupiers of land are going to leave it for the coming generation across all the descendants. It is therefore highly regarded because it is only property the people own without a need for maintenance like rearing of animals (int. Ntate Phoka 2019).

> Land is an insurance that the family has for future generations. There is no asset more valuable than land…, this land. It is this land where I will settle my sons, and it is this land where my grandsons and their sons will settle (int. 'Me'Mamorafo, 2019).

The elderly was specifically coy about losing land and getting money in return. By losing the land, they felt that they were losing something that had linked generations. Ntate Moloi had a question, which he kept asking: 'Where will my grandsons live, once the land that was passed to us by our fore-fathers'. This was a significant question with many linked questions: What was going to happen in the new area? Where they going to be allocated land that is enough to subdivide to sons?

Ntate Moloi remembered how he and his brothers are still together in the area they currently occupy. 'It is because there was land to build our own homes'. He noted the difficulties in gaining access to land in the country today, since the chief can no longer allocate land. All land has been allocated and is held by households, and the only hope of sons getting land is through their households' (int, 2019). There were growing fears that the process will generate landlessness among generations to come.

5.3.2. Means of livelihood

Agricultural and grazing land has a significant impact on the lives of these communities, which are at best agrarian pastoralists. Grazing land mainly along the river bank was going to be lost while people were going to lose their old ways of doing things and adopt new ones. They use land for cultivation of crops, grazing of their animals as well as collecting the shrubs for firewood. The loss of agricultural lands presents a wide array of needs and wishes by the communities. Households cultivated beans, sorghum, maize and potatoes, some of these crops were sold for household income. Some of these crops were going to be difficult to cultivate in the new areas. This then leads to a question whether monetary compensation can cushion households against the loss they would suffer following the construction of the dam.

Besides the land, households would also lose access to the trees. The trees that are along the riverbank together with shrubs would be lost to the community as a whole. These have been sources of energy and provided firewood. Besides the trees, they were leaving behind thatch grass and other medicinal plants. These were not owned by anyone and were not quantifiable,

but they were huge losses. The LHDA was going to compensate for individual woodlot which means that these would be lost to the community. They also mentioned the potential decline of the pastureland as they will be relocated the area they use to graze animals.

5.3.3 Speculation beyond stipulated 50 years

The main argument for lifelong compensation is mainly based on future prospects of the situation after 50 years. The compensation package will lapse, but what has been lost will not be recovered. It is from this perspective that the community sees the project as contributing to poverty because households that will be reliant on the compensation would be abandoned after 50 years, thus plunging them into poverty. Ntate Fihlelang reasoned:

> What happens after the 50 years? How are people going to survive since they have lost their land and would be losing the compensation? Does it mean that they need to start afresh and look for land for their agriculture? (int.2019).

To these people, fears of poverty and destitution are real. People will be compensated for a particular period, which may create dependency on the packages. Then the compensation will end after 50 years and people would not have developed skills to survive in a context of high unemployment and lack of land access. It should be remembered that these rural people only know specific occupations - seasonal cultivation and animal husbandry.

5.3.4 The Katse experience

In justifying their position on the land and compensation, people drew on the case of communities that were affected by the construction of the Katse Dam. They talk of their fears about the dam construction altering the weather patterns in ways similar or worse that the Katse experience. They noted how affected communities experienced extremely cold winters with frost, which they had to brave without firewood for heating. The fact that people were raising issues that the authority knew about, and that these were genuine safety and health concerns should have informed a different approach from the authority. The issue of weather and energy needed to be addressed as people felt they were going to be moved to an area that is more exposed than their current place that was situated at the edge of the mountain. As one puts it,

> ‘we are moving a place much higher and windy…, if the weather becomes worse, then we are easily exposed. The fact that the new place is not occupied tells a story’ (int. ‘Me’ Likhabiso, 2019).

They were also worried about their livestock and what would happen to them since the dam will lead to loss of pastures and shrubs, which are key cattle, feed. Moreover, the place where they were going to be relocated had formed part of the pasture. In other words, the community was going to suffer double loss in terms of pastures. They also knew and understood that the affected households in the Katse case were only compensated for only 5 years for the loss of cattle feed. This, they interpreted as being unfair and a punishment for being affected by a dam. Even in the case of those who were going to be relocated, they were aware of the conflict that followed relocation in the Katse case, where relocates and host villages had to contest over pastures. The members of the communities noted that they communicated all their grievances to the LHDA through the Area Liaison Officer, but they never received any feedback. People suspected that:

> …. she was bribed by the LHDA officials, and was working against the interests of the people, she was supposed to represent. Our grievances were not taken up, and LHDA had not facilitated the handover to our new representative….In fact, we expected a lot….she was appointed by LHDA and not by the people, so who does she represent?' (int. Me'Masefotho 2019).

This led to the demotion of the Liaison Officer and replacing her with their own whom the LHDA has refused to recognise. The community wanted a Liaison officer who will communicate their grievances as they were and give them feedback as it was. The people knew what they wanted and their alliance with the NGOs had helped them in articulating their grievances. What is however clear that is the communities and the LHDA did not see things with the same eye. The LHDA failed to understand the affected communities from their own perspective as the people who were going to lose and therefore understood what they were losing.

These losses and the LHDA's failure to understand and engage with the communities in relation to what was lost contributed to the impasse. The affected communities supported by NGOs are not prepared to accept packages that do not reflect extent of their deprivation and cannot be sustained. Furthermore, the LHDA was prepared to push the compensation package through at all costs. As one community member realised, 'our minds have not met, and I do not see them meeting' (int. Ntate Ramatla 2019).

It is true that the people felt aggrieved and lost trust in the authority, which further exacerbated the impasse. They saw the authority as arrogant and unwilling to address genuine

demands which have been relayed to them in numerous platforms. They indicated that they started engaging the LHDA on these issues at inception, but the authority went on to register assets until they have reached the implementation stage. Some people have lost hope that their grievances are going to be addressed since the Phase II treaty has been signed by the two governments. They also see their choices as limited because the project is a national issue and understand that it has to carry on. As one community member said,'re *lla rentse rea pele* (we will move even though we are not satisfied) (int. 'Me' Polo 2019). However, this does not mean they can fold their hands. They have demonstrated to bring awareness to their plight, and they know the government knows. The people affected by the project feel that their lives will not be the same again, if their grievances were not addressed, and are resigned to a future of absolute impoverishment upon completion.

5.4 Chapter Summary

Large Dam development is characterised by mass displacements and social upheavals when those affected lose every aspect of their lives. The loss and disruption, however, is often framed in terms of compensation. There is always this understanding that you cushion such dislocation through compensation packages. Because displacement often comes with disruptions, communities affected by dam development have often mounted resistance against the development of such dams. They have often found willing partners in NGOs that are against large dams' injustices. While the government and the authority responsible for such development often win at the end, sometimes the resistance is protracted. Parties to a conflict are social actors and often draw on resources that assist them during the conflict. There is also a tendency to apportion blame.

In the case of the implementation of the LHWP II, blame became central to the protracted conflict. The affected communities supported by the non-governmental organisations have blamed the hydro authority for lacking sincerity, and for negotiating with affected communities in bad faith and for imposition. As such, we can blame the authority for failing to handle a very sensitive situation which needed a human rather than a bureaucratic approach. The hydro authority lacked empathy and was driven by the objective to achieve the mandate they were given by government. It would appear also that the hydro authority failed to treat the Phase II context different from the past.

The hydro authority is accused of turning what was supposed to be a consultation process into information dissemination sessions. The communities and their supporters felt that the door to consult and for them to be part of the decisions was closed on them, and as such, they see the compensation package that was presented to them as an imposition. The communities also felt that the hydro authority purposely ignored their needs and expectations while they were not impressed by the manner in which the authority handled their protest. The LHDA failed to handle what was already a volatile situation by falling back on coercion and using the police to end the protests.

The LHDA, on the other hand blamed the conflict on the communities and the non-governmental organisations which supported these communities. These organisations were portrayed as misleading the people to inflate their claims. The compensation that the authority was offering was seen as just and too lenient. This compensation was decided based on the registered assets which were charged at market value. It also blamed affected communities for being insincere by claiming that there was no consultation and participation. Officials pointed out to community meetings that were held with the people. These are the same meetings that people described as information sessions where they were given a chance to voice their concerns, but their knowledge is not reflected in decision making.

The chapter has shown that the impasse emanated from the failure by the parties to find each other. The broken promises of timely disbursement of compensation and inability to attend to the job recruitment queries added more oil to the burning fire. The LHDA completely missed and therefore missed a golden chance to solve the impasse. The protests and resentment show no signs of waning, and remains remarkably persistent as it gains more challenges with implementation.

CHAPTER SIX

DISCUSSION & CONCLUSION

6.1. Introduction

The study was motivated by the impasse between the LHDA, the hydro authority in Lesotho responsible for implementing the LHWP and affected communities in Mokhotlong District over the implementation of LHWP Phase II, which was threatening the project. Conflicts including mass protests have been steady companions of large dam projects the world over. Such conflicts are often interpreted and explained in terms of disagreements over compensation. It was therefore not surprising that the issue of compensation featured prominently in explanations of the ensuing impasse over the development of the Polihali Dam in Mokhotlong District.

Using an actor-oriented approach, my contention was that explanations of the impasse should go further than the simplistic explanations drawn from popular discourses on large dam development and displacement or the experiences from others similar cases, but it should focus on the actors themselves (the affected communities, the NGOs that support them and the hydro authority), their role in the impasse, how they performed their roles, how they used their power and how they explain the impasse.

The study adopted a position that the implementation of large dams represents an arena of contestation by various actors representing different positions pursuing different agendas and endowed with different power. It is only by understanding, these dynamics and how actors explain these dynamics that we can know the real truth. The study also set out to challenge misleading explanations of the significance of compensation in the impasse and explored two related themes. Firstly, the significance of the actors and how they interacted and, secondly, the specific role of the LHDA in the implementation of the second phase. This conclusion aims to pull these themes together and discuss their implications for our understanding of the impasse and to discuss some broader policy insights.

6.2 Conceptual Issues

This study began with the analysis of the actors involved in the Phase II implementation of the Lesotho Highlands Water Project in Mokhotlong District. Such an approach was guided by the understanding that; in order to understand acts of conflict between different actors in dam development, it is therefore essential to start with the actors themselves. In the case of the implementation of Phase II and the development of the Polihali Dam in Mokhotlong District, these actors included the affected communities, the NGOs involved and the LHDA. Such an analysis revealed a highly contested terrain where actors pursuing different agendas failed to find one another and thus leading to a stand-off.

The analysis on the one hand showed in Chapter 5 that the LHDA failed to understand the real cost of dam development on the affected communities and treated their loss as a form of transaction where losses were paid off based on the market value. The affected communities on the other hand understood their losses differently. Although they had lost tangible assets whose value could easily be determined, there were some losses that were not quantifiable. They therefore expected the LHDA to incorporate these in its compensation package, to cushion for their deprivation and cater for post-relocation livelihoods.

Nevertheless, the significance of this failure in the conflict that ensued cannot be overlooked. While some of these intangible losses are closely linked to people's livelihoods and social existence, it was difficult if not impossible for LHDA to accommodate such aspects in the model it had adopted. It was not surprising as a result that people felt betrayed by the LHDA, which in their view cared little about their situation and condition and wanted to achieve its mandate at all cost even if affected people found themselves in far worse situation than they were before the dam development.

While the approach adopted by the LHDA in determining compensation is key to understanding the conflict, people had other grievances with the LHDA, which although closely related to issues of compensation, are equally important as contributors to the conflict. These include the lack of consultation, the bureaucratic approach adopted by the authority and more importantly, breakdown of trust. This dissertation argues that; while there is an element of truth in the explanations that the compensation was a subject of contention in

the Phase II implementation, the compensation question is more complex than it meets the eye. Accordingly, the study has revealed this complexity by discussing other factors related to the compensation question.

6.2.1. Actors and their roles in the implementation of LHWP II

Who exactly are the main actors in the LHWP Phase II implementation? What role did they play? What were their interests and motivations? How did they conduct themselves? The analysis has shown that the role players were the community of Malingoaneng and the two NGOs (the Transformation Resources Centre and Survivors of Lesotho Dams) on the one hand, and the LHDA (the hydro authority) on the other. The analysis has shown that the interaction between the two groups was complex and characterised by suspicions. During the Phase II implementation, the LHDA had the mandate to oversee the implementation. It was guided in this role by the the LHWP Treaty, the Constitution of Lesotho and the Phase II Agreement. In determining compensation matters, it had instruments like the Lesotho Land Act of 2010 and the LHWP Phase II Compensation Policy.

Since the LHWP was a national project, it had the support of the government of Lesotho. Despite these legal instruments and state support, and also for the successful implementation of Phase II, the authority needed consensus from the affected communities. To get such consensus, the authority embarked on community information campaigns and organising community meetings discussing the construction of the dam project and its effects. It also introduced a system of liaison officials which could act as a bridge between the community and the LHDA. The LHDA continued to exert overbearing power in its interaction with communities tended to impose decisions and failed to listen to community concerns.

The LHDA also made promises that local communities will have first priorities to unskilled jobs in the project. But when these could not be fulfilled, it took a u-turn, thus falling back on the ‘project is a national project and every Mosotho has a right to benefit from the project’ line. This and other concerns that the authority had failed to address of course led to community protests, which lead to temporary cessation of project work. Unfortunately, the LHDA failed to handle these protests by engaging the communities, or addressing their concerns instead, it fell on the usual trap of resorting to coercion by calling on the police. The

police threatened affected people, which did not help an already fragile pact between the authority and the people. As one community member reasoned,

> 'it quickly dawned to everyone even those who had cooperated with the authority that the LHDA was burnt on implementing the project over our heads' (int. Me' Pulane, 2019).

The community of Malingoaneng, on the other hand, had a long history and attachment to the land it occupied. The analysis traced these communities to the time of Chief Mosuoe in 1940s who was allocated land by the Colonial government. His long lineage is important in understanding people's reluctance to relocate, or to question the compensation for relocation. These people have strong attachment to Malingoaneng and belonged there. They were agro-pastoralists who derived their livelihoods and survival from the land that was going to be annexed for the project.

Emerging evidence, points to the deep connections to the place particularly land and access to the river that they had lost and were about to lose. Such connection was supported by the geographical location that was suitable for supporting their means of livelihood. They had occupied a strategic terrain between mountains shielded from strong winds and low temperatures. Thus, the community had a duty to defend the land which was their means of livelihoods through both animal husbandry and crop production and was also important in social, economic and cultural terms. While they were hostile to the project at first, they had begun to change their stance after meetings with LHDA official which promised an engagement process and jobs. It is important to note that people in the community cooperated with the LHDA and attended meetings called by the LHDA officials.

More importantly, they made contributions which they expected to be considered in determining the compensation packages. They also waited patiently for jobs and when this did not materialise, they had approached the LHDA for intervention. Unlike communities in the Phase I implementation, these communities were well informed and approached the LHDA through the right channels as advised by the NGOs and they understood their rights. When it came to the realisation that the LHDA was not prepared to listen to them and was going to impose its will, they resorted to airing their grievances through demonstrations and they received support from the NGOs.

Thirdly, the analysis has shown that the NGOs were both indigenous organisations that became involved with the people affected by the LHWP. These NGOs sought to provide the affected communities with the necessary capacity and support in their interaction with the hydro authority. In an environment where power was skewed towards the hydro authority which held all the aces, the NGOs acted as a balance of power and levelling the playing ground in the interaction process. We have seen how they advised communities on how to engage with the LHDA, how to air their grievances and what their rights were in the process of displacement.

They also maintained their physical presence and played a particularly important role in questioning the compensation package offered by the LHDA, thus prompting accusations from the LHDA that they were misleading the people. Their influence is reflected in the community's stance on what they need to be compensated and the demonstrations that were organised to air the community's grievances. While the compensation package is now official, affected communities have not given-up the struggle and continue to lobby for a compensation package that they believe will cushion their real losses. Mostly assisted by the Survivors of Lesotho Dams, their actions have put the implementation of the project at risk.

Power differences between the LHDA officials and community members were bridged, hence allowing community members to question certain decisions and to be able raise awareness of their conditions through demonstrations. The power balance was at show in 2018 when the affected communities with the support of SOLD staged a protest against the policy and demanded a review from the LHDA (after receiving the approved Compensation Policy). The protest which brought project operations to a standstill were only managed after the intervention of the police. Significant gains were also made as some areas that were not considered for compensation in the Phase I implementation were considered during the Phase II.

6.2.2 The LHDA must shoulder the blame for the impasse

The conflict over Phase II implementation in Mokhotlong District demonstrated differences between different groups of actors whilst differences illustrated the different positions taken by the two groups. Individual actors had different demands and expectations and they failed

to find a common ground. In any conflict situation, one part has to emerge as a villain who shoulders the blame for the conflict. In the case of large dam development, hydro authorities have emerged as chief villains. They have often been blamed for their role in what Sachs (2010: x) terms the 'dark side of displacement and dispossession'. In the Mokhotlong case, the LHDA has emerged as our villain.

The LHDA is often criticised for the way it handled the Phase II implementation and particularly the displacement and accompanying processes. The LHDA maintained a strictly bureaucratic approach in engaging with affected communities when a more people-centred approach would have eased an already uneasy situation. In issues involving displacement which are disruptive to people's lives, consultation becomes an important tool. While the LHDA consulted the communities, such a process was placation where people were mobilised to participate in the process, but their views and submissions were not accommodated in the final decision (Arnstein, 1969).

The LHDA has been criticised for turning consultation meetings into information sections (see Williams, 2004). Though the LHWP Phase II Compensation Policy of 2016 states that, it was formulated in consultation with the affected parties. This was possibly true if the LHDA measured consultation by the numbers that attended public gathering rather than incorporation of their opinions into final decisions. Whatever the case, the LHDA retained a powerful autonomy over decisions including those which affected people directly, which was at odds with a participatory model where negotiations allow for trade-offs (Arnstein, 1969).

Such a situation leads to lack of trust and affected communities lost trust in the LHDA and their officials which they accused of insincerity. Lack of trust tends to generate conflict and when people lost trust in the hydro authority and started to question its intentions, fault lines were drawn. It was shown that people recalled an Area liaison officer who was appointed by the LHDA and replaced them with officials of their choice whom they believed would communicate their concerns to the authority.

This was guided by the understanding that the LHDA elected official represented the interests of the hydro authority at the expense of those of the communities. This was exacerbated by the authority's failure to respond to the list of concerns that affected communities had

submitted. What were the implications for the implementation of the dam project? For a start, it implies that the demonstrations that followed became the only recourse available to the communities. When taken into account alongside the possibilities of compromised post-displacement livelihoods, it shows that the LHDA never paid any attention to the plight of people whose lives were disturbed by the project.

6.2.3 The LHDA and compensation

The dissertation has explored the interaction between the LHDA and the community of Malingoaneng which has been affected by the development of the Polihali Dam. It has highlighted the dynamics of interaction and the challenges related to participation and consultation over decisions on the project and its effects. It has possibly understated the significance of the gaps in compensation in the whole impasse, but this like other grievances has been used to justify the stance adopted by affected communities. In order to understand the position of these communities, a more comprehensive analysis of the compensation offer is needed to explain the disagreements and dissatisfaction on the part of those whose lives have been negatively affected by the dam construction. The challenges over compensation offered to affected communities, and the areas of disagreements remain little understood.

The compensation policy that guided compensation payment of affected people was not developed through consensus between the authority and affected communities, but it was developed by the LHDA based on the certain determinants that had nothing to do with the needs and contributions of the affected communities. Affected communities were alienated from the process and felt that the policy represented the LHDA. Despite claims by the LHDA that the policy emerged through consultations with the communities, gaps in the policy reflected the exclusion of the views of the affected communities.

For example, affected people were dissatisfied with a range of issues in the compensation policy. First, people that fell under the relocation category were not happy with the place they would be relocated that was described as very cold compared to where they lived. Second, they challenged the 50-year compensation period, and although they preferred lifelong compensation, they would have preferred the LHDA to conform to the 99 year period as prescribed by the Land Act of 2010. Third, there were also differences over compensation

rates, where the affected communities felt that the rates offered by the LHDA were relatively lower than the value of the land in terms of crops and grazing.

The unilateral process of determination was demonstrated when the LHDA revealed that the compensation was fair, since the assets were not even worth the value that the authority was paying and dismissed the concerns of the people as a result of bad advice from the NGOs. The LHDA only compensated tangible assets which could be valued, but the communities felt that their losses extend beyond tangible assets to intangible losses which according to Cernea (1995) are irreparable although they are beneficial to the affected communities.

Affected communities wanted these to be factored into the compensation package in order to ensure the sustainability of livelihoods (World Commission on Dams, 2000). Such a stance is supported by evidence globally where the compensation policies have been resisted by affected people who felt that it was inadequate compared to the benefits generated from the resources they would have lost. Failure to compensate communities adequately contributes to their inability to support means of livelihoods as agricultural yields decline while they also have to cope with various psychological stresses (Hitchcock, 2015).

Land in rural communities is generational property and as has been alluded to, it has been passed through generations, but relocation may mean that there is not enough land for landholders to pass to sons. Land also supports life in several ways and the land had certainly supported the communities with spiritual practices and medicine for healing ailments. These could not be attached value but were significant components in the life of rural society and affected households also wanted these losses to be considered.

The affected communities also made speculations about life after relocation and focused on the pernicious problem of unemployment and poverty that would be accompanied by landlessness after the compensation has been drawn out. The implications were clear and manifestations were underway as the stock was deteriorating and farmers struggle for pastures after the annexation of land for infrastructural developments. These losses are real and they have the potential to change the lives of these communities and should have been included in the compensation policy.

However what is clear is that the communities and the LHDA did not see things with the same eye. On one hand, the affected communities supported by NGOs are not prepared to accept packages that do not reflect their deprivation and cannot be sustained. On the other hand, the LHDA was prepared to push the compensation package through at all costs. It is true that the people felt aggrieved and lost trust in the authority which further exacerbated the impasse.

6.3. Interpreting the Impasse

Do these analyses of the actors in the LHWP Phase II, their interaction, and the implications of these interactions on the compensation package tell us anything about the impasse over the development of the Polihali Dam? The dissertation has shown that the impasse arose due to a variety of reasons, but it argues that the LHDA made a fundamental blunder in its engagement with the affected communities by adopting tokenism in its approach to participation.

According to Arnstein (1969), such an approach allows people to express their needs to those in power, but they have no power and guarantee whether their ideas will be taken to influence decision making (Arnstein, 1969). This analysis has shown how the LHDA officials turned consultation meetings into information sessions. Even though, they consulted and sought people's opinions, these were not factored into the compensation policy. The LHDA decided on what deserved compensation and how it would be compensated which infuriated those affected by the project. These could easily have been captured if the consultations were genuine and the LHDA was prepared to give the affected communities ownership of decisions that affected their future circumstances.

The gaps in the compensation policy also reflected a general lack of knowledge of society and the social dynamics guiding life in these societies, yet the LHDA decided to do it alone. Furthermore, by imposing the package on the affected communities, it risked being rejected by the very people it wanted a buy-in and lost some credibility. However, instead of re-engaging with these communities after they had raised their concerns on the compensation and its implication for life after relocation, it dismissed them as being ill-advised hence, forcing the communities into protest and the opportunity for negotiation was lost. When the

communities protested, the LHDA reacted confrontationally and set the police on the demonstrators.

Explanations that compensation lies at the heart of the impasse are at odds with the emerging evidence. While issues of compensation have featured prominently in this analysis, it was not compensation per se which a major factor was. The real issue lay with the manner with which these matters were handled. The disparity between the compensation package and the losses suffered by communities reflect a general skewed understanding of community losses by the LHDA which may have been prevented had the LHDA handled the situation better. As others have argued, dislocations are a traumatic experience and the relocates have to cope with various psychological stresses (Hitchcock, 2015), an approach that gave the affected an ownership of decisions would have assisted these stresses and pressures.

6.4. Policy Implications

This study set out to provide an explanation for the impasse between the LHDA (as the hydro authority) on one hand, and the Malingoaneng community and the NGOs (which supported the community) on the other, over LHWP Phase II implementation; it has consistently raised policy questions about what should have done differently, and whether any lessons can be learnt from the study. There are emerging policy implications from the study and this conclusion aims to offer policy insights.

6.4.1 Policy considerations

Allow for an open process of participation

Although construction of large dam projects are an indicator of development and with the advent of climate change and rapid urbanisation, they have become a development imperative for governments. They also are accompanied by hardship and suffering by those affected by the development. These are mostly indigenous communities that have to endure the pains and disruption associated with dislocation and alienation from familiar geographical terrain. Partnerships become an important process of engagement between different parties which can cushion the pain and disruptions associated with dislocations.

In such a process, power is distributed and the process allows for the negotiation of different parties who engage in trade-offs including the sharing planning, decision–making and responsibilities (Arnstein, 1969). This is what others refer to as empowerment where people are not only assisted to gain confidence and to make their own decisions, but such decisions should transform lives of individuals and groups (Chambers, 1994 &White, 1996). However, the LHDA took unilateral decisions which generated discontent and conflict. These are all lessons learnt and in a democratic era those affected should have ownership of decisions that affect them.

There is a need for a new policy framework

Large dams have remained a terrain of conflict in developing countries due to implementing authorities that are given too much power to decide the resettlement plans without the affected parties. This tends to undermine the position of the affected parties and consequently marginalises them. However, resettlement measures cannot be achieved without looking at their situation through their own lenses. The study showed that NGOs have a significant role to play in issues of dam development and displacement. Their role became even more significant in a context where the LHDA under estimated the significance of the affected communities and interpreted their losses in quantitative terms.

Such an approach focuses on the tangible assets, yet some losses have intangible value. Thus, this dynamics of interaction among stakeholders dictate a need for development framework that will bring all parties together and avoid entrenchment of more authority on LHDA over the affected people. For this to be achieved, all the legislations guiding the LHDA should be appealed to incorporate the rights of the affected communities in deciding for their own development. The statutes which states that the status of the affected communities should not be reduced by the project, should enable the affected communities to present their status and how being reduced from their initial state would be like rather than how the hydro authority sees and understand things.

Give official recognition to NGOs

The NGOs have and continued to play prominent roles in the development of dams particularly on issues of displacement. They act as a balance of power, and their capacity

building role has empowered many communities. Communities on their own have relatively no chance against hydro authorities that enjoy state support. Their lack of power leaves them vulnerable to the more powerful actors who impose decisions. NGOs have been known to empower communities through lobbying and advice. In Lesotho, this was evident in how the communities engaged with the LHDA and challenged its hegemony over decisions. It is important that the role of NGOs is given official recognition and that they are given an official role in the implementation of dams as watch dogs whose views are taken to decision making.

Timely disbursement of compensation

Dam development is implemented in stages. During each stage, there are different losses suffered by individuals, households and communities. In the Phase II, we realised that some households lost their assets including land to infrastructural projects way before the construction began. Some households lost fields and were unable to plant for the season and such losses can change a households' situation for the worst. Compensation for such loses should be expedited to avoid a situation where households' circumstances are severely compromised by such loses.

6.4.2 Further research

The implementation of the LHWP II is currently underway. This study set out to understand the reasons for the impasse from the actors involved. The inquiry had a particular focus and was therefore limited in scope. However, a number of issues emerged during the study and some of these may require further research. One particular aspect was the post-displacement situation of affected households. An issue that came out during the study was the fear by households that the compensation package was inadequate to prevent a deterioration of their lives after resettlement. It will be interesting to pursue this thematic area in great depth.

References

Andrews, J., Reed, G., Jardine, D & Steelman, A. (2018) Damming Knowledge Flows: POWER as a Constraint on Knowledge Pluralism in River Flow Decision-making in the Saskatchewan River Delta. *Society & Natural Resources.* 31(8), 892-907.

Anton, D. & Shelton, D. (2011). *Problems of Human Rights and Large Dams*. Faculty of Law, George Washington University.

Arnstein, R. (1969). A Ladder of Citizen Participation. *Journal of the American Institute of Planner.* 35(4), 216-224.

Babbie, E. (2001). *The Practice of Social Research*. Cape Town: Oxford University Press.

Baxter, P., & Jack, S. (2008). Qualitative case study methodology: Study design and implementation for novice researchers. *The Qualitative Report*, 13(4), 544-559.

Bezu, S. & Holden, S. (2014).Are Rural Youth in Ethiopia Abandoning Agriculture? *World Development*. 64, 259-272.

Bildhaeuser, S. (2010). *Institutions of Water Management and Conflict Resolution in Lesotho on a Local Level: An empirical study of displacement areas of the Lesotho Highlands Water Project.* MICROON Research Working Paper 22, Brighton.

Biswas, A &Tortajada, C. (2001). Development and Large Dams: A Global Perspective. *International Journal of Water Resources Development*. 17(1), 19-21. Biswas, A. (2012) *Impacts of Large Dams: Issues, Opportunities and Constraints* IN Tortajada, C., Altnblek, D. & Biswas, A. (eds). *Impacts of Dam, A Global Perspective.* New York, Springer.

Boelens, R., Shah, E. Bruins, B. (2019). Contested Knowledges: Large Dams and Mega-Hydraulic Development. *Journal of Water.* 11(416), 1-27.

Brown, P., Tullos, D., Magee, D. & Wolf, A. (2009). Modelling the Costs and Benefits of Dam Construction a Multidisciplinary Perspective. *Journal of Environmental Management.* 90, 303-311.

Bryman, A. (*2008*). *Social Research Methods*. 3rd Edition, New York, Oxford University Press.

Carroll, D. & Bascomb, C. (1967). *Notes on the Soils of Lesotho*. Directorate of Overseas Surveys Tolworth, Surrey, England.

Capron, A. (1989). Human Experimentation IN Vearch, R. (ed) Medical Ethics 125-175, Boston Jonett & Bartlett.

Cernea, M. (2003). For a New Economics of Resettlement: A Sociological Critique of the Compensation Principle. *International Social Science Journal 175*

Cernea, M. (2000).Impoverishment Risks, Risk Management, and Reconstruction: A Model of Population Displacement and Resettlement. Paper presented to the UN Symposium on Hydropower and Sustainable Development.

Cernea, M. (1995) 'Understanding and Preventing Impoverishment from Displacement: Reflections on the State of Knowledge', *Journal of Refugee Studies* 8(3), 245-64.

Cernea, M. (2006) Re-examining "Displacement":A Redefinition of Concepts in Development and Conservation Policies. *Social Change* 36(1), 8-35. Chamber, R. (2004). Ideas for Development: Reflecting Forwards. *IDS Working Paper 238*. IDS, Brighton, Sussex.

Chambers, R. (1994). Paradigm Shifts and the Practice of Participatory Research and Development. Working Paper 02, Institute of Development Studies.

Charumbira, S. (2018). 'LHDA Defends Compensation Policy'. *Lesotho Times* 09/03/2018.

Creswell, J. (2009). *Research Design: Qualitative, Quantitative and Mixed Methods Approaches*. University of Nebraska-Lincoln, Sage Publications.

Crotty, M. (1998). *The Foundations of Social Research Meaning and Perspective in the Research Process.* London, Sage Publications.

Crow-Miller, B., Webber, M. & Mollet, F. (2017). The (re)turn to infrastructure for water management? *Water Alternatives.* 10(2), 195-207.

De Vos, A. S., Strydom, H., Fouche, C.B. & Delport, C. (2000). *Research at Grassroots: For the Social Sciences and Human Service Professions*. Pretoria, Van Schaik Publishers.

Devitt, P. & Hitchcock, R. (2010). Who Drives Resettlement? The Case of Lesotho's Mohale Dam. *African Study Monographs*. 31(2), 57-106.

Dwevidi, R. (1999). Displacement, Risks and Resistance: Local Perceptions and Actions in the Sardar Sarovar. *Development and Change*. 30, 43-78.

Dzingirai, V. (2003) 'CAMPFIRE is not for Ndebele Migrants': The Impact of Excluding Outsiders from CAMPFIRE in the Zambezi Valley, Zimbabwe, Journal of Southern African Studies, 29(2), 445-459.

Dzingirai, V. (1999) "This Good Land is not for Elephants". Poverty, Migration and Development in the Binga District of the Zambezi Valley, Zimbabwe, *Journal of Social Sciences*, 3(4), 265-271.

Escobar, A. (1995). *Encountering Development: The Making and Unmaking of Third World*. New Jersey, Princeton University Press.

Ferguson, J. (1994). Anti-Politics Machine 'Development 'and Bureaucratic Power in Lesotho. *The Ecologist*. 24(5), 177-181.

Fujikura, R. Mikiyasu, N. & Naruhiko, T. (2009)'Lessons from Resettlement Caused by Large Dam Projects: Case Studies from Japan, Indonesia and Sri Lanka'. *International Journal of Water Resources Development.* 25(3), 407-418.
Haddock, V., D. MacCallum, & Hiller, S. 2009. *Social Innovation and Territorial Development.* England, Ashgate Publishing.

Hausermann, H. (2018). "Ghana must Progress, but we are Really Suffering": Bui Dam, Antipolitics Development, and the Livelihood Implications for Rural People. *Society & Natural Resources*. 31(6), 633-64.

Hennink, M., Bailey, A. & Hutter, T. (2011). *Qualitative Research Methods*. UK, Sage

Hitchcock, R. (2015). The Lesotho Highlands Development Project: Dam Development and World Banks. *Sociology and Anthropology*. 3(10), 526-538.

Hoover, R. (2001). *Pipe Dreams: The World Bank's Failed Efforts to Restore Lives and Livelihoods of Dam-Affected People in Lesotho*. International Rivers Network.

Horta, K. (2017) *Resisting Hydro Hegemony in Southern Africa: The Lesotho Highlands Water Project.* Kings College London and London School of Economics.

Huber-Lee, A. & Wishart, M. (2016). Lesotho: Tackling water insecurity in a changing climate. Stockholm Environment Institute, World Bank Group.

Ibrahim, A. (2012). Thematic Analysis: A Critical Review of its Process and Evaluation. *International European Academic Conference Proceedings*. Croatia, Zagreb.

Kabi, P. (2018). 'Local Communities Threaten Lesotho Highlands Water Project'. *Lesotho Times*. 03/02/2018.

Kabi, P. (2019). 'Angry Villagers threaten LHWP'. *Sunday Express.* 01/09/2019 www.pressreader.com/lesotho/Sunday-express [Accessed on 11/01/2020].

Le gates, R. & Stout, F. eds (2016). *The City Reader*. Sixth Edition. Millpark, NewYork, Routledge.

Leal, P. (2007) Participation: The Ascendancy of a Buzzword in the Neo-Liberal Era. *Development and Practice.* 4(5), 539-548.

Lesotho Highlands Development Authority. http://www.lhda.org.ls/ [Accessed on 11/January 2019].

LHDA. (2016). 30th Anniversary of the LHWP and bilateral co-operation. *Water waves 4(5).*

Lesotho Highlands Water Project, (2016). *LHWP Phase II Compensation Policy* (v8, 1) LesothoHighlands Development Authority, Maseru.

Lukes, S. 2005. *Power: A radical view*. 2nd ed. Basingstoke, Palgrave MacMillan.

Magadza, C. (2006). Kariba Reservoir: Experience and Lessons Learned. *Lakes & Reservoirs: Research and Management.* 11, 271-286.

Mahato, B. & Ongulana, O. (2011).*Conflict dynamics in a dam construction project: A case study*. School of the Built Environment, Herriot-Watt University, Edinburgh.

Makoro, T. (2014). *A Policy Analysis of the Consequences of the LHWP for Rural Communities in Lesotho: A Case-Study of Communities Affected by the Construction of the Katse and Mohale Dams.* Pietermaritzburg: University of Kwa Zulu Natal.

Manibo, M. (2016).Are Mega Dams a Solution or Burden to Climate Change? Eco- Business https://www.internationalrivers.org/resources/are-mega-dams-a-solution-or-burden-to-climate-change-eco-business-11471. [Accessed on 11 March 2020].

Manwa, H. (2014). Impacts of Lesotho Highlands Water Project on Sustainable Livelihoods. *Mediterranean Journal of Social Sciences*, 5(15), 640-647.

Mashinini, V. (2010). *The Lesotho Highlands Water Project and Sustainable Livelihoods Policy. Policy Briefing 22*. Africa Institute of South Africa, Pretoria.

Mathur, H. (2011). *Resettling Displaced People: Policy and Practice in India. Council for Social Development.* New Delhi, Routledge.

McCully, P. (2001). *Silenced Rivers: The Ecology and Politics of Large dams*. New York, Zed Books.

Meissner, R. (2004).*The Transnational Role and Involvement of Interest Groups in Water Politics: A Comparative Analysis of Selected Southern African Case Studies.* University of Pretoria.

Meissner, R. (2016). Coming to the party at their own volition: Interest groups, the Lesotho Highlands Water Project Phase 1 and change in the water sector. CSIR, Pretoria.

Miles, M., Hubermann, A. (1994). *Qualitative Data Analysis: An Expanded Sourcebook*. Thousand Oaks, Sage Publications.

Mofokeng, R. (2010). *Participatory Development: A Case Study of the Lesotho Highlands Water Project, Phase I*. Masters Dissertation, University of KwaZulu-Natal: Pietermaritzburg.

Mokhele, L. (2019). 'TRC Organises Special Dialogue for Polihali Affected Communities and Stakeholders'. Transformation Resource Centre, http://trc.org.ls>News [Accessed on 20/03/2020].

Mollet, A. (2011). *Ethical Issues in Social Science Research in Developing Countries: Useful or Symbolic*. Flinders University.

Motsoeli, N. (2020). 'Mokhotlong Communities Disrupt LHWP Construction Works'. *Sunday Express* 02/02/2020.

Nayak, A. (2010). Big Dams and Protests in India: A study of Hirakud Dam. *Economic and Political Weekly*. XLV (2), 69-73.

Ntaote, B. & Matheka, L. (2018). 'Polihali Communities Demand Review of Paltry Compensation Rates.' *MNN Centre for Investigative Journalism* 29 October 2018 https://lescij.org/2018/10/29/polihali [Accessed on 5 March 2019].

Ntaote, B. (2019). 'Mokhotlong Communities Petition Water Project'. 17/05/2019 https://lescij.org>2019/05/17>mokhotlong [Accessed on 10 February 2020].

Orb, N. Eisenhauer, E. &Wynaden, D.(2000). Ethics in Qualitative Research. *A Journal of Nursing Scholarship,* 33(8), 93-96.

Passchier, R. (2017). Use of Ribasm in Lesotho. Deltares.

Pearce-Smith, S. (2014). The Return of Large Dams to the Development Agenda: A Post-Development Critique. *Consilience: The Journal of Sustainable Development.* 11(1), 123-131.

Quinlan, T. (1996). The State and National Identity in Lesotho. *Journal of Legal Pluralism*. 37(38), 377-405.

Ramaili, L., & Cloete, F. (2008). The Role of the Lesotho Highlands Water Project in poverty alleviation in Lesotho. *Africa Insight,* 37(4), 117-137.

Richter, B., D. Postel, S., Revenga, C., Scudder, T., Lehner, B., Churchill, A. & Chow, M. (2010).Lost in development's shadow: The downstream human consequences of dams. *Water Alternatives* 3(2), 14-42.

Robinson, W. 2003. Risks and rights: The causes, consequences, and challenges of Development-induced Displacement. The Brookings Institution-SAIS Project on Internal Displacement, an Occasional Paper.

Sachs, W. (ed) (2010). *The Development Dictionary: A Guide to Knowledge as Power*. New York, Zedbooks

Sahoo, T., Prakash, U. & Sahoo, M. (2014). Sardar Sarovar Dam Controversy- A Case Study. *Global Journal of Finance and Management*. 6 (9), 887-892.

Scudder, T. (2005).*The Future of Large Dams: Dealing with Social, environmental and Political costs.* London, Earthscan.

Selebalo, M. (2018). 'Rights Group mobilizes for fair deal'. *The Post* 16/03/2018.

Shah, E., Boelens, R. & Bruins, B. (eds) (2019). *Contested Knowledges: Water Conflicts on Large Dams and Mega-Hydraulic Development.* Wageningen University, Netherlands.

Silima, V. (2007) *A review of stakeholder interests and participation in the sustainable use of communal wetlands: The case of the Lake Fundudzi catchment in Limpopo Province, South Africa.* Master of Education (Environmental Education) thesis, Rhodes University.

Slater, R. & Mphale M. (2009). Compensation, Welfare and Development: One-off-sum and Regular Transfers in the Lesotho Highlands Water Project. Overseas Development Institute.

Srinivasan, B. (2001). Social Impacts of Large Dams: Gender, Equity and Distribution Issues, *Economic and Political Weekly*. 36 (43), 4108-4114.

Stake, R. (1995). *The Art of Case Study Research*. Thousand Oaks: Sage Publications.

Stinglitz, J. 2002. *Globalization and its Discontents*. New York, Norton Print.

Terminski, B. 2013. Development-induced displacement and resettlement: social problem and human rights issues. Research Paper 9, Geneva.

Thamae, L. & Pottinger, L. (eds), (2006). *On the Wrong Side of Development. Lessons Learned from the Lesotho Highlands Water Project.* Transformation Resource Centre, Maseru.

Thamae, L. (2015*). Transforming Society through Advocacy for Justice: Case Histories of Communities Impacted by the Lesotho Highlands Water Project.* Transformation Resource Centre, Maseru.

Thebe, V. (2009).*Searching for a New Rural Development Narrative: rural reality and the state's peasant models in Zimbabwe's land reform policy (1980-2003).* Lambert Academic Publishers.

TRC, (2018). Transformation Resource Centre Report on Community Grievances from Lesotho Highlands Water Project-Polihali dam Mokhotlong, Lesotho. Transformation Resource Centre, Maseru.

Vanclay, F. (2017). Project-induced displacement and resettlement: from impoverishment risks to an opportunity for development? *Impact Assessment and Project Appraisal*, 35(1), 3-21.

Vancleef, A. (2016). Hydropower Development and Involuntary Displacement: Toward a Global Solution. *Indiana Journal of Global Legal Studies*. 23(1), 349-376.

Vincent, S. (2004). Participation, Resistance and Problems with the Local in Peru towards a New Political Contract. In S. Hickey & G. Mohan (eds), *Participation from Tyranny to Transformation?* London, Zed Books.

White, S. C. (1996). Depoliticising Development: The Uses and Abuses of Participation. *Development in Practice*, 6, 6–15.

Williams, G. (2004). Evaluating Participatory Development: Tyranny, Power and (Re) politicization. *Third World Quarterly*. 25(3), 557–578.

World Commission on Dams (WCD). 2000. *Dams and Development a new framework for decision making.* London, Earthscan Ltd.

Yin, R. (1994). *Case Study Research: Design and Methods*. Beverly Hills, Sage Publications.

Yin, R. (2003). *Case Study Research: Design and Methods.* Beverly Hills, Sage Publications,

Appendix 1: LHDA Permission Letter

Lesotho Highlands Development Authority

P.O. Box 7332, Maseru 100, Lesotho • Tel: (+266) 22 246 000 / 22 311 280 / 522 52000 • Fax: (+266) 22 310 665 • Email: lhwp@lhda.org.ls

Ref: PHII/DM/112/19/CO **30 September 2019**

Reitumetse Lehema
University of Pretoria
Faculty of Humanies
South Africa

Dear Madam

REQUEST FOR PERMISSION TO CARRY OUT RESEARCH AT LHDA

We refer to your letter dated 23 August 2019.

LHDA does not have any objection to the proposed study topic. However, the LHDA would like to have a copy of the final product and an opportunity to approve your findings before publishing.

The proposed approval will not be unreasonably withheld.

Yours faithfully

TENTE TENTE (Mr)
ACTING CHIEF EXECUTIVE

Appendix 2: SOLD Permission Letter

Survivors of Lesotho Dam

P.O. Box 2443

Maseru 100

24th September 2019

Department of Anthropology & Archaeology

Faculty of Humanities

University of Pretoria

P/bag X20

Dear Sir/Madam

APPROVAL TO CONDUCT RESEARCH WITH SURVIVAL OF LESOTHO DAMS (SOLD)

This letter serves to inform the University of Pretoria that, the request of Reitumetse Lehema to conduct research on the disagreement between the community and the Lesotho Highlands Development Authority over the LHWP Phase II compensation for displacement, has been reviewed. We are pleased to inform you that permission is hereby granted for her to conduct research with the members of the survival of the Lesotho Dams.

Please be informed that upon completion of the study, the researcher is required to provide a copy of research project to Survivors of Lesotho Dams.

Lenkaa 24/09/2019

Lenka Thamae **DATE**

SOLD NATIONAL COODINATOR

SURVIVORS OF LESOTHO DAMS SOLD DATE 24/09/2019

Appendix 3: TRC Permission Letter

TRANSFORMATION RESOURCE CENTRE

P.O. Box 1388 • Maseru 100 • Lesotho • Tel.: 22314463 • Fax 22322791 • E-mail: trc@trc.org.ls

2nd October 2019

Department of Anthropology & Archaeology

Faculty of Humanities

University of Pretoria

Dear Sir/Madam

RE: PERMISSION TO CONDUCT RESEARCH WITH TRANSFORMATION RESOURCE CENTRE

This letter serves to inform the University of Pretoria that, the request of Reitumetse Lehema to conduct research on the disagreement between the community and the Lesotho Highlands Development Authority over the LHWP Phase II compensation for displacement, has been reviewed. We are pleased to inform you that permission is hereby granted for her to conduct research project with members of the Transformation Resource Centre.

Please be informed that upon completion of the study, the researcher is required to provide a copy of research project to Transformation Resource Centre as that will also be instrumental to the work the organization does in this particular area she interested.

We are of the view that her research will add value our future endeavors.

Yours Sincerely

Tsikoane Peshoane

TRC Director

Appendix 4

UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

Informed Consent

You are hereby invited for to participate in a research study by Reitumetse Lehema, an MSocSci in Development Studies student in the Department of Anthropology and Archaeology at the University of Pretoria. The study seeks a detailed understanding of the impasse between the Mokhotlong Communities affected by the implementation of Phase II and the LHWP. Please take time to read through this letter as it gives information on the study and your rights as a participant.

Title of the study

Large dam development and Displacement: Understanding the reasons and dynamics for conflict over construction of Polihali Dam in Mokhotlong District

What will happen in the study?

The study will involve interviews with you on information and views on aspects that the study is interested in understanding. The interview will take about an hour of your time and with your permission, may be voice recorded so that I do not miss any important information that you share. You can choose to have the interview session in English or in Sotho

Risks and discomforts

There will be no danger/harm to you or to your institution. It may however be difficult for you to share some information, and you will be free not to answer any questions that may make you feel uncomfortable. If you experience some level of discomfort after joining the study, and you would like to stop participation, please be free to let me know. You will be allowed to stop participation without any prejudice and the data already collected will be discarded.

Are there any benefits for joining the study?

You will not receive any money or gifts for your participation. Your contributions will assist me in developing a dissertation for my qualification, but it may also benefit the organisation indirectly through findings that may assist in finding better ways of doing things.

Confidentiality

Apart from me as the researcher, the data will be shared with my supervisor, Prof. Vusi Thebe of the University of Pretoria. You may choose to remain anonymous, and every effort will be made to ensure that the information you share is not linked to you, although in some cases it may be difficult due to the position you hold in the organisation. In case you choose to remain anonymous, your identity will not be revealed and you will be identified through a pseudonym.

The data will be stored in a password protected computer during fieldwork, and in the Department of Anthropology and Archaeology, for a period of 15 years for archiving purposes. If the data is used during this period, it will only be for research purposes.

The results will be produced in the form of a dissertation or scientific paper, or may be presented at both local and international forums like workshops and conferences. The voice

recordings of the interviews will not be broadcasted on radio, television, and internet or on social media but will be utilised to make findings for the study.

Any questions?

If you have any questions or would want me to explain anything further, you are welcome to phone or text me on +266 51932958. You can also send me an email on the following address: relehema@gmail.com

CONSENT DECLARATION

I_____ (write your name) hereby agree to participate in this study.