

South Africa: report reveals dire conditions facing farm workers

Our South African correspondent
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A report, recently released by the South African Human Rights Commission (SAHRC), has highlighted the appalling conditions faced by South African farm workers.

The report was the result of an inquiry launched by the SAHRC in June 2001, in response to an increasing number of reports of brutality towards farm workers, execrable working and living conditions on farms, child labour practices and the ongoing murder of farmers.

The terms of reference for the inquiry included investigating the incidence of human rights violations in farming communities since 1998; tenancy conditions; safety and security; economic and social rights and the underlying causes of human rights violations. Public hearings were held in all of South Africa's provinces, providing an opportunity for farm dwellers to give evidence to the Commission.

The finalised report was eventually released in late August and paints a grim picture of the South African countryside: brutal living and working conditions, frequent evictions and physical assaults characterise the lives of many farm workers.

The historical background to the deplorable conditions endured by South African farm workers lies generally in South Africa's history of colonial conquest and dispossession of indigenous people, but more particularly in the 1913 Natives Land Act. This piece of legislation outlawed the ownership of land by blacks in areas designated for white ownership. Essentially, it solidified the distribution of land that emerged from the era of colonial wars against indigenous tribes and polities. It further sought to roll back black ownership of land in certain areas. The outcome was that 87 percent of land became white owned, whilst blacks were relegated to the remaining 13 percent.

The advent of the Natives Land Act provoked protest and resistance amongst its victims. Sol T Plaatje, one of the founding members of the South African Native National Congress, the forerunner of the African National Congress, wrote eloquently about the effect of the Native Land Act on black South Africans accurately characterising it as "class legislation".

Preceding the Natives Land Act, large numbers of black people occupied ostensibly "white" farmland, often with the approval of the owner. This was at a time when many farmers were unable to cultivate or use the entire extent of their land due to lack of capital. Sharecropping arrangements with black families who possessed draught animals, ploughs and labour became commonplace, especially in grain producing areas. In some districts, black sharecroppers outstripped white farmers in grain production.

Whilst sharecropping was essential to the survival of poorer farmers, more prosperous farmers agitated incessantly for an end to "squatting" on white farms. Numerous petitions, complaining about the "idleness" of black squatters who refused to enter the wage labour market were

directed to the government of the day.

The Natives Land Act tipped power in favour of white farmers, enabling them to either evict black communities living on their land, or to force more onerous conditions upon them. Thus sharecroppers were pushed down a sliding scale of tenure security, becoming labour tenants (where labour is provided to the farmer in return for being allowed to remain on the land) and eventually, farm workers. Amendments to the original Act, aimed at outlawing sharecropping and labour tenancy, were only partially successful, as undercapitalised farmers continued to rely on such arrangements.

In the 1960s, the remnants of sharecropping were extinguished when the state came to play a more active role in white agriculture, extending generous subsidies and loans to white farmers. In poorer areas, this enabled landowners to end sharecropping arrangements, perceived by the state bureaucracy as a humiliating concession to blacks. Labour tenancy, despite being outlawed, survived in pockets in KwaZulu-Natal and Mpumalanga till this day.

A substantial portion of the farm-worker community in South Africa is comprised of the descendants of people who may have occupied and farmed white-owned land in a relatively independent manner. However, there is also a large rural proletariat comprised of impoverished and landless people from the ex-Bantustans. Increasing numbers of illegal foreign workers from states neighbouring South Africa now comprise a substantial portion of the seasonal labour force in provinces such as Limpopo and Mpumalanga.

On South African farms the right to reside in a dwelling on a farm is usually linked to the labour contract between the farm owner and the worker. When a worker is fired or employment is terminated in some way, the right to reside in the dwelling is also terminated.

According to the SAHRC report, an estimated 1.4 million people were evicted from farms in South Africa between 1950 and 1980. In 1997 the South African government promulgated the Extension of Security of Tenure Act (ESTA), aimed at protecting occupants of rural land from arbitrary evictions.

However, ESTA does not bring anything new to the scene. It essentially consolidates a number of elements of common law which regulate the process whereby evictions take place. Except in cases where aged farm workers have dwelt on a particular farm for 20 years or longer, it does not prevent evictions, but merely ensures that an eviction carries the imprimatur of the court. Nevertheless, the Commission found that ESTA provisions are generally not applied, and unlawful evictions continue to be the order of the day.

Farm owners circumvent ESTA in a number of ways, including threatening and victimising workers in an attempt to force them to leave, cutting off electricity and water supplies or acting in other ways

to make conditions intolerable for the worker and his family. Demolition of farm worker dwellings and compelling workers to sign agreements stating that they will leave the farm are some of the methods employed by farm owners.

Changes in farming practices in some regions, especially the shift from livestock to game farming in the more arid parts of the country, has resulted in increased numbers of evictions. The Commission heard evidence from people who, after living and working on a particular farm for more than 40 years, were summarily evicted after the farm changed hands and the new owner converted its operations to game farming.

Although legal protection has been extended to farm workers' labour rights, the Commission found that generally, there is widespread non-compliance with labour law.

Extremely low wages, long hours, dangerous working conditions, victimisation of trade-union members, child labour practices, use of the tot system (whereby workers are given alcohol as a component of their wages) and the use of illegal immigrants were amongst the violations found by the Commission.

It was also clear that the protection afforded to farm workers by the Department of Labour is hopelessly inadequate. Currently there are only 800 labour inspectors for all workplaces in South Africa but alone there are some 70,000 farms in the country. Thus, working conditions tend not to be regulated by law, but by the interests of the landowner.

Farm workers receive the lowest wages of any sector in the country. A minimum wage for farm workers has been proposed, but this has been strenuously opposed by farm owner organisations. Wages vary from R800 per month to as little as R60 per month.

In Free State Province, the Commission heard reports of workers working from 5.30 to 18.30, Mondays to Saturdays, for R350 per month (about £30). Non-compliance with working hours, including no overtime payment for public holidays was so widespread throughout the country, that it appeared to be the norm.

Illegal farm workers, mostly from Mozambique and Zimbabwe are subject to extreme abuse and exploitation. In many cases, farm owners will hire "illegals" to perform certain work, and will have them deported without paying them. Violence against illegal workers goes mostly unreported.

Incidents involving the use of the tot system, whereby workers either receive part of their wages in alcohol or are given alcohol as an "incentive" to work harder, were also reported to the Commission. The system rarely appears in its most blatant form where workers are given alcohol to drink during the day, but more often appears in the guise where workers are given a bottle of wine at the end of each day and the cost is deducted from their wages.

The most enduring legacy of the once widely prevalent tot system is the widespread abuse of alcohol in farming communities. In the Western Cape, it is estimated that alcohol abuse accounts for up to 60 percent of violent incidents resulting in trauma.

Foetal alcohol syndrome (FAS) is another manifestation of the high levels of alcoholism amongst farm workers. Studies undertaken in 1996/7 in the Wellington area of the Western Cape indicate FAS incidence at 45 per 1,000 live births. When the research was repeated some three years later, the incidence had gone up to 67 per 1,000. This is compared to an incidence of less than one per 1,000 live births in the developed world.

Numerous cases of violence against farm workers were reported to the Commission. In Limpopo Province, assaults against farm workers

seem to be common practice, rather than the exception.

This is accompanied by a very low rate of conviction of perpetrators. Many assaults go unreported as farm workers do not have much faith in the police; some even fearing retribution from farm owners after learning that workers have laid charges against them.

In a case reported to the Commission in Limpopo Province a worker was shot at by a farmer, the bullet grazing his head. When he went to the local police station, they refused to assist him in obtaining medical care. After taking care of this himself, the police did nothing to obtain the medical statement. The prosecutor declined to prosecute the case due to lack of evidence.

In other cases, the police have directly assisted farmers in evicting workers.

The main perpetrators of violence seem to be individual farmers, commandos and private security groups. The most notorious of these is the vigilante group, Mapogo a Mathamaga, operating in Limpopo and Mpumalanga Provinces, which includes former members of the Rhodesian army and Koevoet in its membership. Mapogo members have been linked to a number of murders of farm workers.

The general modus operandi of vigilante groups such as Mapogo is to abduct suspects, torture them to extract confessions, before executing them.

Farm owners have also been subject to violent attacks, mostly by criminal gangs who target farm homesteads because of their relative isolation. In some cases farm workers may provide information and other assistance, but there is no direct evidence upholding the claim of farm owners that they are being deliberately targeted in an attempt to drive them off the land. Farm-owner unions generally reject any notion of a link between the appalling conditions on their farms and the frequency of attacks.

The SAHRC takes a "human rights approach" to the shocking conditions experienced by farm workers, and advocates the formation of a "Farming Community Forum" where farm dwellers, farm owners and government can "confront each other on an equal basis to resolve issues that impede the enjoyment of rights in rural communities."

They continue, stating "[a] common understanding of a rights-based approach needs to be promoted in this forum." This is a rather meek and watered down reaction to the appalling catalogue of horrors contained in the report, amounting to an acknowledgement that the Commission, despite being a constitutionally established body, is organically incapable of defending the rights it so proudly proclaims.

The bitter lives of farm workers in South Africa, nearly a decade after the first democratic elections, is a grave indictment of the ANC government's failure to provide a "better life for all". Even the very limited reforms aimed at farm workers do not seem to have been implemented, and generally, have not changed the relationship between farm owners and workers.

Essentially, the status quo in the countryside is indistinguishable from that under apartheid. Without making radical inroads into property relations in South Africa's rural areas, farm workers will continue to remain the most oppressed and most exploited sector of the South African working class.



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