

Liberation betrayed by bloodshed

25 August 2012

On the evening of Thursday, August 16, in Johannesburg, I returned to my hotel for a well-deserved rest.

I would turn on the TV, watch the news and then settle back to enjoy yet another episode of Isidingo.

But the evening I imagined was not to be. As the TV flickered to life, a newsreader introduced a breaking news item, and I knew immediately what was being replayed before me.

Police officers opened fire, and dust rose as people in the line of fire collapsed.

I will never forget the rapid cacophony of firing weapons sounding like popping corn, but decidedly deadlier.

As the running commentary confirmed my initial impression of an escalating labour dispute that had been in the public eye for some time, I felt tears welling up in my eyes and I prepared to weep.

Had it come to this?

But my tears stopped short, even though I had not prevented them.

They simply stopped at the point where they would have exited to blind my eyes.

The brief intensity of firing was ended by the bark of a commanding officer: "Cease fire! Cease fire! Cease fire!"

When the smoke cleared, inert bodies on the ground emerged into view.

I had just seen shooting, killing, and death, as had millions of other South Africans.

But my mind was surprisingly clear and calm as it recorded my feelings.

I was not stunned. Neither was I outraged, nor angry, nor pained.

What did I feel?

What had got my tears going, yet also held them back?

Some 20 hours later, as I began to speak at the last segment of the Ruth First memorial colloquium at Wits, sharing the platform with Jacklyn Cock and Eusebius McKaiser, I still had no answer.

In the coming days, there would be several camera angles from which to piece together, from different news channels, some tentative narrative of an event the newspapers had begun to call "a massacre".

One channel's camera angle showed less smoke at the shooting.

The picture of a crowd of men charging at the police was clear.

It may have been the same footage as the one I first saw, they may just have been showing an earlier segment of it.

The sight of men collapsing in a cloud of dust as bullets tore into them was clearer.

At the end of the shooting, one wounded man in a red garment struggled to rise, accentuating the dead around him.

It did seem like a massacre, but it wasn't.

Those killed had been armed, charging assailants.

From yet another angle, the police were seen stepping backwards as they discharged their weapons, even while some of their colleagues were ahead of them, out of the line of fire.

It seemed a dangerous moment of indiscretion.

They could have tripped and shot their own.

One more camera angle showed crowds of men fleeing in panic with police vehicles in pursuit.

They looked like a stampede of gazelles with lions in pursuit.

What could have been in their minds?

It dawned on me that no camera angle presented a view of the entire event or even just parts of it from the perspective of the striking miners.

Many days later, it is clearer how I felt on the evening of the shootings: sad.

But it was sadness without pain, outrage, anger or even horror.

It expressed the clarity of a detached mind, free of judgement, scanning for insight.

On the afternoon of Friday, August 17, the radio announced that national police commissioner Riah Mangwashi Phiyega accepted responsibility for the previous day's shooting.

I confess to having felt relief at this announcement.

I even felt a tinge of admiration.

A definitive leadership statement had been made.

Whether I agreed with it or not did not matter.

More important was a clear statement of responsibility for a complex and difficult situation by a senior leader of the ANC.

Later, I sought to ascertain exactly what the commissioner had said: "As commissioner, I gave the police responsibility to execute the task they needed to do."

The statement was less definitive than what the radio had reported.

Indeed, the headline "I gave the order" in quotes by news.iafrica.com now seemed inaccurate.

The commissioner's statement was more guarded, stopping short of admitting an actual order.

I was a little disappointed. I yearned for conviction and clarity of leadership.

What was at stake here?

Consider the commissioner's words, as reported in the Mail & Guardian two days after the shooting: "Safety of the public is not negotiable," she said at the funeral of warrant officer Sello Ronnie Lepaku, who was allegedly killed by protesting Lonmin miners on Monday, August 13.

"Don't be sorry about what happened," Phiyega counselled her colleagues.

They needed to hear that. They had lost many colleagues at the hands of criminals.

She was telling them to distinguish between inner personal turbulence and impersonal professional necessity.

Her directness was particularly refreshing considering that the safety of the public has not always been “not negotiable”.

The South African public has become used to the yearly show of public violence and the trashing of towns and cities, in particular by ANC- and Cosatu-aligned trade unions.

The official reaction to such lawlessness has generally lacked conviction and commitment, succeeding in placing the political needs of the tripartite alliance above public law and order.

Cosatu and some of its unions are so used to dominating the space of public demonstrations that they could not tolerate it being occupied by a DA that wanted to deliver, in a demonstration, a memorandum to the emperor of all unions.

They would teach the DA a lesson in violence.

Cosatu’s followers attacked the DA demonstrators with rocks and stones, drawing much blood.

President Jacob Zuma was compelled to condemn them: “It is ... not acceptable that you become violent when people have a different view from yourself,” he said, adding: “You can’t produce a solution by fighting people who disagree with you.”

Refreshing!

I am hoping that the president and his police commissioner are setting a new trend in making unambiguous statements of leadership.

We need clarity and conviction in leadership if we are to derive lasting lessons from the tragic shootings and deaths at Marikana.

The trend they may be setting could have enormous positive implications for the Constitution, law and order, the strength and integrity of public institutions, and appropriate political conduct in the shaping of South Africa’s democracy.

But their statements must stand the test of a fundamental question: given that they seemed triggered by crisis, how grounded were they in principle and rigorous assessment?

Were they founded on conviction or were they the outcomes of desperate spins in crisis management?

What if Cosatu’s rock throwers against the DA had been carrying knobkierries, pangas, knives, and pistols?

Indeed, what if the striking miners at Marikana were members of the Cosatu-affiliated National Union of Mineworkers (NUM)?

Would maximum force have been used against them?

Would the police commissioner have accepted, with the appearance of conviction, the responsibility for issuing the order to shoot down members of a tripartite-alliance union?

These speculative questions are more than academic, they are meant to lay the ground for the thoughts that follow.

It pays to remember that the striking miners who attacked the police at Marikana and got shot were members of the Association of Mineworkers and Construction Union (Amcu).

Such a relatively new union still stands on the periphery of mainstream tripartite-alliance unionism.

The point here is that the greatest test of principle and conviction is for the ANC government to assert the rule of law even against those closest to it.

By the same token, the greatest test of fairness in law is in the defence of the rights of the perpetrator.

Friends can't just expect leniency for wrongdoing and perpetrators can't just expect harshness.

For friends to receive fair and corrective punishment and for perpetrators to receive fair consideration in a legal process that might lead to their punishment is to affirm the primacy of the rule of law and the integrity of the institutions that dispense justice.

That is why Justice Malala is correct in saying that Mineral Resources Minister Susan Shabangu should have ensured Amcu was invited to the meeting of stakeholders she convened on the Saturday following the tragedy.

That would have been the first significant, if reconciliatory step, toward what her colleague, Police Minister Nathi Mthethwa, said should "not happen again".

When the tripartite alliance seeks to engage in robust debate, they like to say "there will be no holy cows".

In reality, though, cows tend to remain holy and ANC leaders cosy up to the "holy cows".

In the matter at hand, the NUM may remain a holy cow guaranteed never to be shot at.

Sadtu will continue to do whatever it likes with schools, despite official unhappiness with the state of education in the country.

In this regard, Amcu may represent a historic notification.

They may very well be a nascent movement against a once-progressive liberation movement that has now gone mainstream and morphed into orthodoxy, despite its best intentions.

The shack-dwellers' movement Abahlali baseMjondolo, whose leader, as far as I can remember, is still in hiding in our democracy, may be an organisational precursor to formations such as Amcu.

Disillusioned by a liberation movement from which they expected radical sympathy, Abahlali eventually took the ANC to court over illegal evictions and won.

What led a movement of 100 years of struggle to misinterpret the actions of the poorest of its followers and turn them into enemies?

Widespread "service delivery protests" may soon take on an organisational character that will start off as discrete formations and then coalesce into a full-blown movement.

Such a movement, perhaps the source of new energy for civil society, will owe little to the ANC and the tripartite alliance.

And that is the nub of it.

The Marikana tragedy may be read as a warning sign.

Could it be that when the crunch comes, dissident movements could be shot at by a political culture buttressed by accumulative wealth and conspicuous consumption; one which, having lost legitimacy, can only rule by force?

Could such a culture respect an electoral outcome that does not favour it?

Could the Marikana tragedy represent the onset of creeping repression by default?

It does not have to.

If the statements of Zuma and Phiyega, as quoted earlier, are founded on genuine conviction and principle, and that they signal a radical intention

by the state to base a transformative activism on the Constitution of the republic.

The historic resonance of our first national development plan (NDP) could not be clearer in this context.

Recently presented to Parliament and supported by all parties, it calls for a new politics; fresh commitment to orderly, intelligent, disciplined governance; and a cohesive nation built on a foundation of constitutional allegiance, impersonal in its universal intent but caring in its effects.

Although all parties that spoke about the plan supported it, they were, without exception, sceptical of the commitment and capability of the ANC government to implement it.

Such scepticism is not confined to Parliament.

It is broad based in civil society.

I wished the president's response would inspire with resolve and conviction.

It fell short.

How, then, will South Africa transition from its current precipitous politics?

How do we move towards a restorative politics that will draw nourishment from the immense creative possibilities of the NDP, that will save the plan from being another unachievable promise, and that will recognise the antidote to self-complacent and corrupted orthodoxy is radical fairness whose source of activism is the Constitution?

Another unachievable, monumental promise will surely lend further fuel to the combustive restlessness of our poor millions.

We should all not allow that to happen, but to do so we must find the answer to those final questions.

One thing should be clear: there would be no room for the politics of bad faith in which a governing party commits to rendering another part of the country ungovernable simply because they did not win an electoral mandate there.

This can only be the actions of a party that lacks confidence in its own legitimacy and power, despite having won eight out of nine provinces.

This is an example of what constitutes a fundamental threat to the NDP. It does not take much to spot more such threats in the current political climate.

We learnt that some of the striking miners were medicinally fortified by a sangoma with the assurance that bullets would not harm them.

A tragic delusion!

But their delusion may not be substantively different from the delusions of the beneficiaries of intoxicating greed in the new orthodoxy who believe that with the power of government behind them they are invincible and undiscoverable, and thus beyond accountability.

Having abandoned the visionary drive of the liberation struggle, even as it is embodied in the Constitution they once made, they compromise the integrity, sustainability and security of the republic.

Strangely, the miners of Marikana, armed and fortified with belief, lived and died with their honour, while their adversaries must pray that they have not lost theirs.

If they have, they will have to commit to work to restore it through a radical renewal of South African politics and public life.