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REVIEW ARTICLE

MARIKANA AND THE LIMITS OF BIOPOLITICS:
THEMES IN THE RECENT SCHOLARSHIP OF
SOUTH AFRICAN MINING

Keith Breckenridge

PETER ALEXANDER, THAPELO LEKGOWA, BOTSANG MMOPE and LUKE SINWELL, *Marikana: a view from the mountain and a case to answer*. Auckland Park: Jacana Media (pb R108–978 1 43140 733 0). 2012, 144 pp.

DON L. DONHAM, *Violence in a Time of Liberation: murder and ethnicity at a South African gold mine, 1994*. Durham NC: Duke University Press (pb \$22.95–978 0 82234 485 3). 2011, 256 pp.

PHILIP FRANKEL, *Between the Rainbows and the Rain: Marikana, migration, mining and the crisis of modern South Africa*. Johannesburg: Agency for Social Reconstruction (pb £18.95–978 0 62057 814 1). 2013, 196 pp.

BERNARD MBENGA and ANDRE W MANSON. *'People of the Dew': a history of the Bafokeng of Phokeng-Rustenburg Region, South Africa, from early times to 2000*. Auckland Park: Jacana (pb \$39–978 1 77009 825 1). 2010, 224 pp.

Despite our jaded familiarity with very high levels of public violence the police massacre of mineworkers at Marikana in August 2012 came as a physical shock to South Africans. The events seemed in so many ways to be a surreal flashback to a repudiated past; from the grim video footage of police armoured vehicles, tear gas and barbed wire to the bent-over groups of men, proudly displaying what the Inkatha Freedom Party used to call traditional weapons. There were undeniable differences, of course: the presence of uncontrolled videographers on the site not the least amongst them. Yet, in the months that followed the massacre, it has become increasingly clear that Marikana was much less a return to the politics of apartheid than a symptom of the preservation of deeply formed structures of politics within the mining industry. We had, in short, little justification for our surprise.

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In this essay I will review four books, two published immediately in the wake of the massacre and two shortly before it. Interestingly the books emphasize quite distinct themes, which suggests that understanding the political and social crisis of mining in South Africa, and of the platinum belt in particular, requires a careful act of synthesis. I think that this can be done. What combines all of these different issues and problems is a radically constrained pattern of governance both in the mines and around them: below ground workers face brutal, exhausting and very dangerous work; above ground many of them live out their lives in polluted, informal, dangerous and unregulated shack settlements. The pool of beneficiaries from mining is narrowly restricted to a small group of share and royalty owners (even if this group is very significantly different from its counterpart a generation ago). Under the current arrangements in the platinum belt there is almost no movement of resources from mining to the wider problem of maintaining the physical and emotional well-being of the general population working in the mines. Mine managers have retreated from maintaining order and health in the hostels, and they have ceded control over the key human resource questions – employment and housing – to union officials and their allies. Like foreign shareholders and local royalty owners, these union leaders, using their monopoly over jobs and housing, have tapped into the demand for employment to enrich themselves (often at the expense of the working and living conditions of union members). Local government – caught between the mines and the prerogatives of tribal authorities – has all but abandoned the project of regulating the living spaces around the mines. The crisis in the contemporary mining industry, and especially in the platinum mines (unlike the older gold mines) is a failure of governance, and especially of the forms of knowledge-driven authority that Foucault called biopower, the administrative rules and practices derived from medicine and statistics that are aimed at maintaining the well-being of entire national populations. The horrible events at Marikana were both caused by and examples of the systematic failure of biopolitics in the region around the platinum mines. In the simplest possible terms – and contrary to the insurrectionist enthusiasm that the event has encouraged on the Left – the killings at Marikana marked the logical (and predicted) result of the hideous ‘shoot to kill’ doctrine that was adopted by the national Commissioner of Police, Bheki Cele, in the months leading up to the 2010 World Cup. Yet there was clearly much more at stake here than the criminal stupidity of deploying police armed with assault rifles against protesting workers and their families.

South African civil society – especially the online press and the universities – has been massively agitated by the killings at Marikana. This reflects well on the capacities and energy of critical enquiry in South Africa, and on our expectations of citizenship. The glacial deliberations of the Farlam Commission have sustained a continuous stream of detailed and sometimes explosive investigative news reports.¹ And the

¹See the reports in <www.dailymaverick.co.za> and <www.bdlive.co.za>.

universities (especially, but not exclusively, of Johannesburg and the Witwatersrand) have hosted an almost weekly series of public events, panels and conferences. Many students have begun dissertations examining the crisis from both the Platinum Belt and the rural villages that have offered up their men and women to the mines. Even before the massacre the scholarship on the Platinum Belt – in part because of the very unusual circumstance that sees a single Tribal Authority, the Bafokeng, as the major beneficiary of mining – was rich and insightful (see, especially, Comaroff and Comaroff 2009; Capps 2010; Mnwana 2011). The four books reviewed here highlight four background causes of the crisis: a violent struggle within the union movement after 2010, the very broad investment in migrancy and its enabling networks by many workers and the mining companies, the constrained forms of workplace and public health, and property relations in mining that distribute profits very narrowly and encourage rent seeking and corruption as a substitute for regulation.

A WARNING, MISSED

Some of the key themes that drove events in Rustenburg to their horrible conclusion – especially the unions' organizational dependence on ethnic gangs and the power of ostentatious forms of masculinity – were present in bold type in Don Donham's 2011 ethnography of violence on the gold mines in the first months of the democracy.

On 16 June 1994, a little more than a month after Mandela had been installed as the President of a newly democratic South Africa, workers at one of the oldest and largest mines on the eastern Witwatersrand attacked the Zulu-speaking men in their midst, brutally – symbolically – murdering two of them. This event, one of hundreds of similar acts of violence in the mid-1990s, was explained very widely in South Africa as yet another instance of normal, indeed traditional, ethnic conflict. Donham approaches this event carefully and methodically, exploring how the 'conflict became "ethnicized" to appreciate what it was about' (2011: 9) In the process he opens up an anthropology of South African mining that unravels the ways in which white mine officials, in production and policing, and the new institutions of black trade unionism were shaped by crude models of ethnicity and a hidden political economy of regimentalism and masculinity. The story of union organization that Donham investigates shows unmistakably that the success of the National Union of Mineworkers (NUM) in mobilizing mineworkers in the compounds, especially after the traumatic strike in 1987, was driven in part by the union's reliance on secret networks of migrant solidarity, which were themselves modelled on memories and institutions of regimentalism.

This is a gentle, modestly written book that presents a deceptively simple explanation of obscure events in an isolated part of a very peculiar city. Donham has worked hard to understand these events using local tools of analysis. Unlike some other recent works by North American scholars it is steeped in the dense and rich anthropology, history and

sociology of South African mining, migrancy and violence. And his collaboration with the photographer, Santu Mofokeng, provides an insight into the mines that sits comfortably alongside David Goldblatt's and Ernest Cole's withering photographic essays.

This book provides an excellent starting point for anyone looking to begin a project of research into the arcane world of mining in Southern Africa. Donham's critical readings of the old and new anthropology are especially interesting, but so too is his close and insightful exploration of the official published materials from the mining industry, especially in the period after 1960. This is work that has not been undertaken for this period, and it is very helpful in bridging the gap between the idioms and understandings of the present and the relatively well-documented period before the establishment of the apartheid state in 1948. Using commissions of inquiry, human resource plans and mine security reports, Donham provides abundant and rich evidence of the explanatory and political use of radically simplified notions of ethnicity in the operations of this enormous industry. The power of the old stereotypes of the compliant Tshangaan, the brave Swazi and the violent Mpondo remains amazingly undiluted in the present, as the press reports around Marikana demonstrate. With the temporary support of a new kind of human resource officer – trained in the Sociology of Work Programme at Wits – Donham was able, perhaps uniquely, to lift the veil on the operations of the otherwise closed official world on the mines. Few scholars before him have had this kind of uncontrolled access to mine managers.

What he shows is that a crude sociology operated on the mines that had the effect of isolating a small number of 'Zulu' workers, attributing to them politics and affiliations that effectively isolated them from the other workers on the mine. To be treated as 'Zulu', and to be seen officially as a supporter of the Inkatha Freedom Party and its union subsidiaries, was to have answered the radically simplifying question, 'Tribe?' (as posed at recruitment) in a similarly truncated manner. This official designation worked with a frighteningly simplified political ethnography in the compounds to make the small numbers of migrants from KwaZulu and Natal very vulnerable at moments of crisis.

Like the Marxist scholarship he draws on, Donham offers an analysis and periodization of the strange form of capitalism in South Africa as the core of his explanation of ethnicized violence. He focuses on the odd structures of capitalism in South Africa, which used a century of coercive labour and mobility controls to drive wages down from their highs in the 1890s, reaching a breaking point in the middle of the 1970s that was, in equal parts, demographic, economic and political. What emerged from this crisis was the complex institution of the National Union of Mineworkers (NUM). Initially, at least, NUM was favoured by Anglo American, the dominant and most progressive of the mining corporations. This translated into easy access to secured compounds (the single-sex hostels that housed hundreds of thousands of migrant mineworkers) and easily achieved thresholds for compulsory union debit orders. The NUM grew rapidly through the 1980s, not least because of the careful stewardship of Cyril Ramaphosa. The tense but cooperative relationship

between the union and the corporations changed after a massive strike in 1987 that saw NUM throw its considerable weight behind the popular struggle against white rule. Marginal mines, like the old East Rand mine that Donham was investigating, looked for more compliant alternatives to NUM, and they found them in the form of unions backed by Mangosutho Buthelezi's Inkatha Freedom Party (IFP).

It was in the effort to break into a mine that was dominated in part by a long history of racial paternalism and indirect rule, and in part by the self-consciously counter-revolutionary unions of the IFP, that the NUM found itself drawing on the secret regimental organizations of isiXhosa-speaking migrants, mostly from Pondoland (Donham 2011: 141–4, 151). This was the same intensely hierarchical, tightly organized and fiercely violent migrant organization that the NUM faced at Marikana, but in Donham's study (and several others) the *amabutho* (soldiers) provided NUM with the keys to the compound.

The actual events immediately preceding the murders of the Zulu workers show that the issues at stake had much more to do with competing forms of migrant masculinity than political affiliations. Managers sent Zulu-speaking workers home on paid leave after protests by Inkatha in the city, and their return, as Donham shows in a reconstruction of verbal boasting in the compound, endangered the 'masculine honour of the *amabutho*' (*ibid.*: 159–61). But this process was also a struggle over the meaning and ownership of citizenship. As the mines struggled to 'address black workers as modern individuals' they shed the rigidly coercive patterns of ethnic paternalism, effectively withdrawing from the compounds and handing institutional authority to the union movement. It was this withdrawal that, ironically, 'created a space in which ethnic gangs could flourish' (*ibid.*: 168). Like the immigrants who were attacked in 2008, Zulu-speaking men were attacked on this mine because they were viewed by ANC-allied migrants as undeserving citizens who were 'enjoying our freedom'.

The book concludes with a short chapter on events and processes at this old, dying mine over the last two decades. Here Donham identifies many of the same sources of brutal conflict that have since bedevilled the platinum mines. The face of the mine owner changed to a new black-empowerment company, funded by debt. And this new owner rapidly engaged in conflict over the basic elements of mine management with the most powerful NUM shop steward, who used ethnic patronage to control all appointments on the mine. Faced with intractable technical and geological problems, the mine staggered to its knees in 2009. The *amabutho*, in the meantime, vanished into the shack settlements that emerged around the abandoned compounds. These are the same themes that have preoccupied journalists and scholars in the wake of Marikana.

EVERYTHING I DO THAT IS NICE IS BACK HOME

The book by Peter Alexander *et al.*, published by Jacana Press within months of the massacre at Marikana, looks most closely at the events

themselves. It consists of a dozen interviews with miners and the breakaway unionists who are trying to organize them, bookended by argumentative essays offering to explain the course of events and their significance. As a corrective to sensationalist media and government accounts of the men on the mountain as bloodthirsty murderers, the book is unmistakably concerned to make the case for their innocence. Using the evidence from the interviews, it attributes blame to the local and national leaders of the National Union of Mineworkers, mine security, and to trigger-happy police. Yet there is plenty of evidence of mutual provocation from the interviews, and it is clear that the analytical essays massively underplay the protesters' determination to use violence against other workers and against NUM officials. Some of this defensiveness is amusing: after the interviewers asked whether any of the workers were in possession of firearms, the informants reply that no one had guns, but 'some were holding swords in case of snakes' (Alexander *et al.* 2012: 109).

The account that is offered of the organization of South African workers in this book is curiously anachronistic, determinedly ignoring almost everything that (as Donham shows) history and anthropology have learned about the mine workforce over the last thirty years (Breckenridge 2004). For Alexander *et al.* the spontaneous and mostly obscure forms of organization and leadership on the mountain at Marikana were 'the unfettered praxis of the working class' (2012: 11). Almost as a mirror-image of the criminal conspiracy theory that was deployed by the government and the NUM against the workers, this book implies that a clearly determined plan to murder the workers had been developed by Lonmin (the mining company), the NUM and the police prior to the mass shootings on 16 August. In fact little of this conspiracy is demonstrated in the book (which treats the stupidity of the 'shoot to kill' policy as a carefully worked out plan). Yet there is abundant evidence from the interviews here of criminal behaviour on the part of the police, the mine security and the workers themselves – with vicious killings from both sides in the days leading to 16 August. The most tendentious claim in this book is its conclusion, which suggests that the ferocity of the protests at Marikana, especially after the shootings, has resulted in victory for these workers. The opposite, unfortunately, has been the case. Marikana marks a catastrophic defeat for mineworkers and their families, with tens of thousands of retrenchments across a relatively prosperous industry, further massive disinvestment by the companies in health and social investments, and, most importantly, the disintegration of the NUM. A more devastating defeat for the platinum workers is hard to imagine.

There is much in this book to confirm the general analytical point that the degradation of human life – of the well-being of the workers and their families – lies at the root of the protests and the intensity of the violence. One informant after the other describes appalling conditions of safety and exhaustion underground, especially at the Karee shaft of Lonmin, where, after 2010, contract workers were employed without assistants on very long and dangerous drilling shifts. The interviews also highlight the miserable conditions that workers live in on the surface. Much of this should – as the book suggests – be blamed on the mines, but responsibility

also lies with the Department of Minerals and Energy, with local government, recruiters and moneylenders, and with workers themselves. The analysis offered here ignores the consequences of the payment of mine royalties and equity directly to the tribal entities, like the Bafokeng, and BEE beneficiaries, like Cyril Ramaphosa (the former secretary-general – indeed the architect – of the NUM, and current Deputy-President of the country). Yet the informants are certainly aware of the very contradictory meanings of class in contemporary South Africa: the NUM, as one of the breakaway unionists observed, ‘are also owners of these mines’ (*ibid.*: 75).

There is also clear evidence in the interviews of the migrants’ own lack of interest and disinvestment in their lives and homes in the platinum belt. Here, as one of them says, ‘I live in a shack, so everything I do that is nice is back home.’ The impossible fantasy of the viable rural homestead, outside of the horrible cost constraints of South African urban life, was shared by both workers and their employers before Marikana – both hoping that one day, ‘when I get home I will have a better life and I can sit on a sofa’ (*ibid.*: 82–3). The informants repeatedly describe their suffering and distress as a modest take-home paycheck of \$500 was devoured by debt, the costs of living with a family in a shack settlement, and the demands of a rural homestead.

HUMAN TRAFFICKING

Unlike *Marikana: a view from the mountain* (which was concerned to present an exculpatory account of the workers’ actions in the week before the massacre), the book written by Philip Frankel recounts the events of the medium-term past at the Lonmin mine’s Karee Shaft. Frankel is a well-respected social scientist – the author of one of the key sociological studies of the apartheid state and several other important works (Frankel 1984) – and he builds a persuasive case (unfortunately on the basis of sometimes obscure evidence) that the crisis of Marikana was directly caused by the very low value placed on human life by the mining industry.

He traces the development of the demands for additional pay at Lonmin’s Karee shaft to the employment of migrant workers from the gold mines to undertake very dangerous and exhausting contract work. It was this brutal work that prompted the Karee workers to approach their managers for an increase – initially granted by the mine and then, infuriatingly, rejected by NUM officials. This book describes a world in which managers and workers have adopted a fatalistic view of mine work, one in which productivity imperatives and bonuses trump the requirements for underground safety. While fatality statistics have improved enormously since the 1980s, South African mines remain dramatically more dangerous – as sites of accidents and disease – than any similar industrial employment on the planet. And the forms of occupational health supported by the mines are brutally constrained, much as they were under apartheid. Under these conditions workers deploy their own

therapies, paying for bolstering from *izangoma* at their homes and consuming marijuana, other drugs and alcohol to stay on the job (Frankel 2013: 25, 65). Matched to the ordeal underground, Frankel stresses the brutality of life in the informal settlements around the mines. Of Nkaneng, the shack settlement nearest to Marikana, he says: 'The whole "town" is a lethal, breathing health hazard, foul-smelling and foetid with transmittable disease' (*ibid.*: 27).

Like a Neil Blomkamp movie, Frankel describes a host of criminal and trafficking networks emerging from the unregulated space of Nkaneng, a 'huge sprawling, under-serviced, filthy, roadless, densely populated and environmentally anarchic shanty settlement' (*ibid.*: 128). He portrays labour brokers, moneylenders, union officials, local chiefs (who provide the 'local resident certificates' required for employment) and taxi-drivers conspiring to raise men and women from the poorest districts of the subcontinent to provide the mines' needs for manual labourers. While much of this is not substantiated in any way that social scientists would recognize, Frankel (who has worked as a behavioural consultant for the mines for fifteen years) does put together a convincing case for what he describes as a 'slave system' (*ibid.*: 103).

What underpins both the horrible conditions of work underground and the miserable living environment in the shack settlements is a broken regulatory regime in mining. Some of this can be attributed to the attitudes and incentives of management, which, in practice if not in theory, endorses 'mining at risk' and designs a set of work bonuses that effectively compels workers to place their health in jeopardy on a daily basis. Much of it has to do with a Department of Minerals and Energy stripped of capacity and experience and often at war with itself. Both of these difficulties have been exacerbated by the unavoidable requirement that the mines re-register their mineral titles after the 2002 Mining and Petroleum Resources Development Act – a process that encouraged the co-option of local officials and tribal leaders and very widespread favours and rent seeking between the corporations and key figures in the ANC – a story that remains very much in the news today (McKune and Brümmer 2013).

This rhizome of co-option (working in concert with pervasive factional conflict within the ANC) has paralysed local government, and prevented many of the most basic forms of regulation of the very progressive social and environmental requirements of South African mining law. Nor is it helped by the fact that, as Frankel observes, in 'the Rustenburg area very little of the money paid into state coffers in the form of royalties, taxes, municipal rates and value-added tax appears to filter through to support the infrastructural development so desperately required at grassroots level' (Frankel 2013: 178). Rather than involve themselves in the fraught politics of local government, the mines have picked their allies on the national stage, offering them substantial shareholdings in exchange for influence and protection. In this they have, to date, successfully immunized themselves from the law's requirements for consultative planning and investment in the ongoing living requirements of the poor around the mines.

THE WEALTHIEST TRIBE IN AFRICA

Behind this story of the neglect of human life on the mines and around them is a perplexing and unusual history of tribal prosperity and success. The great majority of the land that contains the mineral rights to platinum lies under the control of the Bafokeng Tribal Authority (BTA), a legal entity controlled by the king of the Bafokeng, currently Leruo Molotlegi. The BTA provides local government services to about 100,000 people in the North-West Province, out of a total population of nearly four million. In 1999 the BTA negotiated a royalty arrangement with Impala Platinum that earned them approximately R100 million per annum. They have since become the Black Economic Empowerment partner of choice, both in the platinum industry and in the heights of the South African economy. And the financial rewards have been astonishing. As of the time of writing Royal Bafokeng Holdings (RBH) is the owner of a one-third share in FirstRand Limited (probably the most profitable and important South African banking conglomerate) valued in excess of R60 billion. RBH trust – which increasingly functions like a sovereign wealth fund – currently pays an annual dividend to the Tribal Authority of nearly R1 billion, funds that are used for the building of special schools, roads and communal facilities for the relatively small number of Bafokeng in the region (Herkovitz 2012). Wealth of this magnitude is rare in South Africa, but it is unimaginable anywhere else in rural South Africa.

The story of the Bafokeng's rise to plutocracy that Mbenga and Manson tell (with the help of the BTA) is long and complex, tracking back to the arrival of the Boers in the western Transvaal and the defeat of Mzilikazi's Ndebele. More than anything else, the Bafokeng ascendancy highlights the political and economic imperatives to create certainty in mining titles. Unfortunately, and notwithstanding the brave and complicated history of the Bafokeng, it is also this pressure to create and secure tribal mineral titles that currently undermines any meaningful prospect of strengthening biopolitics in the platinum belt.

Rustenburg has long been a frontier town. In the early nineteenth century it was both the centre of Boer efforts to expel Mzilikazi and the most important slave and hunting market in the region. The Bafokeng's relationships with the Boers were both supportive and resistant from the outset, with Boer leaders making unreasonable and humiliating demands and imposing terrifying punishments for non-compliance. Given the Boers' lack of enthusiasm for documentation, and the reliance on oral histories and second-hand mission evidence, the politics of this relationship is a bit mysterious. There is good evidence of the Bafokeng slyly avoiding British demands, in the late 1870s, for soldiers to fight the Pedi. And similar evidence of the Boer officials' fondness for flogging chiefs as retribution for failure to provide labour or draught animals. Yet, throughout this period, the Bafokeng secured land, weapons and animals from their capricious Boer allies.

Stories of an intimate relationship between the Rustenburg notable, Paul Kruger, and the Bafokeng king, Mokgatle, are numerous. There are oral histories of Kruger and Mokgatle drinking *mampoer* together

and missionary accounts of Kruger explaining to distressed fighters that 'Mokgatle and I have grown up together and I cannot harm him.' Perhaps the best measure of this peculiarly ambivalent relationship was Kruger's support for two of Mokgatle's sons to study in the Netherlands in 1887. Kruger was famously practically illiterate – there were no schools for whites in the Transvaal at this time – and many settlers (probably correctly) saw education for Africans as an automatic trigger of rebellion. Yet Kruger endorsed their study and assisted them in finding a school and accommodation in the Low Countries.

The main result of the Bafokeng ruling family's strange relationship with Kruger, and with the Lutheran missionaries who supported him, was relatively secure title to land. But these links also strengthened their contacts with local white lawyers, providing them with resources that they were to deploy repeatedly over the next century. In this struggle to secure what Capps (2010) has called 'title-trust', the Bafokeng royals – whose family name is Molotlegi – sometimes received the support of the Native Affairs Department (NAD), and sometimes faced opposition. But they have always used lawyers to defend their control of the land and its mineral wealth – and, intriguingly, they have almost always been successful.

The history of the consolidation of Bafokeng control of the land, and the mineral rights, that contains almost all the world's supply of platinum is long and complicated. It is a history that is currently being contested in the courts – with Mbenga and Manson on the side of the Molotlegi royals and Capps representing the descendants of those who claim to have purchased their land privately. But the basic steps in the evolution of the system of title are agreed between the contestants, and these are as follows. In 1907, under the Milner administration, the NAD converted the land held by missionaries on behalf of African purchasers into state-owned tribal trust land. During the first twenty years of the last century the Bafokeng bought large amounts of land on the open market – often with the support of officials in the NAD. It was in the 1920s, also, that the state moved to defend the integrity of 'tribal' ownership – undermining the claims of private African landholders in order to protect the basic building blocks of indirect rule. So far, so typical. What distinguishes the Bafokeng story is that geologists (also descended from the Berlin missionaries) discovered the platinum reef under their land in the 1920s. A long struggle thus began as speculators and mining companies sought to extract the Bafokeng's control over the mineral rights. The struggle sometimes ran against them – and, before the 1940s, very little mining actually took place – but the Tribal Authority received substantial (although still not fair) payments for almost the entire century. Ironically, in this long legal conflict it was the apartheid-era NAD, under Verwoerd, that definitively secured Bafokeng mineral rights (Mbenga and Manson 2010: 115).

Yet the Molotlegi family was also brave and principled throughout this period, fighting the Lutheran missions and the leading figures of Verwoerd's NAD – and, as ever, using the courts to defend themselves and, surprisingly, strike at the state when few dared to oppose it. The most

important period of Molotlegi resistance was in the decade after 1983, when the opposition to Lucas Mangope's authoritarian government in Bophutatswana was organized and sustained from their territory. It was this honourable resistance to the bantustan leadership (and the very heavy price that the Molotlegi family paid for it) that set up the moral basis of the current system of platinum royalties. In 1988 Impala Platinum attempted to use the hostility between the Bophutatswana leadership and the Molotlegi family to strip the Bafokeng of the mineral rights. The mining company succeeded, but only by securing a legal judgement in the 'bantustan' courts that was notoriously unfair and indefensible. Thus began a decade-long guerilla war between the Bafokeng lawyers and Impala Platinum to restore the mineral rights, and a fair measure of the mining royalty. The conflict was resolved with a mutual agreement in 1999 (amid much ambivalence from the ANC), which established a tribal mineral royalty of approximately 15 per cent of Impala's profits – and one million shares in the company.

In little more than a decade the Bafokeng mineral titles have worked with astonishing success to pour wealth into the coffers of the Tribal Authority, placing the Molotlegi family amongst the Oppenheims and the Ruperts at the apex of South African capitalism. Yet the problems of securing the basic conditions of public health and workplace safety for the people who work in the platinum mines – almost all of them non-Bafokeng migrants – have actually worsened in this period. Therein lies the real crisis behind the Marikana massacre.

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