



The Marikana Massacre: A Historical Overview of the Labour Unrest in the Mining Sector in South Africa

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Introduction and Historical Background

This article is aimed at explaining and interpreting the events, causes, and the aftermath of the Marikana Massacre which happened on 16 August 2012 in South Africa. Furthermore, the article gives a historical overview of the fiduciary responsibilities of the African National Congress (ANC), the mine owners and labour unions in trying to create a conducive working atmosphere in the mining sector. The historic Marikana Massacre proved that some of the aforementioned stakeholders showed in one way or the other their handicaps in attempts to solve the mine workers' problems in South Africa. Consequently, in recent months, incidents of violent activities have escalated across the country with none of the above stakeholders wanting to take responsibility. These incidents posed a threat to a relative labour stability which had prevailed within the country since the dawn of democratization in 1994.

Mining is a very important economic activity in South Africa. In 2009 mining contributed 8.8 per cent directly and 10 per cent indirectly to the country's gross domestic product (GDP), sustained approximately one million jobs and created roughly 10.5 billion rand in corporate tax receipts (Van der Schyff 2012: 131). Due to the fact that access to the country's mineral treasures in the pre-1994 South Africa was intrinsically bound to ownership of land, mining also contributed to the unequal distribution of wealth and the perpetuation of labour unrest. In an effort to bring about equitable reform, the Mineral and Petroleum Resources Development Act, 28 of 2002 (MPRDA) was promulgated. According to Van der Schyff (2012: 132), one of the most controversial features of the MPRDA was that it acknowledged that the country's mineral and petroleum resources belonged to the nation and that the State was the custodian thereof. It is argued in this article that perhaps due to the misinterpretation of the above Act and other related acts that the mine workers deemed it necessary to demand for what they claimed to be a 'living wage' of 12,000 rand.

The Causes of the Marikana Massacre

The traumatic and tragic events at Marikana and in the Rustenburg Platinum Belt have raised a number of questions among commentators and activists in the labour movement. It is

acknowledged in the article that the Marikana event presents myriad challenges for the country's democracy in general, and in particular for employers, the government and the labour movement.

In attempts to trace the causes of the Marikana Massacre, Neil Coleman (2012: 4) wrote in the *Mail and Guardian* that the following questions need some answers:

Will the Marikana events turn out to be the democratic era's equivalent of the 1973 strikes? Have workers rejected their unions as being ineffective and unaccountable, just as the old toothless Trade Union Council of South Africa (TUCSA) was rejected? Is the most powerful and largest union federation in Africa on the brink of collapse? Does Marikana represent the nascent emergence of a new, powerful, independent union movement and, more broadly, a political movement that will realign politics in the country?

The above questions are important and needed answers. One tends to agree with Coleman that the above set of questions and the possible answers provided could help in sharing some light on the actual causes of the Marikana Massacre. Without doubt, the causes of the Marikana Massacre are complex and contain many layers; therefore, one dimensional analysis could lead to superficial responses. It is argued in the article that what was initially perceived as a wage strike by the mining workers became a climax of the more problems the workers experienced in the mining sector. The following were some of the miners' grievances:

■ The brutal role of employers and the mining industry

In the recent years since 1994, the massive platinum boom in the Rustenburg area "has generated 'fabulous wealth' for companies and executives, but social squalor, tensions and poverty for workers and communities" (Coleman 2012: 4). The industry "deliberately fragments its workforce of 180,000, about 82,000 of which are employed through labour brokers and exploited" (4). With workers consciously divided on ethnic, racial and regional lines, "huge frustrations" have resulted among workers, from whose perspective the industry and employers continue to become rich, while they "sweat underground, face death on a daily basis and sink deeper into poverty" (4).

■ The government's ineffectiveness in implementing the Mining Charter

In 2010, South Africa launched a new mining charter to facilitate the sustainable transformation and development of its mining industry, with emphasis on a target of 26 per cent black ownership of the country's mining assets by 2014. The new charter aimed at addressing various shortcomings in the implementation of the Mining Charter of 2002.¹ The Mining Charter

¹ The South African government, like many other governments globally endowed with abundant mineral resources, had developed market-related policies to accelerate the pace of the transformation of the mining sector. On 11 October 2002, the Department of Minerals and Energy together with mining industry stakeholders, including the Chamber of Mines, South African Mining Development Association and the

of 2002 was accused of having failed to consider the rights of communities in terms of community consultation; community input into planning for mining developments; direct community control of shares in mining companies (Tapula 2012: 3). The workers complained about the government's ineffectiveness in the implementing the Mining Charter, which among others required companies to provide housing for all. They claimed that there was no serious attempt to enforce the industry's legal obligations, let alone transform it.

■ Ineffectiveness of the labour movements to handle the workers' grievances

South Africa was famous for its solid and sound labour relations culture, particularly in the post-1994 period. Its collective bargaining, with clear guidelines spelling out the responsibilities of employers, the labour movements and workers, was among the best in the world. It took years for South Africa's labour movements to gain recognition in the eyes of the law and took more years to get buy-in from employers and would-be employees in the collective bargaining process. It had served this country so well for many years, ensuring workers earn a living wage, and that the environment in which they work in was safe, but that edifice seemed to collapse when the mine workers downed tools in the mining industry demanding better wages. The ineffectiveness of the labour movements and the continued 'finger pointing' contributed to the collapse of unity within the workers entity.

Sthembiso Msomi (2012: 4) wrote in the *Sunday Times* that all the above gains over the years were undone overnight by the labour movements who failed to represent the workers effectively in the bargaining chambers. Many workers belonging to the labour movements claimed that they were expelled from being members if they voiced discontent against the leadership. This was attributed to the poor communication between the leaders and the members. Consequently, there was no proper feedback given to the members on the labour issues raised in their meetings. In most cases after collective bargaining, the leaders would simply tell them about the wage increases without explaining much on their working conditions and other related perks (4). One other factor which contributed to the labour unrests was a decision by the labour movement, namely, the National Union of Mineworkers (NUM) which deducted money from its members without their consent for a funeral scheme. Without doubt, such a situation led the members to lose confidence in their labour movements.

It was also interesting to note the disagreements and evolution of hatred that existed between the members of the NUM and the Association of Mineworkers and Construction Union (AMCU) over the dominance of the mining sector. AMCU leaders accused the NUM of collaborating with the 'enemy', namely, the employer (Mabuza 2012: 2). One worker belonging to AMCU was quoted in the *Sowetan* as having said: "We were attacked when we were on our way to a meeting. Those NUM leaders killed us because they are protecting the employer", and that "They (NUM

National Union of Mine Workers signed the Mining Charter. Stakeholders agreed to meet after five years to review the progress and to determine what steps, if any, need to be made to achieve the objectives of the Mining Charter.

leaders and the employer) have called the police to come and kill us. We are not afraid because we work underground and our lives are forever at risk” (2).

NUM leaders blamed the labour unrests on the rival AMCU and indicated that its members were forced to join the unprotected strike. The situation was further complicated by the Congress of South African Trade Unions’ (COSATU) strong ties with the ruling ANC, which often resulted in labour leaders graduating into key positions in government and big business. While this relationship had over the years helped the labour movements to score major legislative victories for their members, there were perceptions that these labour movements were used as a bargaining tool to gain positions in the ANC (Twala and Kompfi 2012: 176-9; Buhlungu and Von Holdt 1994: 48-56).

As early as February 2009, Lucien van der Walt, a sociologist from the University of the Witwatersrand stated that COSATU was experiencing problems due to the splinter unions such as AMCU. He continued his argument further in February 2012 stating that “Smaller unions bring with them energy and a new way of doing things that attract workers”, and “that they are seen as independent counts in their favour. COSATU is seen as too close to the ANC and therefore can’t fight for their rights” (quoted in Sosibo 2012: 14). The unionists under COSATU were accused of having forgotten their mandate, namely, that of representing and protecting the labour rights of their members (Anon. 2012a: 12).

As mentioned above, the role played by the labour movements in the bargaining chambers became suspicious to the workers. In reality, in the bargaining chambers, the representatives of the workers had to put the interest of the workers at the forefront. Frans Barker argued that collective bargaining was extremely important in the labour relations, primarily because of the role it plays in building employment relations (Barker 2007: 86). This argument by Barker was lacking during the wage negotiations prior to the Marikana Massacre, something that led to the massacre. Robert Venter and Andrew Levy opined that while collective bargaining was more often than not seen as a mechanism for reconciling conflicting interests that arose from, and were inherent to, the employment relationship, it remained important to bargaining with the interest of the workers in mind (Venter and Levy 2009: 369).

■ Criticisms against the ANC and the State machinery in their perceived failure to address the workers problems

The ANC as the ruling party was not spared in the criticisms over the escalation of labour unrest across the country. The leaders of the ANC, including President Jacob Zuma, were accused of being obsessed with patronage rather than dealing with the plight of the mine workers. The mine workers accused the ruling party of having unleashed the police in dealing with the striking miners rather than forcing the employers to further negotiate with them. ANC spokesperson Jackson Mthembu said the issue of the striking miners needed an investigation in order to determine who had caused the confrontation between the police officers and the miners (Anon. 2012b: 5).

It was ironic that the ANC, through the utterances by Mthembu, pretended to only have known about the plight of the miners during the shooting at Marikana. Although one would agree on the opening of an investigation into the Marikana question, but an investigation is also required into the whole question of striking workers in South Africa. It is clear that the strikes had detrimental effects on the socio-economic status of the country. Furthermore, the country earned a negative reputation throughout the international community, something that the ANC could not afford (politically) at this point in time. Without doubt, the labour unrest in South Africa tarnished the international image of the country because the trade union as well as the country's political leadership has been found seriously wanting in its response to the crisis. This was evident from the fact that for almost a week after the Marikana shooting, there was silence from Zuma's office, when he should have said something on such a serious issue that has the potential to affect foreign investment in the mining industry in the country.

The police have also been criticised as a State organ for the way in which they have handled labour and service delivery protests in South Africa in the recent past. Paul Graham of the Institute for Democracy in Africa said that although after 1994 police training emphasised the use of less lethal methods in crowd control, "This seems all to have gone out the window. There is a real problem with training and procedures. Even the special task force of the police which was present at the shooting seems to lack specific procedures" (quoted in Anon. 2012c: 6). The new Police Commissioner Riah Phiyega issued the following statement to the police after the shooting: "As commissioner, I gave the police responsibility to execute the task they needed to do" (quoted in Ndebele 2012: 25). She also later stated to police colleagues, at the funeral of an officer allegedly killed by miners, that "Safety of the public is not negotiable", and advised that they should not "be sorry about what happened" (25). This statement from the commissioner was an indication of acceptance of guilt from their side.

The Events of the Massacre

The tragic events in Marikana left 34 miners dead and 78 others wounded. The Marikana event took shape against a backdrop of unemployment, weaknesses in public service delivery, and overall socioeconomic inequalities. There have also been assertions regarding "the weakening of the post-apartheid social consensus built around dialogue and eroding industrial relations", and mine workers who find themselves carrying "an added social burden of supporting a complex social arrangement spawned by the migrant labour system that was the legacy of apartheid" (Qobo 2012: 3).

Various theories have been advanced by political/labour analysts, journalists and academics in trying to relate to what exactly happened on 16 August 2012 when the miners were killed by the police. Camera footage and other media accounts seemed to support the initial theory that armed mine workers attacked the police (with at least one miner firing shots), who then fired on the miners in self-defence. It later emerged that, "rather than being motivated purely by self-defence, the police killings of miners was more premeditated than initially thought" (Duncan 2012: 15).

The Aftermath of the Marikana Massacre

The Marikana Massacre has had a significant impact on the labour relations landscape in South Africa. In some respects, Marikana was a tragic continuation of the trend of strike action being associated with violence and criminal striker behaviour. Perhaps one of the biggest ramifications of Marikana, aside from the tragic deaths of so many, is the perception that the anarchy that was associated with the strike benefitted the strikers. The labour movements across the country never envisaged unprotected strikers, armed to the teeth, and threatening to murder mine managers. Regardless of the legitimacy or otherwise of the worker's grievances, no civilized democracy could condone the behavior of the rampant strikers at Marikana.

The country's President Jacob Zuma appointed a Commission of Inquiry (Farlam Commission) to investigate as to what exactly happened in Marikana. The Chairperson of the Commission Ian Farlam was tasked to ascertain as to whether the police were the instigators of the massacre or the miners were to blame. Different stakeholders testified in front of the Commission and to date (November 2012) the commission still continues with its investigations.

Conclusion

It is clear from the above that the events in Marikana which led to the massacre had some unwarranted consequences for the mining industry in South Africa. Therefore, in order to speedily remedy the situation in a post-Marikana South Africa, the following is recommended: the creation of conditions for peaceful and free union activity, with regards to all structures legitimately representing workers (including action against those who terrorize union leaders or prevent workers from assembling and organizing peacefully); requiring employers to participate in centralized bargaining structures, which need to be able to address the concerns raised by workers; the renewal of union structures to ensure that there are proper processes of democratic representation and accountability by union leaders; action to be taken in addressing the living conditions of mining communities and to ensure decisive implementation of Mining Charter commitments; and national engagement on transformation of the mining sector and the economy as a whole.

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