

RealTime Transcriptions

TRANSCRIPTION OF THE

COMMISSION OF INQUIRY

MARIKANA

SEMINAR PHASE 2

HELD ON

9 APRIL 2014

PAGES

1 TO 75



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Seminar Phase 2

1 [PROCEEDINGS ON 9 APRIL 2014]

2 PROF ALEXANDER: - Peter Alexander,
3 Professor of Sociology at the University - Chair in Social
4 Change, and I'm chairing the proceedings tonight. I'd like
5 to begin by welcoming you all to this seminar, and in
6 particular I'd like to acknowledge the presence of
7 honourable Justice Farlam, Commissioner Tokota, and
8 Commissioner Hemraj from Marikana Commission of Inquiry.

9 This is the second phase of the Marikana -
10 important event - and those of our presenters will be
11 recorded - gathering - advocates representing the
12 Commission, Matthew Chaskalson to explain to us briefly -
13 in the inquiry - explain to us also how this seminar fits
14 within phase 2. But perhaps before we do that, perhaps we
15 move ahead with the proceedings this evening, I could ask
16 for a moment silence from us all because it's valuable on
17 these occasions - that we are doing here - important that
18 we understand this is an opportunity for us to try to make
19 sense of those awful events of August 2012, and in
20 particular the killings of 44 people, 34 of them on one day
21 on the so-called Marikana massacre.

22 So let me ask you then to be quiet for a few
23 moments and to think about what happened, think about what
24 it is we need - in a room adjacent to this one - mostly
25 perhaps all of them workers from Marikana - hearing the

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1 proceedings in this room and having them translated into -
2 if any of them want to join us in this room then - fully
3 entitled to do so and they may wish to take that
4 opportunity when we - questions. But if any of them, and
5 I'm sure they can hear me, now would like to raise matters
6 of concern for the house as a whole - thought at this stage
7 - also one of the major African languages and then
8 translated into English, but for now we're left with
9 English and perhaps, Matthew, you can explain to us, Adv
10 Chaskalson, you can explain to us the workings in phase 2.

11 MR CHASKALSON SC: Thank you, Professor
12 Alexander. The Commission thus far in the first phase of
13 its proceedings has been focussing on the immediate facts
14 of the events of that week of 9 to 16 August 2012. The
15 second phase of the Commission which started with last
16 week's seminar is going to look at issues which possibly
17 deal with more long-range causes underlying what took place
18 in August 2012, and there are various components to the
19 second phase of the Commission. This seminar programme is
20 one component. There will be a series of seminars. At
21 this stage we have five scheduled; in addition to last
22 week's seminar and this week's seminar there will be a
23 seminar on violence in industrial relations and a seminar,
24 or two seminars on topics of land, housing and services in
25 the Marikana area. That was originally going to be one

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1 seminar, it is now going to be - so we realised from last -
2 we need more time for discussion and less time for - well,
3 less time in one zone.

4 The seminars are only part of what the
5 Commission's process will be in phase 2. Alongside the
6 seminars all of the parties will be making submissions of
7 their own. Some of them we imagine might be in response to
8 what is discussed at these seminars; some of them will be
9 independent of what is discussed -

10 There will also be an evidence-gathering exercise
11 which will have two sides to it. The evidence leaders will
12 be requesting information from parties and non-parties to
13 inform the debate on phase 2 and circulating that
14 information which they regard as crucially relevant to the
15 phase 2 issues. And then finally there will be a more
16 formal court-like process of oral evidence and cross-
17 examination in respect of issues that are crucial to
18 determine for phase 2 and cannot properly be addressed
19 without oral evidence. So this is part of a broader
20 process that will feed into our understanding of the more
21 long - of what happened in the week of 9 to 16 August 2012,
22 and that is really how one should understand today's
23 seminar.

24 On that note I'd like to thank our Chair for
25 agreeing to chair the proceedings, Professor Alexander, and

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1 both of our speakers for, or four of our speakers for
2 agreeing to come to present.

3 PROF ALEXANDER: Just to see if there's
4 anybody who requires any clarification about what we're
5 doing here? Good, that's fine. Then let me thank you very
6 much indeed for that explanation. I notice that when I go
7 back over the transcripts I see there day 9, page 1081, Adv
8 Chaskalson says that, he makes a distinction between the
9 legal responsibility and legal causation, phase 1, and
10 social responsibility and sociological causation, phase 2.
11 So that's what we have here; sociological causation, and
12 I'd like to thank the Commissioners for the innovative
13 approach that they're taking to the Marikana Commission of
14 Inquiry. I haven't come across this idea before that a
15 commission of inquiry looks at these more long-term forms
16 of causation, sociological causation and so on, and so I'd
17 like to thank you very much indeed. The concern in this
18 statement is also statement moral responsibilities, and no
19 doubt that will come up in the discussion as well.

20 I want to introduce our two main speakers. The
21 form of the seminar is that we'll have two presentations to
22 begin with and then there'll be a tea break, something
23 which I understand is very much in keeping with the
24 tradition of this inquiry the Chair of the inquiry insists
25 on having tea, which is no doubt a very good idea, allows

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1 people a moment to reflect on what's been going on. So
2 we'll be having a tea break in the middle and then after
3 that we'll have two other speakers, one worker from Lonmin,
4 Marikana, and one resident from the Marikana area, and I'll
5 introduce them to you when we get to that point.

6 But let me begin then by introducing you to our
7 two main presenters for the evening. The first of these is
8 Gavin Hartford. Gavin is an industrial sociologist and the
9 founder of the Esop Shop, an advisory firm specialising in
10 designing, implementing, and managing employee ownership
11 and empowerment solutions. He spent more than a decade in
12 labour movement, from the mid 80s to the late 90s as a
13 national official of the National Union of Metalworkers of
14 South Africa (NUMSA) where he held the office of National
15 Negotiator for the Automobile Assembly and Motor Components
16 Industry.

17 After NUMSA Gavin joined the Commission for
18 Conciliation, Mediation and Arbitration (CCMA) and was
19 National Senior Commissioner for five years. He then went
20 into private consulting as a Corporate HR Strategy Advisor,
21 Mediator and Facilitator, specialising in multi-stakeholder
22 negotiation and change processes at firm and industry
23 level.

24 Through this work he founded the Esop Shop. Esop
25 I take to be Employee Stock Ownership Plan. So he founded

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1 the Esop Shop. Today Gavin enjoys the confidence of many
2 major mining and manufacturing clients, as well as leaders
3 in government and organised labour. He is widely
4 celebrated for his insightful analysis of the economic and
5 social drivers that led to the collapse of collective
6 bargaining institutions, occasioned by the lead-up to an
7 aftermath of the Marikana Massacre. This evening Gavin's
8 topic will be "Migrant labour post-apartheid: What
9 transformation, what solutions."

10 Our second expert this evening is Professor
11 Francis Wilson. Francis has taught at the University of
12 Cape Town for more than 40 years, where he is now an
13 Emeritus Professor. He was in the School of Economics at
14 the University and he founded and for many years directed
15 the Southern Africa Labour and Development Research Unit
16 (Saldru). He is now involved with the Carnegie
17 Commission on poverty and inequality.

18 Francis's work dates back decades and one of his
19 most important books, one I have here is really a classic
20 in terms of understanding migrant labour on the mines.
21 This one is entitled "Labour in the South African Gold
22 Mines, 1911 to 1969," and I was looking at it briefly
23 before I came here and on the dust jacket we learn that Dr
24 Wilson believes that successive South African governments
25 have used the gold mining industry as a model when planning

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1 labour policies so that the mines' labour strategy has
2 extended, has exerted a profound influence on the social
3 and economic structure of South Africa.

4 So the significance of what we're dealing with
5 here in relation to the mines extends beyond the mines to
6 understanding the political economy of South Africa as a
7 whole. Francis has published a number of other books,
8 including Uprooting Poverty with Mamphela Ramphele and he
9 is the co-editor of Poverty Reduction: What Role for the
10 State in Today's Globalised Economy?

11 The topic for Francis tonight is "End of
12 migrancy: What consequences, what response?" So let me
13 invite Gavin Hartford to take the platform and to address
14 you for about 25 minutes.

15 DR HARTFORD: Good afternoon, everybody.
16 Can you hear me? And thanks to the Commission for this
17 opportunity to talk to you today from a sociological
18 perspective as to what were the underlying drivers that led
19 to the Marikana events in August 2012.

20 So what I'm going to do is I'm mindful that it's
21 a big story and I've got 25 minutes to speak, so I'm going
22 to flip through some slides and talk to the events that led
23 to the 2012 August massacre, and then talk a little bit
24 about what the implications of this are for migrant labour
25 going forward.

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1 So alright, here's what we're going to talk
2 about. We're going to talk about the initial trigger
3 strike a little bit that started in Amplats in, in Implats
4 in the beginning of 2012 and lasted six weeks. We're going
5 to look at the demographic, the broad demographic of a
6 migrant labour workforce, what does it look like from a
7 demographic point of view. We're going to try and
8 understand the socio and economic conditions that migrant
9 workers face, because frankly I don't think any South
10 African understands those conditions as they are today, no-
11 one. But certainly try and understand the context of
12 poverty and inequality within which they live and the
13 changed conditions that have happened amongst migrant
14 labours in the last 20 years post the democratic transition
15 in 1994.

16 We're going to look at those socio and economic
17 conditions as the key drivers for the industrial action
18 that unfolded in 2012, and that led to both the strikes as
19 well as the massacre in August, and why did the
20 institutions of collective bargaining, the union, the
21 company, the collective agreements that they have
22 concluded, and all the myriad of forums that exist within
23 mining houses in relation to employee engagement, why did
24 all of this collapse over the strike wave of 2012, which
25 frankly because we should have also have had a minute of

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1 silence for this too, has brought us to a point now where I
2 mean just today for the record we know that there's almost
3 zero negotiations happening in the now 11th week of strike
4 action on the same platinum belt and no discussion
5 whatsoever between the parties to speak of substantively.

6 So what we're going to talk about in terms of
7 that history has a very direct bearing on where we're going
8 from now forward. So let me just run into it very quickly.
9 You know, this is how the story starts. In 2012, beginning
10 of January, I think it was the 15th of January on the 15th
11 shaft on Implats there's a tools down with workers saying
12 they would want an 8, I think it was R8 000 across the
13 board adjustment to 8 or R9 000 at that time, R9 000 net.
14 As a result of, and that they didn't want to negotiate
15 through the NUM, which was their union. AMCU didn't have a
16 single stop order at Implats. They had no presence on the
17 platinum belt with the exception of Karee Mine, which is
18 part of Lonmin, and the workers downed tools and said we
19 want to negotiate directly with management. As some of
20 Paul Stewart's work has shown, there is a pattern of this
21 in the past but this was a very significant strike which
22 started in 2012 as a result of a collective bargaining
23 process that had been going for about six months before the
24 strike started.

25 A collective agreement had been signed off in

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1 2011 and soon after the signing of that collective
2 agreement management went and adjusted the category of
3 employees called miners and they, even though that that
4 category of employees fitted within the collective
5 agreement and were in the bargaining unit they were
6 adjusted and the effect of that adjustment was to trigger
7 the rock drill operators who felt that their issues had not
8 been addressed in the wage negotiations and they started a
9 strike which ended up lasting six weeks.

10 The significance of this strike was that it was
11 led by migrant workers, and that's what brings us to this
12 topic today, specifically workers, and then the strike
13 committee that was created to lead the strike at Implats
14 and was mirrored in the strike committee that was created
15 at Lonmin later were almost entirely to the person
16 amaPondo, and migrant workers from Eastern Cape largely.
17 There were a sprinkling of Lesotho and Mozambican people,
18 but the amaPondo from the Eastern Cape drove the strike
19 committee at Implats and led the negotiations ultimately
20 around the adjustments that happened at Implats after that
21 strike.

22 Now if we want to understand the migrant worker
23 demographic, I think the key issues to understand today is
24 that the bulk of migrants come from basically Mozambique,
25 Lesotho, and the Eastern Cape. I would say about 80% on

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1 average across the entire migrant workforce are largely
2 from the Eastern Cape, and the ones from the Eastern Cape
3 which are called the amaPondo because they come from
4 Pondoland, as distinct from the amaThembo which come from
5 the more inland part of the Eastern Cape, they come from
6 the coastal areas of the Eastern Cape, the capitals
7 Lusikisiki, Flagstaff, those areas, huge labour-sending
8 areas. Those people have historically since the
9 commencement of mining occupied a specific category of
10 employment and that is rock drill operating. You'll
11 scarcely find on the platinum belt any other employee
12 outside of the migrants working as rock drill operators.
13 So it's almost like a designated occupation for migrant
14 labourers, and specifically those from the countries I've
15 mentioned.

16 You know, two-thirds of those workers are guys
17 our age, [inaudible] coming from the 80s and 70s, class of
18 '76, 18 years old in 1976, getting their first jobs,
19 joining the union, building the NUM against the bullets of
20 BOP back in the days of apartheid when the NUM was banned
21 in these areas, and working as rock drill operators within
22 the region of 15 to 30 years of service at the front end of
23 mining. They are joined by the third of much younger
24 workers, much more militant workers, if you like, workers
25 who typically there's a high turnover and a high churn of

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1 the younger workers. If you look at the way they're
2 turning over in the workforce they last a year, two years,
3 three years, and they can't handle mining. It's like their
4 first job and they move out, but there is this contingent
5 of younger workers that has joined the mining industry in
6 the last 20 years.

7 The combination of old workers who have been
8 incapable of changing their conditions because their
9 conditions, with the exception of the one issue we're going
10 to be discussing in some detail, which is the accommodation
11 and housing issue, their conditions have remained largely
12 the same for 20 years. I mean don't forget that the last
13 major strike in the mining industry was in '87 or '89,
14 which was led by Cyril Ramaphosa and others and since then
15 we've seen across the board adjustments. We've seen no
16 major change in the collective bargaining pattern in
17 mining, with the exception of in the accommodation area.
18 So these workers have stayed in those positions for that
19 period.

20 The combination of them and the younger workers
21 make for this very militant cocktail that we're seeing
22 unfold right at this very moment. They regard themselves
23 as doing some of the most physically challenging work, some
24 of the most difficult work, and some of the most dangerous
25 work, and what happens is that post 1994 one of the most

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1 glaring features of apartheid capitalism has been in the
2 migrant labour system and particularly in the accommodation
3 of migrant workers. Everybody knows those images of naked
4 searches, of workers, migrant workers living in awful
5 conditions in hostels, migrant workers living and sleeping
6 on concrete beds. So one of the first things that unfolds
7 in collective bargaining post 1994 is the demand
8 appropriately from the NUM that the accommodation
9 conditions of workers gets improved.

10 After negotiations with employers over several
11 rounds of negotiations a new item gets introduced into the
12 package and that's the item of accommodation, and it's
13 basically got two components. The one component is for
14 those who want to own homes, they call it a LOA, living-out
15 allowance, L-O-A, and that's essentially a bond subsidy
16 paid by the employers to subsidise a bond and the - sorry,
17 that's a HOA, sorry, a homeownership allowance, and then
18 the other is a living-out allowance, which is an equivalent
19 payment which kind of ranges between about R1 900 to R2 000
20 a month and that money is paid to those workers who will
21 live out. In other words it's ostensibly a payment for
22 rental income to assist those employees to live out and pay
23 rent. So what happens is that vast - on the platinum belt
24 vast amounts of migrant workers leave the hostels to
25 acquire the living-out allowance of R2 000 or R1 900, and

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1 go and build a shack and if you go to the platinum belt and
2 if you tour across that belt you'll see there's brand-new
3 zinc everywhere. That brand-new zinc isn't zinc of an
4 unemployed person scratching off a heap. That is an
5 employed person capable of building a shack with brand-new
6 zinc and the first thing that person needs when they build
7 the shack is to build a home, and often women join them in
8 the shack where they call them "denyatsis." The
9 "denyatsis" join them. We have to buy beds, we have to buy
10 a stove, we have to buy a fridge - because it's very hot on
11 the platinum belt - to store our food in. We have to
12 organise transport, sometimes two taxis a day to get to the
13 shaft, from your shack to the shaft.

14 If you look at the cost structure of all of these
15 elements that the migrant workers took on, they took on a
16 secondary home, often with a second wife and often with
17 even children from that second wife. This is the major
18 socioeconomic change that happens post 1994 to the migrant
19 worker, whereas before he lived in a hostel, he was fed by
20 the company. The hostel was near the shaft; he could
21 either walk or get transported by the company to the shaft.
22 Now he was a living-out person who was living out and was
23 in a situation where they're having to cover all of these
24 costs on R2 000. I think this is the major socioeconomic
25 driver that led to the industrial action that we saw at

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1 Implats and later across the entire platinum belt.

2 I'm told I've got 10 minutes. The result was a
3 massive strike, lots of losses on all sides, collapse of
4 collective agreements, collapse of collective bargaining.
5 If we want to understand why did those things collapse the
6 way they did we've got to look at the union structures,
7 we've got to look at the joint structures with management,
8 we've got to look at joint forums, and one of the most
9 fascinating things that I found when - and by the way, I
10 was seeing this for five years before it actually happened
11 because in collective bargaining situations, sitting with
12 unions, what I realised very clearly was everybody around
13 the table were people who were C-band and upper. Now in
14 the mining industry there are basically three bands.
15 There's A, B and C. Those are [inaudible] bands. The vast
16 bulk of workers, 80% of them live at that A-band level, but
17 the leadership that was responsible for the negotiation of
18 collective agreements were largely C-band skilled workers
19 and that's not the fault just of the union; the management
20 needed English people to talk to, people who could
21 understand their problem. So C-band people got into
22 leadership positions and across the mining belt - and this
23 is not unique to Implats - you will find that collective
24 bargaining is dominated by the top 5 of the NUM at that
25 time and those people are all fulltime shop stewards,

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1 they're all upgraded to a C-band when they become fulltime
2 shop stewards. They earn nearly double what the A-band
3 people earn by that adjustment, and the same thing happens
4 at mine level and to some degree at shaft level, although
5 the mixture is different at shaft level; there is more
6 participation of A-band and B-band employees, the picture
7 being the emergence of a higher-paid layer of trade union
8 functionaries who are all fulltime, or largely fulltime.
9 In the case of Implats they'll have about 60 fulltime shop
10 stewards, maybe up to 100 fulltime shop stewards at
11 Angloplats, who are paid significantly more than the
12 ordinary members they represent.

13 The end result is that the raise and grade
14 adjustments for the fulltime shop stewards, the removal of
15 the fulltime shop stewards from production, the time off
16 for unions and the training, all of that leads to a
17 collapse of this key issue, the collapse of constituency-
18 based representation. I think that's the basic problem
19 that emerges, which is that the notion of a shop steward in
20 a constituency representing a constituency and democratic
21 processes within a union gets weaker and weaker over the
22 last two decades, culminating in the collapse of that union
23 right across the platinum belt.

24 You can see it by the low levels of attendance in
25 general meetings even when wages were being discussed, and

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1 you see also a stratification of the bargaining unit where
2 across the board adjustments were leading to lower pay at
3 the bottom than the people at the top in cash terms, not in
4 percentage terms.

5 There's one other thing that people should
6 understand, and that is that whilst this is happening, it
7 happens in an environment of major changes in the labour
8 market legislation post 1994. The emergence within
9 companies of a HR department which used to be one or two
10 people, now staffed by 10, 20, 30 professionals, one for
11 skills, for benefits, for Employment Equity Act, for
12 transformation, for government relations, and, and, and,
13 and the more specialised labour becomes - and that
14 concentration of skills happens in the HR department - so
15 line management, the people responsible for organising the
16 employees to deliver production become weaker and weaker.
17 They are unable to address any labour issue, to the point
18 by 2012 where line management will tell you we do not deal
19 with labour issues. Labour becomes an issue which is dealt
20 with by the union and HR. It's not a line function
21 anymore.

22 Now nowhere in the world does this happen,
23 nowhere in the world. Line typically answers employee
24 problems on a range of issues, day-to-day issues. That
25 becomes an outsourced function handled by HR and handled by

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1 the union, and that combined with, combined with the
2 collapse of union democracy and the elevation of a union
3 leadership away from its members results in massive
4 alienation of the rank-and-file. They can no longer speak
5 to their line management, nor can they speak to their
6 union. They are alienated from the production process
7 subjectively as well as objectively. So that is the key
8 driver that leads them to start to take action unilaterally
9 to address their conditions of employment through
10 industrial action.

11 One of the key elements here is the relationship
12 between collective agreements and the imagination of the
13 workers. The first issue that I'm pointing to is a lack of
14 constituency accountability. I think that's one of the key
15 drivers of the collapse of the union inside the mining
16 industry, which is low levels of constituency
17 accountability, combined with low levels of democracy
18 within the union, leads to a situation where union members
19 have very low levels of control over the decision-making
20 processes with employers. As a result, no support for
21 collective agreements, no support for recognition
22 agreements, propensity to take industrial action outside of
23 the law, and what's more, to secure gains outside of the
24 law. First at Implats, then right across the platinum belt
25 and even in the gold sector there were adjustments outside

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1 the law.

2 I'm going to kind of - I'm sort of running out of
3 time, so I'm going to stop there, safe to say this; is that
4 I think since the commencement of mining the Commission
5 needs to understand that the fundamental architecture of
6 the migrant labour system has remained unchanged. What we
7 found across all companies is a shrinking level of migrant
8 level, smaller numbers, whereas they were very high.
9 They've got less, they are like a third to 40%. In Lonmin
10 they're up to 50% of the workforce is migrants, and that
11 those migrant labourers across mining industry, their
12 conditions have changed very significantly in terms of this
13 whole living-out allowance process. That has been the key
14 driver of demands from originally R9 000 in this case, but
15 now going for R12 500, etcetera. The ability of the
16 industry and its unions to actively engage in addressing
17 that socioeconomic challenge has been found wanting, which
18 led to what was fundamentally an industrial relations
19 dispute at Lonmin.

20 I don't think at any point, and I worked on the
21 dispute directly myself, there was any doubt in the minds
22 of the workers, of their representatives, or even of the
23 management, and the mine management in particular, the line
24 management who were dealing with those workers, that that
25 was fundamentally an industrial relations dispute settled

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1 by one thing; adjustment of wages, nothing else.

2 We saw throughout the process requests by the
3 workers to simply engage with management on adjusting their
4 rates, and it's not surprising that today we are facing
5 massive industrial action on exactly the same issue. Thank
6 you.

7 PROF ALEXANDER: I understand that at the
8 first seminar last week the Chair asked if anybody had any
9 very brief questions about clarification. I don't know if
10 there is anybody now who just wants something that can be
11 explained in one sentence, and in particular terms or
12 anything like that. This is not discussion. This is not
13 questions of substance. This is just issues of
14 clarification that might be required. Yes?

15 SPEAKER: [Microphone off, inaudible]
16 makes those figures -

17 PROF ALEXANDER: No, no, that's fine.
18 I'm going to take that in the second half, okay. It's a
19 very fair question, but it's not what I mean by
20 clarification, okay. So we'll take that in the second
21 half. Anybody who wants to just ask something very simple
22 for clarification? It may be that next-door there are
23 people also who would like clarification, and I can take
24 that also after Professor Wilson has spoken. Anybody?

25 Okay, well in that case let me thank you very

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1 much indeed, Gavin, for the very thoughtful comments, very
2 helpful comments you've made to us, and let me invite
3 Professor Wilson to present his address.

4 PROF WILSON: Good afternoon, everybody.
5 Thank you very much to the Commission for inviting me. I
6 welcome the opportunity; I've been working on this issue
7 for many years, and I would also like to say to the migrant
8 miners, who I gather are mainly next-door, [African
9 language].

10 To answer these questions which we've been set
11 one has to start by asking what impact the establishment of
12 the migrant labour system in the mining industry in the 19th
13 century, and its enforced maintenance by means of the Pass
14 Laws through the 20th century has had on the people who live
15 in the major sending areas and the able-bodied men who have
16 come from there. We'll focus primarily today on economic
17 issues as there is no time to consider the wider, no less
18 devastating social consequences.

19 Let's begin with a story, it's middle of the
20 afternoon and you need a story to start. Mohale's Hoek in
21 Southern Lesotho just inside the border, 1983, outside a
22 trading station in Mohale's Hoek in late one afternoon, and
23 I was there and I saw one of these enormous lorries - you
24 know with 18 wheels, all kinds of capacity to carry things
25 - outside a trading store and that 18-wheeled lorry was

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1 loaded with long life milk which they were unloading into
2 the trading store in Mohale's Hoek. I looked again at that
3 lorry and it had a CB number plate.

4 Now let's interpret what that all is. CB is Port
5 Elizabeth. The long life milk came from Port Elizabeth
6 from cows that were producing milk just outside PE, being
7 turned into industrial milk, or long life milk in a Port
8 Elizabeth factory, trucked all the way up to Mohale's Hoek
9 and there it was being sold to the citizens of Lesotho who
10 were paying for that with wages that they were earning on
11 the gold mines on the Free State. In other words Lesotho
12 after a century of sending not 10 men, but a hundred
13 thousand men - you want me to use this? And will this
14 work? I press this one here? Ja, okay. Is this clear?

15 Okay. Lesotho had been sending not 10 men, but a
16 hundred thousand men a year by - of Kimberley - 1870. At
17 the end of that century [inaudible] produce its own milk,
18 capacity and it had no wealth whatever. It had become a -
19 so what we have to ask ourselves - [inaudible] I'm trying
20 to get my arrow right here. Okay, this happens; we had
21 three major sending areas to the mines for the 20th century,
22 Eastern Cape, especially where I come from, the [inaudible]
23 plus for approximately 35 years from just the second world
24 war up to about [inaudible] Malawi, also a major supplier.

25 Okay, now here is a table, which I'm afraid you

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1 can't see next-door, aMadoda, but particularly of the
2 geographic origins of mine labour. So let's just take 1900
3 and - 73% of that came from the Eastern Cape, 4% from the
4 BMS, mainly Lesotho, 60 from the North of the - by 19 -
5 there were 300 and - 35%, one-third from South Africa,
6 mainly the Eastern Cape, 22% mainly from Lesotho, 28% from
7 Mozambique, 15% from - we had 268 - the mines of - 62% came
8 from South Africa, two-thirds, 20% mainly from Lesotho, 18%
9 from Mozambique and [inaudible].

10 Let's go back. Okay, I hope you can stay with
11 the technology. Can we go to the next one? When we look
12 at this in terms of man years invested by these areas, I'm
13 talking about the sending areas. I'm looking at black
14 miners only, belonging to the mines of the Chamber of Mines
15 over a period of 30 years, which are the figures I've got
16 at the moment from just after the war up until 1975,
17 millions of man years by origins. South Africa, especially
18 the Ciskei and the Transkei, a lot of that Pondoland, 3.7
19 million man years invested in the mines. Mozambique 3.0,
20 Malawi 1.9, Lesotho 1.6. These are the big 4 investing
21 their labour, their man years into the mining industry of
22 South Africa. Next one, Gavin.

23 So now we've got to analyse the consequences of
24 this. Now I want to, this is the key argument - if I'm
25 shut up straight after this, that's fine. This is the key

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1 argument. In the short term both sides benefit from trade.
2 Think of somebody who's coming out of Middledrift, from
3 Kwesi, for example, or from Lusikisiki or from Mohale's
4 Hoek. He decides he wants to go and work on the mines
5 because he's going to be employed there at some wage - we
6 won't assume it's a big or a little wage, but it's worth
7 his while to go. So he goes to work on the mines because
8 he can earn more money on the mines than he would do by
9 staying at home. So he benefits. On the other hand Cecil
10 Rhodes, or whoever his successor may be says no, we'll
11 employ this guy because the value of the gold that he digs
12 up is worth more than the wages we pay him. So both sides
13 benefit from trade, therefore migrant labour is a good
14 thing, it's leading to economic development in the short
15 term.

16 But in the long run it's a very different story
17 because you say to yourself we're not talking about one guy
18 going from Middledrift or Lusikisiki for one year, we're
19 talking about tens of thousands of men going for a hundred
20 years from Middledrift or Lusikisiki. Now in that process
21 what is happening? Well, these guys go off to Joburg,
22 which in the old days was just a flat mielie field, and
23 they start digging the shafts, they get paid wages. They
24 start spending that money on clothes, on bicycles, on
25 whatever may be needed. Factories begin to go up and so

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1 over a period of a hundred years Johannesburg from being a
2 mielie field, or less, becomes a major industrial centre.
3 And what is Joburg? It's an accumulation of capital that
4 has the capacity to generate jobs, and that wouldn't exist
5 unless these guys had invested their million man years,
6 plus other people of course, but I'm talking about the
7 migrants right now.

8 Meanwhile what is happening back in Kwesi, in
9 Middledrift, in the Ciskei or in Lusikisiki and Pondoland,
10 what is happening is that yes, these chaps will send back
11 their wages; they will use some of it at first to buy a
12 plough, seeds, all that, and the evidence is that
13 agriculture expanded in the sort of first 20, 30 years of
14 the 20th century because there was money to do things.

15 But gradually over time both Kwesi and Lusikisiki
16 become, they move from the production of agricultural goods
17 to the production of gold. That's what they do. Now
18 that's not a terrible thing. I mean England in the 19th
19 century moved from the production of wheat to the
20 production of textiles once the corn laws had been
21 abolished because they could import American wheat much
22 more cheaply and export textiles to America, and so it was
23 a beneficial thing to do for England.

24 But the difference here is because it's a migrant
25 labour system the Ciskei, Kwesi, or the Transkei Pondoland,

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1 Lusikisiki, there over a hundred years give up their
2 production, their capacity to produce agriculture, but
3 they're producing nothing else there; they're producing it
4 in Joburg, and the key thing about Johannesburg - it's a
5 very stupid remark but it's important - the key thing about
6 Johannesburg is that it's in Johannesburg, it's not in
7 Middledrift. Do you understand the point here?

8 So what we are really looking at is the location
9 of capital accumulation and of productive investment
10 capacity and so what we're really witnessing here is that
11 the way in which the economic system operated in South
12 Africa because of the migrant labour system as it worked
13 here, that process generated wealth in huge measure,
14 Joburg, Kimberley, elsewhere, but it simultaneously
15 generated poverty. It wasn't sort of a - we're not just
16 taking stuff out of a poor area, we are generating poverty
17 in that area. That is the key argument.

18 Right, let's go on. Okay, so you can see, take a
19 story for Lesotho where Colin Murray has written a very
20 good book, Families Divided; Lesotho exported wheat until
21 the first world war. Lesotho exported wheat. From the
22 first world war to the big drought of 1930/32, it more or
23 less fed itself. After that Lesotho has been importing
24 wheat and most of its food requirements.

25 The same story is true of the Eastern Cape,

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1 Transkei, Ciskei. Let's look at the following table. This
2 is just the period 1950 to 1970, again from Colin Murray.
3 Commercial farms in South Africa, that is the white farms,
4 the commercial farms, their output in 100 kilogram/kg bags
5 per hectare went from 7.4 in 1950 to 11.9 in 1970. The
6 reserves, which is what I call the old Bantustans, from 5.7
7 and fell to 2.3, Lesotho from 11.9 fell to 1.5. In other
8 words productive capacity in agriculture in the labour-
9 sending areas is going down, and it's continued.

10 So productivity of the land in the South African
11 reserves and in Lesotho halved over the 20-year period 1950
12 to 1970, whilst on the commercial farms of white South
13 Africa productivity rose by 60% between the rock of hostile
14 white control of agricultural marketing and the hard place
15 of an oscillating migratory labour system that drew more
16 and more men to the mines whilst leaving women, children,
17 and old people behind in the rural areas to fend for
18 themselves. Agriculture in Lesotho and in South Africa's
19 labour reserves declined steadily.

20 Next one. What's happened since 1994? All the
21 evidence suggests that over the past 20 years you talk to
22 anybody coming from the eastern part of the country,
23 certainly from my part of the world, all the evidence
24 suggests that over the past 20 years there's been a marked
25 decline in agricultural production with the old - what do

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1 we call them? Homelands, Bantustans, labour reserves.

2 We're talking about the same place.

3 Okay, now I want you to look at four maps and a
4 table on the spatial distribution of poverty in South
5 Africa, first map. This is income poverty at ward level.
6 Wards are within the municipalities. So the poorest, we're
7 looking at poverty at 604 per capita per month and we're
8 looking at poor people below that income level, and the
9 poorest are the dark blue. So those are the poor, poor
10 areas, the dark blue.

11 Next one, now we're looking at an index of
12 multiple deprivation, which is not just income but it's
13 also electricity, it's education, it's all sorts of other
14 things, and the dark blue areas are the poorest. Now then
15 look at this same, those are the old Bantustan boundaries.
16 So the Bantustans actually, especially the Eastern Cape,
17 they are the areas that have been driven into poverty by
18 the migrant labour system over the hundred years.

19 Next one, this is 2001. The previous one was
20 2011 - ja, 2011 according to the census. This is 2001,
21 just looking at data zones, which are much smaller but
22 we'll get the same for 2011 when we're able to do this,
23 because there were electoral areas, much smaller areas, the
24 new motion areas. You see how poverty is correlated with
25 the Bantustan boundaries. That's the point I want to make.

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1 Next one - no wait. Okay, the former Transkei,
2 I'll be very quick about this. Transkei, the former
3 Transkei is the poorest, it's poorer than all the other
4 Bantustans in terms of the statistics. Let's just take
5 material deprivation, which is with no fridge, no phone, no
6 TV, radio, anything. 69% of households in the Transkei, 46
7 in the rest of the Bantustans, 33% in the rest of South
8 Africa. So basically the Transkei is twice as poor as the
9 rest of South Africa.

10 Next one. So what can be done? First I think
11 it's very important both in terms of analysis and in terms
12 of strategic thinking that we look at both short term and
13 long term. In the short term there are two things that can
14 be done if you're living in Pondoland. One is to migrate
15 as an oscillating migrant to look for a job and to send
16 remittances home. That's the first thing you can do. The
17 second thing is to get social security from the wider
18 society, social grants, child grants, pensions and all
19 that. Short-run fixes. In the long term there are only
20 two things to do; either you move permanently to town, you
21 urbanise, or you get productive investment in the sending
22 areas, and in the Transkei there is zero productive
23 investment, zero.

24 Okay, next. So the first we look at a short-term
25 option. Remittances are incredibly important. Mduduzi

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1 Biyase says, "Our analysis of the data shows that poverty
2 rates of 67% calculated from observed income without
3 remittances is significantly higher compared to poverty
4 rate of 48% derived from income with remittances." I beg
5 your pardon, that bottom without must be with. In other
6 words remittances are playing a huge role in lifting people
7 from poverty in the short run.

8 The second short-term option is social security
9 and in an important paper published just the other day by
10 Dieter von Fintel and Louw Pienaar they conclude that the
11 decline in the proportion of households that are often or
12 always hungry in the former homelands between 2002/4 and
13 2008/10, that that decline is due largely to the growth of
14 social grant income in these households. That proportion
15 who are sometimes hungry/always hungry is now much the same
16 in all parts of the country, whether it's Bantustan or non-
17 Bantustan. So that evidence is simply showing that the
18 social grants, whether they're pensions or child grants,
19 are critically important in lifting people out of hunger
20 poverty. That's very important, short term.

21 Long term strategies. First of all,
22 urbanisation. First this is a strategy the people in the
23 rural areas of South Africa had been doing forever. 1904
24 to 1996. Look at the bottom line. 23% of South Africans
25 were urbanised in 1904, 31% in '36, 47% in 1960, 47% in

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1 1980, 50% in 1990. Urbanisation is part of the process of
2 lifting yourself out of poverty from the rural areas.

3 You may ask why is 47% in 1960 and 47% in 1980.
4 That has everything to do with apartheid which said black
5 men should not be in the cities and certainly not their
6 wives and children. So the pass laws prevented
7 urbanisation in that period.

8 If you look at white South Africans, 53%
9 urbanised in 1904, 91% by 1996. Black South Africans, 10%
10 in 1904, 32% in 1960, no change to 1980, 33%, 43% in 1996.
11 So urbanisation, that is one-way migration, moving
12 permanently to town, is one of the long-term strategies to
13 deal with rural poverty.

14 The second one is productive investment. Now
15 productive investment of course I don't need to deal with
16 the commercial farms of South Africa. They've had massive
17 productive investment. We're looking at infrastructure,
18 roads, electricity, water. Let me tell you a story about
19 the local community in the Tyumie Valley. I met some men
20 and women about 10 years ago now and I said to them what do
21 you think of the main needs in the Tyumie Valley, which is
22 sort of between Fort Hare and Hogsback, and I know what
23 their answer would be. They would tell me well it was
24 electricity or it was water or it was unemployment or that
25 the schools weren't working very well. I was dead wrong.

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1 They said to me no, it's roads. I said, What do you mean
2 roads? There's a perfectly good tar road running here from
3 Hogsback all the way down to Alice built by Sebe. What do
4 you mean?" They said, "No, no, no, what you don't
5 understand is you go a kilometre outside each of those,
6 outside that road and we can't move," and we know from the
7 rural roads, I talk to the men from Pondoland, that the
8 rural roads of the Eastern Cape, Ciskei, Pondoland, are 19th
9 century, if not earlier. It's impossible to get around,
10 and yet how can you develop an economy without basic
11 transport? Can't be done.

12 Alright, then agriculture, there's been this
13 decline in household agriculture. We know about the
14 commercial farms near Port St John's which for political
15 reasons were basically smashed and have never picked up
16 again. There is a very good experiment going on at the
17 moment in Iditjwa with the Agri-Park and another one, a
18 dairy in Middledrift. Industrial investment, the paradox,
19 the irony is that the only investment came out of the
20 apartheid sort of development projects where they developed
21 industry in Butterworth and Dimbaza, all of which fell
22 apart after 1994 because there was no support for
23 industrial decentralisation. Social infrastructure and
24 schools, there is some but not nearly enough.

25 Okay, back to the opening questions. End of

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1 migrancy: What consequences, what response? Now we go.
2 I've got a few tentative answers, and I want to stress
3 "tentative" - for us to think about. 1, Recognise - I've
4 got five minutes left, good. Recognise the inherent
5 social, economic, and political cost and instability of a
6 permanent system of oscillating migration. We cannot go
7 into the end of the 20th century with the migrant labour
8 system and we haven't begun, not begun to tackle it.

9 2, There's no quick fix. Migrant labour system
10 has been embedded in our society for over a hundred years
11 and cannot simply be turned off like an electric switch.
12 You can't do that.

13 Next - I get special time for the period where it
14 doesn't change, right. 3, There is need for clear
15 understanding of the difference between short run and long
16 run strategies and careful management of the transition
17 between the two.

18 4, Recognise that South Africa is not - not - a
19 dual economy, but one that has developed as a coherent
20 whole over the past century in such a way as to generate
21 wealth in some areas and poverty in others, not simply a
22 matter of the spatial distribution of income, but also the
23 spatial distribution of productive capacity. That's really
24 important.

25 5, Take due account of our responsibilities to

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1 the sending areas whose people have done so much to build
2 the wealth of South Africa.

3 6, Listen to the wishes of the people - not least
4 the women - involved, hey, not least the women. What do
5 the women want?

6 7, Develop an immediate intelligent investment
7 programme for economically viable employment generating
8 agriculture in areas such as Pondoland, using models
9 already proven to be successful, such as the Fort Hare
10 dairy trust in Middledrift, Iditjwa Agri-Park, Zimbali
11 Incubators down in Nelspruit, and others.

12 8, Find ways to assist migrant and ex-migrant
13 households with investment in home production. To buy
14 fencing to fence their garden so they can garden, to
15 retrain themselves and education for their children.

16 9, Learning lessons from the Free State 1950,
17 Copper Belt 1960, Free State was white miners, Copper Belt
18 1960 with independence, Kimberley 1970 when the diamond
19 mines phased out migrant labour, to develop a programme
20 building the infrastructure and housing necessary for
21 settling mining communities, families in stable communities
22 near the place where they work, and you don't do that just
23 by throwing money at them. It's a long, cheerful process.

24 10, Act to minimise the ambiguity of change.
25 Xola Ngonini has a very, very good article on anxious

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1 communities on the impact of the decline of migration when
2 the mines went from 500 000 to 200 000 people in the end of
3 1990s, and his conclusion is that although migration did
4 not provide a route out of poverty, its absence if making
5 the poor a lot worse off. That's the ambiguity we have to
6 deal with.

7 To summarise then, I haven't got time for that;
8 those are my 10 points. Last point, last word from
9 Pondoland observed in 1934, published in 1936, just to
10 remind us what we're talking about, "A very deep and tender
11 love is expected between own mother and child. Fathers are
12 also often devoted to their children and make much of them
13 when small, carrying them about in their arms, fondling
14 them, playing with them and teaching them to dance.
15 Parents have fierce arguments as to whether a child's first
16 word as mama or tata." Can that happen in the migrant
17 labour system? Thank you.

18 PROF ALEXANDER: Okay, so once again are
19 there any points of quick clarification that you want? No,
20 I think everybody wants their tea because no doubt one of
21 the other benefits of having a tea break, speed things
22 along. Gavin and Francis, perhaps you could avail yourself
23 to people next-door in case there are points of
24 clarification required there. Okay, so we break for tea,
25 15 minutes. Is that right? 15 minutes for tea. Please

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1 don't take too long. It will cut down on what's now doubt
2 going to be a very interesting discussion and after the
3 break we'll hear from two other speakers.

4 [MEETING ADJOURNS MEETING RESUMES]

5 PROF ALEXANDER: We're honoured by the
6 presence of two people from Marikana and I'd just like to
7 say in general thank you very much indeed to all of the
8 workers and community members from Marikana. We know it's
9 a long way and it's a difficult time. People are on
10 strike, they are very hungry. We know that you've given up
11 a lot just to be with us today, so thank you very much. We
12 hope that you find the proceedings of some interest and
13 that they're useful to you. Our two speakers are firstly
14 Mbongeni Makhabula, who is a worker from Lonmin, Marikana.
15 He's been employed there for 15 years, most of that time as
16 a rock drill operator, and he comes from the area around
17 Lusikisiki that we've heard about so much in Professor
18 Wilson's presentation.

19 The second speaker will be Thumeka Magwanxana,
20 who is with Sikala, Sonke Women's Organisation, Sikala.
21 Sonke, for those of you who don't know, means "We are
22 crying together." And both of these speakers will speak
23 for I think about 10 minutes, maybe a little less, if
24 that's alright, and will have a translation to go along
25 with that. So first of all then over to you, Mbongeni.

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1 MR MAKHABULA: My name is Mbongeni, I'm
2 from Lusikisiki. I came to Lonmin in the year 2000. I
3 worked there, waking up early in the morning - 4 - open for
4 us, for us to go down there. In the beginning I used to be
5 scared to go down using the lift down to the mine. There
6 where we are working, we are working under [inaudible]
7 circumstances. We are working, going down to where we are
8 working, we still take a long time before we reach our
9 working stations.

10 My work, my duties are working, using things
11 called "omagalanyana," the - being there you find it's
12 difficult work that we are working, using those
13 "magalanyanas." The difficulty that we are working under
14 is sometimes we are working in pairs, two. If the
15 [inaudible] wall, or then I think the mine, the rock in the
16 mine has fallen it's hard for us to open the way so that we
17 can go out. If you are walking on foot going down to the
18 mines at 4 o'clock, we are forced to reach our working
19 station - people at our working stations that go first and
20 check places where we are going to work, that is it safe
21 there, it's then where we arrive. If there's been some
22 break or something that has shaken the rocks down there -
23 those problems. We are working on dangerous situations.

24 We've got the challenge because our employer say
25 that - we report those challenges to our - nothing happens.

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1 - finish the task that you were supposed to do for the day,
2 you are being charged. Passing there, we are being robbed,
3 us who are working in the mine. There's something that's
4 called "ma feed" that is set up to 500 we are being
5 promised that if you have reached a certain target; if you
6 didn't reach your target you don't get, you don't get that
7 incentive the way they have promised you.

8 Those are other challenges we are facing. For
9 example if you didn't finish your task, other stations they
10 start attending their explosions, then their smoke come
11 back to where you are. The time you are carrying on
12 working you are breathing those fumes that are coming from
13 that place. Those lead to sicknesses to us who are working
14 in the mines.

15 Secondly if you couldn't finish your task you get
16 out from underground where - and go to the waiting station
17 for a long time. You've reached there at the waiting
18 station, it's cold. That's other, the sickness caused by
19 coming from hot place to the cold place. The hotness that
20 is inside there is too much and the way we are working is
21 very difficult.

22 For example in the squares, maybe some of us
23 understand what squares are. We are few working there in
24 the squares. The mine had made it the way that if today
25 somebody's got injured they look which other way that can

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1 cause another person to get injured today or going forward.
2 Then if they find out the way then they'll add more job,
3 adding the job without adding the pay to it. We work under
4 that difficulty because the work now is not easy. Job not
5 being easy there are these promises that I've already
6 spoken about. If they charge you then your record is
7 looking like you're somebody who's not working well. Those
8 are the challenges we are facing.

9 I've already explained that you've got eight
10 hours to work, you work beyond eight hours you're not
11 getting paid. You don't finish your task until eight hours
12 and you work beyond eight hours, you don't get paid. I
13 think my knowledge about underground work is like that.
14 Thank you.

15 PROF ALEXANDER: Thank you very much
16 indeed, Mr Makhabula. Our second speaker then is Ms
17 Magwanxana who comes from the Ciskei, from the area near
18 Stutterheim, and she also has been living in Marikana for
19 about 15 years. I bet she's got a long story to tell about
20 that and I hand the platform over to her.

21 MS MAGWANXANA: I greet you all. My name
22 is Thumeka Magwanxana. I'm coming from the Sikala Sonke
23 Women's Organisation, community of Wonderkop. I'm here to
24 - workers of Wonderkop. The area Nkaneng - told that the
25 land does not belong - we just, there are no roads in

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1 Nkaneng. There are no proper structures or buildings.
2 There is no water, no electricity. The electricity is only
3 Nkaneng. These are things that the municipality had to
4 take care of. Lonmin was supposed to be helping the
5 municipality. You cannot enter into - there are no
6 toilets. People use pit toilets. It is very difficult.

7 When it's raining, as we're in shacks, when it's
8 raining the workers will stand on top of their beds because
9 of - these workers work under difficult circumstances, but
10 they are staying in very unbearable places. Their live was
11 supposed to be easy as they are staying - even the people
12 who died during the strike asking for more pay don't have
13 houses - platinum which is sent to Britain and this
14 platinum was supposed to be used, first take care of the
15 people.

16 The fact that the workers - for money, it is not
17 the laughing stock. Even the powers that be, the
18 government that is in place was supposed to help and assist
19 - but it appears to be the very government - that they do
20 not get a cent. We are living under difficult
21 circumstances. Right now during this strike the poverty in
22 Marikana is very bad. You as a mother cannot face somebody
23 who knows how life is brought to - children go to school
24 hungry because their parents do not earn. Even the money
25 for - taken out, that is money - to the workers. That is

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1 why we as women go to Ben Makaro. We wanted to highlight
2 our plight, but he or she did not come out and talk to us.
3 We were even barred from using the road that we took to go
4 to Lonmin. They then waited for us at a - and took the
5 memorandum. I'm saying our life is - I invite anyone to go
6 to Marikana, go around Nkaneng - something that you won't
7 believe. Because of the strike there is no-one who is - if
8 you open the cupboards there you won't believe what you -
9 children are - food in the house. Parents used to come
10 maybe with 1 500 - food, you send 500 home and you pay
11 debts with the other 500, but - Lonmin are the people who
12 are supposed to be looking at all these things - because
13 some people are coming from Eastern Cape, from Mozambique
14 or wherever, Lonmin was supposed to take care of these
15 people's needs. It was supposed to meet the people halfway
16 in terms of their needs. It should not look at the workers
17 - they are working under difficult circumstances there. It
18 was supposed to respond to their needs. What Lonmin is
19 doing right now is dividing these widows as well as the
20 workers - that are given money - it takes care of a certain
21 portion of the widows - of those who go to school, but
22 others are still crying even today. There is no light. We
23 are very disappointed with Lonmin. These people are their
24 workers - brought these people from the different TEBA -
25 come and work here. After the massacre we thought things

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1 would change for - not a single thing has changed for the
2 better. Nothing has changed for the - there are workers -
3 and there are those who are struggling. This all rests on
4 Lonmin's shoulders. Lonmin is supposed to meet the workers
5 halfway. They're supposed to listen to their needs.
6 Lonmin should not only laugh - they should also be treated
7 as human beings. That is my tale about Wonderkop.

8 Even in the clinics if you are from far and you
9 don't speak the local language, you are not treated well.
10 This all rests on Lonmin. If these women are the wives of
11 the workers they were supposed to be treated by Lonmin
12 instead of going to the clinics - badly at the clinics and
13 they are insulted. That is my story about Wonderkop.
14 Thank you.

15 PROF ALEXANDER: Thank you very much
16 indeed, Ms Magwanxana. I didn't introduce the translators.
17 The first translator was Zanele Insingila. I hope I've got
18 that right. I can't quite - writing, and perhaps the
19 second translator can give us his name.

20 MR TLOGANA: Lucky Tlogana.

21 PROF ALEXANDER: Thank you very much, and
22 could we have a round - please for the hard work done by
23 the translator. Time for questions and contributions from
24 the floor of the house. Can I just say two things first of
25 all. Firstly to those of you in the other room, we hope

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1 that some of you will come forward and ask questions or
2 make contributions and in that way add to the discussion
3 and add to our understanding of the problems of Marikana.
4 And I would like to thank once again our two speakers who
5 certainly have added to my education greatly, and I'm sure
6 to everybody else's as well.

7 The second thing that I want to say is that
8 before you speak please identify yourself. This is very
9 important for the record. Give us your name and tell us
10 where you're coming from, which company you're coming from,
11 university, or whatever it is. Just tell us where you're
12 coming from. Okay, so without further ado let me open the
13 discussion to the floor. Yes first of all, have we got
14 those mikes, please?

15 MR DESAI: I think -

16 PROF ALEXANDER: Sorry, name.

17 MR DESAI: Sorry, Rehad Desai - campaign.
18 I'm a documentary filmmaker. Phase 2 of the Commission,
19 which looks at the social - I think we've also got to
20 remember that the work of this Commission is to ascertain
21 from what part of phase 2 - wants to decide. The big well
22 we just have to - in the ground, the fact that this
23 presents us with an opportunity - look at the social fabric
24 of our democracy inheritance, the legacy and all the social
25 violence that's been meted upon our people by that legacy -

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1 we've also got to be very clear about what has created where
2 we can see what I believe is a - strike. Now what it is,
3 many of these conditions were there that we had houses,
4 that we had sanitation, electricity and - all the other
5 issues, would that have stopped Lonmin and the police
6 conspiring to break the strike, planning to break the
7 strike in the brutal way they did? I don't think so.

8 But the two things that I've got from that leg I
9 think was, 1, the breakdown of value - working hand in hand
10 with management and actually forgetting the work - the
11 workplace committees that afford for the rock drill
12 operators, they weren't something new that come out in 2012
13 or 11. They were there since 2006. They just gained more
14 and more ground as the unions became more -

15 The other thing, the HR issue, how the line
16 management became weaker and weaker when it came to labour
17 relations, critical, Lonmin - themselves that their own
18 communications - were terribly, terribly - their refusal to
19 actually communicate and dialogue with the workers is what
20 sits at the centre of this massacre and we've actually got
21 to point the finger where it belongs, in Lonmin's face in
22 this instance.

23 PROF ALEXANDER: Thank you very much.

24 Next, just behind you.

25 SPEAKER: Okay Comrade, my name is - I'm

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1 the mineworker also. I have a question, first question
2 from Mr Gavin. On his presentation he have - if I'm right
3 he said 80% of the mineworkers they were coming - my
4 question, if it - how have you identified this one, and if
5 it is - does it have - in my understanding - and then -
6 which is Mr Wilson. He said Eastern Cape is the one
7 province who's poor than all provinces in - how it's
8 possible that that same province who have 80% of
9 mineworkers can be the poorer province than all these
10 provinces - connected themselves. I -

11 PROF ALEXANDER: I know there was a
12 question here earlier and I cut you off. I don't know if
13 you want to - you pass. I can't really see people at the
14 back because of the cameras. There's somebody at the very
15 back there, second row from the back.

16 SIPHO: Good afternoon, everyone. Or
17 good evening, I suppose. My name is Siphon -

18 PROF ALEXANDER: Just say where you're
19 from, Siphon, sorry.

20 SIPHO: I'm a former journalist.

21 PROF ALEXANDER: Thank you.

22 SIPHO: You know, I don't usually -

23 PROF ALEXANDER: No, that's fine.

24 SIPHO: Alright, I just want to say one
25 thing - one thing I want to say is that if we look at

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1 Lonmin, Lonmin is a dot in a bigger picture because you
2 have Anglo American and - English and American, not the
3 company, but English and American investment - in Lonmin.
4 So it's part of a much bigger global network, so if you
5 fight Lonmin you're actually fighting a dot - bigger
6 picture, bigger picture. When you look at Marikana you've
7 got to look at it globally because all things local have
8 been globalised and therefore if you fight the local Lonmin
9 chapter or branch or company, you're not fighting the
10 parent network, the web that goes around the world. You
11 may find that companies - Simm and Sacks and the likes of -
12 are actually involved and you're fighting Lonmin, but
13 you're leaving out the entire financial system that
14 supports the likes of Lonmin.

15 The question I want to ask is this; and I want to
16 put it to the house generally, is why is the ANC Deputy
17 President and biggest entrepreneur in this country - for
18 all the directors at Lonmin? I mean Jim Sutcliffe who used
19 to lead Old Mutual is a director at Lonmin. Why is Cyril
20 taking the fall for everybody else? Who is he the fall-
21 guy? Why is he protecting everybody else?

22 And that leads to the same question, the same
23 comment. It connects with the same - because Cyril is
24 involved in advisory councils of Coca-Cola, so obviously
25 he's involved with the likes of Warren Buffett and so

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1 forth. So you get to see the picture that it is global,
2 and that's the main question; why is Cyril taking the fall
3 for everybody else?

4 PROF ALEXANDER: Okay, thanks very much
5 for that question. Yes, I think there was one down here.

6 MR LORGAT: Ja, my name is Hassan Lorgat.
7 I work with the Benchmarks Foundation. I know Gavin raised
8 the issue about getting workers, the rock drill operators
9 in particular coming from the Pondoland part of our country
10 and I understand why he explains it this way, but I think
11 the reason why they get these workers, I would imagine,
12 Gavin, and I want you to expand on it, is that they are
13 skilled workers. They don't have to be trained, and so
14 it's ready-made. When anyone starts a mine they go there
15 because these are the guys with expertise.

16 But the problem that we don't discuss because of
17 the tragedy and the massacre of Marikana is that there's a
18 tension between bringing these workers in local areas where
19 people have cultures and languages different, and promises
20 of employment locally, so you'll find in Limpopo and
21 others, local people have been here. In the one area we
22 work, in Mogabareng, where they'd been promised local
23 employment and they don't get it, the companies, they make
24 way. So this comes about by displacing other workers. Now
25 it's not the workers' fault; it's management's fault where

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1 they don't want to train new workers but they make many
2 promises. So I really think there are issues that we're
3 not discussing because of the massacre.

4 PROF ALEXANDER: Okay, I'll take one more
5 because only two of those contributions - involved
6 questions. I think there's a microphone here, so let's
7 take it.

8 MR CAPPS: Gavin Capps from the Society
9 Work and Development Institute here - what I wanted to say
10 actually follows on from Hassan, which is the purpose of
11 this particular seminar is - think of the migrant labour
12 system and it's - continuity, and also where it may be
13 going and the contributions have been very excellent in
14 mapping out a lot of features of the migrant - but there is
15 an element which is missing, which links with Hassan's
16 question, and that is really the way that they've laid it
17 out you could be talking about mines which more or less -
18 but the point is the platinum mines that not only were in
19 South Africa - actually they're in the North West province
20 and they're in Limpopo and they're in former homeland area
21 - rural areas, urban centres and what was - round the
22 Witbank and so on, that picture actually begins to break
23 down when we look at the specificities - of platinum. Here
24 we have essentially rural to rural migration, workers who
25 are migrating are coming from rural areas and ending up in

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1 other rural areas of the country, which carry with them all
2 the legacies of the divisions between black and white and
3 rural and urban of the apartheid past, and that feeds into
4 very, very complex ways into the social dynamics building
5 up around these mines - but just to give one example, and
6 there will be a panel talking about this later, but it is
7 important to raise it now, Wonderkop isn't getting
8 development empowered because Wonderkop is on land which is
9 registered to a tribal authority, to which the municipality
10 cannot get access - that is a really, really critical part
11 of the explanation. Also as it raises tensions between
12 local people, as Hassan was saying, and those who were
13 coming in over the competition within the labour market,
14 which - all sorts of ways. So, and we could go on.

15 So as we start to think about the specificity of
16 the migrant labour system in platinum and what its future
17 may be, the bigger picture we have to keep in mind is this;
18 mining within South Africa is - spatial organisation is
19 changing - the areas where it was once - here in
20 Johannesburg and elsewhere in white South Africa are dying.
21 The new frontiers of the mining industry - not just in
22 platinum but also in coal and in other minerals are in the
23 former homeland areas, and that raises a whole new set of
24 questions and problems and challenges that we need to think
25 about also within the Commission.

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1 PROF ALEXANDER: Thank you very much.
2 Let me pass the microphone back to experts. There are a
3 number of questions there. I'd be grateful if you could
4 respond to the questions and no doubt you'll have some
5 responses to some of the comments as well. But perhaps you
6 can hold those ones back until the end of the discussion.
7 I'll give you a chance to sum up, and the same for Thumeka
8 and - but if you can just respond to the questions for now.

9 PROF WILSON: There was one important
10 question from a miner from Rustenburg, I think, about how
11 come if 80% of the - it's the poorest province. What I'd
12 been trying to argue is that it's not just that they're
13 coming in 2014; it's they've been coming since 1914 and
14 since, in fact since 1900, 1890, and when you've got a
15 migrant labour system that operates for a hundred - portion
16 of the able males, that system is actively generating
17 poverty in the areas from which they come. That's the key
18 point. That's the key point.

19 With regard to the second comment here about the
20 spatial aspect of mining, how it's now changing, I think
21 that is raising all kinds of important political points. I
22 completely agree with you and the issue here is, are we
23 South Africans or do we see - of the old Bantustans? That
24 is the key question, because until now any South African
25 could go to Joburg to work and so if there's going - ethnic

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1 specialisation as to who can get jobs - we're in for a lot
2 of trouble.

3 DR HARTFORD: I just want to pick up on
4 the question also from the worker, as well as what Francis
5 has just said. I think the development that's happened in
6 the Rustenburg area in mining, in the underdevelopment in
7 the Transkei for example, or any of the homeland areas or
8 labour-sending areas, these things are twins. The more the
9 mines have grown into profitable businesses, the more
10 there's been underdevelopment in the rural areas.

11 I myself have been in the Transkei for 30 years,
12 every single year, and if you walk around the Transkei
13 today the people of the Transkei will tell you directly
14 that there was a time back in the change, turn of the
15 century, when miners' houses were the best houses in the
16 hill, and you could see that very physically because it
17 was, they were all painted houses. They had the money to
18 buy paint to paint their houses. If you go onto the hills
19 of the Transkei today there's a very, very different
20 picture. What you see is that the best houses on the hill
21 belong to public servants. Public servants have fulltime
22 jobs, permanent employment. They have bonds. They have
23 access to private services like no other citizens in the
24 country, or working class citizens.

25 So what you're experiencing, what the people are

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1 telling you in the rural areas is that for the first time
2 in the history of Pondoland husbands are killing wives, and
3 the reason why husbands are killing wives is that when they
4 return home in December, because they no longer are
5 returning as regularly as they used to, they're starting to
6 establish semi-permanent residence in the shacks up on the
7 platinum belt; when they return home they find that their
8 wives have moved on with public servants because public
9 servants provide a stable income for a wife who's starving
10 in a rural area. The result of that is that the husband
11 then takes his anger out on the wife.

12 The second thing I think we need to take
13 cognisance of, this thing happens very, very simply
14 actually. If you look at the payroll of any one of the
15 companies and you look at the earnings the workers are
16 getting, and you look at what happens to that earnings, the
17 first thing that happens is large amounts of deductions off
18 payroll through garnishee orders which are essentially
19 paying off a worker's debt. That's the debt we see and
20 that debt is acquired where as the workers moved into the
21 shacks, like this lady was telling us about from Wonderkop,
22 is that they start to on credit go into a retail store,
23 they see you can buy a fridge for R48 a month. They don't
24 make the whole calculation of what that R48 is over the
25 entire hire purchase period, and they buy it. When they're

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1 buying that retain item they typically will sign a debit
2 order that if they default on that debt just once that will
3 go onto their payroll as a garnishee order, and garnishee
4 orders are rampant across the platinum belt. That is the
5 debt we can see.

6 The debt we can't see is the [inaudible] debt,
7 the informal, insecure, or unsecured lending that's
8 happening informally. So workers get paid. The first thing
9 they paid for, as the lady said in her presentation, she
10 said, or the gentleman next to me said that we pay our
11 food, we pay our debt, and we pay the basic needs of
12 transporting us back to the mines and then we've got no
13 money. The remittances that are going to the rural areas
14 are declining dramatically. There is less and less money
15 going to the rural areas. If you're a wife sitting in the
16 rural areas, waiting for that money, and know that that
17 money is being spent in a shack on the platinum belt, you
18 start to get very, very angry. So the conflict in these
19 families and the ability of these families to manage
20 payments of debt collectors, payments to your local
21 "denyatsi" in the shack and everything that you need to
22 live on, plus payments back to the rural areas, is massive.

23 The other thing I want to say, you know from my
24 discussions with workers, when you ask them what do they
25 spend their money on they will say that - and I think Gavin

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1 Capps raised the point - is that the land that they're
2 living on is so-called tribal land. It's, you know, the
3 Bapo Mogale land, etcetera. You can correct me if I'm
4 wrong, Comrade, but to get a shack you're paying R350 a
5 month rental. That rental is going where? It's going to
6 the tribal trust, to the tribal leader in the local area.
7 Add to that the cost of your transport; add to that the
8 cost of your debt; add to that your food, etcetera, and
9 your net income is very, very low at the end of the day.

10 So to add to Francis's point, all I'm trying to
11 say is that the income earned on the belt and the decline
12 and poverty of the rural areas, these things are going hand
13 in hand and the implications are dramatic for the country
14 in the long term.

15 I think that there is an element of - I don't
16 want to call it tribalism, but there's certainly an
17 element -

18 PROF ALEXANDER: [Microphone off,
19 inaudible]

20 DR HARTFORD: Okay, sure.

21 PROF ALEXANDER: Is that okay? Thanks
22 very much, the both of you. Mbongeni and Thumeka, I think
23 that the questions were to those two experts, but I'll
24 bring you in at the end so you can comment on everything.
25 Is that okay? Okay, so let's try and get another round of

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1 questions in. I'm sure I'm being unfair to people at the
2 back. Right, over there first of all. Just hold on, let's
3 make sure we've got somebody translating for you.

4 MR MAGIDIWANA: Let me greet you all,
5 especially the capitalists. My name, Mzoxolo Magidiwana.
6 I work at Marikana. Let's take it back to the forefathers
7 - as one gentleman - some of our grandfathers - the reason
8 for that was because of the oppression because they were
9 sold out. Even now there has been no change because there
10 were people who were - white by God and he painted us
11 black, and then the person who was educated was put in
12 front - one stood behind. That is the difficulty that
13 we're facing, dating back from our - from the homelands to
14 go and work without any chest problems and when they go
15 back home - chest, the broken legs or they're injured as I
16 am injured now, and they don't have a cent - home and the
17 older children who can see the situation, even if the child
18 is not educated - poverty, he would also opt to go and - in
19 order to fight this hunger that is in the - one, he's
20 educated in order to - went to go and work without any
21 education. We will then leave it all to God who allowed -
22 to happen where people, a lot of people were buried,
23 someone's father would go and not come back - when the man
24 has died.

25 That amount of - that was demanded by the workers

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1 was a means of getting us out in this problem that we're
2 facing, we as a black nation. But as I said, there are
3 people - us who tells us - represent us, whilst this man is
4 - now you're looking upon this man, he will be able to
5 assist us in certain of the things and those things would
6 be - but there is no help that's coming forward because if
7 a black man is not educated it's very difficult. You can
8 give him all the nice things, sweet things, make him sleep
9 on a 7 000 bed. If he wants what he wants, then he wants
10 it because there's a reason to ask - especially if certain
11 people - because - troubled by the spirits of the people
12 who died.

13 I think you people are looking for a way why did
14 the people die, what led to all this thing that happened at
15 Marikana. I would like to ask you since Rustenburg, is it
16 the same as Joburg where we are now? As you know we're
17 from those places - thing done for us -

18 PROF ALEXANDER: I'm sorry to interrupt
19 you, but we have to bring in some other contributors from
20 the floor as well. So I have to ask you to draw to a
21 close. I'm sorry to have to interrupt you. But thank you
22 very much indeed for your comments. Let me take somebody
23 else in the back, please, because otherwise I'm likely to
24 miss you.

25 MR BIRCH: Hello, it's Clinton Birch from

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1 the School of Mining Engineering here - that we are missing
2 totally - discussions is that the ore body dictates - ore
3 body - there is a certain amount of platinum in the rock,
4 it costs you a certain amount to mine it. If it costs you
5 too much to mine the mines will close. The companies
6 invest money with the purpose of making money, and you are
7 the investors - we've heard about the Goldman, Sacks, and
8 all these wealthy gentlemen that are - but anybody who puts
9 money into a Old Mutual or a Sanlam is part of the
10 investors in the mining. Okay, if we're not going to make
11 money out - the mines will close - everybody will be
12 without - there is a certain grade in the rock of platinum.
13 If we cannot mine it economically, the mine will close.

14 PROF ALEXANDER: Thank you very much.
15 Now don't bring the microphone down here. I'm going to
16 pass you my one to speed things along. Can you give us
17 your name and say where you're from, please?

18 SPEAKER: Firstly I want to greet you,
19 but I have a complaint. I do not have a - he had no - 3AM,
20 go down into the mine. But I cannot say he perished on the
21 way. He was at the mine because he was going to work - at
22 home my children are - phone calls every day that they are
23 starving. Although we are made to sleep - from the -
24 arrived here but I don't see - I wasn't supposed to stand
25 here, it's very - of Lonmin - and it's why Lonmin should

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1 know that I'm Julius - so my - just press a button, you go
2 up the floors and you sleep, then you press a button again,
3 you go down, you are sent home. Where we stay now we
4 choose - but I am starving back home. It's same, it's like
5 a dog has died, nothing is being said about Julius now. I
6 also want assistance because I am starving, I am sick,
7 suffering from stress. This is - my husband was always -
8 what did I do wrong? Am I also supposed to die? I'm just
9 as good as dead. I might as well - you people might as
10 well bury me - the money that you pay for us at the hotel
11 is a lot - I am, my heart is sore. My husband is dead, so
12 my husband is now Lonmin. I put my hope on Lonmin. I want
13 money, I want to go and give the money to Julius
14 [inaudible] worked for Lonmin. I am being cornered as if I
15 am a criminal. I am not a criminal. Those people hijack
16 my husband [inaudible] in the morning. The money that is
17 supposed to - got is 12 500 and give it to these men. What
18 is the problem? These black men are working hard but they
19 do not get the same as the white boys. We are the same,
20 although you are white, but, and I want to say the person
21 who represent - know who he is. Thank you.

22 PROF ALEXANDER: As I am sure you will
23 appreciate I had to give those last two speakers from the
24 floor longer than other people. But can I really implore
25 all of you now to keep your comments brief and to ask

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1 questions. I'm going to take somebody first of all from
2 this side of the room in the front. Thank you very much,
3 so you have to keep it short this time.

4 MR MODIKANE: I'm Letando Modikane. I'm
5 from the Eastern Cape. I came to work at Lonmin. I don't
6 have many questions. It's only - I would like to know why
7 is there such - which started happening in 2012, from the
8 12th until the 16th of August. Why is it that we do not get
9 - is Lonmin, the government, NUM - in person killing us -

10 PROF ALEXANDER: Thank you very much. Is
11 there anybody who would like to ask a question, and then
12 we'll go back again to contributions? I'm looking for
13 questions. Right, over there.

14 MS MUNSHI: My name is Naadira Munshi, I
15 - Socio-Economic Rights Institute. My question is quite
16 brief. It's - the Witwatersrand - but these, well,
17 whatever fulfils very different role, there is a readily
18 available - but what is the role of Chamber of Mines? They
19 do have a very vested interest in - response of a comment
20 of - yes, there is an ore body, but it doesn't mean that
21 labour - because you want ore or gold. They don't need to
22 be the ones who suffer for what you call - mining.

23 PROF ALEXANDER: Okay, anymore questions?
24 Yes, over there. Questions I'm looking for.

25 MS MATLOU: Question. My name is Daisy

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1 Matlou, I'm in the School of Mining Engineering, though I'm
2 not a mining engineer. My question is mining companies,
3 are mining companies learning anything from the history of
4 migrant labour system, because every time a proposal or a
5 certificate for mining is actually being issued there is no
6 actually strategic plan, or a logistic of some kind to
7 cater for the people who are coming to work for mining,
8 especially ordinary labourers. You get to know that
9 professional miners actually live on the premises and they
10 pay next to nothing, despite their huge salaries. What is
11 government and the mining sector actually doing to ensure
12 that every time they issue a licence, anybody who wants to
13 explore whatever mineral actually put up a strategic plan
14 that can ensure that the people who are coming, ordinary
15 people, actually have better housing, better facilities,
16 and etcetera, because it looks like since 1865 when the
17 first guy picked up that diamond the conditions are
18 basically the same. Nothing has changed, and my sense of
19 it is that the mining sector, especially the investors
20 themselves actually feel good that we are tough enough, you
21 know. The union negotiate and you are able to send our -
22 are they not looking at exactly how they have actually
23 dismantled a black family? We don't have a black family.
24 It doesn't exist, because the husband is there, the
25 children are there, the mothers wake up in the morning to

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1 try and - on the table, and I actually would like this to
2 be taken up that any licence that's going to be issued in
3 the mining sector, there has to be a strategic plan in
4 terms of making sure that the people who are coming,
5 ordinary people, have something, you know, better services
6 or housing facilities, cleaning, health services and
7 etcetera.

8 And in addition to that my question is, is there
9 a collusion between the mining sector and - government to
10 ensure, to make it a point that the ordinary workers are
11 not able to advance in terms of benefiting from what is
12 being mined? Thank you.

13 PROF ALEXANDER: Okay, thank you very
14 much. Can I just see, just before I take anymore
15 questions, can I just see if there's anybody here from
16 Lonmin or the mining houses, because I would like to give
17 them an opportunity to respond to anything that they want
18 to respond to. Nobody here from Lonmin? Okay, that's - is
19 there somebody? Right, do you want to say anything? Maybe
20 later on, okay. I think we'll just take one more. Let me
21 give priority to questions one more time. It's questions
22 now, new questions. Yes?

23 SPEAKER: - Legal Resources Centre. The
24 origins of migrant labour, the first compound on Wonderkop
25 land was in 1966. Now did the company, the predecessors of

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1 Lonmin Mine request the State for permission to build a
2 compound on Wonderkop land, or did the policy at the time
3 impose on the mining company to use migrant labour for the
4 chrome and the platinum mines at the - shared
5 responsibility - we must also take into account that
6 Wonderkop land was purchased by the residents in 1927, the
7 same year Native Administration Act was - with
8 contributions from people who settled there. It was not a
9 grant. It was not trust land. It was not purchased by a
10 chief. Was their permission sought at the time when the
11 mines were first - 6 and was their permission sought for
12 the building of the compounds on the land? Now today we
13 have people living on Wonderkop land who have their
14 original homes there and people who have their second homes
15 their. There's migration of various kinds happening on and
16 onto Wonderkop land.

17 PROF ALEXANDER: Thank you very much.
18 This gentleman over here has been very patient. Let me
19 just give you an opportunity to make a brief comment.

20 SPEAKER: Greetings. I am from Marikana
21 - I would like to correct the second speaker about the
22 Eastern Cape and our fathers - we have houses there and -
23 what he said about our fathers, who are born by fathers who
24 have - that speaker went to research - we live it, we know
25 the truth. Even now when the mines were - money, buy

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1 corrugated iron, where is the money? So during the debates
2 the truth must come -

3 PROF ALEXANDER: Thank you very much
4 indeed. Mr Chaskalson has kindly agreed that we extend
5 proceedings for another 10 minutes. So with permission of
6 the house that's what I'll do and we can finish at 10 past
7 6 o'clock. Is that acceptable?

8 SPEAKER: Yes.

9 PROF ALEXANDER: Thank you very much.
10 Let's try and deal with these questions, and if I can get
11 in one or two more contributions I will.

12 PROF WILSON: Yes, there obviously has
13 been a change in the function of the - mines and you don't
14 have TEBA recruiting as a monopsony, as a sort of single
15 recruiter of labour in the way that you used to have until,
16 it was not that long ago, but the precise relationship of
17 how Marikana miners in Pondoland are recruited I can't tell
18 you, but Gavin may be able to.

19 The second point was from a speaker down here
20 about the need for the mines to develop a strategic plan,
21 and for government, I may say. Perhaps it's worth
22 remarking that in 1996 or 97 I said to a cabinet minister
23 whom I knew, I said, you know, so what are you guys doing
24 about the migrant labour system in South Africa, because
25 that has to change, and he'd move from one foot to the

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1 other and the basic answer was nothing, and I think that
2 what Marikana is doing, what this whole Commission is
3 doing, I think, is signalling that there has to be
4 strategic thinking. There has to be strategic thinking
5 about how we develop as humane societies, and this is going
6 to require short-term strategies and long-term strategies,
7 which may conflict. It's very tricky, but that need for a
8 strategic plan is fundamental.

9 With regard to the last speaker, be it far from
10 me to say that I know more than he does; not at all. All
11 that I can point out is that all the data that we have
12 would suggest that a place like Pondoland has become poorer
13 over time relative to the rest of South Africa, and the
14 reason for that is because it has been sending migrants for
15 so long and there's been no wealth generated back in
16 Pondoland, and Pondoland remains dependent on mining which
17 is somewhere else, and that I think is a very -

18 DR HARTFORD: I just want to make a
19 general comment that arises from a number of the inputs.
20 Currently we read in the press every day that the wage
21 demand of the employees of R12 500 is unaffordable and
22 there's absolutely a deadlock in the strike after 11 weeks,
23 and what that shows us is that the relationship between
24 employers, unions, and workers, local communities and
25 government has completely failed us in this country over

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1 the last 20 years, notwithstanding 20 years of social
2 dialogue, that we are incapable of working out how the
3 benefits of mining can be fairly shared with workers, with
4 local communities, and indeed with shareholders who make
5 that investment. I think this strike is primarily about,
6 because nobody, this is not the gold sector. Platinum has
7 got 80 years of life in front of it and there's no doubt
8 that the key contest that we're facing is whether, how to
9 distribute basically the return on capital employed in the
10 mines, in other words the profits of the mines, between
11 shareholders, between government, local communities and
12 employees. So this is a strike about changing the quality
13 - as employees.

14 It seems to me that unless, whatever happens with
15 the strike, unless we can come together and work out a way
16 as South Africans to fairly share the wealth generated from
17 these mining companies between those who work that wealth,
18 the communities who depend on it, the government who
19 collects revenue off it, and the shareholders who invest in
20 it, we are doomed to endless conflict in this country.

21 PROF ALEXANDER: Thank you very much.
22 Now [inaudible] labour history, let me just slip in some
23 very quick ones to perhaps think about. First of all, I
24 think this is really to you, Francis, is there anything in
25 principle wrong with migrant labour? I mean if workers are

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1 paid a large amount of money like - workers in the North
2 Sea, would that really be a problem? Not now, because I
3 want to pass it back.

4 The second thing is, you know you've given us a
5 very valuable explanation about the migrant labour system
6 and its impact, but can that help us to understand
7 Marikana? Why now in history? You know, it's the
8 historians' question. Why does this happen now?

9 And then really I suppose to you, Gavin, your
10 analysis of the migrant labour - help us to understand the
11 strike. Can you assist us for instance in appreciating why
12 it's now gone on for what, 11 weeks, and by my calculation
13 we've now lost more days through strike action in this
14 strike than in any previous miners strike in - history.

15 But let me let you ponder those while we have a
16 few more from the floor. I know there's a gentleman at the
17 back in a green shirt who's been very patient, and so let's
18 pass the microphone to him.

19 SPEAKER: First I want to greet you. I
20 feel sad because when you speak you talk about me. We are
21 fox - quality at Marikana is like fox and when I see the
22 lady crying here I think we, when [inaudible] because here
23 we are [inaudible] the 12 500 [inaudible] the lady who was
24 crying I used to work with her husband. Then I [inaudible]
25 and then [inaudible] for five years and [inaudible]. Thank

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1 you.

2 PROF ALEXANDER: I think there's, sorry,
3 there's a gentleman here with a red shirt on with a beard,
4 in front of him, I saw his hand right at the beginning.
5 That one, ja. Okay, in that case we'll take the gentleman
6 behind you. But can we keep it very quick please, now,
7 because we need to wrap up.

8 SPEAKER: I wish to greet you all, Mr
9 Chair. My name is [inaudible] I'm from the town of
10 Matatiele in the Eastern Cape and I [inaudible] I'm an ex-
11 worker of Lonmin company. When they formed the
12 Constitution of this [inaudible] they first took care of
13 their own sons. Even the former president of South Africa,
14 Tata Nelson Rolihlahla Mandela [inaudible] if you look at
15 the Labour Relations Act, when he was asked [inaudible] he
16 said when one is [inaudible] when he was asked about
17 [inaudible] he said the person I trust is Cyril Ramaphosa
18 [inaudible] he turned now the information and pass it to
19 [inaudible] the South Africa, you can't say when you see
20 the water is [inaudible] until we were [inaudible] think
21 the water is [inaudible] found that it's very quick in some
22 [inaudible]. Lastly, I think South Africa [inaudible] I
23 should find that the people who are most poverty stricken
24 [inaudible] that people who came to be [inaudible] know
25 nothing about what [inaudible]. We, the [inaudible], we

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1 realise that the people oppressing us are people wearing
2 ties. That is all.

3 PROF ALEXANDER: Okay, it's now - I think
4 I'll take my tie off and stop being oppressive. Okay, it's
5 now time for us to wrap up and, Commissioners, is there
6 anything that you want to raise, ask, or cover? So ja, let
7 me just first of all ask the presenters to come in and then
8 I'm going to give an opportunity to one of the widows to
9 make some comments.

10 PROF WILSON: I think I should take my
11 tie off, but there were two important questions I got asked
12 at the end. 1, is there anything wrong with the migrant
13 labour system *per se*; look at the workers in the North Sea
14 Oil. My answer to that is this; for a migrant labour
15 system to operate enforced by the pass law system for a
16 hundred years, then builds itself into a society that keeps
17 going like that for permanent workers who are spending 15,
18 20 years on the mines, my first question is, is that what
19 the women want? Question number 1.

20 I do not think that it is possible to run a
21 modern industrial stable society where you have a huge
22 proportion of your labour force not just going for seasonal
23 picking of strawberries or something, but as permanent
24 labourers back and forth, back and forth, back and forth,
25 and if you want to look in the areas where there were no

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1 pass laws, white people, coloured people, Indian people,
2 you saw my table of urbanisation; people urbanised because
3 that is the way that one has to deal with poverty in the
4 rural areas.

5 So my answer to that is that a migrant labour
6 system that is permanently embedded in a society is
7 socially unstable. It causes all kinds of trouble that we
8 haven't begun to go into today - not begun to go into
9 today. I could spend an hour on why now.

10 Well, it's rather like asking why did South
11 Africa change in 1994. There's no reason why it should
12 have happened at that particular date except a whole lot of
13 things happened to come together. But the forces of
14 history are such that the workers themselves, their
15 families themselves were saying that this current situation
16 is untenable and the mining industry is basically saying we
17 can't pay you the wages you need to live permanently in
18 town, so we're going to have to - Gavin said, which is
19 renegotiate how we share the revenue from mining between
20 the workers, the local communities, government which needs
21 revenue, and shareholders who have to be paid otherwise
22 they would, as the speaker from Wits said, there would be
23 no mining. But that's not to say that in that process the
24 workers should get totally screwed.

25 PROF ALEXANDER:

Thank you very much.

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1 DR HARTFORD: I just briefly want to say
2 that, to build on Francis's point, I think there are big
3 opportunities in mining, and those opportunities include
4 maintaining the migrant labour - but completely overhauling
5 it. There's possibilities in mining of having three-month
6 cycles, which is the standard cycle around the world.
7 Migrant labour in resource extraction happens all over the
8 world; it's not unique. What we have got is apartheid
9 migrancy, which as apartheid migrancy it's born from
10 poverty in the rural areas. People come to the platinum
11 belt through desperation and hunger and they stay hungry
12 when they're on the platinum belt, that we've seen over and
13 over again.

14 So where the opportunity consists is how do we
15 re-establish the family of the migrant worker? That must
16 be the heart of the project. The family of the migrant
17 worker is completely broken. How to put family life back
18 in the centre, shorten the cycles, and at the same time
19 change the way in which the mining works in terms of its
20 shift pattern, the so-called 11-shift fortnight, and start
21 to put the mines into permanent operations generating
22 wealth for people both in the communities as well as back
23 in the rural areas on short cycles to see the new
24 development of the rural areas when money starts to return
25 to there. I think that's the big change is how to totally

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1 transform migrant labour into a humane form of work where
2 the wealth of the mines is shared adequately amongst all
3 the stakeholders.

4 PROF ALEXANDER: Thank you, Gavin, and
5 Thumeka?

6 MS MAGWANXANA: Those widows, you should
7 be at houses [inaudible] the husbands die before they could
8 have a chance to [inaudible] houses. Secondly there are
9 children. Those [inaudible] are going to school. Lonmin
10 should take them to school. It does not help for Lonmin to
11 take those women and give them a nice time here whilst the
12 children are hungry. One of the women told me, "Sister
13 Thumeka, when I arrive home after filling my stomach here,
14 having had a nice meal, when I go into the house the
15 children are crying, there is no food. Their clothes are
16 rags; they have no clothes, decent clothes. Lonmin should
17 let those women rest in the struggle." Thank you.

18 PROF ALEXANDER: Thank you very much.
19 Okay, now finally we have a statement on behalf of the
20 deceased miners' wives.

21 MS NUNGU: I greet you all. I'm from
22 Matatiele. I married there [inaudible]. My name is Zameka
23 Nungu. I'm family with those widows of the mountain, in
24 the mountain. Our husbands died on the mountain. We are
25 here today and sore because our husbands died. We're going

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1 up and down without getting anything. Our husbands here
2 came to work for Lonmin. Today they went back home as
3 corpse. Lonmin is not going anything; we are struggling,
4 but Lonmin is quiet. All it does is send our children
5 [inaudible] buying uniforms for them, paying the school
6 fees. It does not buy clothes. Our pain, Lonmin said they
7 will do everything. It said they will take care of us, but
8 now we are struggling. Our pain, those children are going
9 to get [inaudible] going to school, after school they will
10 [inaudible] when they go to town they will still be
11 [inaudible]. The Lonmin does not buy clothes for us. The
12 only thing it did was to buy [inaudible]. We are
13 unemployed. We are struggling. When we leave here going
14 back home the children are waiting for us, thinking that we
15 are coming [inaudible] we have nothing. We did not bring
16 anything for [inaudible] we are all the same. Our husbands
17 died [inaudible] our houses at home are [inaudible] the
18 houses are falling apart. Lonmin who hired our husbands is
19 now [inaudible] he does not help us anymore. We do not
20 have groceries [inaudible]. The only thing [inaudible] for
21 us is to educate the children so our husbands [inaudible]
22 we are in this position [inaudible] we are a laughing stock
23 in this nation because [inaudible] today Lonmin is not
24 taking care of us. He's proud, or Lonmin is [inaudible] to
25 school. What are we eating back home? We don't have

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1 groceries, we do not have houses, we are struggling.
2 Lonmin is [inaudible] making us [inaudible] making us a
3 laughing stock. Amongst us there are ladies whose children
4 are not being education by [inaudible] saying that their
5 husbands [inaudible] as contractors. The children of those
6 women are not being educated, but they [inaudible] all the
7 people [inaudible] Lonmin is doing nothing for us
8 [inaudible] next week we're going home [inaudible] when
9 your children meet you halfway they cry [inaudible] Lonmin
10 [inaudible] about those. My husband worked for Lonmin
11 [inaudible] struggling [inaudible] should know that we have
12 [inaudible] they should know that [inaudible] in December
13 [inaudible] he just fought [inaudible] to school, when they
14 come back from school [inaudible] expected something
15 [inaudible] Lonmin is making a fool of us. Thank you.

16 PROF ALEXANDER: Thank you very much
17 indeed, Sissie. Thank you very much for your patience.
18 Thank you very much for attending. We've now come to the
19 end. I don't know how - all of this. It's been a very
20 wide-ranging discussion, a very interesting illuminating
21 one. It seems to me there are some threads coming through
22 from the first seminar, particularly in terms of Mr
23 Hartford's comments about trade unions and the need for
24 representivity. I know that the Judge would like to be
25 able to make recommendations to the National Planning

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1 Commission. I'm not sure that he's going to be able to
2 argue this to the National Planning Commission. It's one
3 of those things that other people have to do, or in this
4 case the trade unions.

5 Another thing that's coming through to me very
6 clearly is the poverty that people are experiencing right
7 now, which is something that needs to be addressed
8 immediately somehow. It's not something for the future.

9 And then the third thing is that people, it comes
10 through from both the contributions and from the floor very
11 loudly, is that the companies are going to have to pay
12 people a lot more than they are at the moment. The
13 problems that we are facing and faced back in August of
14 2012 are primarily to do with the pay and the conditions of
15 the workers, and that's what has to be addressed. But let
16 me give the last word to Mr Chaskalson.

17 MR CHASKALSON SC: Thank you, Professor
18 Alexander, and thank you to all of our panellists and to
19 the contributors from the floor. I'd be lying if I didn't
20 say that for people like myself who Mr Msomi sees in ties
21 it's been a wholly comfortable experience. It hasn't been,
22 but I don't think that - I think it may have reminded us
23 about, well, at a more visceral level than we have been
24 doing thus far - to our panellists, as have the members who
25 participated here from - and I'd welcome you all to come

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1 back again in a week's time for a seminar on strike
2 violence - in a week's time. Thank you very much.

3 PROF ALEXANDER: Thank you very much.

4 The meeting is over

5 [MEETING ADJOURNED]