

## **Violence des grèves dans l’Afrique du Sud d’après-apartheid**

Crispen Chinguno

### *Résumé*

*Avant que prenne fin l’apartheid, la violence était justifiée aussi bien par la domination raciale que par la résistance africaine. La violence persiste pourtant dans l’après-apartheid, malgré la transformation de l’Afrique du Sud en démocratie. La violence et la contre-violence contemporaines se manifestent le plus souvent sous forme de protestations communautaires ou étudiantes et de contestations liées aux problèmes de main d’œuvre. Cet article explore certains aspects du pouvoir, de la solidarité et de la violence dans le contexte des grèves de l’après-apartheid, s’appuyant sur des travaux menés sur le terrain dans les mines de platine d’Aquarius, d’Impala et de Lonmin dans la province du Nord-Ouest. L’auteur démontre que la violence des grèves sud-africaines, quand elle ne représente pas simplement un contrôle coercitif des ouvriers, offre souvent un paradoxe. Si d’une part elle semble indiquer un manque de solidarité avec les grévistes, elle constitue d’autre part un moyen de forger une telle solidarité. L’article problématise aussi les présomptions qui sous-tendent le concept de « puissance associée » avancé dans la brillante analyse sur les compromis de classe d’Erik Olin Wright. La puissance associée, comme le démontre sous un jour ethnographique l’auteur dans ses études de cas, ne se manifeste pas simplement par l’intermédiaire des structures syndicales. Les travailleurs ordinaires, du moins dans les mines de platine d’Afrique du Sud, peuvent aussi exercer un pouvoir parfois violent par le biais de comités informels liés à divers réseaux locaux préexistants. Les regroupements de travailleurs autonomes ont d’ailleurs fini par générer une crise de légitimité pour les syndicats au sein du régime industriel tripartite de l’après-apartheid sud-africain.*

# Strike violence in post-apartheid South Africa

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## *Abstract*

*During the late apartheid period, violence was justified in the name of both racial domination and of African resistance. Violence, however, has persisted as part of the post-apartheid order despite South Africa's transformation to a democracy. Contemporary violence and counter-violence manifests itself most notably in community and student protests and in contestation around labour issues. This paper explores aspects of power, solidarity and violence in post-apartheid strikes, drawing on fieldwork conducted at Aquarius, Impala and Lonmin platinum mines in North West province. I demonstrate that violence in South African strikes, when it does not simply represent coercive control of workers, often presents a paradox. On one hand it tends to indicate lack of strike solidarity and on the other hand it constitutes a means of forging such solidarity. This paper also problematizes assumptions underlying the concept of "associational power" in Erik Olin Wright's brilliant analysis of class compromise. Associational power, as I demonstrate ethnographically in my case studies, is not manifested simply through union structures. Ordinary workers, at least on the South African platinum mines, have the capacity to exercise alternative, sometimes violent, collective power through informal committees tied to various pre-existing grass root networks. Indeed, independent worker organization has ultimately generated a crisis for union legitimacy in the post-apartheid South African tripartite industrial order.*

## **Introduction**

The struggle against apartheid stimulated popular collective action, typically countered by coercion, both often characterized by violence. Violence is tied to a very long history in South Africa and has not disappeared with the demise of apartheid. Contemporary popular and workplace violence shares much in common with the late apartheid period. There are continuities in repertoires and how they are used (Von Holdt, 2003 & 2010, Moodie, 2015 & 2016).

Violence in post-apartheid South Africa is not limited only to

popular uprisings but also seems to be fundamental to maintenance of the current socio-economic and political order. It thus manifests itself in coercive police and management actions, such as at Marikana, as well as collective violence by participants in labour strikes, service delivery protests, xenophobic attacks and other random outbreaks. Such violence takes many forms, but there is very limited systematic empirical research unpacking this phenomenon at the micro level, although Alexander (2010) and Von Holdt, *et al* (2011) provide thoughtful accounts of violent community protest actions.

Violent collective action during South African strikes has been explored by scholars over many years (Webster and Simpson, 1990; Von Holdt, 2003, Chinguno, 2015). The overarching argument for the apartheid period was that violence was linked to a repressive regime with no representative citizenship for black people and inadequate institutionalization of industrial conflict. Understandings of strike violence during apartheid thus confirm prominent international scholarship on the subject (Shorter and Tilly 1971; Snyder and Kelly, 1976, Taft and Ross, 1969).

Problems of inadequate institutionalization were in theory redressed following the advent of democracy in 1994. Violence by agents of management and the state and by workers against one another has, however, remained a significant phenomenon since the democratic transition. This paper seeks to provide empirical evidence for understanding the violence associated with strikes in the post-apartheid social order. This brings to the fore questions about power and solidarity and how these shift in different contexts over time.

In earlier work, I have postulated that strike violence emerges when there is tension between collective and individual interests and that violence is a means of forging or destroying worker solidarity (Chinguno 2013, Chinguno 2015). In this paper I extend my argument, focusing on several instances of strike violence at the local level. In the first case, I focus on a relatively early event (at least for my ethnographic project) in which the union vehemently dismissed wage demands of worker leaders. Management, the state and the union collaborated, using force to break collective worker resistance by a workforce that was already divided along residential lines. This fragmentation of solidarity eventually led workers to adopt methods with violent undertones of their own. In this case, once “order” had been restored, the union set out to persuade the company to rehire a

substantial number of strikers, whom they argued had been “misled” by their leaders. Workers who had not been rehired then engaged in a symbolic demonstration march with violent overtones that, as also at Marikana in 2012, was met by repressive violence from agents of management and the state.

These events pointed clearly to the fragmentation of worker support for the union, apparently from workers still living in the mine compounds (now called “hostels”) presumably organized through room-by-room networks, reinforced by mass meetings. Since I commenced my fieldwork soon after the events I describe for this case, my conclusions are somewhat tentative. Unlike the events described in the other two cases, I have been obliged to rely on interviews with workers, management and newspaper reports rather than direct observation.

My other two cases break new ground on the basis of much more comprehensive fieldwork, described in the methodological section of this paper. The patterns in both cases are very similar. It is here that I develop my full argument, presenting strike violence as a paradox, since in these cases violence was a means of forging collective solidarity, unlike my first case where it was resorted to when solidarity was crumbling. Violence thus becomes important both for understanding social order and analyzing disorder. The differences between and among these cases make the central argument of this paper: that violence may unite or divide depending on the context.

In putting forth my position on worker violence, the paper also challenges Wright’s (2000) suggestive analysis of class compromise by problematizing his assumptions about how worker collective power is constituted. My ethnographic work demonstrates that trade unions are not necessarily the primary source of associational power as presumed by Wright. Workers in my cases evinced a capacity to forge alternative associational power that more or less successfully challenged the South African tripartite class compromise institutionalized by the unions, capital and the state.

### **Violence in labour conflicts**

Conflict in industrial relations represents the inherent contestation for control between labour and capital that characterizes production politics. Industrial relations theory postulates that conflict, including strike violence, may be managed through

institutionalization (Howell, 2005). Industrial relations systems institutionalize a process of positive class compromise that legally respects workers' organizational rights. Workers join trade unions to voice their demands in an established process of collective bargaining. This assigns a key role to the development of highly formalized state institutions designed to regulate and manage conflict (Korpi and Shalev 1979). In South African industrial relations, this process exists at both bipartite and tripartite levels.

Bipartite institutions negotiate wages between trade unions (supposedly representing workers) and management structures through bargaining councils, bargaining forums and at plant level when there is a recognition agreement. A recognition agreement is an aspect of South African labour law established during the apartheid period. It refers to an accord between a union and employer that confers organizational rights to the union. Independent black unions during the apartheid years used recognition agreements with employers to forge bargaining relations outside the purview of the then existing system of industrial relations, since blacks were not recognized as employees before 1979. The notion of "recognition" was incorporated into post-apartheid labour law in 1995.

Negotiations at the tripartite level are conducted through the National Economic Development and Labor Council (NEDLAC) and the Commission for Conciliation, Mediation and Arbitration (CCMA). NEDLAC is a tripartite body established after apartheid with representation from government, organized business, labour (trade unions) and/or local communities. It was designed to reach consensus on broad issues of national social and economic policy. The CCMA is a state-sponsored body made up of union and employee representatives set up under the Labour Relations Act of 1995 to mediate labour disputes. If such mediation fails, the CCMA issues a certificate permitting a "protected strike", meaning that striking workers are protected from arbitrary dismissal. Wildcat strikes are not "protected". One of the principle objectives of the tripartite system is to promote collective and inclusive decision making, thus promoting economic growth and social equity.

The overarching aim of the tripartite system is to attain and restore order and create legitimacy without the use of coercion. In industrial relations theory such institutionalization purportedly constitutes a non-violent means of resolving industrial disputes. The South African industrial relations regime since the democratic

transition has thus been designed to enable a shift from a despotic regime based on coercion to a system of class compromise based on manufacturing consent (Burawoy 1979).

In his analysis of class compromise, Erik Olin Wright (2000:958) made a suggestive distinction between negative and positive class compromise. He argued that *negative class compromise* occurs when worker associational power (organized through trade unions) reaches a stalemate with the material interests of capital. Both are forced to make inherently unstable concessions to each other. *Positive class compromise*, however, institutionalizes mutual cooperation in a manner in which “both parties can improve their position through various forms of active mutual cooperation.” Such “positive” class compromise is typically described by industrial relations scholars as “institutionalization” (Korpi and Shalev 1979).

What is missing from Wright’s useful analytical framework is any serious discussion of how associational power is constituted. Indeed, theories of institutionalization and class compromise tend to presuppose that established trade unions are genuinely representative of their members and are hence the primary base for associational power. My ethnographic research on the platinum mines (Chinguno, 2015), however, points to the failure of the predominant union, the National Union of Mineworkers (NUM), to genuinely represent the concerns of underground workers, who nonetheless exercised more or less effective alternative associational power through informal worker committees, often elected at mass meetings. My evidence suggests that worker organizations based on previously existing informal social networks have the capacity to challenge the organizational power of the established union. Insurgent associational power, however, must rely on worker solidarity for support of such informal “committees” and their leaders. While violence is never sufficient to create such support, it is, as we shall see, sometimes one means of maintaining it.

### **Methodological reflections**

In conducting this study I used Burawoy’s (1998) reflexive ethnography or extended case study method as the overriding methodological framework. This encourages extension from micro to macro processes since social systems are not insulated from their broader context. I started with theory to problematize the question and aimed to reconsider its application to my particular empirical

cases.

The reason I chose to focus on platinum mining was because in the last two decades it has become the most dominant mining sector in South Africa with the largest number of workers. It has taken the lead from the gold sector, which, over the same period, has been in systemic decline. I selected the mining sector in particular because it remains central to our understanding of South African social order, still characterized by poverty, inequality and precariousness.

My first experience with violence in a mine strike was at Aquarius mine in Kroondal. This became my initial case study, focusing primarily on state and management violence against purportedly “unprotected” strikers, a section of whom militantly resisted such coercion. At the time, management of Aquarius mine (which was owned by an Australian company) was contracted out to the cementation branch of the South African firm, Murray and Roberts. About 3000 workers had been dismissed following a strike in 2009.

My fieldwork in the Rustenburg area commenced at Aquarius in 2010 and consisted of interviews over a period of four years with many of the dismissed workers, supplemented by newspaper reports. I also had the opportunity to talk to management personnel at Aquarius. During the same four-year period I also made friends and conducted interviews with workers from Impala and, eventually, Lonmin Platinum mines. Thus, although I missed direct observational evidence of events at Aquarius, my research in Rustenburg coincided with the platinum strike wave that became famous by virtue of the Marikana massacre at Lonmin in 2012. By then I had gained the confidence of worker leaders, was welcome at mass meetings and had established a relationship of trust and comradeship with workers themselves.

My research adopted a triangulation of methods (interviews, observation and documentary evidence) to enable the collection of data from different sources and to view phenomena from different perspectives to enhance internal validity and reliability. A qualitative methodology based on direct observation allowed me the opportunity to more fully understand how specific individuals and particular group structures gave meaning to worker actions and to their daily life. In-depth and semi-structured interviews were critical as they enabled me to penetrate workers’ and leaders’ understandings of

the informal structures and practices of the evanescent world that characterizes strike violence. I also interviewed injured victims of worker violence. Over one hundred interviews were conducted with workers, managers, trade union officials and other informants. Documentary sources were also used to gather primary and secondary evidence critical for understanding the dynamics of strike violence.

My status as an “insider”, as a former union member with hands-on experience, having led a number of strikes in Zimbabwe, and with the ability to speak several of the main local languages (while at the same time being an outsider as a non-South African graduate student) was critical to my obtaining easy access to and trust from workers. I am fluent in at least two of the main local languages (Zulu and Xhosa). I interacted with informants at different levels in the companies, but deliberately avoided over-reliance on official institutional sources in order to give voice to ordinary workers and their leaders. I believe that my personal experience enabled me to overcome various forms of bias, especially in obtaining workers’ points of view.

After extensive interviews at Aquarius Platinum mine, I moved on to focus more closely on Impala and Lonmin Platinum mines. I came to Impala initially because the union seemed well established there and, after Aquarius, where the union was clearly out of touch with workers, my supervisor and I thought it best to use Impala as a control. At that time, levels of union membership implied that Impala was the most representative branch of the National Union of Mineworkers (NUM) on the platinum mines. As things turned out, however, it was a wildcat “unprotected” strike at Impala, during the time I was there, that precipitated the 2012-2014 strike wave across the entire western platinum belt. Events at Marikana at the nearby Lonmin mine obliged me to expand my investigation to that company as well (Chinguno, 2013) – although my findings there essentially conformed to what I had found at Impala Platinum.

### **Aquarius - Kroondal strike 2009: Organisation and sequence**

Aquarius Platinum mine in Kroondal, near Rustenburg was my first case study. In that case, although I obtained the trust of dismissed strikers, my research was essentially post hoc. My conclusions about strike violence at Aquarius are thus somewhat tentative, although certainly suggestive. In 2009, the NUM was dominant at the mine and apparently enjoyed popular support with a



majority of signed-up members. However, workers at Aquarius who went on strike that year felt let down and abandoned by the union. They had forged an independent voice through informal committees elected at mass meetings, which was then decisively repressed by management in collaboration with the NUM and the state.

The NUM drew its formal support across all categories of workers but was more concentrated among low-level, relatively skilled underground black workers. In the 2009 strike and ensuing events, violence was initially driven by management and the state and seemed focused on defending the regnant system of industrial relations. A final burst of worker militancy, intended to disrupt production, but without majority support, proved futile, despite a two-day episode of fights underground with mine security forces.

The strike emerged from a collective bargaining dispute over wages in which the union lost control of a substantial body of its members. The collective bargaining process had collapsed following a deadlock over a wage settlement. Murray and Roberts declined to move beyond a 10 percent adjustment whilst the unions were stuck at 15 percent. The NUM, which was by far the majority union, declared a dispute and followed institutionalized procedures through the CCMA to ensure that any strike on the matter would be “protected”.

Part of the process in preparing workers for the strike involved the union conducting mass meetings and discussions. Mass meetings constitute a fundamental part of the South African repertoire for worker resistance. In most strikes an initial mass meeting typically formulates and/or consolidates demands, selects a local leadership cadre, often called a “strike committee”, and decides a course of action. In the process, workers are prepared for confrontation. Mass meetings in general are usually democratic and create a platform for workers to formulate collective decisions. At subsequent mass meetings, the leaders of the action give feedback to workers on processes of engagement with the employer and lead discussion on the best way forward. Mass meetings also symbolize worker power and solidarity. If a strike is unable to draw big mass meetings this reflects lack of support from the grassroots.

After meeting all the requirements for a protected strike and securing a strike certificate from the CCMA, the NUM had organized a mass meeting on the 21<sup>st</sup> of August 2009 at Silahlwiwe hostel in preparation for strike action. This meeting attracted over

3000 workers, the majority of whom were NUM members. At the time, the mine employed a total of about 5000 workers.

Union membership is based on signing up workers and receiving their payment of a monthly subscription. The NUM regional structure directs activities in specified geographical locations and in this case the Rustenburg office was responsible for giving guidance to the Aquarius/Kroondal mine branch. The mass meeting referred to earlier was addressed by NUM regional officials. This gave the regional office an opportunity to influence the trajectory of the strike.

According to a worker, later elected to lead the workers' committee that eventually challenged the union and management, the regional official announced at the mass meeting on August 21<sup>st</sup> that the strike at Aquarius was to start on the 23<sup>rd</sup> of August 2009 from the night shift of that day. According to several other informants who were also at the meeting, the regional official made the announcement waving the strike certificate in his hand. This affirmed union commitment to following the rules of industrial relations. A strike certificate confirms that a strike is "protected" in terms of industrial relations procedure. Workers at Aquarius had previously been involved in what they viewed as an unsuccessful unprotected strike in 2007. This time the union was under pressure to ensure that the strike was protected and there was no risk of dismissals.

Court documents on the 2009 strike, eventually made available to the press<sup>2</sup>, however, reveal that, also on August 21, union negotiators had met with management and reached an "in-principle agreement" to settle the dispute, pending worker approval. Meanwhile, it was formally agreed that the strike would be suspended. The parties would meet again on August 24 after the agreement had been presented to the workers. This in-principle agreement was however never presented to a mass meeting for discussion and approval, at least at Silahlwe hostel. What this meant was that the strike, which commenced on August 23 as planned, was "unprotected" from the outset, although the workers I interviewed were not aware of this.

Three days into the strike, the NUM called another mass meeting at Silahlwe hostel and unilaterally issued a directive that the strike be suspended with immediate effect. The regional chairperson took the stage and announced that the strike had been 'suspended for

five days but not called off'. He promised an update at another mass meeting the following day at 10 am. Union officials did not show up on the following day, however. A meeting was thus convened and coordinated by the strike committee at the hostel to plan how the strike might be continued without NUM support.

Division within the workforce was apparent even before the strike commenced. At this mine a relatively small proportion of the workers lived in hostels whilst the majority were from the adjoining Matebeleng informal settlement. So-called "informal settlements" (essentially shantytowns) sprang into being as apartheid was ending when, under pressure from the NUM and as an expression of neo-liberal freedoms, managements began modifying compound barracks and started to pay a "living-out allowance" for workers to maintain themselves.

As argued in a classic article by Bezuidenhout and Buhlungu (2011), it was indeed difficult in this period for the union to keep workers united because of differences between them defined by their living spaces. The union typically conducted evening meetings at the hostel that were seldom attended by all non-hostel dwellers. According to workers I interviewed, this undermined solidarity, although the August 21 meeting does seem to have been attended by many of the shack-dwellers. It is very easy for information about a pending strike to be spread through informal networks within a hostel but it is less easy to keep workers in the informal settlements informed.

During the course of the strike, workers convened every morning at Silahliwe hostel to get feedback from union leadership. This later became the responsibility of the informally elected strike committee when the union shifted position. Strike negotiations between management and the union were being conducted at the central shaft where management offices were located. After union officials failed to show up to address the mass meeting in the hostel on August 25, it was decided at the meeting that a group of workers would march to the central shaft to demand answers from management and union representatives about developments in the collective bargaining process. There were about 300 workers involved. The march symbolised an attempt by workers to reclaim their voice which had apparently been lost through misrepresentation and the clumsy shift in position by the union. At that point, the union was obviously losing control of its members. Getting wind of the

march, the union assigned two officials to address the marching workers.

One of the union officials was the chairperson of the NUM Kroondal branch, Sizwe Nkosi. He met the worker deputation escorted by company security guards. He announced that the employer and the unions had agreed to a 10.2% wage increase and the strike was now officially over. Workers, he said, had no choice but to go back to work “whether they liked it or not”. He insisted that all “genuine NUM members must report back for work” whatever their objections. My informants noted that some heeded this call but the majority defied him.

According to the workers I interviewed, Nkosi had climbed onto the roof of a security armoured vehicle to address them. He was also armed with a pistol strapped at his waist. He made sure that everyone in the crowd noticed he was armed. He was whisked away by company security guards after speaking -- without giving workers a chance to ask questions. His firearm display and escort by heavily armed mine police symbolised for workers an announcement by the union that force and violence would be used against them. They felt they had lost their voice. They were left in suspense and felt provoked. A group of them pulled down the central shaft main entrance gate and demanded that Nkosi be summoned to return to clarify matters.

The following day, a crowd of workers and their representatives convened with the union at the hostels. NUM officials were again escorted by armed mine security. They presented the outcome of negotiations as a *fait accompli*. The main worker demand had been R5000 minimum wage per month including allowances (R 4200 without allowances). The union had agreed to R2552 minimum wage. This was above the inflation rate but still way below the mandate given to the union by its members.

Because their demands had not been met, the majority of black workers ignored the call by the union to abandon the strike. They continued to be organised by a strike committee independent of the union. This case challenges Wright’s assumptions about worker power. He seems to presume that associational power may be elided with union structures and that unions automatically speak for the workers they represent. In the South African situation, this is manifestly not the case. At least on the platinum mines, neither the union nor management can rest assured of whole-hearted worker

support since associational power is substantially independent of the union as an organization. There are always cross-cutting informal worker networks relatively independent of formal union structures. In the South African case, they often seem to form themselves into independent committees elected at mass meetings.

The standoff on August 25 dampened the strike at Aquarius, however. Some did decide to call it off. On August 26, the remaining 3900 strikers were dismissed. Over the following four days, the union negotiated re-employment for about 1681 of them. Those remaining were relocated to a new hostel off the mine, where they awaited their terminal benefits. When these were not forthcoming to their satisfaction, they convened another mass meeting at the new hostel on November 2009. Their aim was to coordinate claims for benefits they felt were taking too long to be paid. They also wanted certificates of service and unemployment insurance forms to use as references for seeking alternative employment.

At the November meeting, they resolved to express dissatisfaction with the way their case was being handled by marching to the administration office of the mine at the central shaft. Management responded by mobilising riot police. A police helicopter appeared above and SAPS (South Africa Police Service, the state police) armoured vehicles, with mostly white police officers, invaded the space. The police fired tear smoke and rubber bullets in an attempt to disperse the crowd. Workers to whom I spoke claimed that this frightened them and forced them to run away. The swift response by the police and mine private security forces clearly indicated their action had been well planned.

The workers felt disempowered and voiceless and a group of them retaliated by burning down the security office at the main gate. A number of the marchers were seriously injured in the clash. About thirty-five workers took cover in one of the shafts after facing attacks from armed mine police allegedly using live ammunition. Some of them are alleged to have intended to disrupt production as a protest. They certainly fought underground. They were brought to surface only after two days of clashes with company security guards. The thirty-five workers who went underground were arrested and charged with attempted murder, arson, trespassing and public violence. Twenty-seven of them were later convicted and sentenced to five years in custody.

Repertoires of violence in this strike followed scripts similar

to those used during the apartheid era. As during the apartheid period, marches by workers, no doubt carrying makeshift arms, were met by police violence and mass dismissals. Workers marched and sang revolutionary songs. Police opened fire. Workers who went underground certainly fought the police for two long days. All roads and entrances to the mine were barricaded. In addition, road signage in the vicinity of the mine was destroyed and the security office was burned down. But worker violence, however militant, was futile without majority support.

The story of the failure of the 2009 Aquarius strike, however, gives a good idea of how strikes are organized, initially by relatively small groups of worker leaders who form themselves into a “strike committee”, who confront union officials at mass meetings and who then spearhead strike action in direct confrontation with management (sometimes ignoring or directly challenging union authority). Von Holdt (2003) describes a similar case at Highveld Steel during the late apartheid period where divisions between migrant hostel-dwellers and permanent worker township-dwellers made worker unity virtually impossible.

Typically in such cases the state, management and the union collectively use “official” violence to defend institutionalized industrial relations. The Aquarius strike was initiated by the union, which later essentially abandoned its members. The union worked with the South African Police Service (SAPS) and management to break down worker resistance, although the union did eventually seek to negotiate a return to work for at least some of the workers dismissed during the strike.

Whatever implicit (and explicit) violence occurred in the course of worker gatherings and marches it was futile without full support from the majority of the workers at Aquarius. Violence marshalled by management and the state in this case successfully defended the institutionalized industrial relations system. In contemporary South Africa, as at Marikana, strike actions are often categorized as public order issues and the SAPS may then be called in to ensure “social order”. In any event, despite deep general disappointment, the tenuous hold of the union on worker support at Aquarius seems to have survived its initial rejection by the majority of its members. The point to make for the purposes of this paper, however, is that worker violence in this case was paradoxically a symptom of the failure of worker solidarity.

As we turn to the much more complex situation at Impala Platinum mine in 2012 we shall find that worker solidarity prevailed over all efforts by management and the union to counter it. More important in the Impala and Lonmin cases, however, at least for the purposes of this paper, was that violence by striking workers, primarily aimed at scabs, was evidence of solidarity, not of its loss. Much more clearly than I was able to identify for Aquarius, violent clashes at Impala and Lonmin were symptoms of a particular “moral order” (Von Holdt, 2010) shared by the striking workers (and including even the victims of anti-scab violence themselves).

### **Impala Platinum strike and the insurgency in 2012**

In 2010 when I first arrived at Impala Platinum mine, a group of certified miners were already expressing dissatisfaction with the NUM’s representation of their interests. Certified miners historically were always white men. They are the only underground workers trained and certified to insert dynamite and blast rock. Since the late 1980s, however, black workers have also been certified. Impala mine has been one of the most “transformed” of the deep-level mines. Most of the certified miners there are now men (and lately also women) of color.

Of all the occupational categories underground, certified miners and rock drill operators (RDOs) have the most *structural power* in Erik Olin Wright’s terms. For Wright, structural power, as opposed to associational power, “results simply from the location of workers within the economic system” (Wright, 2000:962). RDOs work at the face of the mining advance, drilling with hand-held machines into hard rock, following the veins of ore. Without RDOs, any deep level South African gold or platinum mine would grind to a halt (Stewart, 2012).

Certified miners exercise a different kind of structural power. They inspect the condition of the stope after blasting has taken place and are commissioned to “make safe” before the RDOs can safely engage with the underground ore face. Under post-apartheid mining safety laws, they have the structural power to declare work places “unsafe”. In such a case, safety regulations require that work in such a place be halted immediately. If certified miners choose to use their rights under the safety laws as a “go slow”, while they sacrifice their (and their work team’s) productivity bonuses, the profitability of the entire mine grinds to a halt.

Just such a go slow occurred at Impala. This was partly motivated by the fact that, at neighbouring Anglo Platinum mines, certified miners were considerably better paid than at Impala. In October 2011 Impala Platinum had signed a three year wage agreement as part of the collective bargaining process with the NUM. The parties had agreed to a multi-year wage increase of between eight and ten percent to be reviewed in 2014. Impala certified miners requested a “market adjustment” to their wages. Impala Platinum management claimed they had no capacity for any further wage increases. The NUM, moreover, or so it seems, was not willing to strike an exclusive deal for the certified miners, since it argued this would undermine the collective interest of all the other workers.

Impala certified miners thus set up an informal committee apart from the union to coordinate and articulate their demands. This committee convened informal meetings once a month. Middle level managers were privy to their discussions. In November 2011, in response to their specific interests being excluded from the negotiated settlement, certified miners at Impala resolved to use the safety regulations to “work to rule”. At the time Impala Platinum employed about 1600 such miners. Production plummeted as safety stoppages escalated.

In December 2011, under the pressure of the massive drop in production, Impala management awarded an 18 percent “retention allowance” to certified miners completely outside the collective bargaining process. Management alleged that this was a response to labour market pressure. They informed the union, which was apparently initially neutral on the issue and remained silent.

Certified miners were thus able to use their “structural power” in the labour process to force management to consider their position as crucial. As a result of the miners’ work to rule, most workers had failed to meet production targets and were not eligible for bonus payouts over the holiday season. The certified miners’ increase was granted as the mine closed for Christmas, so other workers learned of it only on their return to the mine, in January 2012, at the end of a rather gloomy festive season, shorn of production bonus good cheer.

Rock drill operators (RDOs) at Impala were furious when they heard of the market allowance awarded to certified miners, and responded by exercising their own structural power to demand a similar allowance. Like the certified miners, they also formed independent worker committees to represent them outside union



structures. On January 12, 2012, Impala mine RDOs embarked on a wildcat strike demanding a retention allowance. This first strike attempt was poorly coordinated and temporarily suspended by the committee after about three days. On January 17, 2012, however, RDOs at Impala's Number 14 shaft presented a petition to the shaft management demanding a "market adjustment" and downed tools three days later. During this exercise of RDO "structural power", cellphone text messages were a critical means of organizing, providing mass communication across different shafts.

Management secured a court interdict to sanction the dismissal of the 3 000 RDOs who were on strike. Dismissed workers still in company hostels were at once evicted. On January 27, the RDO leaders called a mass meeting at the mine athletic stadium. They pleaded for support from other workers and the following day over 17 200 other workers heeded their call. Workers' committees were reconstituted to include elected representatives of those who had joined the strike later. These "strike committees" took charge of coordination of the entire strike. The strike lasted for five weeks and Impala eventually essentially (in two stages) conceded to underground worker demands for a massive increase in their remuneration – from about R4, 500 to R9, 000 for RDOs.

My focus in this paper, however, is to explore the question of power, solidarity and violence during the strike. The first reported violent incident was on January 29, a day after the majority of workers had joined the striking RDOs. This involved assault and intimidation targeting strike-breakers by fellow workers. The main targets of the violence were workers on their way to work in the early morning hours. On January 30 Impala Platinum fired the 17 200 strikers who had come out in support of the RDOs. All those on strike who lived in company hostels were evicted.

Between February 14<sup>th</sup> and 17<sup>th</sup> , as had happened at Aquarius, Impala management embarked on a process of selective re-engagement of dismissed workers. Those who were returned had to come back on a new contract with inferior benefits. They were pegged at the lowest pay scale of their previous grade and were not entitled to any days of leave for a year. They were also given new service entry dates which affected their pension benefits and they were issued a final disciplinary warning. The strike continued essentially unabated.

Sub-contracted workers at Impala Platinum were not

members of the union nor were they on the regular company payroll. On February 16, however, a worker employed by a subcontractor at Impala was attacked in the early morning hours on his way to work. He was stripped naked and assaulted by fellow workers hunting down scabs. He died in an ambulance on the way to hospital. On February 24, another subcontracted worker was found dead near Number 8 hostel bus platform. He was apparently attacked and killed by fellow workers hunting down strike breakers.

The strike ended on February 29 after more than 5 weeks of unrest, but tension and contestation persisted. On March 20, NUM branch officials were violently evicted from their offices at all the shafts and other work stations at Impala by disgruntled workers and were replaced by representatives of the independent committees that had led the strike. In a space of six months the NUM had lost its majority at Impala and was at risk across the platinum belt. The union was eventually replaced by the Association of Mining and Construction Workers Union (AMCU) called in by the worker committees after the strike. In fact, in the course of fieldwork during the strike, I did notice that AMCU was involved behind the scenes. I met a number of AMCU organizers recruiting members at some of the mass meetings.

The strike was not spontaneous but well organized by insurgent informal committees outside the institutionalized industrial relations system. Leaders within NUM structures had usually been drawn from among better educated workers. The independent informal committees that led this strike were designed to be truly representative, however. As a result many who emerged as the leaders of the independent committees were barely literate. Moreover, they had no clue as to how the institutionalized industrial relations system worked. The NUM order, which had associated education with good leadership, was being challenged and rejected.

The strike committees which emerged were independent of the union and inclined to use violence against strike breakers as a form of resistance and to establish what I call a violent solidarity. Violence was thus deployed to forge collective solidarity. Interestingly enough, as we shall see, this was perceived to be morally legitimate even by surviving victims of such violence.

### **The 2012 Lonmin strike**

The 2012 strike at Impala precipitated a strike pattern that

spread across the platinum belt and beyond. Over one hundred thousand workers were involved. Lonmin Platinum was one of the mining companies affected by the strike wave initiated at Impala. The Lonmin strike in 2012 was overshadowed by the Marikana massacre which involved the gunning down of 34 workers by the police. This strike was characterised by claims similar to those made by workers at Impala and included similar repertoires of violence. I have discussed elsewhere in detail how this strike and its associated violence unfolded in a manner similar to the Impala case (Chinguno 2013, Chinguno 2015). Independent workers committee also emerged at Lonmin and exhibited a high degree of militancy. Violence was widely understood as a means to forge collective solidarity and encourage resistance against state, employer and union alike.

## **Discussion**

### *The genres of violence*

Violence against strike breakers was manifested in many ways. Even the language used was violent. Scabs were pejoratively referred to as *amagundwane* (rats) and presented as undesirable elements to be stamped out. Many workers condoned the beating and killing of strike breakers. As we have seen, at Impala at least three workers suspected of being scabs lost their lives. Over 50 were subject to assault. Most of them were on their way to work. Many of those I interviewed argued that violence against scabs was designed to enforce respect for the will of the majority. From this perspective violence was viewed as a legitimate remedy and a means for forging collective solidarity.

In an interesting public address, Randall Collins (1993:291) cites Durkheim, noting that “collective rituals produce not only a sense of social membership, with boundaries between those who belong and those who do not, but also moral feelings, dividing those who believe they are right from those whom they believe are wrong.” He adds:

*“Solidarity has not only a positive face but also a negative one; the group which is most morally committed, its members most dedicated to the altruistic, self-sacrificing tasks of defending the collective whole, is also the group which is most morally self-righteous. In true Durkheimian fashion, the morally mobilized group feels*

*itself an agency of justice; its punishments are meted out as expiations for crimes.”*

In precisely the same manner, the Impala strike committees and their majority supporters saw themselves as dedicated to “defending the collective whole” against the “crimes” of those they all called the *amagundwane*, “rats” who challenged strike solidarity and deserved to die.

Violent assault of scabs took place usually in the early morning just before the first shift. The first reported case of assault during the Impala Platinum in 2012 was on a certain 62 year old Jairos who worked as a helper at number 2 shaft. It took place two days after the regular workers had joined the RDO strike. He was attacked by a gang of fellow workers a few meters from his workplace while cycling to work. Jairos was Tswana-speaking and described his assailants as young men who spoke a mixture of Xhosa and Sotho languages. Most of the RDOs at Impala identified as either Xhosa or Sotho. There was a general perception that the strike was led by Xhosa and Sotho migrant workers foreign to the Tswana speaking mining area around Rustenburg.

Jairos was attacked with sticks, axes and knobkerries. His assailants accused him of betraying the strike action. He sustained severe injuries including a fractured skull and the loss one of his eyes. Similar attacks on workers reporting for duty and several cases of destruction of property escalated as the strike progressed. People in neighbourhoods where significant numbers of Impala workers lived were aware of assailants targeting anyone suspected of reporting for duty in the early hours of the morning.

I interviewed a number of workers about this anti-scab violence, including some of the victims themselves in hospitals. Many understood and accepted that violence was a price strike breakers had to be prepared to pay. Surprisingly most of them supported the strike in principle despite their personal defections. They also expressed disgruntlement with the NUM, which they claimed had failed them. Although they themselves were victims they insisted that assaulting scabs was justified. They rationalized their deviant action by claiming that their ‘hands were tied’. The strike was not protected, hence many of them could not afford to lose their jobs.

This highlighted tension between collective and individual

interests. Their individual interests outweighed the collective good, they implied, but not without a sense of guilt. Most of those interviewed argued that the employer was in a position of superior power and hence they had no choice but to report for work. From their point of view, management power seemed to trump worker solidarity but they regretted being obliged to make such a choice and fully understood that they deserved their punishment. In this case a common economic position did not translate to effective solidarity despite common norms and values.

### *Organizing violence and sustaining worker solidarity*

We have noted that violence is entrenched in the history of South Africa and has persisted as part of the apartheid and post-apartheid order. In organizing strikes, the independent worker committees faced defections by scabs who defied the general sense of solidarity. At Aquarius, as we have seen, such defections destroyed the strike. In order to manage this crisis, at Impala as elsewhere (Von Holdt, 2003), a “strike committee” was appointed to instil discipline and ensure that workers complied with the strike. Most members of this committee were young volunteers recruited to enforce strike unity. This special committee policed the strike, meting out violence and forging and enforcing collective solidarity.

Strike committees conducted meetings separate from but usually after or before general mass meetings held by the worker committees in the evenings to formulate strategies and direct strike action. At Impala, for example, the special strike committee ensured that all routes to the various work stations were monitored and sealed. This form of violence was rationalized in moral terms. As one of the workers who was part of the strike committee explained:

*“Why would you want to go to work when the majority has resolved not to? Who are you out of everyone else... majority rule...so we use...we use violence to show others that it’s wrong to go to work when the majority resolved not to...violence against scabs is the rule of the majority... majority is the rule! (Interview 60:08 June 2012, Rustenburg).”*

Violence was thus not random but was selectively directed at specific targets in order to achieve specific ritual and symbolic collective goals reinforced at the mass meetings. To borrow once

more from Collins (1993:291):

*“Individuals are energized by group rituals, filled with what I refer to as ‘emotional energy.’ Also rituals produce symbols, the cultural codes by which people think and through which they construct their perceptions of the world around themselves.”*

Strike violence, with its ritual and emotional intensity, then, was used instrumentally in South African platinum strikes to forge collective solidarity (Chinguno, 2013, Chinguno 2015). However, the use and meaning of violence in this case was typically paradoxical. It also meant exclusion – violent, self-righteous rejection of collective identity with any who chose to go to work. Moreover, the longer the strike continued, the more violent it became. If collective solidarity began to unravel, violence became more intense. The strike committee was usually more active when worker solidarity became fragile. Violence was thus more than simply an expression of worker solidarity. It was also deployed strategically to enforce associative power.

### *Violence and the union*

In one of his seminal works, C. Wright Mills (1948) argues that trade unions are managers of discontent. Employers in the cases presented here often turned to the NUM to maintain order and control. Informal worker leaders, however, were hostile to the NUM and ensured this did not happen. The NUM faced unprecedented rejection and this in itself often also produced various forms of violence. NUM shop stewards were assaulted whilst attempting to take charge of the situation. The entire NUM structure at Impala and Lonmin was demobilized and went into a dramatic state of paralysis when the insurgent independent committees took charge. Indeed, many NUM shop stewards who were threatened simply went underground.

A number of shop stewards from the NUM and other former NUM shop stewards, however, defected and rallied behind the new independent committees. Some were elected into leadership positions. The workers’ position against the NUM during the strikes was unequivocal, however. Various efforts by the NUM to take charge of the situation failed dismally. Violent threats for example, made it impossible for the union to organize meetings at work

places. In one case the NUM secretly (and totally ineffectually) distributed fliers articulating its position as the recognized union. Union appeals to workers to return to work and give a chance for collective bargaining were simply ignored.

I witnessed various forms of violence against the union during and after the strike. A report back meeting I attended at Number 6 hostel, as the 2012 strike at Impala platinum was coming to an end, turned violent when workers assaulted three NUM shop stewards giving feedback on negotiations with the employer. The workers accused the NUM of attempting to hijack their revolution. It became impossible for the NUM to post notices about meetings and other activities despite the fact that it was the recognized trade union at the time. NUM offices were violently closed by the strike committee in almost military style. Office keys were confiscated and handed to management at some of the shafts. Violent workers firmly rejected the union and the status quo.

It is perhaps important to stress that violence within and against the NUM was not entirely new. It was at one of the Impala mines that the current NUM president (then vice president) had been attacked and assaulted in 2009 when a mass meeting he was addressing degenerated into violence. He was defending a union plea to call off strike action. He lost an eye in the course of that attack. This earlier violence, however, remained essentially within the ranks of the union and seems to have been precipitated by intra-union rivalries. What was particular about the violence of the 2012 strike is that the workers totally rejected their recognized union -- and replaced it initially with independent committees -- before 'shopping' for a new union in order to remain within the bounds of South African labour law. They themselves sought out AMCU as their new union.

The violence against the NUM applied to all levels of the tripartite structure. The NUM president with the help of the then COSATU secretary general Zwelinzima Vavi addressed a mass meeting at Impala Platinum number 6 hostel on the 21<sup>st</sup> of February 2012, in a futile attempt to convince the workers to abandon the strike. They addressed the workers under heavy protection from armed police and mine security and from behind barricades. The divide between workers and the NUM was at the center of the strike -- and of strike violence.

## Strikes and the platinum belt assassinations

A common phenomenon characterizing industrial relations contestation in the platinum belt has been the calculated killing of specific individuals -- often linked to their position at the mines and to the politics of strike action. The record of such killings has a long history (Moodie, 2016). During the 2012 strike at Impala several attempted assassinations of union officials were reported by both AMCU and the NUM.

Perhaps even more significant for the theme of this paper, however, was the assassination of an assistant to the strike *sangoma* (a traditional ritual medicine practitioner) the day after a very successful mass meeting where he had performed battle rituals. The meeting was organized by AMCU at Simunye hostel (number 8). The *sangoma's* assistant was gunned down in the evening in his shack at Impala Number 9 informal settlement by a group driving a white VW Polo getaway car which had no registration and was also linked to several other similar assassinations. The *sangoma's* rituals had taken place at the mass meeting. His activities were meant to strengthen the position of AMCU at the mine. AMCU, of course, was emerging as the popular union and had eclipsed the NUM across the platinum belt.

This man was the key person assigned by the *sangoma* to 'administer' *muti* (ritual medicine) for the worker's committee at Impala platinum during and after the strike. Before mass meetings and other important gatherings, he would perform rituals of solidarity. Some workers believed he was merely play-acting and imitating how *sangomas* work. Most of the workers I interviewed, however, maintained that he was assigned his duties by a powerful *sangoma* appointed by the worker committee to perform special rituals for protection and to assure spiritual support. They argued that he was targeted because of his links to the *sangoma*. Most of those interviewed believed he was killed by assailants hired by the NUM.

Similar assassinations also occurred during and after the 2012 Lonmin strike at Marikana. The *sangoma* who had been consulted for ritual assistance during the strikes across the platinum belt was himself killed after the Lonmin (Marikana) 2012 strike, just before he was to appear before the Farlam Commission appointed to investigate the Marikana massacre. The *sangoma's* celebration of battle rituals captures the paradox characterizing strike violence.



They were intended to forge solidarity and yet they also symbolized exclusion. The assassinations of the *sangoma* and his assistant simply cemented this paradox.

### *State violence*

On the 19<sup>th</sup> of February 2012 the SAPS confronted a group of about 150 workers armed with assorted traditional weapons prowling near Impala Number 6 hostel perimeter fence at around 3am. This is in open veld divided by a footpath that connects the Number 6 hostels to Luka suburb. The path is used by many workers to access the Impala bus “drop off and pick up point” on the way to work. This group of armed men, which included members of the strike committee, was hunting up scabs.

The police ordered them to retreat. They refused and continued to advance towards the hostels. The police opened fire. Nine of the workers in the group were injured – 3 seriously -- and one was killed on the spot. The injured and dead were picked up from the veld and ferried to the Impala mine hospital. I interviewed a police officer, who claimed that since the workers were armed this compelled the police to respond with live ammunition. According to his claim several attempts had been made to restrain them from advancing on the hostels. He said that they refused to disarm even after several appeals.

The police suspected the workers had consulted a *sangoma* who prescribed *muti* they believed had made them invincible. Many of the workers I interviewed, however, denied this point blank. They insisted their fellows carried only traditional weapons and posed no threat. The ANC Minister of Police, moreover, had recently issued an injunction against the use of live ammunition for crowd control. Whatever the facts, this event demonstrates that agents of the state did indeed also rely on the use of extreme violence as a means of control and to maintain order. That is not, of course, to deny that workers themselves employed violence to enable solidarity and reinforce resistance.

### **Conclusion**

This paper provides specific examples of how violence continues to be part of the making and challenging of order after the democratic transition in South Africa. Industrial relations had indeed shifted from non-hegemonic and despotic control to an industrial

relations regime based on institutionalization of negotiations and trade unions, but violence continues to haunt labour disputes, not only between workers and management but also by workers against established unions.

Strike violence in the cases presented here reflected the erosion of trade union hegemony and drew upon counter-hegemonic worker movements. This challenges the very basis of the post-apartheid tripartite class compromise that sought the achievement of consent through union representation. Firstly, the cases presented here challenge Wright's (2000) notion of associational power. They demonstrate that unions are not the primary source of associational power. Workers, at least on the South African platinum mines, have the capacity to exercise alternative associational power through independent committees that they believe better represent their symbolic and material interests than the established union. They perceive the union to have been alienated and captured by capital in collaboration with the state. Ultimately, then, associational power is rooted not in any particular union organization but in collective worker solidarity. A union that fails to genuinely represent all its worker members faces, even potentially violent, rejection. Maintenance of class compromise, whether negative or positive, collapses in the face of independent worker solidarity.

Secondly the cases presented show how different forms of violence in strike situations may be entrenched as an instrument of control for capital and the state but may also become a basis for resistance by workers. Based on my fieldwork experience, strike violence takes on an ambivalent and paradoxical form. I argue that while violence might indicate a breakdown of worker solidarity, it was also used to maintain solidarity. Strike violence may thus be both a means of creating moral commitment and yet also be resorted to when a strike is weakening and solidarity is fragmenting. Worker violence thus both symbolizes commitment to collective rituals that unite workers against union representatives perceived to have been co-opted by management and is also symptomatic of attempts to repair erosion of commitment to what is perceived to be the common good. Sometimes, however, as in the final futile convulsion at Aquarius, collective violence may simply be a symptom of despair.

## **Endnotes**

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- Useful summaries of press reports may be found in *Mining Weekly*, 23/11/2009, “Aquarius Kroondal mine re-opened after protest action” and a later investigative press report in *Mail and Guardian*, 14 December, 2011, “Fired mineworkers in a hole.” The latter obtained access to court documents for the Aquarius events.

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