

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

Thursday, 13 September 2012

Take: 281

**Extract: Question 15 Follow-Up**

**The LEADER OF THE OPPOSITION:**

Hon Speaker, it is true that the tragedy at Marikana has revealed serious fault lines in our country today, but this is because of big business and big government and big unions working together to keep the rules of the game working in favour of a small connected elite at the centre. This, it's safe to keep everybody else out and it is firming tensions in the mining industry. At the moment, the current labour relations regime states that union representation thresholds must be set at 51%, which led us to the situation where the Association of Mineworkers and Construction Union, AMCU, was not a recognised union at the Lonmin Mine. AMCU was therefore excluded from wage negotiations, empowering the ANC affiliated National Union of Mineworkers, NUM, to establish a monopoly at the mine.

My question is about labour negotiations and relations in general, which is critical to social cohesion. Does the President believe that smaller unions should be empowered to negotiate on behalf of their members and not be excluded by big unions like NUM in a winner takes all scenario? Does the President believe that this kind of tension and the possible violence are now posing a threat to South African mining sector? Thank you very much. [Applause]

**The PRESIDENT OF THE REPUBLIC:**

Hon Speaker, we operate within regulated society. I think between workers and the employers there have been negotiations and agreements and those agreements must be respected. The kind of laws that have been made or regulated has been on the basis of the participation of all.

I think, as the hon. member is aware and she has said many times that she is a democrat, in a democratic situation it is the majority that prevails. [Applause] I can't change the rules because you want to make a particular point. You can't then say smaller unions must then be compared to the bigger unions as the same. Exactly, that is why you sit in that bench all the time. You can't move to this side. [Laughter] You can't. It is impossible. [Applause]

No, I am telling you that you should appreciate that we are in Parliament as political parties and not as workers. I am talking about what governs the unions. All of their workers are working. Workers who do not join the unions can't have the same kind of privileges. Of course, they might benefit if those in the majority and those who are unionised win the gains in the negotiations, but they can't be the same. You can't have a union of half a thousand people because you have declared it as the union then expect to have the same rights. Sorry, we have more rights here because we are a majority. You have fewer rights because you are a minority. Absolutely, that's how democracy works.

So, it is a question of accepting the rules within democracy and you must operate in them. It doesn't matter if it happens that you are in a small party or defending a small union and that is not my business. [Laughter] You sympathise with them because absolutely it's a democracy. Thank you very much, hon. Speaker. [Applause]