

ANATOMY OF A MASSACRE:

Neoliberal Reforms, Labor Relations and Wildcat Strikes in South Africa's Platinum Belt

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Abstract

On August 16, 2012, a wildcat strike at a platinum mine in Marikana culminated in the killing of 34 mineworkers by local security forces (with some victims shot in the back). Some saw the incident through the lens of South Africa's exceptional apartheid past as exemplified by the Sharpeville massacre of 1960. Others viewed this as the latest episode of contentious politics stemming from global problems of poverty and inequality linked to "neoliberal" policies. This article examines the middle ground between these two narratives, focusing on a multi-level failure of South Africa's system of labor relations. At the national level, there are constraints created by the alliance between the main trade union body, the Confederation of South African Trade Unions (COSATU), and the ruling African National Congress which increasingly embraced a neoliberal cocktail of private sector deregulation, macro-economic stability, and labor flexibilization to boost growth. At the company level, the distinctive aspects of the lucrative platinum belt pit ordinary workers complaining of low wages and harsh working conditions against company executives, local police, and union bosses from the COSATU-affiliated National Union of Mineworkers. This sharply limited the efficacy of sector-wide social dialogue and company-level dispute resolution mechanisms, effectively cutting off channels for articulating workers' grievances. The result reflects a labor-specific variant of Huntington's (1968) "gap hypothesis" – the likelihood of disorder where institutions fail to absorb and channel frustrations resulting from unmet expectations and inadequate opportunities for upward mobility. This implies that the intensity of labor militancy seen at Marikana, even if it does not produce another massacre, is likely to keep resurfacing, at least in the mining sector.

Keywords

South Africa, Marikana, Lonmin, labor, trade unions, strikes, miners, social dialogue

“I am not satisfied at all about the way the union is representing us because it does not represent the workers’ needs, it does what it is told to do, but in terms of having the workers’ best interest at heart it has proven incapable of doing so. They side with the employer more than the worker.” -- Mineworker at Marikana, quoted by Alexander et al. (2012, 100).

“An ANC-Communist party leadership eager to assume political office (myself no less than others) readily accepted this devil’s pact, only to be damned in the process. It has bequeathed an economy so tied in to the neoliberal global formula and market fundamentalism that there is very little room to alleviate the plight of most of our people.” -- Ronnie Kasrils, former ANC official and Minister of Intelligence, 2004-2008 (Kasrils 2013)

The Confederation of South African Trade Unions (COSATU) was formed in 1985 and actively fought alongside the African National Congress (ANC) in the struggle to end apartheid. In the post-apartheid era, COSATU steadfastly backed ANC-led governments, hoping to influence national policies and boost the position of the working class. Twenty years later, this strategy appears to have backfired. Nowhere did this become more apparent than at the Lonmin mines of Marikana, the third largest platinum mine in the world, where a wildcat strike culminated on August 16, 2012, in the killing of 34 mineworkers – and wounding of 78 others – by local security personnel. Some victims were found to have been shot in the back and others run over by police vehicles while lying on the ground. The events were captured in graphic detail by the media and sent shock waves throughout the country, leading to fierce debates over what the massacre signified and who should be held accountable for it.

Given South Africa's unusual history of violent oppression under apartheid, it is not surprising that many commentators instantly linked the killing of striking miners at Marikana to the Sharpeville massacre of 1960 and the Soweto uprisings of 1976. Some even went as far as to treat Marikana as evidence of the persistent legacy of the "structural violence of apartheid," carried forward through police practices in dealing with insurrection (Dixon 2015). Indeed, former Prime Minister Mbeki's own brother, Moeletsi Mbeki, saw the massacre as part of a continuous cycle that could be traced back throughout the unique 140-year history of South Africa's mining industry: "It is a formula loaded with conflict in which violence keeps repeating itself" (cf. Smith 2012). Yet, even if the massacre was reminiscent of horrific attacks or police brutality in South Africa's past, the grievances leading up to the Marikana tragedy cannot be likened to those that triggered uprisings seen during the apartheid era. While the distribution of wealth and private-sector ownership (especially in the mining sector) disproportionately favor Whites, the government has been run by the ANC for over two decades, and South Africa's economic elite now includes prominent Black entrepreneurs and executives who have benefited from the program for "Black economic empowerment." Moreover, the triggers for labor protest in the mining sector were over relative pay and working conditions, issues that were hardly unique to South Africa's economy (Magaziner 2012).

For those taking a broader view, the Marikana massacre represents a particularly violent case of social unrest triggered by the dark side of global capitalism. This view rejects both the exceptionalist view of South African history as well as the ANC's own claim that it is crafting a "developmental state" designed to benefit poorer workers. Thomas Piketty (2014, 39) treats the massacre as a tragedy resulting from the extreme inequalities and intense distributional conflicts

generated by South African capitalism. The militancy evident at Marikana is treated as a response to the effects of the market fundamentalism embraced by an “Afro-neoliberal state” (Satgar 2012), with the once-revolutionary ANC seen as readily sacrificing the rights and well-being of the working poor in order to support the business community and boost growth (Bond 2014; Fogel 2014). Certainly, South Africa’s economic policies – from tight fiscal policy and privatization to deregulation of the private sector and liberalization of trade – can be reasonably coded as “neoliberal.” And, these policies can be reasonably faulted for failing to reduce social inequality or tackle the disproportionately high levels of poverty and unemployment among Blacks (Bond 2014; Fine and Rustomjee 1997, ch. 5). We can even link these conditions to rising social unrest and a general decline in the legitimacy of post-apartheid democratic institutions (Gumede 2015). But, none of this explains why mostly unionized workers at one platinum company risked their jobs and called a wildcat strike that ended in a massacre.

This article revisits the question of what triggered the massacre, seeking to bridge the middle ground between exceptionalist arguments stressing the cycles of violence endemic to South Africa’s distinctive past and broader arguments about the negative socioeconomic consequences of neoliberal policies adopted by the once-revolutionary ANC. Our “anatomy” of the massacre focuses on a system of labor relations that, while seemingly well-designed, has failed to function effectively in the face of organized labor’s struggles over how to react to the ANC’s policies. Below, the first section presents a brief timeline of the events leading up to the massacre. Section two examines the unintended consequences of the ties between the ANC and the main trade union body, the Confederation of South African Trade Unions (COSATU). These include growing strains within the labor movement and a diminished ability to articulate

workers' interests through the channels established for tripartite bargaining. Section three turns to labor relations at the company level in South Africa's lucrative "mineral-energy complex" (Fine and Rustomjee 1997), particularly in the platinum belt where Marikana is located. In the face of falling commodity prices, the pressure to maintain profits creates incentives at companies like Lonmin to contain labor costs while maintaining productivity. This, in turn, generates tensions between long-established union bosses who seek to preempt labor conflict and newly emerging labor organizers ready to more aggressively press managers on behalf of workers. The conclusion argues that, at both levels, labor institutions in South Africa have failed to function as intended, with avenues of social dialogue and collective bargaining found to be increasingly inadequate or irrelevant for restive mineworkers, particularly in the platinum belt.

I. What Exactly Happened at Marikana?

There is no standard account of what precipitated the killings at Lonmin Mines on August 16th, 2012. Media reports produced immediately after the massacre were described as the result of "embedded journalism" (De Waal 2012), based on official statements about the violent behavior of striking workers but without commensurate attention to the views of the latter (Duncan 2013). The official Marikana Judicial Commission of Inquiry, the Farlam Commission, undertook an investigation in October 2012, but its focus was mainly on establishing whether any specific blame could be attributed to particular individuals. Only a handful of participating mineworkers were questioned before the courtroom hearing, which most of the victims' families were unaware of. Researchers who were present to observe the wildcat strike and the start of the massacre were able to collect eyewitness accounts that would later be published as a book focused largely on the perspectives of workers (Alexander et al., 2013). The main points of

contention across these varied accounts revolve around the extent to which striking workers posed a real threat to law and order, and around the question of which politicians, company officials or trade unionists contributed to the escalation of the violence. In this article, however, the central issue is the failure of the institutional structures in place to manage labor-management relations. For this purpose, the timeline of key events leading up to the massacre is largely uncontroversial.

At the beginning of August, rock drill operators at Lonmin's mine at Marikana, following on the heels of their counterparts who had secured wage increases at nearby mines, began to press for wage increases of their own. The South African Labor Relations Act stipulates that the trade union representing a majority of unionized workers – in this case, NUM – is the only union legally authorized to negotiate with company management. However, NUM officials refused to raise the issue of wages with Lonmin management, prompting the rock drill operators to form an independent committee that met August 9 to call for a wage increase from a minimum base of 4,000 rand per month to 12,500 rand per month. The steep wage increase demand was tied to the earnings of mineworkers in other countries, such as Britain and Australia, as well as to dangerous and difficult working conditions, with some rock drill operators reporting the use of 12 to 15 hour shifts without lunch breaks to meet production targets – with the threat of docked pay or termination in the event of complaints or slowdowns (Alexander et al., 2013, 26). The next day, August 10, workers' representatives demanded a meeting with Lonmin management, which turned them away saying that only NUM could negotiate on behalf of employees. In response, 3000 workers immediately walked off the job. Things escalated the following day, on August 11, when unarmed workers marching towards NUM's office were shot at by occupants

of the office. NUM officials at the office claim to have acted in self-defense; workers insisted they were unarmed and only intended to inform NUM officials that they were about to independently deal with Lonmin management (Alexander et al., 2013, 32-3). Whatever the workers' intentions, the Farlam Commission report largely confirms that NUM officials shot at two workers in the back and critically injured them (Duncan 2013; Hlongwane 2013).

More significantly, the gunshots on August 11 prodded strikers to proclaim "NUM shot its own people" and to start gathering sticks and traditional spears as a means of self-defense (Alexander, et. al. 2012; Duncan 2013). This set the stage for a spiral of violence, with ten people killed at different points between August 12 and 15, including security guards, policemen and striking miners (Graham 2016; Duncan 2013). On August 13, workers marched up to police line, precipitating the first instance when police opened fire and killed workers, with a helicopter joining in the shooting when workers did not retreat (Alexander et. al. 2012). It is unclear as to whether striking workers may have used firearms, or whether they were reacting to actions by police officers (Rody-Gumede, 360-1, citing Alexander et. al. 2012; de Waal 2012; Duncan 2013; Marinovich 2012). What is clear is that the fatalities of both workers and security personnel only made the situation more volatile, with police forces confronting some 3000 striking workers who were now firmly entrenched on the "koppie," the small hill that rose beyond the mines but constituted public land (Duncan 2013; SAPA 2013).

In the meantime, Lonmin company officials began to coordinate with local police while asking for backing from national government officials so they could put an end to the wildcat strike. A leading ANC official and former NUM leader, Cyril Ramaphosa, who was also on

Lonmin's board as its largest shareholder, was later found to have sent email messages to Lonmin's executives and to the Minister of Mineral Resources just 24 hours prior to the massacre stating that the protests at Marikana did not represent a labor dispute but a set of "dastardly criminal" acts (Hosken 2012) that required the Minister of Police to "act in a more pointed way" (McClenaghan and Smith 2013). The fact that the striking miners at Marikana were on public land and had a legal right to occupy the koppie made little difference (Graham 2016, 836). On August 15th, the day before the massacre, NUM President Senzeni Zokwana called on striking workers to return to work because there was no chance that Lonmin management would negotiate. Joseph Mathunjwa, leader of the Association of Mineworkers and Construction Union (AMCU) – an alternative union that had been competing with NUM for members in the mining sector – expressed support for the workers, but noted that he was not authorized to negotiate on their behalf. Indeed, by law, only the union representing the majority of unionized workers – in this case, NUM – was permitted to bargain with management. On August 16th, Mathunjwa returned one last time to urge the workers to leave the koppie, but the workers refused, quoting Mandela on "fighting or dying" (Alexander et. al. 2012).

A team of University of Johannesburg researchers was at Marikana and found itself in a position to record subsequent events. They note that, immediately prior to the shootings, Lonmin officials were standing alongside the police who ordered ambulances and mortuary vans to the scene in advance. The miners were then hemmed in with razor wire with armored cars forming an additional perimeter (Alexander et al. 2012). While the level of threat posed by strikers is the subject of debate, what is clear is that the actions of the security forces was disproportionate considering the forensic evidence that many victims had been shot in the back, or died from

injuries while ambulances were kept away from the area for over an hour (Alexander et. al. 2012), or were crushed by police vehicles while lying down on the ground (Duncan 2013; Marinovich 2012). In the end, 34 mineworkers lay dead and 78 more had been wounded. Not one police officer was reported to have been injured at the scene (Marinovich 2012). A month later, on September 18, Lonmin would agree to a pay increase that well below what the mineworkers demanded but was substantial enough to prod workers at other mines to strike for higher pay.

The events at Marikana had left an indelible mark. For some, it recalled brutal acts of repression in the apartheid era, most notably the Sharpeville massacre of 1960; for others, it was an extreme instance of social unrest linked to neoliberal policies focused and unable to mitigate poverty and inequality. Yet, neither of these views can explain either why strike violence tends to be higher in South Africa than elsewhere, or why, within South Africa, it is so heavily concentrated in the mining sector. The remainder of the article focuses on a missing part of the puzzle: the steady attenuation of the channels for worker representation and social dialogue set up as part of South Africa's post-apartheid Labor Relations Act. The next section examines the deterioration of the larger framework of industrial relations, focusing on the unintended consequences of the political alliance between COSATU and the ANC for the efficacy of collective bargaining and dispute-resolution. The following section turns to the specific dynamics of labor relations at platinum mining companies, and at Lonmin in particular, given the growing pressures to maintain profits in an era of falling commodity prices.

II. A “Triple Alliance” Without Tripartism: The Dispersal of Labor Power in South Africa

ANC leaders, once identified with revolutionary socialism and viewed as staunch allies of the working class, used the notion of a “developmental state” from the 1990s onward to signify their concern for reducing poverty and inequality in the midst of pursuing growth. At the same time, successive ANC governments steadfastly pursued a neoliberal program that included including lowered trade barriers, support for the private sector, austerity as part of a commitment to macro-economic stability, and increased labor market flexibility. Under these conditions, the ties between ANC and organized labor, rather than producing social protection for workers, mostly served to distort tripartite bargaining while expanding informal ties between labor leaders from COSATU, the ANC political elite, and a wealthy business elite – both White and Black – that benefited most from the ANC’s policies.

The ties between labor and the ANC predate the formation of COSATU. The South African Congress of Trade Unions (SACTU), since its inception in 1955, sought to organize the growing Black workforce and coordinate the struggle against the apartheid state with the ANC and the South African Communist Party (SACP). Although the ensuing clampdown by the regime forced many SACTU leaders into detention or exile (Southall and Webster 2010), during the 1970s, former SACTU members and like-minded Black labor activists explicitly fused working-class mobilization to the Black liberation struggle. For them, unions organized around non-racial lines were vulnerable to becoming coopted by the apartheid state (Seidman 1994, 145). Other unions, notably the Federation of South African Trade Unions (FOSATU), focused strictly on economic issues and sought to separate these from considerations of race or the struggle against apartheid (Friedman 1987; Maree 2012, 58; Southall and Webster 2010, 152).

The differences between FOSATU and the ANC-allied unions were rendered moot by the formation of COSATU in 1985 (Southall and Webster 2010, 138); but they would resurface in post-apartheid debates over COSATU's ties to the ANC (Pillay 2011).

In the post-apartheid era, COSATU, the largest trade union body with nearly two-thirds of the unionized workforce, formed a “triple alliance” with the ANC and SACP. In the 1994 election, COSATU released several union leaders to stand as candidates for Parliament on the ANC's party list. ANC officials counted on COSATU to deliver the working class vote and help build a mandate to govern, and COSATU leaders expected to be able to negotiate on behalf of workers and influence government policies in favor of tangible benefits to South Africa's working masses (Southall and Webster 2010). Under the South African Labor Relations Act of 1995, COSATU was granted the lion's share of seats for labor on the National Economic Development and Labor Council (NEDLAC), the tripartite organization of state, business and labor representatives set up to promote social dialogue and produce national, sectoral and company agreements. At the outset, COSATU's strategy seemed to bear fruit. During the 1990s, when most post-industrial societies and many developing countries were reporting declining union membership, COSATU's membership grew from 1.2 million to 1.75 million workers (Buhlungu 2010, 90). In surveys taken during this period, more than 80 percent of rank-and-file members supported the triple alliance and saw it as the best way for protecting the interests of workers in parliament (Khunou 2012, 179; Maree 2012, 69). NEDLAC seemed poised to play an important role as a peak level social dialogue institution, with COSATU seeing it as a genuine vehicle for giving workers a voice (Joubert 2005, 525).

In 1996, however, Nelson Mandela's Finance Minister, Trevor Manuel, rolled out the ANC's Growth, Employment and Redistribution (GEAR) program. The introduction of GEAR, although it made reference to employment and redistribution, focused primarily on growth. GEAR reflected the fact that ANC's top leaders, feeling unsure about how to pursue growth in a post-Cold War global economy, were going to rely increasingly on economists and international advisers who touted the virtues of a neoliberal program based on private sector expansion, deficit-reduction, and macro-economic stability (Roux 2004). GEAR's champions in the ANC also believed that responsible economic policymaking in this new era required dispensing with obsolete ideological commitments and avoiding prolonged consultations with labor. In effect, the ANC was signaling that COSATU's role in the triple alliance did not give it a special voice or veto in regard to economic policy (Buhlungu and Ellis 2012, 268). This did not provoke immediate resistance from trade unionists in part because GEAR had not yet specified measures that would hurt workers, and in part because COSATU leaders held out hope of being able to leverage their ties to ANC elites and their seats on the tripartite body NEDLAC.

That would change with the election of Mandela's successor, Thabo Mbeki, who sought to push ahead more vigorously the implementation of GEAR. During Mbeki's second term (2004-2008), Trevor Manuel continued to serve as Finance Minister and was the guiding hand behind a succession of laws and policies passed to reduce the deficit, deregulate the private sector, expedite privatization, and remove barriers to trade and foreign investment. This time, the impact on the system of labor relations was more clearly evident. For starters, NEDLAC, the one place where trade unionists thought they might have some influence, not only failed to do much about the social protection of workers, but proved largely irrelevant in the formulation of GEAR-

driven policies (Cherry 2006, 148). As one scholar puts it: “GEAR’s austerity measures have reduced the role of this corporatist institution to the definition of technical details of policies whose parameters and scope are, to a large extent, defined externally” (Khunou 2012, 176). It is telling that 70 percent of union members said they did not know what NEDLAC was (Khunou 2012, 176-8), while only one in five workers reported ever having heard a report-back on discussions at NEDLAC (Cherry 2006, 147). The main business association – BUSA (Business Unity South Africa) – treated NEDLAC as a “purely advisory structure” that at best yielded non-binding agreements (Cherry 2006, 148). At least as important is the fact that union leaders appear to have not shared their views on GEAR with the rank-and-file. In COSATU’s 2008 internal survey, 74 percent of members said they did not know what GEAR was (Khunou 2012, 176-7). But, this did not keep workers from feeling the impact of the policies – including high unemployment fluctuating between 20 and 30 percent – or from questioning the ANC’s commitment to the working class and the usefulness of the triple alliance. COSATU’s internal surveys reveal that the segment of rank-and-file members voting for the ANC declined from 75 percent in 1994 to 57 percent in 2008, while the proportion of those who saw the triple alliance as beneficial fell from 83 percent in 1994 to 61 percent in 2008 (Maree 2012, 68-9).

Yet, the triple alliance would get a temporary boost at the ANC’s famous national conference in Polokwane in 2007, where Mbeki was pushed out in favor of Jacob Zuma. Zuma’s rise appeared to suggest a shift in course, with the rising influence of pro-worker and leftist groups who vigorously critiqued Mbeki for both his neoliberal agenda and his alleged disregard for consultation with those outside of his own faction, including labor (Buhlungu and Ellis 2012, 268-9). Zuma had been a member of the SACP before joining the ANC’s Executive Committee

in 1977, and he was joined by ANC Secretary General Gwede Mantashe, once the national chairperson of SACP. Both were seen by COSATU General Secretary Zwelinzima Vavi as allies in slowing down the march of neoliberalism. Thus, the Polokwane conference appeared to vindicate the triple alliance, which had now produced new leaders with pro-labor credentials.

It quickly became clear, however, that the showdown at Polokwane was less about policy or ideology and more a competition among factions within the ANC (Suttner 2015, ch. 1). Despite the use of leftist rhetoric and continued promises of reducing poverty and inequality, Zuma signaled that he was not about to backtrack on the policies and initiatives linked to GEAR (Pillay 2008) and even gestured to a neoliberal policy that had yet to be acted upon: boosting labor market flexibility (Buhlungu and Ellis 2012). Not only did this anger COSATU leaders who had backed Zuma as a pro-poor and pro-labor leader, but it deepened splits within COSATU over how much to invest in building electoral support for the ANC, as opposed to organizing resistance to its pro-business policies. The 2014 parliamentary elections, although taking place two years after the massacre at Marikana, provides a clear marker of the process of fragmentation since the roll-out of GEAR. While COSATU again worked to garner worker support for the ANC, Vavi and his own sectoral trade union federation, the National Union of Metalworkers of South Africa (NUMSA), refused to campaign for the ANC. The following year, Vavi and NUMSA would be expelled from COSATU in 2015 for “gross misconduct” in a move spearheaded by officials angered by Vavi’s increasingly fierce criticism of the ANC’s policies. Yet, it is precisely this criticism that led more and more workers to see Vavi as their staunchest advocate. As one observer put it: “Nobody has shown more clearly than Vavi how the conditions facing Cosatu members and the broader working class steadily deteriorated over the

years, despite being a part of the ruling alliance, especially as a result of economic policies that had adverse consequences." (Harvey 2015).

The expulsion of Vavi and NUMSA puts a punctuation mark on the growing divisions between unions. With NUMSA's departure, other large federations in COSATU would boost their influence and reaffirm their backing of the ANC, including public sector unions, which had accounted for just 7 percent of COSATU's membership in 1991 but by 2012 had come to represent 40 percent of COSATU's membership (Satgar and Southall 2015, 29; Seekings and Nattrass 2015, ch. 9). While these public-sector unions did organize large strikes from time to time, these were settled quickly through modest wage increases (Herstkovitz 2010) and did not keep the unions from backing an ANC government that paid for their salaries. While this may have given the triple alliance a lifeline for the time being, it also heightened inter-union tensions and conflicts.

Proclaiming that "the COSATU that we launched in 1985 is no more" (cf. Tabane 2016), Vavi went on to launch a new federation spearheaded by NUMSA and incorporating seven former COSATU affiliates who had suspended their membership in COSATU out of solidarity with Vavi. As a result, COSATU's total membership shrank by about a quarter million, with the number of affiliated federations falling from 22 to 14. In the meantime, the membership of two other large federations with seats on NEDLAC – the Federation of Unions of South Africa (FEDUSA) and the National Council of Trade Unions (NACTU) – held steady or showed modest growth. This means that, even if COSATU remains the largest federation in South Africa, its share of the unionized workforce has fallen, along with its ability to keep the

unionized workforce behind the ANC. At least as importantly, COSATU's 2012 survey of shop stewards and 2014 survey of members both reveal a continuing decline in the level of support for the ANC (Pillay 2015). These trends likely contributed to the ANC's poor showing in the 2016 municipal elections, when the ANC's share of the vote dropped below 50 percent in five of South Africa's six biggest cities, allowing opposition parties to select more non-ANC mayors.

Apart from the defections and inter-union competition, COSATU has had to contend with other internal differences. Among shop stewards, who are generally more trusted by workers than national union officials, there is much more differentiation across sectors: some are more likely to accommodate business interests and be supportive of the triple alliance, while others are more likely to support the use of strikes and discourage political unionism (Masondo, Orkin and Webster 2015, 209; von Holdt 2012, 190). For rank-and-file workers, the impotence of COSATU unions in the face of retrenchment has produced an "internal crisis of representation," with union officials neither forthright in communicating "bad news" to members, nor prepared to launch labor actions to block retrenchments or negotiate better retrenchment packages (Webster 2006, 24). The declining trust between the rank-and-file and the union bureaucracy (Maree 2012, 65-7) has been compounded by growing awareness among workers that some union officials have been searching for stable, long-term positions in government while others have become full-time union representatives at companies where they are rewarded for "taming labour demands" (Reddy 2014). Moreover, newer union officials have become increasingly frustrated that their former colleagues, once in government, rarely advocated for stronger social protection for workers and systematically sought to malign trade unionists who might push more for redistribution than growth (Buhlungu 2010, 174).

In effect, the ANC's pursuit of GEAR proved to be the starting point of a path marked by the decline in COSATU's share of the unionized workforce, deepening conflicts among prominent labor leaders and between sectoral federations, and declining confidence of COSATU members in their union bureaucracy. The net effect was a steady dispersal of labor power that, in turn, eroded the effectiveness of national labor institutions. In particular, NEDLAC failed to function as "an industrial relations system based on containing [and] institutionalising industrial conflict through a national regime of collective bargaining" (Bischoff 2015, 245). A 2013 report prepared for the ILO cites the decline in social dialogue and erosion of trust as major obstacles to retaining NEDLAC as a functional mechanism for peak-level tripartism (Webster et al. 2013). Trade unions have proven unable to maintain a cohesive front to leverage NEDLAC, at least when it comes to pressuring government and business over policies that threatened workers' job and income security (Webster et al. 2013, 54). On the business side, there have been growing calls for shutting down NEDLAC, with the CEO of the Chamber of Mines, Bheki Sibiyi, declaring that "NEDLAC belongs to a previous era" (cf. Webster et al. 2013, 11). Yet, the attenuation of channels to give labor voice and institutionalize the management of labor-management disputes are a key reason that aggrieved workers have increasingly resorted to labor actions outside of the formal system of industrial relations, including wildcat strikes featuring high levels of violence (von Holdt 2012). This helps explain why the World Economic Forum (2016) ranks South Africa dead last out of 140 countries in terms of "cooperation in labor-employer relations." It does not, however, explain the disproportionately high levels of wildcat strikes and strike violence across the platinum belt (Chinguno 2015), which is where the massacre at Marikana took place.

III. Labor Relations in the Platinum Belt: Falling Shares, Rising Militancy

South Africa's mines had been a site for labor unrest and profiteering since the late 19th century (Allen 2005). In the last decade of apartheid, however, the revenues they generated were limited as a result of divestment measures and economic sanctions. Under ANC rule, the “mineral-energy complex” (Fine and Rustomjee 1997) – led by the mining of gold, diamonds, platinum and coal – became a crucial driver of economic growth. As commodity prices peaked in 2008, natural resource rents accounted for nearly 20 percent of GDP. While the figure came back down with falling commodity prices, in 2012, the year of the Marikana massacre, precious metals and ores constituted 28 percent of all merchandise exports and brought in over \$27 billion in export revenue (World Bank, 2016).

With respect to platinum, South Africa accounts for over 70 percent of the world's total production and holds 80 percent of the world's reserves (Chamber of Mines of South Africa 2016). Almost all of it is concentrated in the Bushveld complex, which encompasses two regions stretching out about 200 miles to the northwest and northeast of Johannesburg. Three large global mining companies account for most of the platinum mining: Anglo-American Platinum (Amplats), Impala Platinum (Implats), and Lonmin. All have been listed on the Johannesburg and London stock exchanges (although Implats pulled out of the London exchange in 2012). After reaching a peak in 2008, the price of platinum fell by 25 percent at the time of the 2012 massacre (Apmex 2016), but the drop in share prices for the big three platinum companies was far steeper and more sustained. The share price of Amplats stocks at the Johannesburg exchange in December 2015 was one-seventh of what it was at the peak in May 2008 (Amplats, 2016).

Lonmin, where the massacre occurred, was characterized as a “bottomless pit” (Smith 2015), with share prices in 2015 at less than one percent of what they were in 2008. These steep declines sent shockwaves through the industry. That the volatility of share prices was so much greater than that of the actual price of platinum meant that company executives sought to mitigate the loss of profit through other measures, including periodic workforce reductions and keeping labor costs in check (Reuters 2016). These pressures had much to do with why workers in the platinum belt have been especially restive since 2008. True, falling commodity prices worldwide have spurred labor unrest in the face of declining job security and real wages. But, few countries have seen the sorts of protracted, violent, often lethal, confrontations unfolding in South Africa’s platinum belt since 2008 – between labor and management, between strikers and non-striking workers, and between backers of competing unions (Chinguno 2015). And, even fewer have witnessed anything on the scale of the massacre at Marikana.

It is worth noting that the dynamics of labor unrest that preceded the massacre at Marikana has been fairly typical across the platinum belt. Most industrial disputes, many initiated without union backing, have started with demands for large wage increases. While companies have pointed to falling profits to justify holding the line on wages, the mean salaries of company executives have remained at least 150 times that of mineworkers, who had to contend with stagnating real wages and the threat of mass dismissals (Sinwell 2016, 5; Steyn 2013). To make matters worse, the take-home pay of many miners can get significantly reduced due to the common practice of garnishing wages as punishment for violations of work discipline, including situations where workers may interrupt their shift to lodge complaints (Bond 2014, 269). Miners have been keen to stress that, compared to workers in other sectors, they face

markedly more dangerous conditions, often working one kilometer underground, with limited breaks for food and water and the knowledge that between 100 and 200 workers die in the mines from accidents each year (Alexander et al. 2012; England 2012). They are also aware that their wages are less than one-tenth that of their counterparts in other countries, such as Britain and Australia, despite having to follow the more physically exhausting system of traditional rock drilling (as opposed to mechanized extraction over long shifts (Alexander et al. 2012; Sinwell 2016, 5). It is the rock drill operators who tended to be at the forefront of most labor disputes, including the 2012 wildcat strike at Lonmin.

The grievances of miners are reinforced by their living conditions. Most of the workforce in the mineshafts consists of migrant Black workers who live in informal settlements and cramped hostels in surrounding communities. The ANC passed new legislation, including the Mining Charter of 2002, which obliges mining companies to provide better housing and improve the quality of life in surrounding communities (Chinguno 2015). Yet, with cuts in welfare services due to austerity measures and the low capacity of state structures in these communities (Chinguno 2015; Fogel 2014), the reality is that most of these communities continue to be plagued by poverty, poor health conditions and environmental degradation (Cairncross and Kisting 2016). Moreover, in the absence of adequate municipal governance, alternative norms and principles are reflected in “informal structures that use vigilante-type violence to maintain order” (Chinguno 2015, 255). The proximity of these communities to the mineshafts also means living away from families for long periods. But, this also create sustained opportunities for large numbers of workers to organize protests right where they live and work, potentially creating “a

permanent picket line – a space of worker resistance” (Chinguno 2015, 254). Why these protests became necessary in the first place, however, is the question that holds the key to Marikana.

The most visible union in the mining sector until recently has been NUM, organized by Black mineworkers in the course of the national liberation struggle and later a founding member of COSATU (Allen 2005). In the post-apartheid era, NUM was effective in recruiting the migrant workers, becoming the trade union with the largest proportion of members who are migrant workers, 59 percent (Xulu 2012, 217). At the same time, NUM struggled to reconcile two distinct roles, analogous to COSATU’s effort to simultaneously lead the labor movement and support the ANC. On the one hand, NUM touted its role as a leading force for working class mobilization: “The history of the National Union of Mineworkers (NUM) is a history of class struggle. This struggle is embedded in the inherent contradictions that exist between capital and labour.” On the other hand, NUM took pride in being “a leadership grooming institution [that] has always been willing to avail its graduates to assume important roles within the alliance structures” (NUM 2016). Yet, it is precisely this dual role that made NUM less effective in defending miners’ interests following 2008, as platinum companies and the national economy experienced alternative periods of contraction and slow growth.

The most visible symbol of the problem is Cyril Ramaphosa, a founding leader of NUM during the struggle against apartheid and later General Secretary of the ANC during the post-apartheid transition. During the Mbeki administration, Ramaphosa founded an investment firm that owned major stakes in South Africa’s mines, joined the board of Lonmin, and accumulated a net worth to \$450 million, which put him on Forbes’ list of the 50 most wealthy Africans (Forbes

2015). As noted above, it is Ramaphosa who sent emails to Lonmin executives and ANC ministers to code the wildcat strike at Marikana as a criminal act requiring decisive “concomitant action” (Hosken 2012). At the workplace, too, many NUM officials carved out a dual role, representing mineworkers while also sharing management’s goals of maintaining industrial peace and labor productivity. NUM shop stewards have been more likely than their counterparts in other unions to discourage militancy and push for accommodation with management (Masondo, Orkin and Webster 2015, 211). While NUM’s focus on industrial peace and cooperation may have been motivated by a genuine desire for industrial harmony and national economic growth, it also fed the perception among a growing number of its members that NUM had become a “middle class union” whose well-to-do officials had become too invested in the success of the company to properly represent workers’ interests within the existing system of collective bargaining.¹

This is one reason for the rapid ascent of AMCU, an alternative union that is not affiliated with COSATU but quickly became the dominant union in the platinum belt within a year of the massacre at Marikana. AMCU’s rise was not, however, simply a consequence of the massacre. It also grew out of a process whereby the formal system of labor relations was bypassed while independent workers’ committees increasingly resorted to wildcat strikes marked by a level of strike violence not seen since the apartheid era (Chinguno 2015). In fact, six months before the 2012 massacre, a six-week strike at Implats by 5000 workers, including many NUM members, was accompanied by violent confrontations and three deaths before the company agreed to a 125 percent increase in wages. It was AMCU, which had just become the majority

¹ Prof. Andries Bezuidenhout, Capetown University, personal communication (24 November 2013).

union at Implats, that negotiated the big wage increase. It is also evident that AMCU had its sights set on the workforce at Lonmin, where mineworkers were becoming more aware of AMCU's role in vigorously pressing for substantial wage increases at Implats. A month before the Marikana massacre, in July 2012, when a strike broke out at Lonmin's Karee mine, company officials responded by laying off the entire workforce of 9000 workers. It was AMCU that stepped in to insist on the rehiring of most workers and negotiate a substantial pay increase on the grounds that rock drill operators at Karee were required to work without the assistants available to miners doing similar work at other shafts (Alexander et al. 2013, 27-28).

The Implats strike served as a catalyst for similar labor actions at other mining companies and ushered in a new era of fierce competition between COSATU-affiliated NUM and AMCU, with the latter enjoying all the momentum. Prior to the massacre at Marikana, however, NUM remained the majority union at Lonmin mines and NUM leaders coded AMCU's recruitment efforts as a threat to their position. This contributed to violent intra-labor confrontations involving workers and labor organizers from the contending unions (Chinguno 2015, 263; Duncan 2013). In fact, following the massacre at Marikana, NUM President Senzeni Zokwana would blame AMCU for "having instigated the march leading to the killing," (Marikana Report, cf. Craven 2016, 30). For its part, AMCU did not shy away from encouraging and recruit striking workers, including NUM members, even though NUM was the majority union. Within a year after the massacre at Marikana, AMCU was able to claim 60 percent of the unionized workforce at Lonmin and supplanted NUM as the majority union there (Motlogelwa 2013). Shortly after killings at Marikana, miners at the third platinum giant, Amplats, also went on strike demanding substantial wage increases. As at Lonmin, the majority union NUM did not

take these demands to management, which threatened a mass dismissal of all strikers. Workers' committees nonetheless went on strike, and only intervention by national COSATU officials – including Vavi who was still General Secretary at the time – convinced them to end the strike and accept a modest wage increase of 400 rand (28 US dollars) a month (Sinwell 2016, ch. 4). But, within a year, AMCU became the majority union at Amplats as well.

In January 2014, AMCU would take advantage of its hard-won position as the majority union at all three of the platinum giants – Amplats, Implats and Lonmin – to organize the largest, most protracted, and most expensive strike in the the platinum belt. AMCU's charismatic president, Joseph Mathujwa, called a meeting featuring thousands of workers from all three firms to mobilize support from the rank-and-file for an action intended to press forward with the original demands of workers' committees: an increase in the monthly wage from \$500 to \$1200 along with protection from mass dismissals due to retrenchment (Sinwell 2016). The strike involved 70,000 workers and lasted five months, costing the three companies a total of over two billion dollars in lost revenue. The strike led to an agreement that, while it did not bring the sought after “living wage,” guaranteed successive annual wage increases of 20 percent. Although the agreement did not address retrenchment issues, AMCU by now was secure in the knowledge that it could call a crippling strike in response to any plans involving massive job cuts (Stoddard 2014). More importantly, after two decades during which NUM had been the dominant union throughout the mining sector, AMCU had emerged as indisputably the leading union in the platinum belt.

Looking back, the most important legacy of Marikana may be that workers challenged not only the company but the authority of NUM's position as "the key instrument of the institutionalisation of industrial relations" (Chinguno 2015, 247). Following the massacre, AMCU's supplanting of NUM as the leading union in the platinum belt is grounds for optimism that effective unions can operate outside of the COSATU and the triple alliance and that the formal collective bargaining and dispute-resolution mechanisms set up in the Labor Relations Act can function as intended, at least at the company level. AMCU's top leaders are not constrained, as NUM leaders have been, by long-standing alliances and inter-personal connections with ANC political elites focused on growth or with managerial elites focused on productivity. They have also managed to cultivate an ethos of "radical democratic practice," initiating labor actions only through mass meetings featuring thousands of workers (Sinwell 2016, 159). From the perspective of company executives, this is a double-edged sword: on the one hand, AMCU might be able to provide workers with enough voice to preempt protracted, violence-prone strikes; on the other hand, if AMCU maintains its practice of designing its actions in consultation with rank-and-file members, it is likely to launch frequent labor actions with more substantial wage demands. But, this dilemma seems less severe than the prospect of a repeat of the Marikana scenario, which not only caused the tragic deaths of 34 mineworkers but resulted in Lonmin's shares losing two-thirds of their value within three months of the massacre.

IV. Conclusion

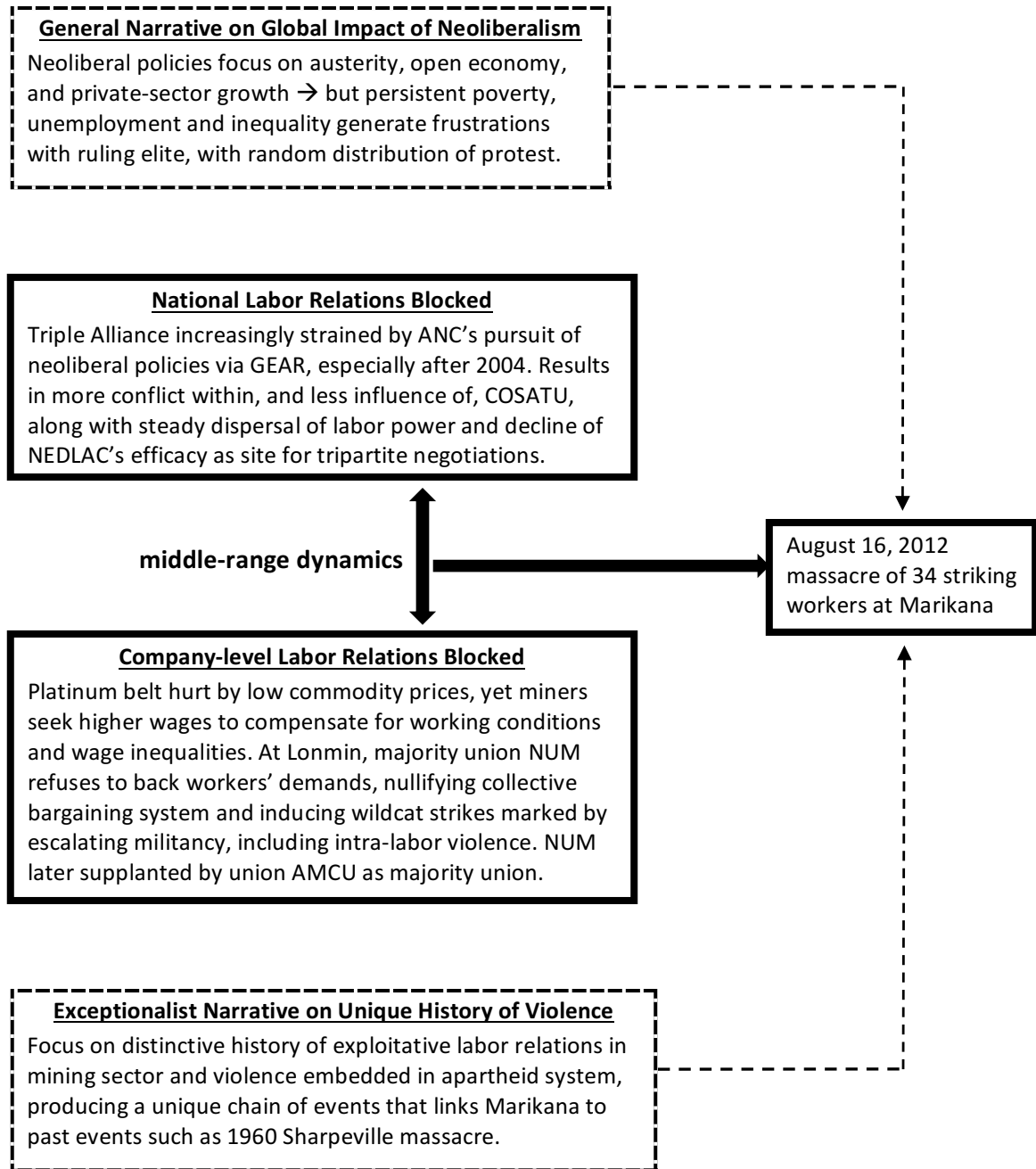
Some twenty years following the end of apartheid, the ANC's policies have yet to make much headway in reducing social inequalities, high unemployment and rampant poverty. South Africa's gini coefficient, as recorded by the World Bank (2016), increased from 59.3 in 1993 to

63.4 in 2011 (on a 0-100 scale where 0 represents perfect equality). Using the government's expanded definition of unemployment (which includes those who are too discouraged to keep seeking jobs), the unemployment rate is over 40 percent among Black Africans, four times higher than for Whites (Statistics South Africa 2016b, 22-23). Black youth unemployment (among those under the age of 24) stands at over 50 percent and is likely to climb considering that over 30 percent of South Africa's mostly Black population is currently under the age of 14 (Statistics South Africa 2016a). For those employed, inflation-adjusted wages have either remained the same or have declined since the late 1990s (Reddy 2014). These conditions have reduced popular support for the ANC, as evident in local elections in 2016 when the ANC's aggregate support fell below 50 percent in several major cities, including Johannesburg. There is also a growing sense of disenchantment with the system of governance. As Gumede (2015, 327) notes: "South Africans are rapidly losing faith in the democratic institutions and social contract arrangements that underpinned the 1994 post-apartheid South African democratic settlement."

These broad trends have something to do with the escalation of protest in different forms throughout South Africa. They do not, however, account for why employed workers belonging to unions would risk their jobs in unprotected strikes across the platinum belt, or why those strikes might be marked by spirals of violence that sometimes end in loss of life as in the case of the massacre at Marikana. Yet, arguments that see the massacre as the result of distinctive legacies – of structural violence during the apartheid era or of the long history of exploitation in South Africa's mines – cannot explain why wildcat strikes and intra-labor violence have been on the rise of late, or why Black workers, after fighting alongside the ANC to end apartheid, have not fared better in the post-apartheid era. To answer these questions, one must consider the functioning of a system of labor relations that has been regarded as generally progressive, with

particular attention to the blockages within the institutionalized channels set up for consultation, dispute-resolution, and collective bargaining at both the national and company levels (Figure 1).

Figure 1



At the national level, as argued in section two, the central point concerns the unintended consequences of the triple alliance. COSATU's strong ties to the ANC, while backed by most unionized workers during the 1990s, served to put the brakes on the effective representation of labor's distinct interests once the ANC began to push ahead with GEAR. COSATU found itself increasingly divided over whether to continue backing their alliance partners or press demands that cut against GEAR's initial emphasis on austerity, flexibility, and business-driven growth. These divisions ultimately led to expulsions and defections that have reduced COSATU's relative share of the unionized workforce, deepened the fissures within organized labor, and reduced the level of trust between the rank-and-file membership and officials on COSATU's executive committee. The resulting fragmentation of the labor movement has prevented trade unions from effectively defending workers' interests or voicing grievances through the formal channels established for social dialogue, especially the tripartite body NEDLAC where COSATU still holds a majority of the seats assigned to labor. Under these conditions, it is not a surprise that aggrieved workers, the vast majority of whom are not aware of NEDLAC or GEAR, would form independent committees and pursue labor actions outside of the formal system of labor relations in search of higher wages and more secure jobs.

As section three argued, however, it is also necessary to address the disproportionately high frequency, scale, and militancy of strikes in the platinum belt, where the Marikana massacre took place. Here, intense pressures on companies watching share prices plummet have come face to face with intense frustrations among the mostly migrant mineworkers who must toil for long hours drilling rock underground while watching company executives, including many NUM union bosses, continue to live comfortably. While such situations exist in extractive industries in

other countries, in South Africa, what stands out is the growing irrelevance of seemingly well-designed company-level mechanisms for collective bargaining, particularly in cases where union officials stand to be rewarded for preempting labor disputes or moderating workers' demands. At Lonmin, NUM officials not only failed to take heed of workers' repeated calls for higher wages, but they joined the company's management, and security personnel in rejecting negotiations, even shooting at workers wishing to move forward via independent strike committees. With the channels for bargaining and dispute-resolution closed off, the tensions between workers and management skyrocketed and came to be accompanied by intra-labor tensions – between NUM and AMCU and between strikers and non-striking workers. None of this implies that the actual massacre of 34 miners was somehow the fault of workers or unions; indeed, it is well-documented that authorities were preparing to use coercion to shut down the wildcat strike and that local security forces inflicted the fatal wounds without suffering a casualty of their own. But, the battle-lines at Marikana quickly hardened over a week-long period in part because the majority union did not recognize the legitimacy of workers' demands and grievances, let alone try to channel them into the institutionalized arrangements in place for labor-management negotiations.

These complementary arguments at the national and company levels illuminate key mechanisms that are pivotal for explaining the massacre at Marikana, but that are also portable across contexts. In fact, the logic underlying these mechanisms may be viewed as an adaptation of Huntington's (1968) famed "gap hypothesis," which highlighted the potential for extreme "disorder" wherever existing institutions failed to absorb or channel the political mobilization of groups frustrated by unmet expectations and inadequate opportunities for upward mobility. In the

case of labor relations in South Africa, this Huntingtonian dilemma was triggered not so much by an absence of institutions but by their declining efficacy and increasing irrelevance in the face of the ANC's push for neoliberal reforms. COSATU's long-standing alliance with the ANC ultimately ended up fragmenting organized labor and undercutting the functionality of NEDLAC, while the relationships cultivated between shop stewards and management in platinum mines pushed more and more workers to pursue labor actions outside of the formal channels and, eventually, to defect to the alternative union AMCU. While none of these "blockages" in industrial relations made the massacre at Marikana inevitable, they greatly heightened the likelihood of rapidly spreading, increasingly violent wildcat strikes throughout the platinum belt. While another massacre on the same scale may not occur anytime soon, the conditions that led to the Marikana massacre are likely to keep fueling labor militancy in the mining sector – unless AMCU proves to be a reliable alternative for representing miners' interests, perhaps breathing new life into the institutions for social dialogue in that sector.

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