

Year of Marikana pain, anguish

MOSA MOKHEMA

It's nearly a year since the Marikana massacre, but for the families of those who died, time has done little to heal the wounds, and the wheels of justice have turned slowly.

On Monday, public hearings at the Marikana Commission of Inquiry, overseen by Judge Ian Farlam, were postponed to August 12.

The commission said the postponement was so that funding for the lawyers representing injured and arrested miners could be determined.

Friday, August 16, will mark a year since the day when 34 miners were killed. In the days before and after the shooting, another 10 people – security guards, policemen and miners – were killed.

Loss

The anniversary is being marked with an eNCA documentary, *Marikana Massacre*, that highlights voices of the victims by allowing them to tell their stories of loss and their last encounters with their husbands and fathers.

The first part of the documentary, which shows previously unseen footage, takes a closer look at the day of the Marikana tragedy, from the gathering of the protesters on the Nkaneng hill, known as the “Koppie”, until the moment the police opened fire.

The second part looks at the seven days leading to August 16.

Various reporters trail those seven days, while exclusive interviews with relatives of the dead shine a spotlight on the pain felt by families as the number of casualties grew.

One of the women interviewed is the widow of a policeman – she recounts how she saw her husband die on television.

The documentary premieres today at 7pm on eNCA. Check your TV guide for daily repeats.

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A look at Marikana's bleeding heart

Two documentaries peel away the layers that led to the tragedy

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Two new Marikana documentaries are on their way ahead of the first anniversary of the mining strike that left 44 dead. The first of them airs tonight on eNCA.

South Africans have not yet seen the real horror of limbs twitching as 34 miners lay dying in the dust after police used live ammunition to quell a strike at Lonmin mine on August 16 last year.

We have not really seen the families of the dead on either side, nor have most of us watched the police footage in the days leading to the shooting that was shown at the Marikana Commission of Inquiry.

Made in two parts – Through the Lens and Seven Days of Night – eNCA's documentary special focuses on the journalists covering the story and the live-on-air horror as it broke. In part two it tracks the week leading to the massacre.

While the man in the green blanket became a symbol of the tragedy; the eNCA documentary foregrounds the man in the

NEWSFLASH: Families appeal to ConCourt

Family members of the 34 striking miners who were killed by police in Marikana have asked the Constitutional Court to help them find out "how and why our loved ones were killed in the manner in which they were".

In an affidavit filed by Zameka Nungu, whose husband was killed on August 16 last year, she asks the court to order that the state must fund the legal representation of families at the inquiry into the massacre.

"I want to participate in the commission because I want to know why the police killed my husband," said Nungu. "I also want to know why the

police who killed my husband have not yet been brought to justice."

The families, who are being represented by Advocate Dali Mpfu, are appealing a decision of the North Gauteng High Court which dismissed an urgent application for the state to fund their legal representation at the Farlam commission of inquiry.

The widows, mothers and sisters of the late miners say they "simply don't believe" that their husbands were attempting to attack the police.

"We knew our loved ones as peaceful and loving men." – Charl du Plessis

orange jersey.

His name is Mongezeleli "Bhayi" Ntenetya. After he is shot he tries to sit up and then collapses. His wife Nosipho saw her husband die on TV. "After he fell, I couldn't watch any more," she says. She starts to cry. "I cannot talk about him. I just can't."

Producer and director Xoli Moloi visited Ntenetya in the Eastern Cape village of Idutywa. She told City Press the grieving

widow told her she and her husband spoke every night and that she still stares at her phone at the time he used to call.

The documentary pays equal attention to the 10 men who died in the week before the massacre. Petunia Lepaaku sits in the same chair she was sitting in when she saw a corpse with its face covered on TV and suspected it was her husband.

"He prayed alone that morning," tells Aisha Fundi, the

wife of security guard Hassan Fundi who died when his car was torched by strikers.

Normally her husband would wake her to pray with him.

Another Marikana documentary, *Miners Shot Down*, is in post-production. It's a well-funded feature from Rehad Desai's Uhuru Productions. He had been preparing to shoot a project on mining and labour that focused on Lonmin when the massacre happened.

It changed his film into "a forensic investigation into the shooting". Showing never-before-seen footage, it also covers the week leading to the tragedy.

It is, he says, a clear comment on capitalism and politics, foregrounding labour issues and including interviews with Cyril Ramaphosa, mine management and union leaders.

It also draws on photographer Greg Marinovich's coverage of the scene of the shooting.

"It shows why and how state and capital collusion can lead to a mass shooting," Desai told City Press.

The documentary will premiere internationally next year.

» eNCA's Marikana special screens tonight at 7pm and will be available online at www.enca.com/marikana.

One Year After Marikana | Miners get on with the daily battle for survival as clashes between rival unions flare and die

Living among the embers of a fitful turf war

LUCKY BIYASE

A YEAR after it resembled a war zone, Marikana is today more like a recovery station for exhausted men.

The miners who lost 34 of their number in the police massacre of strikers on August 16 2012 survive on irregular wages, relying on loan sharks and credit from the local spaza shops.

The area of Lonmin's operations is calm today, but an atmosphere of uncertainty lingers in sporadic and protracted wildcat strikes and the legacy of the turf war between the National Union of Mineworkers and the Association of Mine and Construction Workers Union (Amcu), which usurped the NUM's previously pre-eminent role in the industry.

The miners in North West's platinum belt have become indebted to loan sharks and other lending operations.

The workers who spoke to the Sunday Times this week said loan sharks and local small businesses had been their only resort in keeping home fires burning during the mostly unprotected strikes that left many workers without income.

The loan sharks have reached an understanding with the miners that there will be smooth repayments after the strike. This had at least kept interest rates stable, said the miners.

For Ntobeko Dyantyi, a rock-drill operator with Lonmin's Karee mine for the past six years, things have been bleak.

"There was a time when my house was really dry with nothing to get through the day," he said. "I thought about going back home. But then I knew that the savings I had wouldn't take

There was a time when my mother asked me to come back, even if it meant we would not have anything to keep life going. She said it would be better than to die here in Marikana

me anywhere."

Dyantyi, who hails from Mthatha in the Eastern Cape, shares accommodation with miners from other companies, creating what he calls a "two-way situation".

"During the Lonmin strike some people were working at other mines and I could rely on them with the understanding

that I would sort them out when things are better," he said.

"When we got back to work, other operations ground to a halt and I came to the rescue of those people who had assisted me. Truly speaking, I never used the services of the *mashonisas* [loan sharks]. This is because I don't drink and I don't smoke," he said.

He said the year since the massacre had been quiet, but families back home were still fearful. "There was a time when my mother asked me to come back, even if it meant we would not have anything to keep life going," he said. She told him it would be better "than to die here in Marikana".

Nevertheless, Dyantyi is optimistic. "It has been calm now and we hope for the better," he said.

Rebecca Milcao said loan sharks and buying on credit from local spaza shops had been part of his existence since coming to the Rustenburg platinum belt 14 years ago.

"Without them, life could virtually come to a standstill," he said. "It is hard to repay the loan, but what can you do? We know that even our supervisors need to take these loans."

Milcao, a labourer at Lonmin's Saffy shaft, said he was worried about his mother in a village outside Maputo, Mozambique, because he had not been able to

save enough to visit her since the strike last year.

"I bought her a cellphone so that we could communicate," he said. "Although the network could be troublesome, at least I would know they are well and they will also know that I am well here."

But he had not heard from her for a while.

"I don't know what has happened to the cellphone because I

can't reach her anymore. I think they are so broke. Broke!" he said.

Milcao said he was managing to save some money and he hoped to have enough by December so that he could spend Christmas with his mother and his two children in his village.

"I have had a lot of people to pay since we returned to work. It has been tough, but I am making headway and I am plan-

ning to finish [repaying] my loans and groceries debt by this month end — even if it means being left without a penny in my pocket," he said.

But for Lethabo Matlaku, one of the youngest men on the workforce and a new recruit, life is good. He had been unemployed for a long time in his home town of Sebokeng in the Vaal Triangle, but now he has a job operating a *makaranyana*

— a small train carrying ore in the shafts — at the Karee mine. "It is always good to have money," he said, even though working underground was "not a very good job".

"I am still adjusting to the conditions, particularly breathing," he said. "I was already here when the violence started. It was horrible, but I couldn't do anything because I needed the job and the money. Some of my

homies in Sebokeng don't believe that I am working in the mine — underground, for that matter," he said.

The future of mining remains unsettled. The word underground, according to some miners, was that rock-drill operators at the Karee mine were planning another strike. It could happen as early as this week.

BONGANI MTHETHWA

FORMER rock-drill operator Thabile Mpumza's family in the Eastern Cape survive on R1 400 in government social grants a month following his death in the Marikana massacre on August 16 last year.

Just 10 months before police opened fire on a group of strikers, platinum producer Lonmin fired Mpumza, 26.

He left the mine, opened a back-yard car repair workshop in Rustenburg and continued to send money home to Mount Ayliff to support his siblings, nieces and nephews, as well as his son, Inga, 7.

But on the day of the massacre he returned to the mine to show solidarity with his former colleagues.

The miners had become fed-up with poor conditions and were demanding a minimum wage increase from R4 000 to R12 500 a month, greater safety in the mines and entitlement to overtime.

He allegedly joined the protest after the Association of Mineworkers and Construction Union promised to help him get

Marikana families despair

his job back.

But Mpumza was among the 34 people killed in what has been described as the single most lethal use of force by the police against civilians since the Sharpeville massacre in 1960.

At least 78 others were injured.

This week, Mpumza's sister Xolelwa, 33, said the family, including a handful of children, aged between seven and 13, were struggling to survive on a few bags of

mealies a month.

Mpumza, who earned R5 712 a month as a rock-drill operator — and later a little less running his own business — always sent money home for food and basic household items.

Although Lonmin has contributed R15 000 towards his mortuary and funeral expenses, the family wants the mine to reinstate his position and allow his elder brother, Siyabulela, 33, to take over his job as a rock-

drill operator.

He has been unemployed since 2003.

"That's all we want from the mine," said Xolelwa, who sat through the Farlam commission of inquiry — charged with uncovering the truth about the Marikana massacre — even though mine bosses told her that her family were not entitled to a payout because her brother was no longer employed by the mine at the time of his death.

But the family are determined to convince the mine's management to employ Mpumza's brother.

The commission has been interrupted by constant postponements, mostly because of problems with funding for the legal team acting for the miners.

According to papers filed in the Constitutional Court last month, the miners' advocate, Dali Mpofu, launched a bid to obtain state funding.

Various estimates have put the bill for the legal team representing the police at about R3-million a month, and the cost of Mpofu's team has come to about R340 000 a month.

Court papers state that the police's legal bill is now R39-million.

The commission, appointed by President Jacob Zuma and given three months to complete its work, sat for the first time in October last year.

This deadline was extended by four months and

then extended again to October this year.

In Bizana, Eastern Cape, pensioners Mongezi Pato, 65, and his wife Manguphaza, 59, care for their son Mvuyisi's two children, Cebo, 4, and Snawo, 3.

But their pensions and money raised from selling chickens are barely enough to cover their expenses, including the tuition fees of their 26-year-old daughter, Fundiswa, who is studying at the University of Fort Hare.

The death of Mvuyisi, a rock-drill operator, left them at a loss over where they would get enough money for Fundiswa to complete her teaching degree.

"But we've managed for now, although it's been a struggle," said Mongezi.

The couple's son had been working on the mine for a year when the tragedy struck.

"It was very painful when we got the news that my son was among those who had been killed," said Mongezi.

The couple, who received R30 000 towards their son's funeral expenses, also want a relative to be employed by Lonmin and to be compensated financially by the company.

Lofty promises made at Marikana come to naught

AS we approach Friday's anniversary of the police slaughter of 34 miners at Marikana, we have little to celebrate about our collective response to that darkest time of our freedom years. In total, 44 people died in that week of wildcat strikes, protests and police overreaction. At least two of them were policemen slain before the August 16 shooting now known as the Marikana Massacre. Some were men hoping to find work on the platinum mines owned by Lonmin, and some were union leaders embroiled in a showdown between the veteran National Union of Mineworkers and the upstart Association of Mineworkers and Construction Union (Amcu).

In an unhappy parallel with the 1960 police massacre at Sharpeville, it soon emerged that half of those killed on the 16th were shot in the back.

President Jacob Zuma returned from a regional summit in Mozambique a day after the shooting and quickly announced a commission of inquiry headed by retired Judge Ian Farlam. Politicians declared the event a turning point in South Africa's post-apartheid history and fell over themselves to proclaim: "Never again." Mine owners, including black empowerment beneficiaries, vowed to review the conditions in which miners lived.

A year later, we have little evidence that those promises are being kept. The Farlam commission has bogged down in exhausting interrogations that have yet to involve anyone who was on the front line when the police switched their rifles to automatic. It is now stalled by an unseemly dispute about legal fees.

Deputy President Kgalema Motlanthe led negotiations for a framework agreement for a sustainable mining industry, but has been unable so far to bring Amcu into the deal.

The mines, crippled by a tough global environment and the loss of international trust, which was exacerbated by the massacre, are talking more about retrenchment than about reparations to their workers.

The police have moved on the defensive with no internal overhaul to repair their reputation or break the culture of increasing violence against the populace they are charged to protect.

Mining consultant Philip Frankel warns on the opposite page today that the Farlam commission must speed up and produce a viable road map to take us all out of this quagmire.

Winnie Madikizela-Mandela warned this week that South Africa could not afford to let the issues raised by the massacre go unaddressed. "I naively thought that, with the liberation of our country, we would try our very best to fulfil the promises we made in 1994, only to find that it was not so. That is why we have the Marikanas of our day," she said.

We need — from unions and mine owners to the government, police and civil society — to take the promised hard look at ourselves and work out how we will, indeed, deliver on the promise: "Never again."

A year on from Marikana, anarchy is the new normal

The elements that led to the massacre still seethe below the surface, says **Philip Frankel**

SOON after the Marikana massacre, I began a book whose central premise was that the events leading to the deaths of 44 people in the worst industrial disturbances since 1994 were symptomatic of much deeper problems in the mining industry, and South Africa more generally.

One year down the line, as we approach the first anniversary of the massacre on August 16, I have come to the conclusion that this proposition is altogether too benign. This is because Marikana, or the North West mining industry, has settled into what I, as a sociologist, can only call “anarchic normality”.

There is nothing in the physical character of the unprepossessing towns of Marikana or Mookimooi to suggest this — nothing sinister, immediately visible or different. These and other villages abutting the Lonmin mine have ostensibly reverted to their sleepy and impoverished pre-massacre status.

People are understandably aware of the events that a year ago catapulted South Africa into the ranks of the more odious nations. Still, the critical imperative is to work and live as best one can in a seriously depleted environment.

Then, too, many people in the area are migrants. Some who were in the region in August last year have left; others who have subsequently arrived know little about the killings other than on a second-hand basis. There is nonetheless, as Nadine Gordimer named an anthology of short stories, “something out there”.

First, the struggles in the labour movement continue to flare into continual, if low-grade, violence

It has never been the intention of the central government to ensure that the commission succeeds, or does so in a way that addresses the blemish of Marikana

with the potential to emulate the industrial disturbances of late 2012. The situation in the Marikana area remains profoundly unstable. This is partly because mine management throughout the North West platinum industry is almost uniformly hostile — as are most media — to the Association of Mineworkers and Construction Union (Amcu).

The National Union of Mineworkers (NUM) believes it can recapture lost territory with assistance from mine management, especially in some of those mines where human resources and other strategically important departments have former NUM people who have risen through the ranks from shop steward. Perhaps more importantly, a substantial proportion of Amcu, if not the majority, are also former NUM supporters who will follow the political winds.

Amcu has achieved representative status, but relative to the forces ranged behind the NUM it is still a small renegade with only a toehold in the labour movement. Amcu's capability in North West is based on idiosyncratic factors, including the initial hostility of NUM members to a handful of leadership personalities coincident with August 16. One year down the line there remain deep conflicts in Amcu, basically vicious struggles over scarce resources rather than ideology.

Much of what goes on between the NUM and Amcu is a mixture of human greed and need that could only occur when people have very little and are in competition for personal power. Both unions are totally unabashed in their use of violence against each other. Rivals are often killed to advance self-serving interests. The mine owners play their part, even though there is little understanding of the extraordinary complexity of who owes whom allegiance in labour ranks.

The recent decision of the “industry” to make unions pay for their own shop stewards is probably going to nail Amcu down to a few organisational militants who can scavenge pay to finance their professional and individual activities.

Below the surface calm, it is almost impossible to determine the thin line between political and criminal action. Both unions see an unstable situation as a source of political capital.

Everyone is reluctant to be seen as a political leader, because doing so can invite assassination from either colleagues or opponents. This is particularly the case in Amcu, which remains badly disorganised because of cut-throat internal politics being waged among and between former NUM members.

The police are almost openly active in these brutal dynamics. This includes not only ongoing threats of violence against key witnesses set to appear before the Marikana commission under the chairmanship of Judge Ian Farlam, but death and destruction wreaked by police officers, the “ama-berets” who were involved in the killings and now spend a large part of their time assaulting illegal miners in drunken sprees that could well lead to another collective killing.

Members of the Independent Police Investigative Directorate have received death threats. Meanwhile, the quarries around Marikana known to work with trafficked Mozambique labour are left untouched because of corrupt rela-

tions between police, labour brokers and mine management.

The mines have not gone far down the road during the past year in dealing with the key issue facing the industry — how to be globally competitive while reliant on huge masses of unskilled, unstable and unproductive human capital. In the meantime, they are cautiously “restructuring”, for which read retrenching. After the dramatic confrontations between Anglo and the Department of Mineral Resources following its public decision earlier this year to retrench 16 000 miners, it now involves a form of surreptitious “salami-slicing” — workers are being quietly laid off for often minor disciplinary offences, sickness, absenteeism or breaking safety regulations. This is, of course, extraordinary in an industry where gold and platinum extraction kills more than 100 miners a year and reportedly injures 300 each month.

This abnormal situation has enormous implications for the Farlam commission, which is rapidly reaching a point where it is unlikely to be able to fulfil its mandate in any meaningful fashion. It has, in fact, never been the intention of the government to ensure that Farlam succeeds, or does so in a directional way in addressing the blemish of Marikana on South Africa.

From the outset, the commission has lacked the will and logistics to be inquisitorial in a manner appropriate to an effective governmental inquiry into an explosive situation. One consequence is that

there has been little informed public dialogue over the meaning of Marikana as stakeholders, the public and the international community have been duped into waiting for the Farlam report.

This is now designated for the

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last quarter of this year — which is an optimistic deadline not only because of problems now facing the victims and their families in financing their defence, but because Farlam, after 8 000 pages of evidence, has produced nothing that even vaguely resembles the provisional report originally scheduled for October last year. The South African Police Service, the first of four key stakeholders to be examined, is still on the stand.

The ANC and the unions represent the only two channels for individuals to rise above the impoverished environment and into the profitable networks of gravy-

train existence. The forthcoming national elections are also a factor, because electoral politics in the area are, as in the whole North West, a winner-takes-all event that propels elected councillors and shop stewards alike into a lifestyle high above the seething masses.

Marikana is exemplary of what is happening on the ground to communities throughout South Africa. It is also becoming, in many respects, a repeat of the Sharpeville massacre, albeit in democratic circumstances. The latter, one recalls, involved a tap on the wrist for the guilty, but a political inheritance that required the repair work of generations.

It is essential that Farlam's commission, with all its limitations, reports in a way that can be used to chart a road forward to civil or criminal action. Other than the police, both unions, Lonmin, the government and the mining industry — all of whose stakes are best served if Farlam says nothing — it is in no one's long-term interests that we have a rerun of Sharpeville in the veld followed by failure in the legal system.

● *Frankel is the author of the newly published 'Between The Rainbows and the Rain: Marikana, Mining, Migration and the Crisis of Modern South Africa'*

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