

AGRICULTURE

LABOUR

1998

BD 27/1/98
Labourers

produce wine
from own land

~~SCENE~~

Louise Cook

(4)
SA's long-established and thriving wine industry reached a milestone yesterday when farm labourers from the Nelson Wine Estate at Paarl started making wine from grapes grown on their own land on the estate.

The labourers, headed by Mathewis Thabo, said they planned to invite US Vice-President Al Gore to the launch of their new label, Klein Begin, in March.

"Eight months ago the owner of Nelson Wine Estate donated 25 acres of land to 16 labourer families in recognition of their help in converting the farm from a bankrupt estate 10 years ago" into a thriving business, Klein Begin spokesman Anzill Aoams said.

"This bold step to reward labourers in a conservative industry is the first of its kind in SA."

Aoams said a large portion of Palamino vines on the labourers' piece of land was taken out to plant Carbernet and Pinotage cultivars. The workers would use the Nelson estate's sophisticated equipment and large imported oak vats in the cellar to produce their wine.

Red wines might also be produced some time in the future.

The Nelson estate won the SA Young Wine Show's champion estate award in 1996.

Govt, union farm arm at odds on jobs policy

Reneé Grawitzky

BD 27/1/98 (4)
THE Congress of SA Trade Unions' farming affiliate yesterday criticised government for talking about job creation when thousands of workers were being retrenched because of the closure of agricultural and forestry parastatals or their privatisation.

SA Agricultural Plantation and Allied Workers' Union (Saapawu) national organiser Thami Myeza said the union had lost thousands of members as a result of the closure of agricultural parastatals in the Eastern Cape last year.

Workers had still not received retrenchment packages. The union's president, Andile Maphekulo, had been one of those retrenched.

It was still unclear whether the restructuring of Safcol, the state's forestry arm, would result in job losses. The company was to begin contracting out a number of its functions.

Myeza said government should come out with a clear job creation programme.

Labour was trying to ensure jobs were not lost as a result of privatisation.

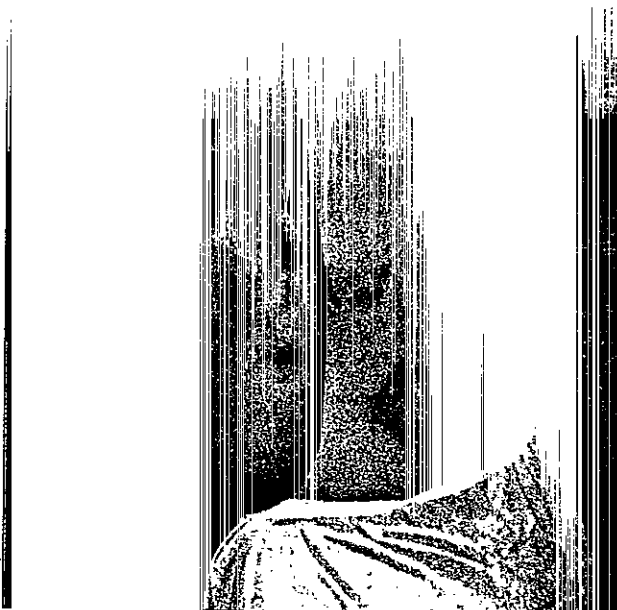
Myeza listed other areas of concern — including the need to step up recruitment of farm workers, the continued use of child labour, and the continuing eviction of workers, especially in KwaZulu-Natal.

Cosatu had targeted April for a drive to recruit new members, with a special focus on farm workers, he said. Meetings were under way with Cosatu leaders to finalise areas where the federation and its larger affiliates could help the union.

Myeza said more than 80 000 children were working as full-time employees on SA farms.

In a bid to highlight this the union would take part in the worldwide campaign against child labour under the auspices of the International Labour Organisation.

The union had also called for the criminalisation of those unlawfully evicting farm workers.



Hurt: a farmworker after an alleged assault at the hands of her farmer boss

A tale of jokes, and then the sjambok

BLACKMAN NGORO
STAFF REPORTER

One day, shortly after Christmas, a farmworker sat at her home on the farm in the Northern Cape, cracking jokes with her friends and relatives.

Life wasn't luxurious, but it was relatively stable.

She was paid R100 a month, and much of this money found its way back to the farm shop.

When the money ran out, she was able to buy goods on account, including mutton.

By the end of each month, she would owe the farmer almost a third of her wages.

As she sat talking with friends, the farmer's pre-teen daughter joined them.

But the girl didn't understand the farmworkers' jokes.

She thought they were making disparaging remarks about her father.

Off she went to tell her father. The farmer, unimpressed, picked up his sjambok and strode to where she sat.

Her nephew said the farmer began beating his aunt.

He said the farmer didn't stop when

she screamed for mercy nor when she could only whimper.

He kept on while his daughter watched. The woman's husband also watched helplessly.

Finally, when the woman passed out, he stopped.

The nephew said as a final gesture he stamped on her arm, breaking it.

He then grabbed the husband by the throat and warned him not to testify against him.

The threat was the old one: "Otherwise you can go and find somewhere else to live and work." Then he stormed off.

The other workers poured water over the woman to bring her round.

They then found a township friend to take her to hospital.

They also laid a charge of assault with intent to do grievous bodily harm at the police station.

The farmer was later arrested, and a case is pending against him.

A police spokesman at the town said 10 cases of assault of farmworkers were reported every month in the district - and most assaults were never reported.

She said the rest put up and shut up, fearing they would lose their livelihoods and their homes if they reported their bosses.

'protected' farmworkers (4) falling victim to abuse on job *Farmers avoiding arrest by counter-suing*

ARC 28/1/98

BLACKMAN NGORO
STAFF REPORTER

Farmworkers' trade unions in the Western and Northern Cape are reporting an unprecedented wave of violence against people who claim they are being assaulted and then evicted.

The workers are usually reluctant to report the assaults to the police. And when police are informed, there is a perception that they are unwilling to prosecute.

Nicky Westgarth-Taylor, a labour lawyer with the Centre for Rural Legal Studies, said the farmers avoided arrest by pressing counter charges of assault against the workers. The workers were then fired and evicted, he claimed.

"Unions cannot depend on local rural police who, in most cases, pay only lip service to the administra-

tion of justice. In other cases, farmers pay R50 admission of guilt fines, and that's the end of story."

She said many farmers still had to come to terms with the fact that farmworkers now were protected by the Extension of Security of Tenure Act, the Labour Relations Act and the Basic Conditions of Employment Act. These laid down minimum standards to do with working hours and overtime payments, and governed labour relations and union activity.

Jacob Saunders of the De Doorns community advice centre said assaults in the area had risen since the Labour Relations Act was passed, although some farmers were taking the trouble to talk to their workers to reach an understanding.

"Unionisation is a big problem. Some trade union organisers are afraid to go into the rural areas for fear of being shot at or assaulted by

farmers opposed to unionisation."

But, there was a need for the protection of the unions, he said.

"People are being paid poorly, some as little as R16 a day, although some farmers do pay R30 to R40 a day. But, in some cases, they still are made to work a seven-day week.

Although Committee for Conciliation, Mediation and Arbitration records showed fewer cases from agriculture than any other sector, there had been a 4% increase in agricultural cases.

"This shows that more and more people are getting more and more knowledgeable of their rights. But the fear of losing jobs and accommodation stops most people from reporting grievances," said Mr Westgarth-Taylor.

Some farmers also had threatened rural community advice officers with violence and death, he

said. "I was threatened by a farmer in the Boland after I undertook to see through an assault case against a worker."

"I took the case to the police station. Later that evening, I received an anonymous call saying I'd be shot."

Freep Bosman of the South African Agricultural Union said if assaults took place on the land "we don't condone it".

His information was that farmers were having more dialogue with their workers. "The verkrampt attitude is gradually disappearing."

Carl Wesselink of Lawyers for Human Rights, who was born on a farm and whose family still lives on one, disagreed. "Nothing is further from the truth. Assaults are an ongoing activity. We deal with more than 10 cases of assault each month from all over the Western Cape."

'Redistributing land affects output'

By ANDREA BOTHA
Cape Town

Distributing land to previously disadvantaged South Africans might be a popular, short-term solution, but it will seriously affect agricultural productivity.

This is the opinion of senior agricultural experts from Kenya, attending the African Farm Management conference in Stellenbosch.

David Mwambire, chairman of the African Farm Management Association

(AFMA) which organised the conference, said the future looked bleak for agriculture in all African countries unless:

- a commitment was made to co-ordinating research;
- subsistence and emerging farmers acquired the agricultural knowledge to run profitable farms.

The aim of the conference is to share knowledge and farming ideas to increase productivity and improve farm management.

"Africa suffers most from

poverty and a lack of capital and this is interwoven with politics," said Mwambire.

Paul Mutiso, general secretary of AFMA, said most sub-Saharan countries depended on agriculture, which was the "backbone of Africa". But there had been no significant agricultural development since the 1960s.

Each country had individual problems, like climatic extremes or political instability, but most countries also had the common problem of land occupied by unskilled

subsistence farmers who were easily trapped "in the vicious circle of poverty," Mutiso said.

He also warned that governments could not just hand over land to people, but had to ensure the new occupants were equipped to farm.

"South Africa will have to be well-organised to avoid land reform problems that some African countries had.

"Most African countries have similar problems, like land reform issues. We can share knowledge and ideas."



Left: Mr Thomas Nkwini (at right of group) – a former employee who has been appointed one of the three directors of Hi-Rise Farm, which was recently bought by the labourers – helps colleagues carry out a quality check before the eggs are packed. Operating an egg farm requires hard work as shown by another director Mr Siphon Sekita (right).
 PICS: LEN KUMALO



Farmworkers really feathered their nests

By Russel Molefe

FIFTEEN poultry labourers at Hi-Rise Farm in Olifantsfontein near Pretoria – one of the largest egg producers in the country – have made history by buying the property for R8 million.

In an exceptional deal financed by Boland Bank, almost all the labourers acquired the farm property, poultry sheds, equipment and 165 000 fowls which produce 3,6 million dozen eggs worth R8,3 million in sales a year.

However, three of the labourers declined to become shareholders, citing old age as the reason.

The labourers have appointed Mr

André van der Merwe as managing director and Mr Thomas Nkwini and Mr Siphon Sekita as directors. Van der Merwe, Nkwini and Sekita hold 40 percent, 30 percent and 11 percent of the shares, respectively.

The rest of the shares belong to the other 12 employees. They are Joseph Tshabalala, Phineas Lehong, Kate Lembede, Emily Makhubela, Jane Makhubela, Samuel Maluleka, Abraham Mokobodi, Wilhemina Nkadimeng, Monica Rantje, Philip Raserute, Frans Seanego and Martina Sealelo.

The farm, which was on the list of Nulaid's properties to be privatised, has officially belonged to the employ-

ees since January 1.

Nkwini said: "The three employees who did not participate in the deal felt they were very old and about to go on pension. Their ages range from 55 to above 60 years."

Paardeberg and Hazeley in the Western Cape, Klipdrift, JR and Calderwood in Gauteng, and Protea and Cockscomb in the Eastern Cape are Nulaid's farms that have also been privatised.

The difference with the purchase of Hi-Rise by the labourers is that the other farms were bought by a few selected individuals who were in top management positions.

Sowetan discovered on its visit to

Hi-Rise Farm this week that the workers' purchasing of the property had not yet sunk in.

Most of the labourers do not understand the implications of the deal as far as the possible improvement of their financial status is concerned.

Nkadimeng said: "I have not yet seen the difference and my family don't know about us purchasing the farm. But we will have to work hard from now on."

Sealelo also expressed happiness about being a shareholder in the farm. However, she also does not understand what it means.

"I'll just wait and see whether this deal will have an impact on me as the

years go by. We will continue working hard," she said.

However, Van der Merwe acknowledged that most of the employees had not yet come to terms with the fact that the farm now belongs to them.

"We have started a process to educate the workers about what the deal means to them," he said.

Nulaid general manager Mr Alan Saunders said his company will continue to provide management training and technical support services.

Operating an egg farm requires highly personalised, hands-on management and total commitment, he said.

Sowetan (4) 30/1/98

New farm deal empowers staff

Sowetan 30/1/98

(4)



Fourteen semi-literate farmworkers accept the offer of a once in a million chance of owning their own farm which has an R8,3 million a year turnover. Russel Molefe visits the new owners...

WHEN semi-literate Wilhemina Nkadmeng left Senotlolo in Mpumalanga to work as a farm labourer in Olifantsfontein near Pretoria 19 years ago, little did she know that she would one day co-own a property worth millions of rands.

As a single parent, Nkadmeng had no other option but to leave her three children back at home to work at Hi-Rise Farm.

The idea that she might one day own a 25-hectare property with a turnover of about R8.3 million a year never crossed her mind at the time.

When she put her signature to documents on December 2 last year, together with 14 other colleagues, Nkadmeng had no idea that she was setting herself on a path to becoming very rich.

"We were told the farm now belongs to us. I don't know what the financial implications are for this deal. I'll just wait and see what the benefits will be for me.

"Because the farm now belongs to us, we will have to double our efforts so that we make it work," Nkadmeng said.

Her limited understanding of the deal indicates that the important breakthrough has not yet sunk into the minds of the semi-literate workers.

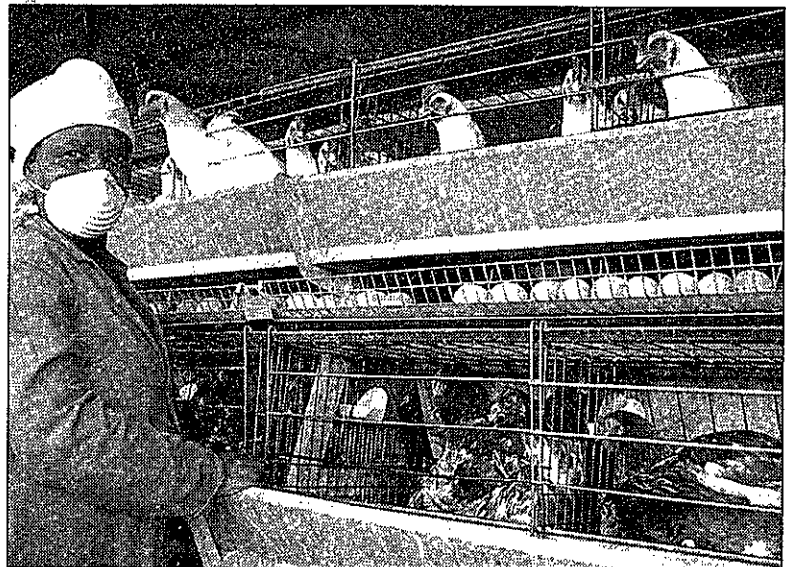
Hi-Rise Farm was previously owned by Nulaid, a company that owns several farms around the country, and was one of the properties earmarked for unbundling.

Several other Nulaid farms have already been unbundled but were bought by a few selected employees who occupied top positions in the company. The Hi-Rise deal may be unique because the ownership is now in the hands of the labourers.

Nulaid authorities approached the workers and made an offer to sell them the farm. Boland Bank provided the workers with an R8 million loan last month, which was underwritten by Nulaid.

Hi-Rise Farm can take 165 000 hens and has an annual turnover of 3,6 million dozen eggs worth R8,3 million in sales.

According to Nulaid general manager Alan Saunders the employee empowerment deal was aimed at improving



Wilhemina Nkadmeng at a poultry shed on the 25-hectare farm which she now co-owns. PIC: LEN KUMALO

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productivity and unlocking valuable capital for other growth opportunities.

In terms of the deal, Nulaid undertook to buy 85 percent of the farm's total production. The company will also supply layer hens and provide management training and technical support services.

Main activities

"The process of egg production consists of three main activities - the breeding and production of laying hens, the operation of egg farms and the grading, packing and distribution of eggs.

"As the only national producer in South Africa, we are able to effect significant economies of scale at all three levels.

"However, operating an egg farm requires highly personalised, hands-on management and total commitment," Saunders explained.

Total commitment and full understanding of the deal was what the directors - Andre van der Merwe, Thomas Nkwini and Sipho Sekita, who were also employees at the farm - want to achieve.

Van der Merwe, who also acts as the managing director, said he and the other directors had started a process to educate the workers about what the deal

meant to them.

"It is a process that will never stop until every employee has a full understanding. We know that the employees might not have realised the importance of the deal now because we are still earning the same wages working under similar conditions," Van der Merwe said.

He said they were paying more than R100 000 a month to service Boland Bank's R8 million loan.

It is expected that it will take about 10 years to settle the loan.

However, the process the directors have set in motion is also aimed at encouraging the workers to double their efforts so that production and sales can increase in order to accelerate the servicing of the loan.

Martina Sealelo, of Bochum in Northern Province, who has worked at the farm for 13 years now, also hopes that the deal will greatly improve her life.

"There is no doubt that we have to work very hard. However, so far I have not seen any significant change. Maybe as time goes on, I'll be able to tell the difference," Sealelo said.

However, Van der Merwe, Nkwini and Sekita are very optimistic that the farm will be a success under the new deal.

End our living hell, please farmworkers

Abuse and assault are commonplace on Cape Flats - claim

MANDLA MNYAKAMA

Farmworkers on the Cape Flats say assault and abuse by farmers has become so commonplace that people have accepted it as a way of life.

But they emerged from their humble shacks this week to say they have had enough and are demanding an end to their living hell.

They said they worked for 13 or 14 hours a day for as little as R15 a week with no lunchbreaks. If they missed one day, they were fired.

But Cape Flats farmers distanced themselves from the allegations. Philippi farmer Willie Shultz said he had never behaved in such a way.

"I think that happened about 100

years ago. On my farm I've got seven black women who have worked permanently with me for the past few years. I don't remember any instance where there was something wrong with them. They work from 8am until 5pm because they stay far away from the farm.

"I don't know of any farmer who assaults labourers. Many things are possible these days but certainly not on my farm. I prefer to talk things out with my labourers," said Mr Shultz.

Local farming union chairman Anton Horstman said he was not aware of such practices.

"There could be one or two farmers who might still be doing that, but not all farmers in this area.

"I think it's giving the farmers a

bad name. I would appeal to any farmer doing such things to stop. If some farmers are doing stupid things like that, I won't be satisfied at all," said Mr Horstman.

But the workers said white farmers severely assaulted workers by kicking them or beating them with wooden planks for failing to understand Afrikaans instructions, dropping vegetable bags, walking slowly while carrying heavy bags - or for no apparent reason.

They said farmers called them "Mandela's monkeys and baboons".

When they complained about unexplained wage deductions, farmers threatened to dismiss them.

They alleged that on paydays some were paid while others were left with

nothing. When they complained the farmers gave them a few rands or swore at them.

The farmers' trucks dropped them far from home after a long day's work, they added.

They felt farmers got away with this behaviour because workers were unsure of their rights.

Any worker who dared to ask for a pay increase was abused, assaulted or fired.

"We know that we are not supposed to be assaulted like that, but it's rife here and we don't know what we should do or who to run to.

"Instead, we have to wake up every day and come to work because it's difficult to sit at home while we have children to feed and send to

school," said Hannie Jantjies, 65.

Another worker, who asked that his name be withheld for his own safety, said he had to do many additional tasks with no extra pay.

Eunice Bhokhwe, 53, a mother of six who lives in Brown's Farm and has worked for R15 a week, said farmers paid similar wages. She said women had to do the same hard labour as men.

Nosese Rhamba who did not know her age but looks about 70, said she had worked on local farms most of her life.

She had recently been kicked and assaulted three times for no reason.

"Really, this is a problem to me. I'm old. I've been working here for a long time and we are paid meagre

wages.

"When we ask the farmer to increase our money, he turns us away and says 'Voetsek. Go and ask Mandela to give you work' and threatens to throw us off his farm.

"He still beats us but we go to work for him again and again because of poverty."

Anyone who answers back gets fired, said Mrs Rhamba.

Lillian Nowakhe Mchashe of Crossroads said she had received no pay increase for years and money was deducted for no reason.

She said farmers assaulted workers who picked up damaged vegetables for their own use.

Nicky Taylor of the Centre for Rural Legal Studies said farmwork-

ers had new rights in the Labour Relations Act but they were unaware of them.

"One has to take a stand against these unfair labour practices. It's a pity that most farmworkers are not unionised," she said.

It was left to the Department of Labour to look after their interests.

Ms Taylor said the Act which prohibited unfair labour practices could help anyone who believed they had been treated unfairly.

"It is important for workers to seek assistance within the ambit of their rights."

Farmworkers can refer their cases to the Commission for Conciliation, Mediation and Arbitration at 78 Darling Street or call 469 0111.

31/1/98

(4)

Everyone rooting for the shy champion

Mathewis doesn't drink a drop, but he knows a good wine...

CHERÉ BLIGNAUT

Mathewis Thabo does not drink a drop, yet he will be solely responsible for producing the first wine from grapes grown on land owned by the labourers who work it.

The shy 23-year old worker on Nelson's Creek wine estate will make the wine from this week's first harvest of grapes planted by labourers on land given to them by the estate's owner, Alan Nelson.

Mr Nelson made history eight months ago when he gave nine hectares to 16 families in return for their services over many years.

Since then the labourers, who formed an association called Klein Begin Boerdery (Small Beginnings Farming), have used every minute of their spare time to tend a patch of Palomino vines which produced its first harvest of 15 tons on Monday.

Farmer Thabo is confident he will be able to turn this harvest into a "champion" wine, realising full well that he holds the future of the workers in his hands.

Although he does not enjoy wine and always spits it out after tasting it, he knows exactly what a good wine should taste like.

"The quality of the wine depends on the maker and every morning before I start my day I ask God to help me to make a good wine," said Mr Thabo.

He joined the farm's workforce five years ago as an ordinary worker. Since then he has been appointed personal cellar assistant to winemaker Carl Allen, who taught him everything he knows about wine.

The workers' wine will be pro-

duced in the estate cellars.

It will be sold under a Klein Begin label, designed by one of the workers, and will be launched in March.

Profits from the sale will be shared equally between the estate and Klein Begin Boerdery.

The estate has indicated that it will use its share to benefit the community.

One way it plans to do this will be through adult education classes, which will enable some workers who did not have a chance to finish school,

like Mr Thabo, to write matric.

With a state subsidy of R15 000 a family in terms of the Government's land reforms policy, the workers hope to buy farming equip-

ment and more vines from KWV to plant this year.

Klein Begin facilitator Anzill Adams said he hoped the project would show other farming communities that they could solve their own problems instead of waiting for the Government to improve their lives.

Victor Titus, also a facilitator, said the farm owner also benefited from this type of project in increased productivity and a higher self-esteem among workers.

Some of the obstacles the workers had to overcome included a high illiteracy rate and an initial distrust of the project, he said.

Klein Begin's management is also concerned that it will have to pay a donations tax of 20% of the total value of the land, which it fears could exhaust all their funds.

The management has written a letter to Land Affairs Minister Derek Hanekom asking him to investigate.

(4) ARG 31/1/98



Wine expert: farm worker Mathewis Thabo will make the first wine produced by farm workers on their own land

LEON MULLER

Valley of hope and dreams



ONE MAN'S VISION has filled a dry valley with water, vineyards and hope. Political Writer **KARIN SCHIMKE** reports on his inspiration that created something fabulous from nothing.

ONE man with a dream has chopped a chunk off unemployment and housing problems in the Western Cape by creating a farming project which will eventually employ in the region of 3 000 people a year and provide permanent housing for 500 of them.

Permanent employees on the farm — numbering 120 and growing daily — will also use their work time to gain experience and training for which each will receive a recognised qualification, whether they are vine-pruners or nursery school teachers.

Broodkraal, the 700-hectare farm just outside Piketberg in the Swartland, also uses local small business entrepreneurs and contractors, boosting the regional economy and providing work further down the ilge for emerging business people.

The list of social achievements on this farm is as long as a grown man's arm and is probably a mere wish list in most towns and cities across the country. A democratically elected "town council" runs the "civic amenities" in the farm village and self-imposed social order and discipline keeps the wheels of this community turning smoothly.

Buses commute between the farm and neighbouring towns daily to pick up "day" workers. Furnished flats on the farm (built by local builders and furnished by local handy men) will house seasonal workers in top-class facilities.

Workers' children are looked after in nursery schools on the farm. Cricket and rugby facilities and community halls are being built for leisure activities. And workers wanting to learn to read and write are given an hour off work each day to attend literacy classes.

The entire project will cost in the region of R120-million by the time it is finished in five years.

Successful Cape businessman Mr Jan le Roux, however, is modest about his achievements at Broodkraal and the praise for his lone reconstruction and development

programme has come not from him, but from Water Affairs and Forestry Minister Kader Asmal and the farm's employees.

Asmal has referred to Le Roux's project in glowing terms in speeches in

Parliament and elsewhere. He came to know of the Le Roux project about two years ago when Le Roux needed permission to build a dam on the farm.

Although the farm is 700 hectares, it only had water rights for 100 hectares.

Revealing his plan to build houses, employ thousands of people and provide housing for hundreds of others, Le Roux got Asmal to agree to the dam.

The R6-million engineering feat was completed last week and by the end of this winter the dam should be filled. Le Roux will be pumping excess winter water from the Berg River to fill it — water which would have run to the sea

**VISITING
THE FARM
WITH FRUIT
FOR ALL
— PAGE 9**



LUNCH BREAK: Eibert Adams, Xavier Fortuin and Juanita Engelbrecht take a break from nursery school activities for a nutritious lunch prepared for them by Sanna van Neel.

PICTURE: THEMINKOSI DWAYISA

and gone to waste anyway. The dam is as big as about 120 rugby fields and can hold a third of the water in the Steenbras dam.

Asmal's spokesperson Mr Themba Khumalo said: "There is no doubt that what Mr Le Roux is doing is excellent and we are elated that a farmer has gone out of his way to embrace the RDP by creating jobs and empowering farm

workers. He's been hailed as one of the rare patriots in the farming community.

"There are dozens of farmers out there who would like to follow the same route, but don't know where to start."

The farm — which is divided into smaller units of around 50 hectares — will cultivate table grapes. Because of the warmer

weather in the Swartland, the grapes can be delivered to the lucrative European market a month earlier than those from the Boland, commanding double the usual prices.

"The Lord has been good to me," Le Roux said, "and I realised that if I wanted to plough something back I couldn't just do it by giving money to charity. I wanted

to give people a chance to live in a decent house and build up self-respect by working to support themselves and their families."

But it is the lives of the children Le Roux feels most strongly about. "Children have the right to study and live in proper houses with electric lights and warm water. They need decent living conditions to fulfil their potential."

WHEN Cape wine farmer Alan Nelson gathered his labourers under a tree eight months ago and told them he was going to give them a small chunk of his farm, the applause was so loud you could have heard an acorn drop.

They shuffled their feet, screwed up their eyes and wondered if the man they'd come to trust over the past eight years wasn't a bit of a *skelm*, after all.

Their fathers and grandfathers were born and had died on wine farms, and the stories they'd imbibed at their knees didn't exactly predispose them to associate concepts of honour and virtue with your average white wine farmer.

"Ja nee, he promised he would see us right if we made this into a champion estate," remembered Daantjie Jagman this week. "But he never said anything about giving us a piece of his farm. We wondered a bit about that."

So much did they wonder that Nelson called in his old friend Victor Titus, a former school principal, to convince them his offer was not a nefarious trick.

Titus called on Anzill Adams, whose roots in the community and experience in struggle politics made him the kind of man they might just listen to.

"Victor and I had to win their trust," recalls Adams. "What was the hidden agenda, they kept asking. I can tell you it was only because we're not white that they believed us when we said there was no hidden agenda, that Alan was genuine."

There were countless meetings, held at their insistence in the early mornings rather than after work in the evenings so their minds would be alert and less likely to lead them into a trap.

"What if he goes bankrupt and sells the farm?" was one question. They wanted confirmation of their ownership in writing, with copies lodged with the appropriate people. And they wanted their own access to this 10ha farm of theirs.

As a practising advocate, Nelson, 45, who bought the farm from a bankrupt estate in 1989, was impressed by this forthright expression of concerns.

In helping him transform a rundown 110ha farm with exhausted and overgrown vines into one of the best estates in the Boland region, with award-winning wines on the lists of more than 50 Cape restaurants, they had won his respect. He signed on all the dotted lines, and agreed to give them extra land for an access road.

He also agreed that they could use his machinery and wine-making equipment, and laid on a free

(4)
Sweet
ST 1/2/98
harvest
for the
heirs of
change

Workers on a Cape wine farm began making their own wine this week — thanks to a farmer who kept his word.

CHRIS BARRON reports

water supply and the expertise of a champion wine maker.

But the questions kept coming: What would happen to a labourer's share in the communal farm if he was fired?

It was agreed that Nelson could only fire a worker if he was found guilty of a criminal offence, and his share would be paid out to him after three years. For any other reason, he could be fired only if two-thirds of the new labourers' association agreed.

They agreed that time spent on Nelson's farm would be banked. Two hours overtime means two hours credited to their "account", to be used on their own farm, Klein Begin (small beginning).

"It was not all moonshine and roses," admits Nelson. "The guys have not been shy to talk. Shortcomings in my management

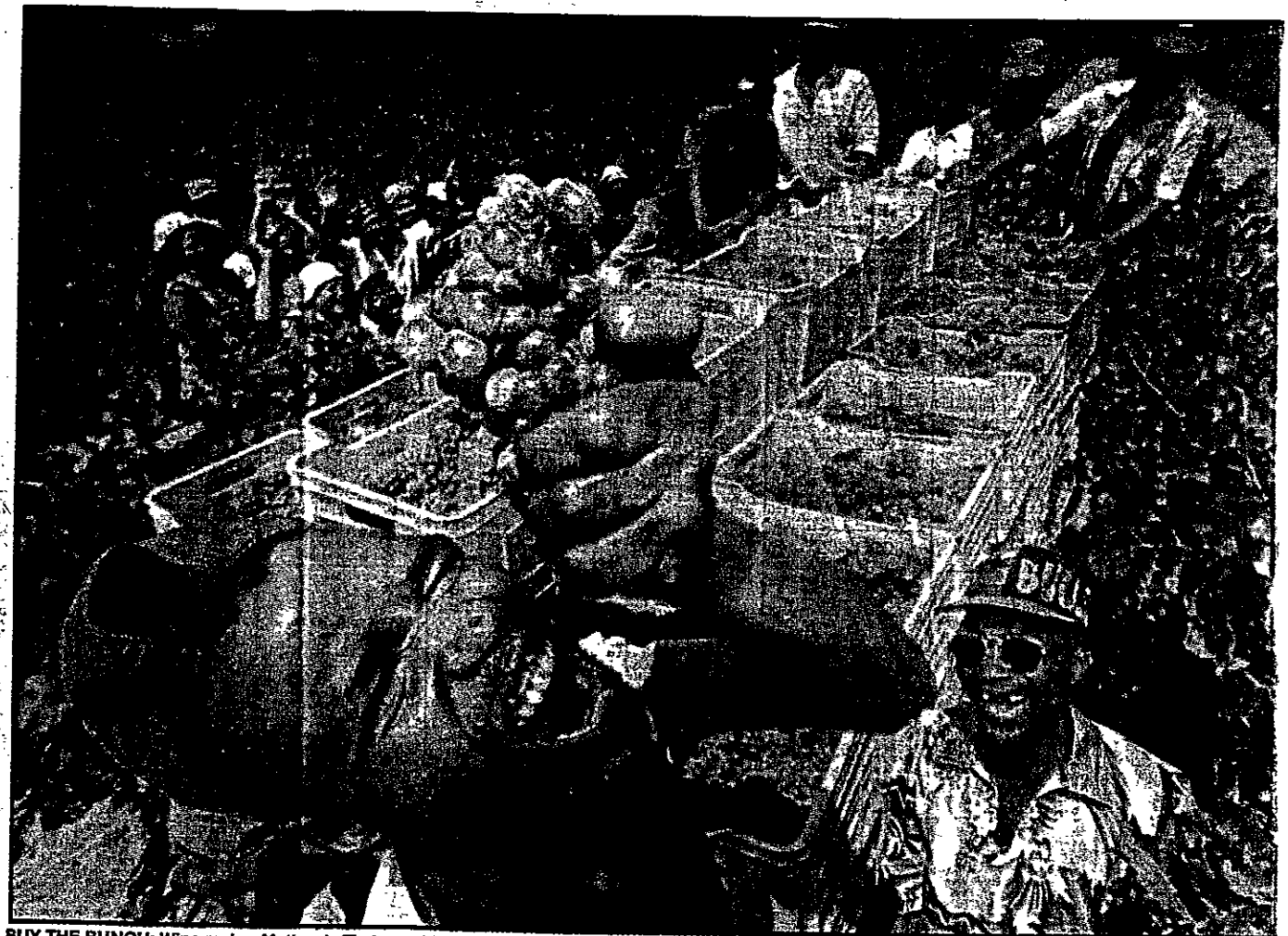
come out much sooner."

A potential conflict within the group was avoided only after much negotiation: it was agreed that each of the 16 workers would have equal shares in their farm, regardless of how long they had been there. Six of them have been there all their lives, others for more than 10 years. Some only arrived three years ago.

"It was a problem," says Jagman, 29, who has worked on the farm for 11 years and is now vice-president of the association. "Ja, there was a bit of a panic, but Titus made the path a bit lighter for us."

Also swallowing hard was Nelson's foreman, Sollie Skippers, 46. His father was born on the farm and had worked the fields until his mid-70s when he died of a stroke.

Skippers, used to being



BUY THE BUNCH: Wine maker Mathewis Thabo and Daantjie Jagman taste the first fruits of their labour

Picture: RICHARD SHOREY

obeyed, suddenly found he was an equal shareholder.

"It's been a bit rough, but it works because now that guy is happy and that guy is happy."

Nelson is a far cry from the farmers Skippers has known.

"They kept us under their thumbs with the tot system. At 6am we got a tot, at 8am, 8.30am, 11am, midday, 12.30pm, 4pm and 6pm. Every day."

Nelson's first act on arrival was to tell them they'd be getting no more tots from him. More than half his workforce left.

Jagman, wearing a baseball

cap, dark glasses, a floral shirt and an attitude befitting a member of the landed classes, says workers on neighbouring farms are "kind of jealous".

"It's unlucky for the others," he says. "The chips fell differently for them. We don't feel better than them, but... a bit higher."

A bit richer, too, if Nelson's wine maker Carl Allen is right. Twenty thousand pinotage and chardonnay vines will be planted soon and will be ready for harvesting in five years. If Klein Begin does its own bottling and labelling, the shareholders could

be looking at an annual profit of R160 000.

Nelson's brave step into the future has not endeared him to the local farming community.

"People think I'm nuts, but a lot of guys are sitting and watching," he says.

The farmers have not been full of congratulations, put it that way," says Marguerite, Nelson's wife and a medical doctor.

"There have been no derogatory comments, but there is a feeling that we are creating expectations among the workers."

There are also mutterings that

it is all a public-relations gimmick. There is no doubt that Nelson's move certainly has been a brilliant stroke of PR. Other farmers may follow his example because, as he says, "it makes good sense", but by leading the way, he has got enough free advertising to recoup the R500 000 his gift would have been worth on the open market.

The Wall Street Journal had the story on its front page last week. It has aroused so much interest that plans are afoot to invite either US President Bill Clinton or Vice-President Al Gore

to Nelson's Creek to unveil the Klein Begin label during their planned visit later this year.

Meanwhile, the responsibilities of ownership have already begun to weigh on them.

"We don't drink and party on weekends anymore," says Jagman. "That story is over. Now we work instead."

If someone forgets that times have changed, the executive committee is quick to remind him.

"It's still necessary to speak nicely to some of them," admits Jagman.

Free to grow and live their dreams

POLITICAL WRITER KARIN SCHIMKE visited a far-reaching farming concept near Piketberg that proves the hope of reconstruction and development lies in personal vision and collective strength.

YOU can see Broodkraal from a high mountain road. It's a patch of green surrounded by hectares of new vineyards and undulating wheat-coloured fields as far as the eye can see.

When Mr Jannie le Roux mapped out the way to this farm, which lies on the outskirts of Piketberg, he should have asked us to look out for the funnels of sand swept up behind the farm traffic which seems to endlessly crisscross Broodkraal's 1 000 hectares.

The dust has taken the shine off the bakkies, but the funnels look like pointers picking them out on a huge map.

Not that Jannie's directions weren't accurate. It takes 90 minutes to drive to the farm from Cape Town and, with his directions, you don't miss a turn. Thank goodness, because even a whole day is not enough to see everything you need to see.

Luckily it takes less than a minute to realise just how astounding this farm is... in its scope, its dreams and in its people.

The Berg River is deep purple and wide as an Olympic-size pool at the point where you cross it to enter Broodkraal. On your right, tens of colourful facebrick houses sit neatly in gardens where rose bushes and geraniums are thriving in the flower beds.

Behind these, larger houses with grander roofs are parked around a crescent road surrounded by sparse, but growing lawns. It's awfully suburban. It doesn't seem possible that farm workers live here — most in the smaller three bedroom, while the "achievers" occupy larger houses which sport three bedrooms, a garage and a store room.

Next to the houses, flats are being built for seasonal workers and a cricket field, a rugby field, an enormous crèche, a library and a

this coming winter, will be under water. This dam is the catchment area for the dreams of hundreds of people and, before we continue the tour, we have to digress into some history.

Jannie, who is the group manager of the Broodkraal experiment, explains that about four years ago he was approached by a highly successful Cape Town businessman and Boland farmer who happened to share his name. This Mr Jan le Roux had decided he wanted to start a labour-intensive farm that would create employment opportunities that would benefit the surrounding community into future generations.

"Jan's only requirement when he spoke to me about taking on the job was that this be a profitable undertaking."

It has to be, because Jan's dream won't work if the farm folds after a few years.

The farmworkers are well aware that their own personal successes are inextricably entwined with the success of the farm and, for them to have a prosperous future, the

farm must make money.

Jan tells me later: "This project wasn't about the money, it was about the people. If I'd wanted to make money there are probably ten easier ways to have done it. But I wouldn't want to lose

money because, if this development falls flat, it means there won't be work for all these people."

But to make this work, the farm needed water for the 700 hectares of table grapes it has to support and it had the rights to only enough water for 100 hectares. Because there was a moratorium on the acquisition of new water rights, things were looking pretty grim at the beginning of the project.

Armed with a list of objectives that Jan, Jannie and the workers on the farm wanted to achieve, they

ET 4/3/98
(4) ~~ET~~
bouring farm, belonging to the Wittewater community. The dam, built at a cost of R6-million, was completed last week.

At the foot of the dam wall, a pump house is being built by Ernest Engelbrecht, a local contractor who uses local builders. He and other contractors on the farm are small business entrepreneurs who did not have much of a chance to get their foot in the door before the 1994 elections.

Ernest's sister, Augusta, also works on the farm. She is one of the many who catch a bus into work every day — not a public bus, but one that belongs to the farm. Augusta is the friendly receptionist one first makes contact with when phoning the farm, and she is based in a small rondavel which stands at the heart of the farm.

She tells me: "In the beginning a lot of the farmers around here called Broodkraal 'the ANC farm'. But they're not that critical anymore."

"They see now that (the farm) offers more than any of the others do. The farm workers feel secure, not least because arrangements are made for them for an unemployment fund. You don't get that on other farms. It's a great place for the workers."

Outside the rondavel is a house belonging to one of the managers, a small shop, various farm buildings and a large workshop where the buses, bakkies and tractors are serviced.

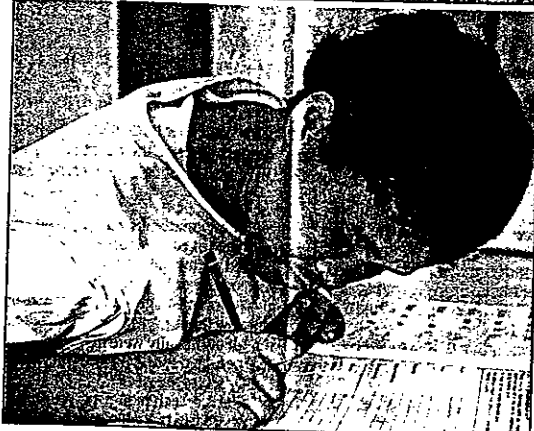
A qualified mechanic not only oversees the work, but acts as a "trainer" for those under him. After working there for a while they undergo testing approved by the National Qualification Framework and, if they're good enough, they get a certificate reflecting their skills. This applies to everyone who works on the farm, whether they fix cars, sew curtains (which they sell to their colleagues for a small profit) or prune vines.

They can use their qualifications in the market place should they ever leave the farm, but the training is provided free. In return, a certain amount of service years have to be given back by the worker.

But who would want to leave



DAM OF HOPE: (above) Group manager Jannie le Roux explains how Broodkraal's dam was built. If it weren't for this dam the Broodkraal dream would never have become a reality.



WRITING THE FUTURE: (left) Elsie Hanekom takes a break from the fields for a literacy class.

PICTURES: THEMINKOSI DWAYISA

streets, cutting grass and watering gardens all morning.

Ms Elsie Hanekom and Ms Bettie Samuels are packing away their pens to grab a bite. They've been given an hour break from the fields to attend literacy classes, and Elsie gives me a minute of her time to sing the farm's praises:

"I like it here. I don't rake over old coals anymore. I don't think about the past. When we got here we went on a life skills training course and I learnt a lot. About how to handle conflict at home, how to talk to people and how to see the difference between good and bad. I am much more confi-

dent now."

Elsie is referring to the skills training course that is offered over several weeks to the farm workers. To illustrate what Broodkraal is about, new workers are shown a picture of a man pushed flat on the ground by flour bags, each labelled with something negative which holds people back from succeeding.

During the course they are taught to throw off the bags and stand up, whether the bag they have to discard is labelled "lack of education" or "lack of self-confidence" or whatever. This too, is one of the things you are offered

when you join the Broodkraal way of life. The course is called "Free to grow".

Leaving in the mid-afternoon, with the sound of tractors, construction and working voices behind us, we look back and see that the green in the middle of the farm is what Jannie pointed out as the first of the vineyards that could yield grapes for European tables in two years' time. All around that, fields are being prepared for future vineyards.

Whatever baggage could have hampered this project in the past has been discarded. Broodkraal itself is free to grow.

the other women in the community who are training for nursery school teaching diplomas.

And for now Broodkraal's "municipality" has switched off the engine on the "municipality truck" which has been cleaning

Jannie says: "If someone is hungry, you don't give them a fish, you show them how to use a fishing rod. Then they can feed themselves for the rest of their lives."

Here at Broodkraal everyone walks around straight and tall as if they're balancing their fishing rods on their shoulders.

The village, which was quiet and empty in the morning, has become busier at lunch.

Sanna van Neel is dabbing her brow with her apron while the kids in the crèche tuck into their pud-

... minute to realise just how astounding this farm is... in its scope, its dreams and in its people.

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Next to the houses, flats are being built for seasonal workers and a cricket field, a rugby field, an enormous crèche, a library and a community hall are starting to take shape.

Opposite this housing development, a newly scraped dam wall rises improbably. The top of the wall is wide enough for two-lane traffic, and — I cannot tell a lie — is rather thrilling to stand on. From here you look out over 100 hectares of farmland which, after

that their own personal successes are inextricably entwined with the success of the farm and, for them to have a prosperous future, the farm must make money.

Jan tells me later: "This project wasn't about the money, it was about the people. If I'd wanted to make money there are probably ten easier ways to have done it. But I wouldn't want to lose

money because, if this development falls flat, it means there won't be work for all these people."

But to make this work, the farm needed water for the 700 hectares of table grapes it has to support and it had the rights to only enough water for 100 hectares. Because there was a moratorium on the acquisition of new water rights, things were looking pretty grim at the beginning of the project.

Armed with a list of objectives that Jan, Jannie and the workers on the farm wanted to achieve, they all went to see Water Affairs and Forestry Minister Professor Kader Asmal and asked him if they could build a dam. The idea was to pump excess winter water out of the Berg River.

Asmal gave his blessing and Jan and Jannie gave an undertaking to store enough water in the dam to irrigate 100 hectares of the neigh-

ment land. You don't get that on other farms. It's a great place for the workers."

Outside the rondavel is a house belonging to one of the managers, a small shop, various farm buildings and a large workshop where the buses, bakkies and tractors are serviced.

A qualified mechanic not only oversees the work, but acts as a "trainer" for those under him. After working there for a while they undergo testing approved by the National Qualification Framework and, if they're good enough, they get a certificate reflecting their skills. This applies to everyone who works on the farm, whether they fix cars, sew curtains (which they sell to their colleagues for a small profit) or prune vines.

They can use their qualifications in the market place should they ever leave the farm, but the training is provided free. In return, a certain amount of service years have to be given back by the worker.

But who would want to leave here anyway? We spoke to so many people on the farm and everyone seemed perfectly content with their lives at Broodkraal. It seems the reason is because most of Broodkraal's people are in control of their own lives and do not live under the patronage of a farmer who deals out welfare. Jan is more in the business of bestowing dignity.

'I like it here. I don't rake over old coals anymore. I don't think about the past.'



Jannie says: "If someone is hungry, you don't give them a fish, you show them how to use a fishing rod. Then they can feed themselves for the rest of their lives."

Here at Broodkraal everyone walks around straight and tall as if they're balancing their fishing rods on their shoulders.

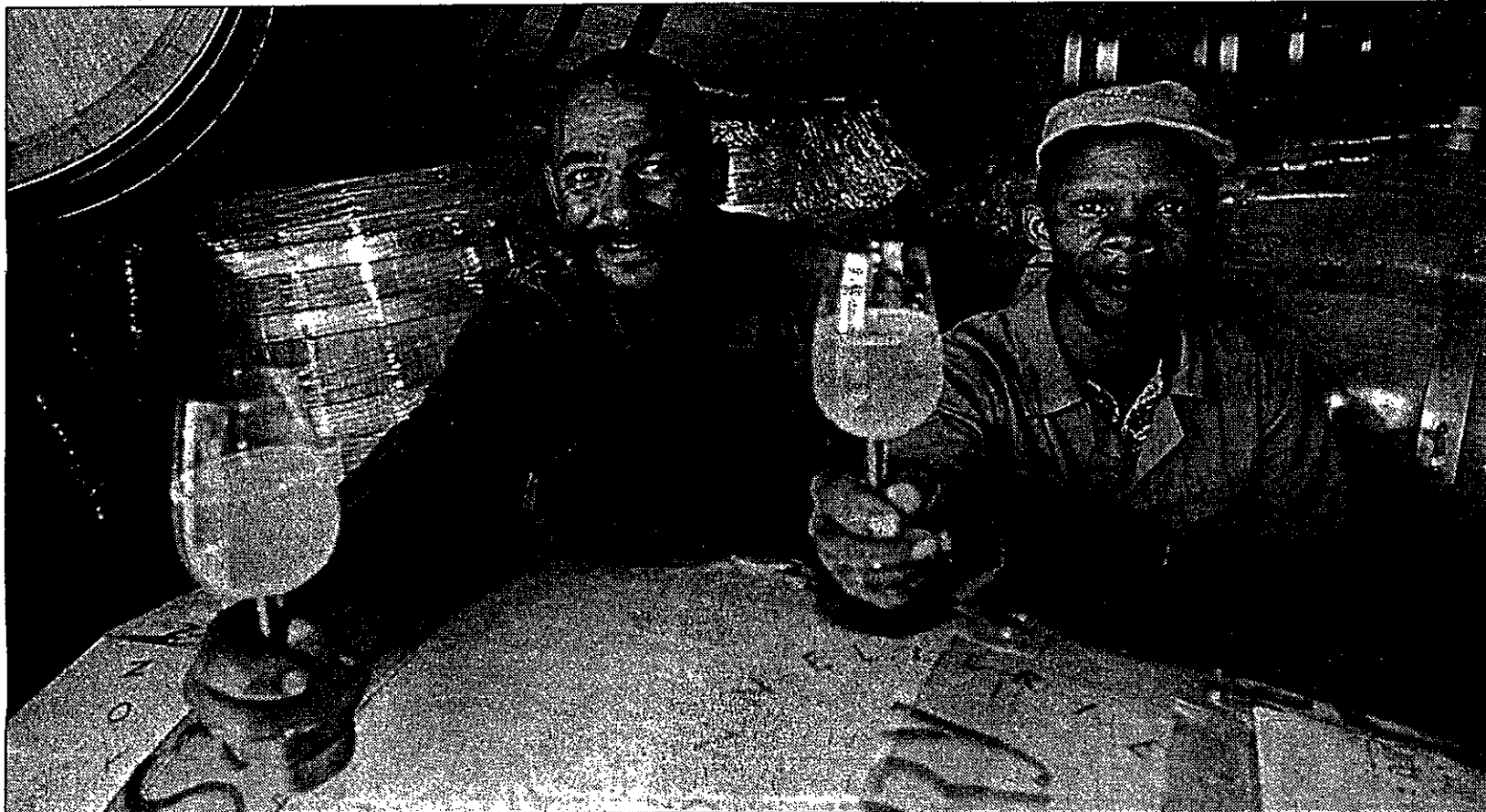
The village, which was quiet and empty in the morning, has become busier at lunch.

Sanna van Neel is dabbing her brow with her apron while the kids in the crèche tuck into their pudding. Sanna's advanced years and illiteracy haven't locked her into a pointless existence. She has just completed a cooking course with flying colours and is now the crèche cook.

Mothers are seeping through the vineyards to come home for a quick bite at lunch time and check on their kids, who for a mere R1,50 a day are looked after by some of



BABY BLUES: While everyone else who lives at the Broodkraal village is out working on the farm, Elizabeth Ambaraal is home with her baby. She has the assistance of a social worker who is permanently employed at the farm.



GESONDHEID! Toasting an exciting future as wine producers are the chairman of the Fair Valley Communal Property Association, Attie Adams, left, and winemaker Ainie Adolf

Picture: AMBROSE PETERS

Sweet harvest for workers

~~STRAKEN~~
CHARL DE VILLIERS

(4)

ST (CM) 8/2/98

LAND Affairs Minister Derek Hanekom and the Danish Prime Minister, Paul Nyrup Rasmussen, will be present when 59 families take ownership of their new farm, Fair Valley, on the Fairview estate in Suid Agter-Paarl on Tuesday.

The workers will be making their own wine from grapes sold to them at cost by Charles Back, their former employer and owner of the Fairview Wine Estate, who says the Fair Valley label should be ready for distribution by June.

Proceeds from wine sales by Britain's Oddbins Group and local outlets are to be ploughed into a communal property association run by the workers.

"Many years ago I had the idea that farm labourers should be allowed to own land," Back said yesterday. "I see this as a basic moral obligation of the wine industry as a whole, because in the past there had been measures in place that did not allow people to acquire land."

Back said pinotage grapes would be grown on 18 ha of land. Workers used their R15 000 grants from Land Affairs to buy the land with some help from Back.

Workers 'as the 'air' 'rui's o' a pour

Proud new owners pick first grapes for their own wine

ARL 11/2/98 ~~STAFFLINE~~ (4)



NATALIE KAMMIES
STAFF REPORTER

After 19 years as a worker on Fairview wine estate, Attie Adams will at last get the chance to harvest a wine crop of his own.

Mr Adams is one of 59 workers employed at Fairview, near Paarl, who have bought 18 hectares of land next to the farm to build homes and plant their own grapes.

The workers will call their new farm "Fair Valley". The project was made possible with the help of the Department of Land Affairs and Fairview owner Charles Back.

At a harvest ceremony yesterday, workers picked the first grapes for their wine.

Mr Back helped them buy the land by contributing R200 000 to the purchase price of R400 000, and the department provided each worker with a R15 000 subsidy.

Mr Back will allow the workers the use of his wine cellars and tools free of charge.

In the meantime, the workers will buy grapes from Mr Back at cost to make wine which they will bottle and sell under their own label. The proceeds will go towards the building of their houses and growing their own crop.

In terms of an agreement between Mr Back and the workers, existing workers' houses will be converted into tourist accommodation, with the proceeds going towards the new farm.

Yesterday's ceremony was attended by Land Affairs Minister Derek Hanekom and Danish Prime Minister Poul Nyrup-Rasmussen.

Mr Hanekom said the project was an example of the Government, private sector and disadvantaged workers working together. Mr Back said: "I feel excited and very happy that all the workers are so committed to the project."

For Mr Adams, chairman of the Fair Valley Communal Property Association, elected by the workers to steer them in the project, it is a dream come true.

"I'm so happy. My forefathers never had the opportunity to own their own land, but I'm glad that we can now pick the fruits of their labour."



Partner: Hartwick Gouws is one of 59 workers who have acquired Fair Valley farm

Drop of cheer: Derek Hanekom about to savour the juice pressed by Danish Prime Minister Poul Nyrup Rasmussen at Fairview

Labourers ask land court to overturn eviction order

Taryn Lambert

BD 12/2/98 (4)
FARM labourers who were evicted from their residential quarters at Consteen brick factory near Krugersdorp last month have asked the Land Claims Court to overturn a magistrate's decision granting the factory owner permission to evict them.

The case is the first of its kind to be heard by the Randburg-based court.

The labourers have asked the court to restore their occupation of the quarters and to review magistrate S van Niekerk's decision to grant the eviction order.

The case was postponed by Judge A Gildenhuys yesterday after brick manufacturer George Kok requested more time to file his answering affidavit. He was given until Monday to file his papers.

Van Niekerk last month granted Kok an application for eviction and the labourers were removed from the farm by the sheriff two weeks later.

Mawande Jubasi, a spokesman for Gauteng agriculture MEC Nomvula Monkonyane, said the western Gauteng services council was trying to provide the labourers with alternative accommodation until the hearing on Monday.

He said the council would try to arrange temporary land, tents, water and toilets.

'Tenure act interpretation could prejudice employers'

Deborah Fine *DD 19/2/98*

AN OVERLY wide interpretation of the new Extension of Security of Tenure Act could unfairly strengthen the hand of labour and prejudice employers during protracted labour disputes, the Randburg Land Claims Court heard yesterday.

The submission was made by advocate Gys Rautenbach, appearing for the Consteen brick factory which is opposing an action in which 64 former employees claim to have been unlawfully evicted from the plant's hostels near Krugersdorp last month.

They were fired on December 3 last year after they participated in an illegal strike.

The workers say they were evicted in violation of the new act which they claim strictly prohibited the removal of occupants of land until the final resolution of any dispute over dismissals. They said their eviction was illegal because they were removed from the hostels on January 19 before their dispute with Consteen had been adjudicated at a Commission for Conciliation, Mediation and Arbitration hearing, which

was scheduled for last week.

They have asked the Land Court for an order allowing them to return to the hostels pending the final resolution of the dispute.

Rautenbach submitted, however, that the generous interpretation suggested by the workers implied that if there was a dispute over the fairness of dismissals, employers would be obliged to continue housing unproductive workers on their premises. This was "absurd" because the resolution of such disputes could take months or years.

The economic consequences of this could unfairly force employers to have to cede to workers' demands. This had serious implications, particularly for the mining industry, which traditionally housed thousands of workers in hostels on mine premises.

He argued that the act should be interpreted in the strict sense to include only disputes over whether employees had been dismissed or suspended, excluding disputes over the fairness of dismissals. This interpretation would mean that Consteen had been entitled to evict the workers.

Judgment is expected tomorrow.

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Results of companies survey 'disappointing'

26/2/98

Shareen Singh

CORPORATE governance disclosures by SA companies in the past year were disappointing, according to a survey by chartered accountants KPMG.

Although there was a slight improvement on the previous year, the results of the survey were disappointing in the light of the Johannesburg Stock Exchange's requirement that listed companies comply with the King commission's report on corporate governance. The King report was endorsed by the Johannesburg Stock Exchange (JSE) last year and the bourse expects companies to disclose in their annual reports their compliance with King's recommendations.

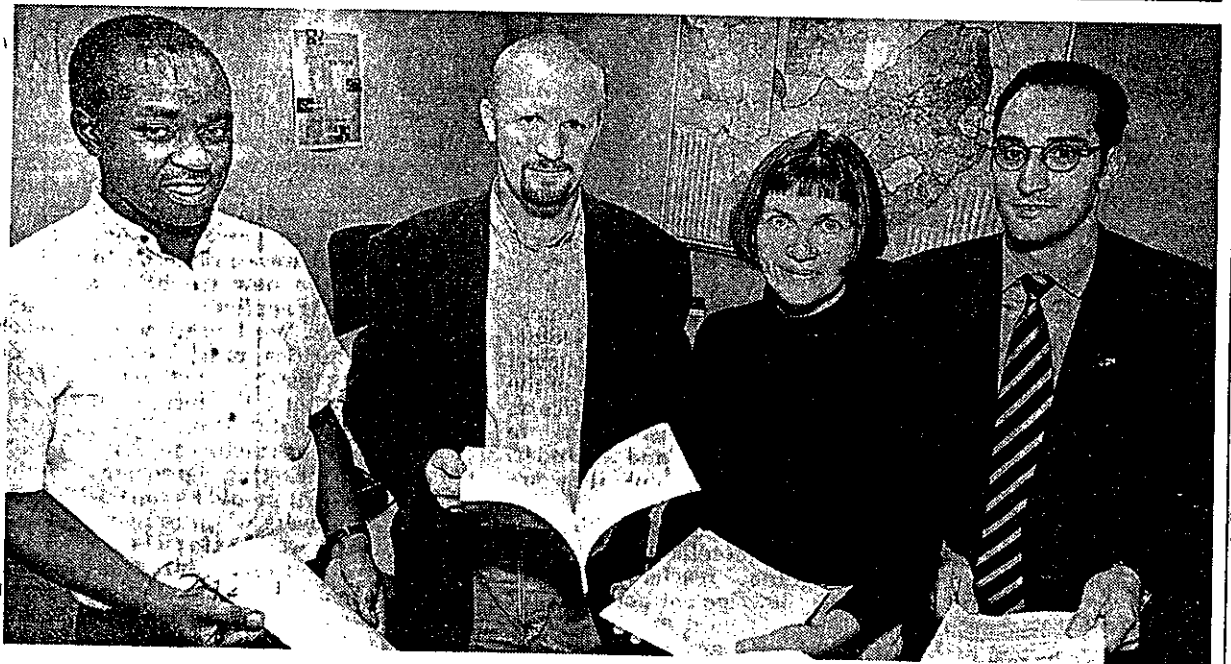
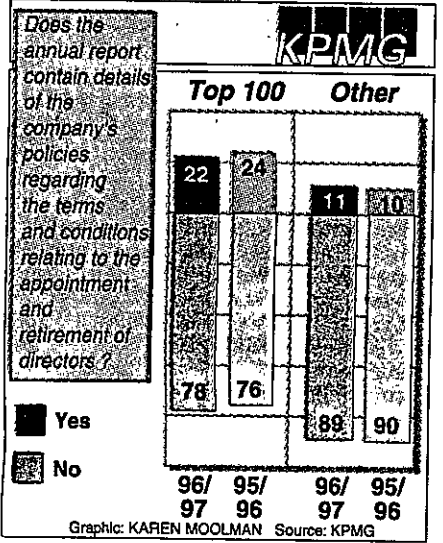
KPMG's survey was based on annual reports of 200 companies, including the top 100.

Sergio de Castro, the head of the KPMG research project, said companies were falling short in disclosing "more sensitive" information. Among these were board performance, including the performance of board committees and individual directors, the terms of directors' appointments and remuneration, the risk management process and the implementation of a code of ethics.

Companies were adopting a "wait and see" attitude regarding disclosure at this level, De Castro said. "Board performance processes and evaluation were fairly new concepts in SA and the number of companies implementing them were limited."

The survey showed that 63 of the top 100 listed companies and 38 other companies in the sample made reference to, or described, their affirmative action plan, compared with 56 and 28 respectively, the previous year.

The results showed SA firms were becoming more aware of affirmative action. These figures were expected to increase radically in the light of the Employment Equity Bill, which would monitor the progress of companies in implementing equitable employment practices. The survey showed that workers' participation in the governance of the company had improved significantly for the top 100 and other companies in the sample. This could be attributed to the new Labour Relations Act which promoted worker participation through workplace forums and other structures.



Themba Tshabalala of the Centre for Applied Legal Studies; Dave Hussey of the National Land Committee; Odette Geldenhuys of the Legal Rights Clinic and Nicolas Marcoux, director of the EU Foundation for Human Rights, at the launch of the Farmworker Eviction Project in Pretoria yesterday. Picture: TREVOR SAMSON

EU foundation sets up body to end farm evictions

Louise Cook

THE European Union Foundation for Human Rights yesterday set up a joint programme with nongovernmental organisations, including the National Land Committee, the Centre for Applied Legal Studies and the Legal Resources Centre, to end the eviction of farm dwellers.

EU Foundation spokesman Seema Naran said 900 evictions took place in the first nine months of last year and there was a need to grant potential farm workers more protection.

The programme would focus on information collection, monitoring, lobbying, policy development and training of field workers.

"The project brings together the work of the three nongovernmental organisations who were previously working with farm worker communities in isolation," said Naran.

The main purpose of the project was to assist farm dwellers to attain tenure security in terms of the Extension of Security of Tenure Act.

The new law provided more secure tenure for people in rural ar-

reas on land that they did not own, Naran said.

National Land Committee spokesman Dave Hussey said the programme would apply in the Eastern and Western Cape, Free State, KwaZulu-Natal, Mpumalanga and Northern Province.

"The eviction of farm workers and farm-dweller families is a brutal process and an often blatant denial of their rights as human beings. The programme represents an initiative by civil society to take legislation to people on the ground and to ensure that it is implemented," he said.

Fury at flouting of eviction laws

CHARL DE VILLIERS

A ROW has erupted between the ANC and members of the criminal justice system in Vredendal.

Minister of Land Affairs and Agriculture Derek Hanekom's local office has accused police and a prosecutor of being reluctant to use the Extension of Security of Tenure Act

against farmers who evict workers without court orders.

A spokesman for Hanekom, Sylvester Uys, said that at least three dockets on unlawful evictions had been opened at the Vredendal and Lutzville police stations since the beginning of the year. However, Vredendal prosecutor Mrs Z A Groenewald said only one case, that of farmworker Marius Baroen-gu, had reached her

Mathilda Smith, of the Legal Education Action Project in Cape Town, said she had sent Vredendal investigations chief Captain Louis Els copies of the law. Els could not be reached for comment.

The town's acting police chief, Captain Hannes van Schoor, said action would be taken about the eviction complaints.

"For the police in Vredendal, cover-ups belong to the past."

(4) ST(CM) 15/2/98

THERE'S JOY IN FAIR VALLEY

Wine land handed over to farm workers

ONCE A TOOL for controlling the labour force on Western Cape farms, wine is to be the emancipator of 59 farm families at Paarl. PRISCILLA SINGH reports.

IN the wine heartland of Paarl, farm workers at Fair Valley will work harder this year than ever before. Only now it will be as landowners and future wine makers.

The 59 families, who worked on the Fairview Wine Estate for Mr Charles Back, were over the moon last year when they heard he was going to give them their own land to develop and farm.

There has always been joy and happiness in Fairview, the workers say, but now when they wake in the morning to go to work there is renewed excitement among them.

The land into which they will put down their roots has been renamed Fair Valley, because of the fair chance they were given to start a new life, said Mr Attie Adams, who has worked at Fairview for 19 years.

"I feel very happy about our getting land. I have three children, and now at least I know I can leave a legacy behind for them, without their having to struggle the way I did," Adams said.

Mr Johan du Preez agreed with Adams. "I have worked here for eight years, and it is a great pleasure to get our own ground. It is also a good future for our children," he said.

The "land dream" was made possible by a share equity agreement reached with the Department of Land Affairs and Back.

The 17,4 hectares were formally handed over at the Fairview Estate yesterday in the presence of Back, Land Affairs Minister Mr Derek Hanekom and visiting Danish Prime Minister Mr Poul Nyrup

Rasmussen.

Hanekom said the Fair Valley project was of historic significance because it gave farm workers entry into an industry that had for centuries been largely white owned.

Wine, which had been a tool for controlling the workforce in the wine industry, had now been transferred into the hands of farm workers for the first time and Fair Valley therefore had the potential to emancipate farm workers economically, Hanekom said.

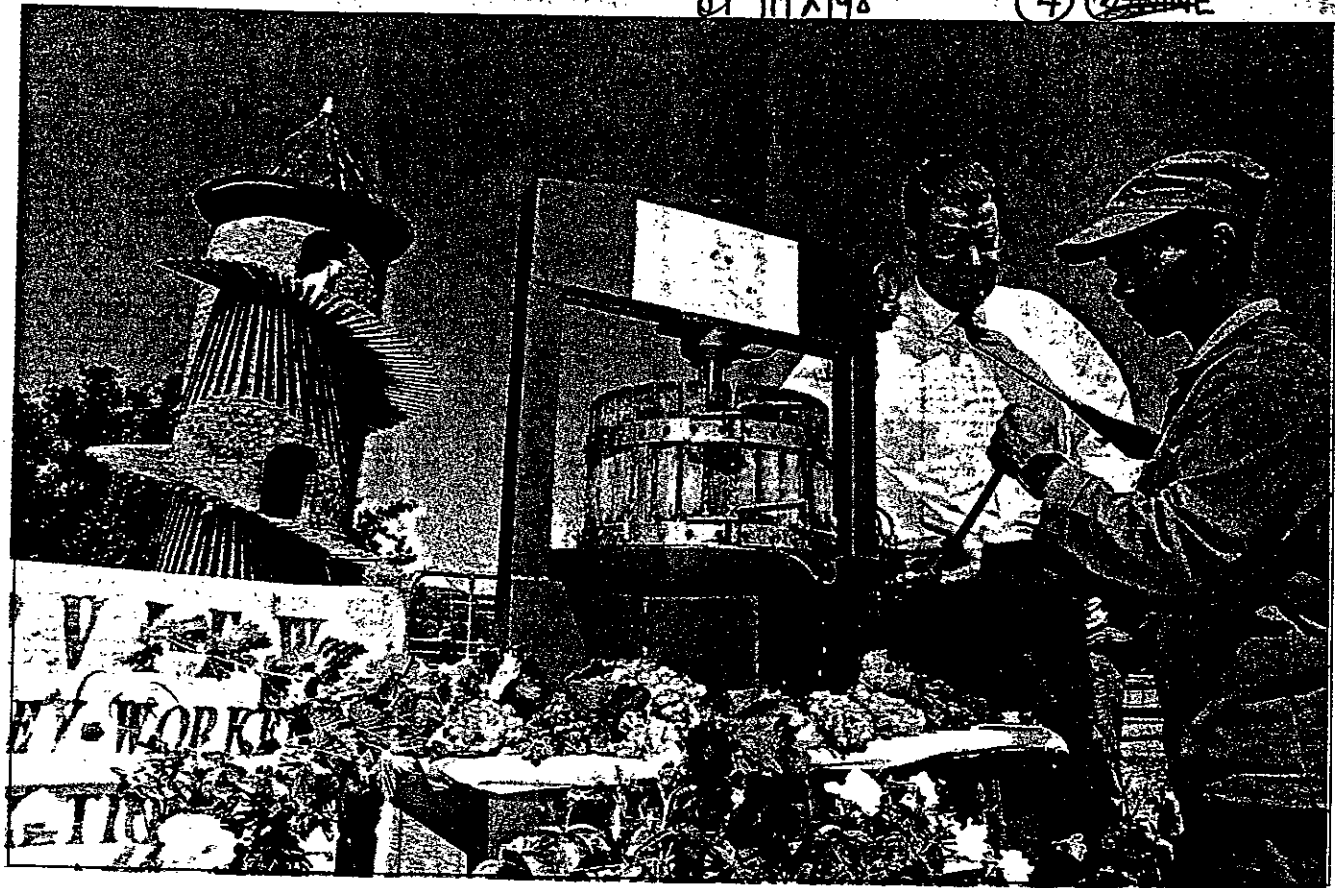
"I want Fair Valley to be an inspiration to other farmers in the district and the rest of the country, to prompt them to share the land with their workers. No one else knows the land better than they (the workers) do," Hanekom said.

Land Affairs provincial director Mr Terence Fife said the opportunity to own land allowed the full potential of the farm workers and their children to be developed. It was also an attempt to reverse the conditions of poverty imposed on them by apartheid.

The Fair Valley project had the full support of the land reform programmes of the DLA because this new co-operation would cement the rights contained in the Constitution and opened new vistas in the relationship of farmers and workers, Fife said.

Back agreed to contribute R200 000 — half the purchase price of the land — and the DLA will cover the rest of the transaction.

Back will also contribute the free use of agricultural implements and the sale of high-quality wine



WINE FROM OUR LAND: Awie Adolph shows Danish Prime Minister Poul Nyrup Rasmussen how to press the grapes for wine-making.

PICTURE: BENNY GOOL

grapes to the workers at cost.

He will also allow them the free use of the wine cellars at Fairview and, in partnership with them, convert the existing farm worker housing into holiday accommodation for tourists.

The proceeds of the holiday cot-

tages will be used by the Fair Valley Communal Property Association to build the families houses on their own land.

Women will for the first time have a stake in the property. Households headed by women will have independent access to land

and housing benefits.

Fife said the short-term objective of the project would be to bottle and market wine produced entirely by farm workers under their own label, using the Land Acquisition Grant of the DLA.

As the government delegation

wound down their tour of Fairview, wine maker Mr Awie Adolph reflected on his plans and said he could not wait to work his land and produce his first bottle of wine.

"Then all you must come back and taste the best wine you will ever have," he said.

(4) ST22/2/98

A NEWBORN baby died in the cold and rain this week after her mother was evicted from a farm — inflaming the battle raging over the government's land-reform programme.

Siphelele Khumalo was born on a barren hillside just hours after her mother, Thandi, and 109 others were evicted from their homes on a farm near Vryheid in Kwazulu Natal.

The farm's owner, Wessel Potgieter, bulldozed their 56 huts and dumped them on the hill, several kilometres away.

A week later, on Monday, Siphelele died in her mother's arms as the group sat huddled under a leaking tarpaulin.

Three days before she died, Kwazulu Natal's land affairs department won an interim court order restoring four of the evicted families to the land and instructing Potgieter to rebuild their homes.

The landmark judgment, in the Maritzburg High Court, led to a heated row in the National Assembly over the land restitution process. But the legal victory came too late for Siphelele, who was buried on Wednesday alongside her forefathers.

Speaking after the tiny coffin had been lowered into the ground, her angry mother blamed Potgieter for the death.

"My baby was strong and healthy," she said. "But a week after she was born, she started coughing because of the cold and the rain which was dripping through holes in the tent."

"On Monday, I woke early to her cries, but she became peaceful when I rocked her in my arms. She seemed to have fallen asleep, but after some minutes I was horrified to discover she was not breathing. She died without a sound."

"I am angry with that Potgieter. My child died because he threw us out."

But Potgieter, who reportedly hired armed white men to guard his farm from the evicted tenants, was unrepentant, denying he had been heartless.

"If anyone had been sickly, I would have taken them to a doctor," he said.

"I bought this farm with four families on it, not 16. The rest are squatters who have never worked for me, but the law protects them."

He accused them of destroying his 4 290ha property by ploughing 100ha and grazing 500 goats and cattle there.

"I gave them written notices in Zulu that they had two weeks to remove all

ANGRY:
Thandi Khumalo at the lonely grave of her eight-day-old baby daughter, Siphelele

Picture:
JACKIE
CLAUSEN



Court victory too late for a new life lost in the rain

Evicted mother's baby dies but farmer says squatters are destroying his land

their possessions," he said.

He said he had been subjected to constant harassment over the land dispute.

"I had 130 boerbokke, which cost R450 each, and all of them were stolen. Shots have been fired through my caravan. They tried to burn the grader I got in to level the farm road."

"I have received death threats and there have been assaults on myself and my family."

"But I won't give details now because I am taking them to court."

"We are supposed to be able to live in peace in South Africa, but we farmers are stressed from morning to night."

Potgieter, who does not live on the

farm, said he did not know what had happened to the squatters' 221 cattle, 191 goats, 99 sheep and 11 donkeys, left behind when they were evicted.

An ANC member of the provincial agriculture portfolio committee, Senzo Mchunu, said evictions of farm labourers had increased in northern Kwazulu Natal and were spreading south as farmers tried to avoid their obligations under the new Labour Tenants Act.

"Labourers have gone missing in some districts and their bodies have been found later. The national investigation task unit is probing these incidents," he said.

He warned that hostilities might become more drastic because "labour-

ers are losing patience". Kwazulu Natal's department of land affairs said Potgieter had bought the land to sell it to a neighbouring game farm, but had found the tenants, who had lived there for generations, were a liability to the sale.

"The department has a concern this illegal eviction will fuel tensions in the Vryheid district," said a spokesman, Kim Jones.

She said the court had recognised Potgieter's actions were illegal and "a gross violation of fundamental human rights".

The president of the Kwazulu Natal Agricultural Union, Graham McIntosh, said they were opposed to illegal evictions. But he blamed the ANC, the IFP and non-governmental organisations for "using isolated incidents to inflame the land issue".

He said the union, which had 33 000 members, wanted to meet the government "to depoliticise" the crisis.

This week, the other 12 evicted families will go to court to force Potgieter to take them back.

If the court confirms its order, on March 3, all 16 families will return together.

But nothing will bring back Khumalo's baby daughter.

'Farmhands' raked in by cops

By HANGWANI MULAUDZI

NORTHERN Province police have been accused of double standards by a trade union after they arrested several farmhands they say were illegal immigrants - but failed to charge the Messina farmer who had employed them.

But the police deny the charge - saying the men were Zimbabwe nationals without work permits and that they couldn't charge the farmer because he had unwittingly employed them.

Trade Union of South African Authorities's (TUSAA) general secretary, Nakedi Mogale, said the actions of the police indicated that racial discrimination "was still rife in the Northern Province".

She said the police arrested the men, claiming they were illegal immigrants and were working in the country without permits.

"According to the Immigration

Act anyone found using illegal immigrants should be charged, appear in court and be penalised.

"In this case the owner was also supposed to be arrested together with our TUSAA members ... but he was not charged," said Mogale.

She said the farmer had not been arrested because he was white but the labourers were black.

"This is racial discrimination. Now where is the law in this country?" said Mogale.

Police spokesman Superintendent Frans Mojapelo said they had arrested a group of eleven labourers - mainly from neighbouring Zimbabwe.

Mojapelo said four of the arrested farmhands were found with "false South African identity documents" and have since been repatriated to Zimbabwe.

He said the remaining seven were still in custody pending investigations by Home Affairs as to

whether the documents they were carrying were valid or not.

Mojapelo confirmed that the farmer was not arrested for employing illegal immigrants.

The farmer had told police he employed them as they had South African "documents".

The farmer said he was unaware that their documents were false, Mojapelo said.

However, Mogale was adamant the farmhands in custody were "legitimate South Africans" but were being held because they were black. □ She said the union had taken a resolution to stage a protest march on Thursday against the "unlawful racial discrimination of white police officers against blacks" in the province and against farm workers in particular.

□ The seven farmhands appeared in the Messina Magistrate's Court this week and their case has been remanded to next month.

OP 22/2/98

(4)

Judge rescinds brickworkers' eviction order

Star 23/2/98

(4) (2/1)

In a landmark ruling in Randburg, Land Claims Court Judge Antonie Geldenhuys on Friday said the eviction of 64 workers from a Muldersdrift farm was contrary to the provisions of the Security of Tenure Act and the eviction order should never have been granted.

The Consteem Brickworks employees had not yet arrived yesterday at the Dyambu hos-

tel, where they were ordered to reside until their labour dispute with their employer was resolved.

The workers applied for the restoration of their tenure after they were dismissed by Consteem and evicted from the hostel premises for taking part in a strike last December, ostensibly because they failed to follow dispute procedures set down in

the Labour Relations Act.

Consteem Brickworks owner George Kok obtained a court order which saw the 64 workers evicted on January 19.

But Geldenhuys ordered Kok to pay for alternative accommodation at the Dyambu hostel between Randfontein and Krugersdorp until the labour dispute was resolved. — Staff Reporter

Hanekom lauds land judgment

Sowetan 23/2/98 (4)

Court makes ruling that dismissed workers will get hostel accommodation

AGRICULTURE and Land Affairs Minister Derek Hanekom said yesterday he welcomed the decision by a Land Claims Court judge on the Muldersdrift, Randburg, case.

"It is a victory for fairness and for 64 people who were made homeless by arbitrary and unjust action," Hanekom said.

The 64 brickworks employees took their employer to court after they were dismissed on December 3.

The workers had embarked on an illegal strike, apparently because they failed to follow dispute procedures laid down by the Labour Relations Act.

On January 19 they were evicted from their hostels by a court order obtained by Consteen Brickworks owner Mr George Kok.

In terms of the Security of Tenure Act, which came into force in November last year, landowners may not evict workers

until a labour dispute has been settled.

Although the court ruled in their favour on Friday, it also ruled that they be given paid hostel accommodation elsewhere until their labour dispute is resolved.

"The judgment sends a clear message to all," Hanekom said yesterday, adding that the Extension of Security of Tenure Act requires fair procedures and criteria for evictions in rural areas.

He said it was unfortunate the case had to go to court, adding that negotiations between the two parties could have avoided that situation.

"I urge landowners to cooperate with the law as it's in their interests and because it is in everyone's interests to find long-term solutions to the problem of insecure tenure," he said.

Hanekom also urged occupiers to use the procedures provided by the law to resolve their problems. - Sapa.

Employers may not evict workers arbitrarily,

Deborah Fine

THE new Extension of Security of Tenure Act prohibited employers in rural areas from evicting dismissed workers from company hostels until the labour courts had settled any dispute over the termination of their employment, the Randburg Land Claims Court confirmed on Friday.

This was unless employers could prove in court that the continued presence of the sacked workers was seriously endangering lives or property, and that there was no

remedy other than to evict them.

The court's landmark ruling arose out of a matter in which 64 former workers at the Consteen brick factory in Gauteng challenged their eviction from the firm's Muldersdrift hostels last month after they were fired for participating in an illegal strike.

The workers contended that Consteen had removed them from the hostels in violation of the act because the parties were still involved in a labour dispute over the fairness of the dismissals.

Judge Antonie Gildenhuys ruled Con-

steen had acted in contravention of section 8(3) of the act, which stipulated employees who were provided with housing as part of their employment packages could not be evicted until any dispute over the termination of their employment had been resolved.

This was unless employers secured urgent eviction orders in terms of section 15 of the act. But to obtain such an order employers would have to prove that the hardship caused by the continued presence of the workers would exceed the hardship suffered by the workers should they be evicted.

Consteen had not secured an eviction order, which meant workers were thus entitled to be returned to the firm's hostels until the dispute had been settled.

Because there were already new employees living in the hostels, Consteen was ordered to pay R20 a worker a day to house them in another hostel near Krugersdorp.

The Consteen case was the first matter to be adjudicated by a land court under the new act, which was promulgated last November amid reservations from the mining and agricultural sectors. Consteen had

indicated it might apply to contest the land court's findings in the Appeal Court.

The judgment was welcomed by Agricultural and Land Affairs Minister Derek Hanekom, who said that the ruling was a "victory for fairness and for 64 people who were made homeless by arbitrary and unjust actions".

It sent out the clear message that the new act would be "fairly but firmly" applied in rural areas, and that landowners would only have themselves to blame for the consequences of not complying with the law.

However, negotiations between parties could avoid situations similar to the Consteen case, and that national, provincial and local governments were willing to assist in finding long-term solutions to the problem of insecure tenure which avoided conflict and litigation.

Sapa reports the African National Congress in Gauteng yesterday described the ruling as a victory for all farmworkers. The ANC's Rubeen Standers said that the judgment meant there would no longer be arbitrary evictions.

land court rules
2023/198
(74)

Land Claims Court to review eviction

By CATHY POWERS

Star 11/2/98

4
277

In an unprecedented move, the Randburg Land Claims Court will today review a magistrate's decision to evict farmworkers from a Muldersdrift farm.

Krugersdorp magistrate S van Niekerk allowed the eviction of 64 farmworkers and their families on January 19. They now live on land near Lanseria, according to Patricia Hanekom, head of the Gauteng Department of Agriculture.

Willie van der Walt, the farmworkers' attorney, claims the eviction was unlawful under the Extension of Security of Tenure Act because there was a labour dispute in

progress at the time of the eviction.

A clause in the act says farmworkers cannot be evicted pending the resolution of a labour dispute.

Van der Walt said he was notified yesterday that the farmer's attorneys would apply for a postponement today.

The farmworkers' eviction was upheld when it was reviewed on February 4, Hanekom said. If the farmworkers' lawyers successfully overturn the eviction, the farmworkers will be able to return to the farm immediately, she added.

This case will also be the Land Claims Court's first hearing under the Extension of Security of Tenure Act.

Land and labour laws under spotlight in urgent application

BY CATHY POWERS

Labour relations and land claims were at loggerheads in the Randburg Land Claims Court yesterday as lawyers argued over how the new Extension of Security of Land Tenure Act should be interpreted and how it would impinge on the Labour Relations Act.

This urgent application is from 64 labourers who were evicted in January from their hostel on a Krugersdorp farm after what they claim was a labour dispute.

Landowner George Kok fired the labourers, employed in his Consteen brick manufacturing firm, in December after they embarked on a strike, which he said was illegal.

On January 19 Kok obtained an eviction notice from a Krugersdorp magistrate to remove the workers from his property.

The workers hope the hearing, which is the first test for the newly promulgated Extension of Security of Tenure Act, will result in the reinstatement of their tenure of the farm dwellings.

Advocate Gys Rautenbach, representing factory owner Kok, argued yesterday that people who embarked on an unprotected strike and were therefore not protected under the LRA won an advantage under the new land act because employers could not evict them.

In effect, Rautenbach said this would mean that pending a labour dispute, the employer was obliged to house the workers until the dispute was resolved. The outcome of the case could set a precedent and have huge consequences for indus-

tries who housed workers on rural land.

Mr Justice Anthony Gidennhuis ruled this week that the act, which protects farmworkers from being unfairly evicted from their homes if they have labour and personal differences with employers, also extended to land which in this case is used for industrial purposes.

Rautenbach said the act should be interpreted to read that landowners have the right to evict workers who are sacked.

There was no pending labour dispute, he said, as it was unre-

solved at the Commission for Conciliation Mediation and Arbitration and has not been referred to the labour court.

The labourers' representative, Allan van der Merwe, said it was quite evident that the respondents wanted to evict the workers by any means, initially by using force, then through a provisional order from a Krugersdorp magistrate.

Also at stake are the rights of the current hostel dwellers versus the rights of those evicted. Judgment is expected tomorrow.

44 (44) ~~19/12/79~~ Stan 19/12/79 AS

CAPE FARMING PROJECT BENEFITS THOUSANDS

Valley of hope and dreams



ONE MAN'S VISION has filled a dry valley with water, vineyards and hope. Political Writer **KARIN SCHIMKE** reports on his inspiration that created something fabulous from nothing.

ONE man with a dream has chopped a chunk off unemployment and housing problems in the Western Cape by creating a farming project which will eventually employ in the region of 3 000 people a year and provide permanent housing for 500 of them.

Permanent employees on the farm — numbering 120 and growing daily — will also use their work time to gain experience and training for which each will receive a recognised qualification, whether they are vine-pruners or nursery school teachers.

Broodkraai, the 700-hectare farm just outside Pletkeberg in the Swartland, also uses local small business entrepreneurs and contractors, boosting the regional economy and providing work further down the line for emerging business people.

The list of social achievements on this farm is as long as a grown man's arm and is probably a mere wish list in most towns and cities across the country. A democratically elected "town council" runs the "divic amenities" in the farm village and self-imposed social order and discipline keeps the wheels of this community turning smoothly.

Buses commute between the farm and neighbouring towns daily to pick up "day" workers. Finished flats on the farm (built by local builders and furnished by local handy men) will house seasonal workers in top-class facilities.

Workers' children are looked after in nursery schools on the farm. Cricket and rugby facilities and community halls are being built for leisure activities. And workers wanting to learn to read and write are given an hour off work each day to attend literacy classes.

The entire project will cost in the region of R120-million by the time it is finished in five years.

Successful Cape businessman Mr Jan le Roux, however, is modest about his achievements at Broodkraai and the praise for his lone reconstruction and development programme has come not from him, but from Water Affairs and Forestry Minister Kader Asmal and the farm's employees.

VISITING THE FARM WITH FRUIT FOR ALL
— PAGE 9

Asmal has referred to Le Roux's project in glowing terms in speeches in Parliament and elsewhere. He came to know of the Le Roux project about two years ago when Le Roux needed permission to build a dam on the farm.

Although the farm is 700 hectares, it only had water rights for 100 hectares.

Revealing his plan to build houses, employ thousands of people and provide housing for hundreds of others, Le Roux got Asmal to agree to the dam.

The R6-million engineering feat was completed last week and by the end of this winter the dam should be filled. Le Roux will be pumping excess winter water from the Berg River to fill it — water which would have run to the sea

(4) CT 4/3/95



LUNCH BREAK: Elbert Adams, Xavier Fortuin and Juanita Engelsbrecht take a break from nursery school activities for a nutritious lunch prepared for them by Sanna van Neel.

and gone to waste anyway. The dam is as big as about 120 rugby fields and can hold a third of the water in the Steenbras dam.

Asmal's spokesperson Mr Themba Khumalo said: "There is no doubt that what Mr Le Roux is doing is excellent and we are elated that a farmer has gone out of his way to embrace the RDP by creating jobs and empowering farm

workers. He's been hailed as one of the rare patriots in the farming community.

"There are dozens of farmers out there who would like to follow the same route, but don't know where to start."

The farm — which is divided into smaller units of around 50 hectares — will cultivate table grapes. Because of the warmer weather in the Swartland, the grapes can be delivered to the lucrative European market a month earlier than those from the Boland, commanding double the usual prices.

"The Lord has been good to me," Le Roux said, "and I realised that if I wanted to plough something back I couldn't just do it by giving money to charity. I wanted

to give people a chance to live in a decent house and build up self-respect by working to support themselves and their families."

But it is the lives of the children Le Roux feels most strongly about. "Children have the right to study and live in proper houses with electric lights and warm water. They need decent living conditions to fulfil their potential."

PICTURE: THEMBAKOSI DWAYISA

Counting chickens

and change in Nelspruit

MAG 13-19/3/98

Sharon Hammond

Unknown to the rich and idle in Nelspruit's version of Sandton, farm workers have established a small village and self-sustaining chicken farm in their midst, as part of a unique land project.

Four workers at Hoogland Estates, which borders the upmarket suburb of Steilites, have qualified for a share-equity scheme on the farm, and have become the first land recipients in the country to get hard cash directly from the Department of Land Affairs.

"This is the first time land affairs is giving money directly to the community, instead of buying land or equipment on their behalf," explains senior planner at the Nelspruit land-affairs office, Chris Williams. "Unfortunately, this also means that there were delays in getting the money to the community, because we've never done a project like this before."

The department took eight months to approve the project, and another nine months to give the project its first cheque of R29 000. Impatient with the initial delays, the workers accepted an interest-free loan of R50 000 from a farmer, Kleinste van Rensburg, and built three chicken houses two years ago. "If it wasn't for Kleinste, we wouldn't have been able to start the chicken project so soon," explained one member of Hoogland Chickens, Frans Mohale.

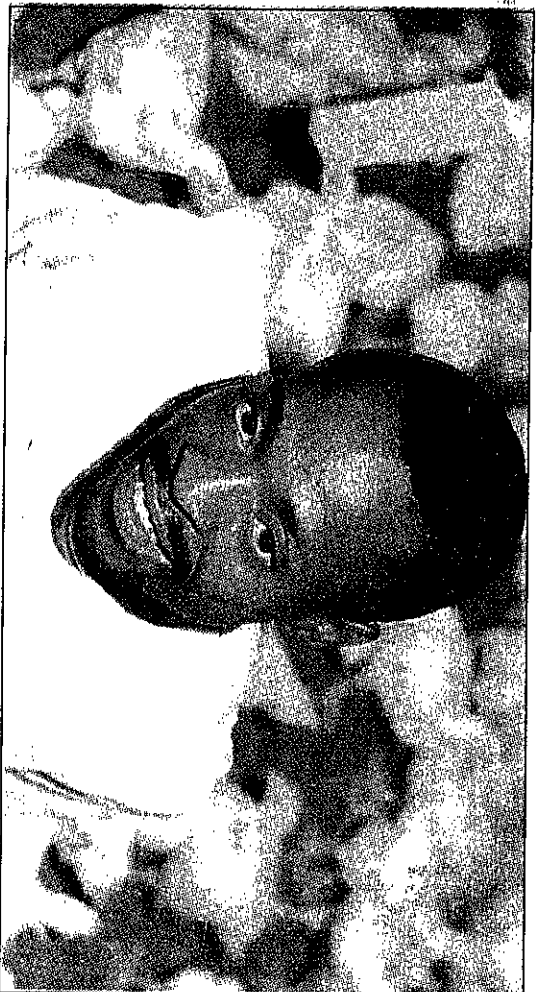
The R29 000 from the department is R31 000 less than the R60 000 grant they qualify for. Offers of free training were not received with enthusiasm. "They've already learned through trial and error how to run a chicken business," said Van Rensburg, a former town planner for the Kangwane homeland.

The manager of Hoogland Chickens, Richard Mawela, adds: "We lost almost 100 chickens the first time round because we did not know what we were doing. But by visiting other farms, we've taught ourselves, so it's too late for them to want to train us now."

Van Rensburg said the department would only pay out the difference of the R60 000 grant when the workers submitted claims for what they'd already spent. "The government does not give money up-front because of the way governments are, and this gives the impression that they don't trust people."

She said her decision to lend the workers R50 000 was not philanthropic, but economic: she wanted to use the manure from the chickens for her essential-oil farm, which she runs on environmentally friendly principles.

"I knew the government wasn't going to give the workers any money until something was already built, and I needed the manure," Van Rensburg added. "Although one appreciates [the department] making great strides in improving administrative drag, one hopes the officials who



Fowl farming: Richard Mawela, manager of the self-sustaining Hoogland Chickens in Nelspruit, hopes to buy his house with money generated by the company

deal with administrative matters learn from this and become more efficient, because that's where the problem lies."

The chicken houses currently makes a profit of about R3 000 every six weeks. The money goes into a float for current expenses, such as chicken feed, day-old chickens and vaccinations. Profits will later be used to repay Van Rensburg's loan and build capital for expansion.

Mawela says although the workers don't yet feel the financial benefits of the business, they understand the profits will eventually be theirs to buy the houses Van Rensburg built for them.

Van Rensburg explains: "I just thought I could get the money back for the building expenses, by selling the houses back to the workers at cost, and at the end of the day they would be proud home owners of high-quality homes and be responsible for the upkeep."

The houses and chicken houses will eventually form part of an upmarket township Van Rensburg is designing. The township will include a theatre, pre-school, designer townhouses and an art school, surrounded by fields of essential oils, lemon grass and koi dams.

But what do the neighbours think? Across the valley, they marvel at the pretty "classrooms" on the hillside, but are promptly silenced when told the buildings are, in fact, hen houses. "Oh! That's nice?" comes the tentative response.

Van Rensburg laughs: "We are doing our part in helping under-developed people, and at the same time practising sound environmental principles by using chicken manure. The workers have a strong sense of pride, and their children, who will get quality education from profits from the farm, will grow up with dignity." — African Eye News Service

GOVT BID TO EMPOWER THE POOR

New deal offers stake in profits to workers

ET 18/3/98

(4)

IN A BID to boost agricultural reform, the government has introduced a grant for farmworkers to help them invest in the farms on which they work. **DAN SIMON** reports.

A NEW empowerment deal which aims to improve the lot of poor farmworkers by giving them a financial stake in the farms they work for and a share in the profits they generate, was unveiled in Paarl yesterday.

The share scheme, which has already been implemented at four farms in the Western Cape and Mpumalanga, is structured to allow farmworkers to participate by applying for the state's settlement grant of R15 000 per household and buy shares in the farms they work for.

The grant was introduced by the government to facilitate land and agricultural reform.

The scheme also allows farmworkers to have representation on a board and have a direct say in the running of the farm.

It is envisaged that by including farmworkers as co-owners, the scheme will introduce greater commitment to productivity and increase profitability.

The new scheme was facilitated by the NewFarmers Development Company, which bought a 64% stake for R7 million in an olive farm owned by olive industry pioneer Dr Nino Costa.

NewFarmers is owned by various European development finance institutions, including the Commonwealth Development Corporation (CDC) and prominent

SA financial institutions.

The project was launched by Lord Cairns, chairman of the CDC.

The deal will give about 30 farmworkers and the farm managers a chance to acquire shares in one of the country's largest table olive production projects.

NewFarmers' managing director Mr Hannes le Roux said R1m in equity had been set aside for the farmworkers. If each household took up the option, this would amount to R450 000.

"The essence of the business is that we take an equity stake in profitable

agricultural businesses with a view to giving workers a stake. We try our best to broaden the business base and try to involve as many participants, especially from the developing communities.

"Unless we add economic substance and create jobs, then South Africa won't be a success. In a nutshell we are bringing them into the boardroom. We are co-owners of one business. We haven't set aside one particular orchard or a piece of land for the workers to do their own thing and make use of our facilities. We invest in people and that makes for better business.

And what are the chances of the farmworkers securing the required R15 000 grant?

"One hundred percent. We have already had discussions with the Department of Land Affairs and this is not the first project of this nature. The others are very successful. They (the department) have approved the capital subsidies in principal and from informal discussions we know that this will be approved as long as we satisfy certain criteria."

Le Roux also said there was an 18-month cut-off date for the workers to accept the share offer.

"I'm confident that by the end of this year we will have completed this process. If not, we will have to assess the situation and extend the period. But we won't hike up the price. We

don't want to do that."

Father of three, Mr Gert Lombard, who earns R295 a week as an olive sorter on the farm, said he has yet to fully understand the share scheme.

He and other workers were being briefed on the deal by a human resources consultant hired by NewFarmers.

"But my understanding is that if we can get the R15 000 grant from the government, then we can place it with NewFarmers. That R15 000 won't remain R15 000. It will increase. For me it is a good offer which we must grasp."

'In a nutshell, we are bringing the workers into the boardroom' — development company chief

Removal of these restrictions would require the support of the services sector. Nal's financial assets include

Times Media, which in turn has a 48 percent stake in Caxton.

"We never intended merging the business with that of NBS Boland

and a change in status from a (Pty) Ltd to a public company?"

NewFarmers in empowerment deal

VERA VON LIRRES

27/08/18/3/98
(4)

Cape Town — NewFarmers Development Company, the private company that invests in agribusinesses, has bought 64 percent of the newly formed Cape Olive group for R7 million, in a deal which will empower workers and management, David Gant, the NewFarmers' chairman, said yesterday.

"The move is in line with our strategy to enable management and workers to acquire shares in highly profitable agribusinesses and enter the mainstream of commercial agriculture," Gant said.

Hannes le Roux, the NewFarmers' MD, said R1 million worth of shares had been made available to workers and management, who had 18 months to ensure the financing as well as complete an extensive education and training programme.

The company was busy accessing R15 000 in settlement grants for each participating household from the department of land affairs. This would enable about 30 workers to finance their shareholding.

The olive project near Paarl was launched by Lord Cairns, the chairman of the Commonwealth Development Corporation (CDC), NewFarmers' largest shareholder.

South Africa's table olive industry is relatively new, but growth is up by 10 percent a year.

"The domestic market can be grown rapidly and there is good potential to compete on overseas markets," according to Stephen Hobson, the agricultural economist at NewFarmers.

He said the focus on the share equity scheme was a way to allow employees to take up ownership and be involved in decision making.

The olive project is the most recent investment of NewFarmers, which was formed in 1995 and is owned by various European development finance institutions, including the CDC and local financial institutions.



OLIVE, ANYONE? Lord Cairns, with Cape Olive worker representatives Christie Pieterse, left, and Bess Sise at the launch of the NewFarmers' olive project

PHOTO: ANDREW BROWN

Water rights ruling swung

~~(4)~~ (4)
Louise Cook
SD 19/3/98

SA's largest private dam — on a farm at Piketberg in the Western Cape — is to be officially opened in June after the farmer managed to swing a refusal by the water affairs and forestry department to grant him water rights in the Berg River.

Owing to the reversal of the decision after the intervention of Water Affairs and Forestry Minister Kader Asmal, the farm was being developed to provide at least 3 000 jobs during seasonal workers during the peak harvesting season and to export 1,4-million cartons of grapes by the end of 2002, farm manager Jannie le Roux said yesterday.

Le Roux said that when he first applied for water rights early in 1995, he was told all rights had been allocated and no further irrigation was possible. However, Asmal later argued that wasted winter flows could be used to create additional water rights.

A Western Cape water affairs and forestry spokesman said: "If there is a chance to boost development, everything should be done to create access to water."

'RACE RELATIONS ARE VERY BAD'

Community choked over senseless death

ET 19/3/98 (4)

DE DOORNS: The foremen who allegedly beat a farm worker to death were arrested but never saw the inside of a cell. The next day they were back at work, reports Special Assignments Team **ROGER FRIEDMAN** and **BENNY GOOL**.

ON Monday, a month after losing his job as a labourer on the grape farm Vandutie Kraal, Mr Wessel "Pieter" van Wyk returned to collect his unemployment insurance fund card. Two hours later he was dead.

Six hours later, farm foremen Mr Rudie du Toit and Mr Piet Maletta made a brief appearance in the De Doorns Magistrate's Court in connection with Van Wyk's death and were released on their own recognisance.

Interviewed yesterday, farm owner Mr Piet Badenhorst complains about the negative effect of the incidents on productivity: "Since Monday production is right down."

He shows the *Cape Times* a faxed letter of support for him and his foremen from a fellow farmer in the rich Hex River Valley, who likens the killing to the biblical tale of Moses' "righteous" struggle against alleged Egyptian tyranny. "It's easy for you newspapermen to come here and write an article, but what must my business do when 21 workers turn up drunk for work," says Badenhorst.

Badenhorst says he has not suspended his foremen from work, and disputes that they were responsible for Van Wyk's death. He doesn't have time to relate the true version of events, but he claims Van Wyk's father, also called Wessel, forgave him and his foremen, and is such a loyal worker that he didn't stop working after the death of his son.

Mr Wessel Van Wyk sen, however, tells the *Cape Times* that he now regards Badenhorst as his enemy, and fears that what happened to his son could happen to him. He is in the invidious position

that he lives and works on the farm, and has nowhere else to go.

"I am still staying on the farm, but I do not feel safe. It is very hard for me to work. I went to him (Badenhorst) and told him I was taking time off to mourn my son. He said I could stay at home until after the funeral."

The deceased Van Wyk's common-law wife Ms Jane Kruger said he left to collect his unemployment insurance fund card about 6.15am on Monday.

"About 9am I saw my husband, supported by his mother on the one side and another woman on the other, walking towards the house. His face was covered in blood, and more blood was coming out of his ears, his nose and his mouth.

"I asked him who hit him and he responded that he had not been hit. He was half-confused. I fetched the mirror to show him how he had been hurt. Then his mother went back to the store to ask my mother for some money to phone for an ambulance. When she returned, he was vomiting blood. Then his sister and I went to call an ambulance. When we came back he was dead."

Deputy chairperson of the ANC in De Doorns, Mr Anele Nyembe, who works at the advice office, says the community found it very disturbing that the two suspects were not locked in a cell and not asked to pay any bail.

"The Hex River Valley is said to be the richest area in the Western Cape, but race relations are very bad. The have-nots, who earn between R14 and R25 a day, are forced to put up with shocking treatment. And if they raise an eyebrow they are dismissed. We (the advice office) are going to support



A TIME OF GRIEF: Wessel van Wyk and his daughter Alisa with a picture of their dead son and brother.

the Van Wyks. Lawyers for Human Rights and the Centre for Rural Legal Studies have been informed and will support us."

Nyembe feels that although Badenhorst has not been directly implicated in the murder, he should take responsibility for his staff. After a worker on the farm complained of being assaulted about a year ago, the advice office had asked Badenhorst to fire Maletta, to no avail.

Detective Inspector Dawid Koen, the police investigating officer, says the suspects were not locked up because there was no need to. They were fortunate that the magistrate was in De Doorns



JANE KRUGER: "About 9am I saw my husband, supported by his mother on the one side and another woman on the other, walking towards the house. His face was covered in blood, and more blood was coming out of his ears, his nose and his mouth."

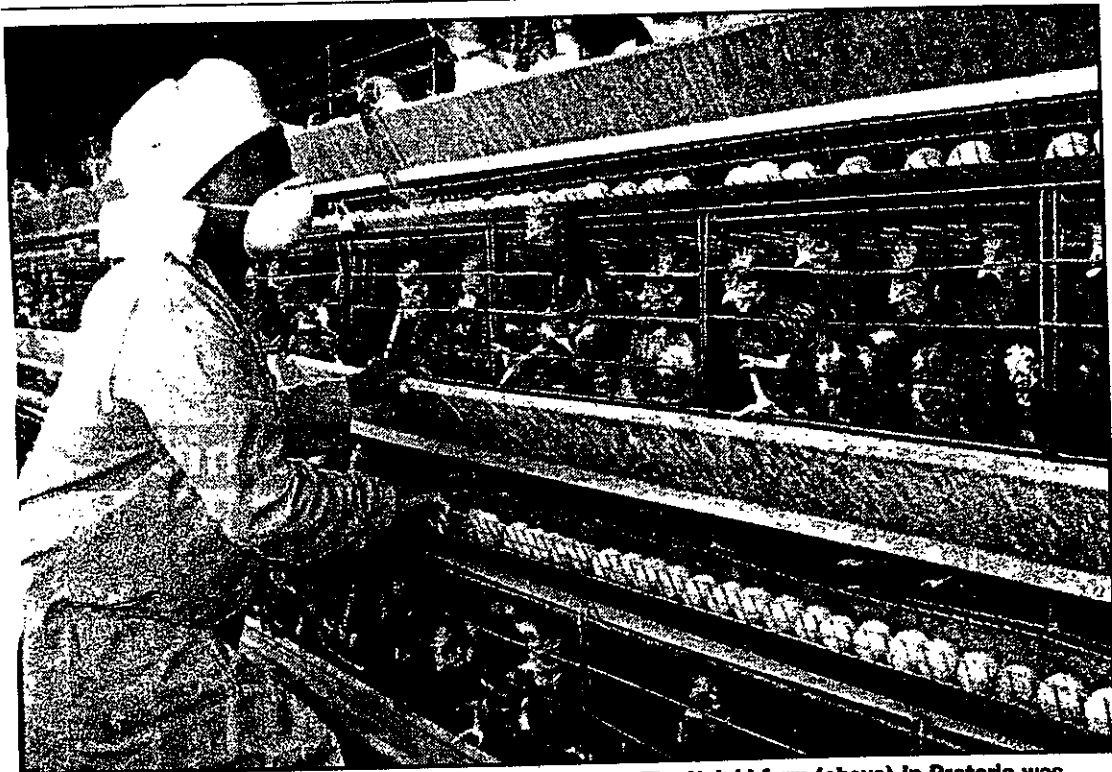
on Monday, or they would have been locked up until Wednesday. The magistrate visits De Doorns twice a week.

"With regard to the bail issue, I discussed it with my captain. We all know each other here, they

have steady jobs and fixed addresses. We would have treated a pair of black suspects just the same."

We speak to a valley farmer who asks to remain anonymous: "What's going on here is that the more things change the more they

remain the same. Western Cape farmers, in general, are very much still stuck in their old ways. The Western Cape is controlled by the National Party and there is no pressure being brought to bear on them."



Employees in the chicken industry are being empowered. The Nulaid farm (above) in Pretoria was handed over to the employees who have been working there for many years. Dell Farm, near Uitenhage, was also sold to its workers recently.

Workers take control of Nulaid egg farm

Sowetan 3/4/98
EGG giant Nulaid has formally handed over ownership of one of its successful farms, Dell Farm, to 12 of its employees for R6 million.

The ten-year deal has been financed by Boland Bank and is wholly underwritten by Nulaid. It will see the workers taking full ownership of the farmland, buildings, equipment and chickens.

The 395-hectare farm, with an annual turnover of R7,8 million, is situated 20 kilometres west of Uitenhage. It has 132 000 laying hens and produces 34 million eggs annually.

Commenting on the deal, Eastern Cape MEC for Agriculture and Land Affairs Max Mamase said it would allow the workers to say "farewell to poverty".

Dell Farm is the eighth farm in South Africa and the third in the Eastern Cape which sees workers benefiting from Nulaid's empowerment projects where farms are sold to workers.

Nulaid general manager Alan

Saunders said at the handover last week the signing of the deal would not see Nulaid "taking the money, putting it in our pocket and running away", but that his company would continue to work closely with Dell Farm's new owners.

He said Nulaid had undertaken to buy 85 percent of Dell Farm's production and it would continue to supply quality laying hens, management and financial expertise as well as technical support services.

Truck sales

Saunders said Nulaid had also sold off some of its transport fleet. He said the company's former employees had bought trucks worth R90 million from Nulaid and were now turning over nearly R10 million a year transporting eggs for the company.

Saunders said the deal would unlock capital that his company would use for developing other aspects of their operations which would lead to more job creation.

He said employees were selected for the empowerment project on the basis of experience and years of service with Nulaid as "they needed to know something about chickens".

Saunders said handing over operations like Dell Farm would improve productivity because the operation was "24 hours a day, seven days a week and 365 days a year" and ownership encouraged the kind of "care and commitment" needed to ensure the continued success of the operation.

He said in Europe it was normal for farmers to produce eggs under contract with a packer and therefore Dell Farm's relationship with Nulaid would not be unusual.

Mphefo Ramutloa, group public affairs and strategy executive for Nulaid's parent company Bokomo-Sasko said: "Bokoma-Sasko believes not only in creating wealth but also in sharing wealth with our workers.

"We hope this will set the pace for other agribusinesses."

Outraged plea for action after 'torture' of worker

By HANGWANI MULAUDZI

29/5/14/98

(4)

THE Trade Union of South African Authorities (TUSAA) is demanding an urgent meeting with Labour Minister Tiso Mboweni and Northern Province Premier Ngoako Ramathodi following the alleged assault and torture of a Potgietersrus farm labourer by two white farmers. The farmers, David Engelbrecht (45) and his 22-year-old son who bears the same name, were arrested this week for attempted murder after they allegedly beat farm worker Raphael Novele and dragged him with a tractor.

Novele was allegedly accused of dropping cotton that he was picking on the farm. The Engelbrechts allegedly tied him to a tractor and dragged him on the ground. The two were arrested on Wednesday and appeared in the Potgietersrus magistrate's court. They were released on R500 bail each and their case was postponed to April 29 for further investigation. Novele is in police custody under the Illegal Immigration Act. TUSAA general secretary Nakedi Mogale said things had come to a point where enough was enough. "We cannot sit back and watch the assault and killing of these poor innocent workers by greedy farmers. "We are calling on the government to intervene before we loose more people," said Mogale. He said the government intervened in the killings of white farmers and should also take social responsibility by intervening in the

current crisis.

Provincial Safety and Security spokesman Charley Nkadineng said he was shocked to learn about the gruesome assault on Novele.

"We have been particularly disturbed by reports that the two white policemen who were summoned to the scene never bothered to take the victim to a hospital but instead detained him on various unsubstantiated charges.

"We view the incident as a violation of the victim's most basic rights to security and protection," said Nkadineng.

He said the department had directed the Area Commissioner for the Bushveld to speed up investigations into the matter, with a view to applying appropriate disciplinary measures.



UNIONISTS WANT MEETING...
Labour Minister Tiso Mboweni.

Fruits of democracy denied on farms

(4) *Southern Star* 7/14/98

By Mathodi Malope

THE initiative of the National Land Committee, Centre for Applied Legal Studies and Legal Resources Centre to come up with concrete ways of dealing with evictions from farms is commendable.

Their farm eviction project is a great challenge and requires commitment and cooperation from all stakeholders in the agricultural sector. The European Union injected R2,5 million to get the project going.

But there is a need for more initiatives to supplement this project – in Mpumalanga, Northern Province, Free State and Eastern and Western Cape – to ensure that the process of addressing power imbalances on farms succeeds.

The history of land dispossession in South Africa still haunts the majority of people, who not only rely on the mercy of their employers for a roof over their heads but also sweat for a pittance.

The next generation, for whom education is a privilege rather than a right, is also facing the same fate. They are being deprived of quality education to ensure that they too will be kept as a lower caste to serve farmowners.

South Africa is supposed to be going through a process of reconciliation. However, some individuals seem set on undermining the whole process. Farmers, in particular, still ill-treat their employees.

There are those who are more than



Flashback ... farmworkers who were dismissed and evicted from a Kilprivier farm in 1995.

willing to contribute to the development of the poor and needy. But their good deeds are overshadowed by farmers who are not interested in making transformation and democracy in our country a success.

Trade unions trying to enlighten

members are set and evictions and verbal and physical abuse continue.

The issuing of eviction orders without proper investigation by the police, and some court rulings concerning evictions, indicate that courts either do not have a clue about the Extension of Security of Tenure Act (ESTA) or are intentionally undermining the Act.

This shows that a lot needs to be done to improve the lot of farmworkers. Access to police stations and courts does not guarantee justice or fair redress.

Farmers, on the other hand, have more resources to act when things go wrong on their side. They block roads and organise and form rural defence units.

To top it all, they get the Government to use its intelligence services to investigate and stamp out the killing of farmers. While one does not condone the killing of farmers, the lives of farmworkers are surely just as valuable.

The power imbalance on farms needs urgent Government intervention. Let us be careful not to create the

impression that some people are more equal and have more rights than others.

The ESTA is meant to ensure that people are not unfairly evicted from their homes but what purpose does it serve if the people who are meant to benefit from it do not even know that it exists?

The project of the non-governmental organisations will at least fill a gap in the capacity of the Government. The project will focus on crisis assistance, legal support and gaining long-term secure access to land for farm dwellers. One of its aims is to ensure that magistrates and lawyers know about the ESTA and its implications.

If farmers can get away with inhuman acts in this era, one wonders what happened before the advent of democracy. The Truth and Reconciliation Commission (TRC) should seriously consider investigating previous injustices and abuses on farms.

While most people take the TRC for granted, most – if not all – farmworkers do not even know it exists. The TRC needs to seriously consider paying attention to their plight.

The Speak Out on Poverty hearings, an initiative of the Human Rights Commission, Commission on Gender Equality and South African NGO Coalition, may be another alternative to ensure that rural people are also given an opportunity to tell their story.

(The writer is the media and publicity officer of the National Land Commission.)

Tenure bill may crush best intentions

Nicola Jenvey

(4)

MD 8/4/98

DURBAN — The Extension of Security of Tenure Bill, which favours the rights of land occupiers rather than owners, could reverse the good intentions companies had in providing accommodation, schools, clinics and crèches to allow plantation employees to live closer to work, said Alan Wilson, Masonite (Africa) chairman and MD.

He said in the company's annual report the bill, together with the Prevention of Unlawful Occupation of Land Act — which did not give the landowners protection (as intended) from illegal land occupation — the National Water Bill and the Forestry Act, were four pieces of legislation destined to affect the forestry industry this year.

However, he believed the interaction between government and the Forest Owners' Association was essential in the light of these planned changes.

Tight trading conditions and a general lack of economic confidence pulled down Masonite's attributable income 6% to R10,9m in the year to December.

Headline earnings fell to 161c a share (1996: 171c) and a 33c (30c) final dividend was declared, lowering the total to 41c (42c).

The company's exports boosted sales 9% to R239,6m on a marginally improved operating income of R25,7m (R24,7m).

Wilson said forecasts for this year were "not encouraging" with gross domestic product growth expected to be lower than last year.

Although inflation was under control and interest rate cuts in the pipeline, these might come too late to influence consumer spending.

However, Masonite had a wide product base with a well established export operation.

Cost reductions and new product development remained the committed focus of management and the installation and commissioning of the new computerised saw at the Estcourt mill would enhance productivity, he said.

Detail trade

Differing views about attacks on farms

Star 15/4/98

(4)

By RYAN CRESSWELL

The shooting of baby Angelina Zwane on an East Rand plot at the weekend was just one incident in a long history of assault and murder by farm owners, according to farm employees' unions.

But employers' unions say such incidents should not be placed at the doors of farmers as a whole as they were isolated incidents of criminal behaviour.

A Benoni farmer is accused of shooting the 6-month-old baby in the head while she was being carried by her 11-year-old cousin Francina Dlamini on his property. Francina was wounded.

The shooting has outraged communities and goaded politicians into action.

But attacks by farmers are not rare. At least six labourers or community members have allegedly been murdered or seriously assaulted by farmers in the past few months.

Most recently, Potgietersrus farmer Dawid Engelbrecht and his son were arrested this month after farmworker Raphael Novele was injured after being beaten and dragged behind a tractor, and Free State priest Albert Mfuphi was shot dead in February, allegedly by a farmer.

And according to Domestic and Allied Workers' Union of South Africa secretary-general Meshack Getyes, assaults and murders by farmers in South Africa stretch back for decades.

He said the killings and assaults peaked during the "state of emergency years" in the 1980s and then dropped off a bit.

"There have been hundreds of attacks by farmers on rural employees since the early 1980s. But we are trying to get workers to learn their rights. Young farmers are also changing their attitudes now, largely because of new laws and actions taken by employers' organisations."

Getyes said the rate of attacks today was probably about the same as in the early 1990s, but now more incidents were being reported.

However, National Union of Farmworkers national women's co-ordinator Sophy Mandavha believes there have been more such attacks in the past year. She said women workers on farms were often mistreated, and most abusive incidents were not reported as workers were isolated and did not know their rights.

Mandavha said it was difficult to say what effect employer brutality had on the high rate of attacks on farmers and their families. "But an incident like this (the baby killing) is totally against basic human rights, and people would get upset. We are going to speak to our legal unit and to other unions. We must protect the children."

The Human Rights Commission has taken note of the killing and may probe the incident.

The SA Agricultural Union is worried that the latest murder could damage relations between farmers and communities. Spokesman August du Preez said: "To most farmers, their workers are very special."

SAAU president Chris du Toit has condemned the shooting.

Union leaders allege long history of brutality on farms

ARGUS CORRESPONDENT

Johannesburg - The shooting to death of baby Angelina Zwane on an East Rand plot was just one incident in a long history of assault and murder by farm owners, union organisers claim.

But employers' organisations say such incidents should not be placed at the doors of farmers as a whole.

Benoni farmer Nicholas Steyn apparently shot the six-month-old child while she was being carried by her 11-year-old cousin, Francina Dlamini, on his property. Francina was injured during the shooting.

The shooting has outraged entire communities and prompted politicians into action. The Human Rights Commission may investigate the incident.

Such attacks by farmers are apparently not that rare.

At least six labourers or other individuals have allegedly been seriously assaulted or murdered by farmers in the last few months.

And according to the general secretary of the Domestic and Allied Workers' Union of South Africa, Meshack Getyes, assaults and murders by farmers go back decades.

He says the killings and assaults peaked during the "state of emergency years" in the 1980s and then dropped off.

National Union of Farmworkers national women's co-ordinator Sophy Mandavha said it was difficult to say how much of an effect employer brutality had on the high rate of murders of farmers and their families.

The South African Agricultural Union is worried that the latest killing could damage relations between farmers and different communities.

Union president Chris du Toit said: "The reckless use of firearms in situations where human life is threatened is regrettable and the law must take its full course in these and similar cases."

AR 15/4/98

(43)

FRUITS OF LABOUR

Workers' first wine sweetens months of toil

ST (CM) 26/4/98

(4) ~~2~~

A GROUP of proud farm labourers notched up a first in the South African wine industry when they released their maiden vintage under their label, Freedom Road, at Backsberg Wine Estate near Paarl last week.

The wine, a classy white, will go into retail outlets and the record books as the first produced by estate workers.

Releases by similar management-worker initiatives — Klein Begin at Nelson Creek and Fair Valley on Fairview Estate — are to follow next month.

Over a glass of their wine, Dina Dirkse, spokeswoman for the 17 farm workers behind the Freedom Road label, talked about the 18 months of hard labour that lay behind their triumph.

They have spent every weekend, public holiday and spare moment working in the 14-hectare vineyard they lease from wine farmer Pieter du Toit.

"It's what we call a *moeg storie*," says Dirkse.

"People would ask: 'Why are you working on a Saturday?' Now they know. We're working in our own vineyard, growing our own grapes, producing our own wine."

Now that the harvest is in, Dirkse has resumed running the farm *creche*.

Like those of many other members of the collective, her family's history is bound up in Backsberg. Dirkse was born on the estate and her father worked the vineyards for 40 years.

Doon Stevens, Backsberg's assistant cellar master, has lived and worked on the estate for 50 years.

As senior assistant of the collective vineyard, he was responsible for nurturing and harvesting the sauvignon blanc grapes for Freedom Road's first white wine. He also supervised the growing and picking of the premium cabernet sauvignon grapes for the red wine now maturing in the barrel.

"The first grapes — that was a day to remember," the grape-pickers say.

"When the first cheque came, we forgot all about the hard work."

Sandra Moss, a cook and gardener on the estate, sketched the label. It shows a golden path leading to a sun dawning in the vineyards.

The name of the label was inspired by the title of President Nelson Mandela's autobiography, *No Easy Walk to Freedom*.

In another first, the wine is to be stocked soon by a UK supermarket chain that is keen to support the initiative.

The profits from domestic and export sales will fund a housing scheme, under which the workers in the initiative will gain title to land and better homes.

Written on the label on the back of the bottle is a letter explaining that Freedom Road means more to its growers than sales and profits: *Dear Friend, The grapes used to produce this wine came from vineyards tended by ourselves, in our own time and for our own benefit... Your enjoyment of this bottle brings us closer to the magic of owning our own homes.*

"We will be breaking the traditional tie between the insecurity of farm housing and

employment," says Michael Back, owner of Backsberg Estate.

He is providing bridging finance and winemaking and marketing skills for the workers. Support is also provided by the

government.

"It's easy to make wine, stick on a label and put it on the shelf when everyone makes a collective effort and works together," Back says.

"Ours is a family

business where people have worked for generations, like my father and the workers' fathers.

"We are trying to put things right."

GRAHAM HOWE



of Backsberg Estate, and Doon Stevens, Picture: RICHARD SHOREY

NETSWEAT 800263/1

20 000 jobs May 1 a 'half-holiday' on farms in balance

BLACKMAN MOKORO
STAFF REPORTER

(4) AR 6/14/5/98

In a Workers' Day message, Western Cape Premier-designate Gerald Morkel said 20 000 jobs would be lost should the African National Congress-dominated Government decide to move Parliament away from Cape Town.

The estimate included employees in the lower ranks of Parliament such as cleaners, typists and messengers and thousands more outside Parliament.

Businesses like printers, taxis, hotels, supermarkets and the media would be affected severely. "Damage to our economy will be permanent and severe, extending far beyond the actual loss of Parliament."

Mr Morkel urged the ANC to make an early announcement of its decision - to end the insecurity which the current indecisiveness was causing - Political Staff

Only about half the country's farm workers are celebrating Workers' Day today, partly because the South African Agricultural Union does not "attach special meaning" to it.

But Albert Ferrus, regional legal officer of the newly formed South African Agricultural Wine Farm and General Workers' Union, said: "For the first time we are going to march, as we can now belong to a union."

"This is a very conservative area. We are looking at farm brutalities, police action, victimisation of workers, and farmers preventing workers from joining unions."

The union, with a membership of 1 200, is based in Bonnievale. Kobus Kleynhans of the SAAU said his organisation encouraged members to apply the provisions of the new Basic Conditions of Employ-

ment Act, as well as those of the Labour Relations Act.

"If workers don't get holidays, employers must pay them. There are some farmers, however, who don't abide by the law, because they may be ignorant of it, but most do."

"There are some thorns in the new Basic Conditions of Employment Act, such as the question of working hours. At certain peak months in a year the workers work very long hours. But that is balanced during the low seasons, when they work very short hours."

"Sometimes the act hurts the farmer, and he may be forced to go the mechanised way."

Anthony Dietrich, regional organiser of the Congress of South African Trade Unions, said that in spite of this being the fourth Workers' Day since 1994, few farmers recognised farm workers' rights. During Cosatu's "autumn offensive" last month, a national drive for

membership, organisers said they had been denied access to many farms in 10 farming districts in the Western Cape.

Mr Kleynhans attributed this to "insecurity" among farmers caused by the Security of Tenure Act.

"Farmers don't know when somebody will demand a piece of his farm. But we do inform the farmers of their rights and duties," he said.

Mr Dietrich claimed that the relationship between farm workers and farmers was inherently "violent."

"The farming sector has been extremely difficult to access. The level of intimidation to which workers are exposed is high."

"We could meet workers only off the farms and only at weekends when farmers took them in to town for shopping."

"The farmer tells the worker what to do, when to do it, how to do it. The workers are vulnerable, and an extremely frightened lot."

Lack of funds forces foundation to close (4)

Linda Ensor

22/11/98

(24)

CAPE TOWN — The Rural Foundation, established to promote the upliftment of farmworkers and rural communities, would close its doors this month after 15 years because of a lack of funds, foundation chairman Ronnie Baskind said yesterday.

However, its work would be taken over by various independent trusts and community development associations set up by the foundation to administer its primary health care and preschool projects. These included the Centre for Integrated Rural Development and the Rural Health and Education Trust.

Baskind attributed the financial crisis to the diversion of foreign donor funds to the new government, the cutback in government funding and the resistance of enlightened commercial farmers to investment in infrastructure in a context of perceived government antagonism towards them. Baskind estimated that the commercial farmers with whom the foundation had dealings had invested about R24m in schools, houses and other community facilities each year. They were reluctant to do so now in the light of their uncertainty over government land and labour policies and their feeling that it was the duty of the new government to fulfil its promise of delivery.

At its peak, the Rural Foundation delivered services to 1.2-million people involved with 130 self-help organisations.

Political struggle for

Platteland hots up

NP supporters fear status quo threatened

The struggle over who's the boss on the platteland is hotting up.

Later this year a High Court judge will make a decision that could alter the balance from "baasskap" politics to those of the workers in rural areas.

The contenders are mostly pro-National Party farmers on one side, and mostly pro-African National Congress rural workers on the other.

At issue in the High Court are amendments to the Local Government Transitional Act, which have changed the basis on which rural and municipal councils are represented on district councils.

The Western Cape provincial government has so far refused to implement the amendments.

The Western Cape platteland is presently governed by seven district councils, which form umbrella authorities over various rural and town councils.

District councils are made up, on a 50-50 basis, of members of rural councils and of transitional local councils or municipalities.

There is a tendency for the municipalities to have a majority of former farm workers who support the ANC, while rural councils tend to consist of farmers who mostly support the NP.

If successful, the government's High Court challenge will change the 50-50 basis of the district councils' make-up.

The government believes the status quo benefits the NP-supporting rural councils, because they have equal representation on these councils, in spite of their relatively small numbers in relation to the number of people who elect municipal councils.

The NP-dominated Western Cape provincial government, and most of

INSIDE STORY



An impending High Court decision could have a profound influence on farmers and their workers

reports BLACKMAN NGOHU

the seven district councils, naturally want the status quo retained.

Says Fanie Booysse, shebeen owner and ANC mayor of Grabouw: "The present system gives an unfair advantage to the farmers, who make up several rural representative councils."

Should the court agree to switch the basis to one of proportional representation, the numerically stronger residents of rural municipalities would achieve the balance of power in the countryside.

Michael Brewster, an official with the provincial government's local government department, said the court case would be heard "any time soon". The case first came on to the roll in March, but was opposed by the provincial government.

Attorneys representing national Provincial Affairs Minister Valli Moosa are petitioning the court for a new date.

Neil Hammond, the chairman of the Breë Rivier District Council, which covers the Worcester area, however, said his council had no problem with the current system.

"At this stage we have no problem - we have been 50-50 from 1984, and will be in the next election."

If the system were overturned by the court, he said, "we would be happy to stick with the court's decision - but we will react according to how the Western Cape Minister of Local Government instructs us, as we are directly under him".

Gerrit van Rensburg, who chairs the Outeniqua Rural Council, the Southern Cape District Council, which is in George, and Agriculture in the South African Agricultural Union, said he would abide by any court ruling.

But, he said, the advantage of the current system was that, on his 10-seat rural council, eight elected seats went to political parties, while the remaining two were appointed, one going to a farmer and one to a farm worker.

The main political party on the platteland was the NP.

"I'm worried, however, that, if we get the proportional representation system, farm workers will no longer have unselected representation. All seats will go to political parties."

The regional secretary for the South African Plantation and Agricultural Workers Union, Manie Damon, said farmers were intent on keeping to proclamation 152, the proclamation that entrenches the 50-50 ratio of district councils.

"It works better for them (the

farmers) than for us. The appointed worker on the council merely listens to what the landowners say."

Mr Damon is also a councillor in the Grabouw municipality.

"I believe the Western Cape government's stance on proclamation 152 was largely influenced by farmers, because farmers believe their majority will be threatened by the proportional representation system," he said.

Fanie Booysse, mayor of Grabouw, said one of the reasons the ANC sought to change the status quo was that farmer-dominated district councils were not addressing the problems of the majority.

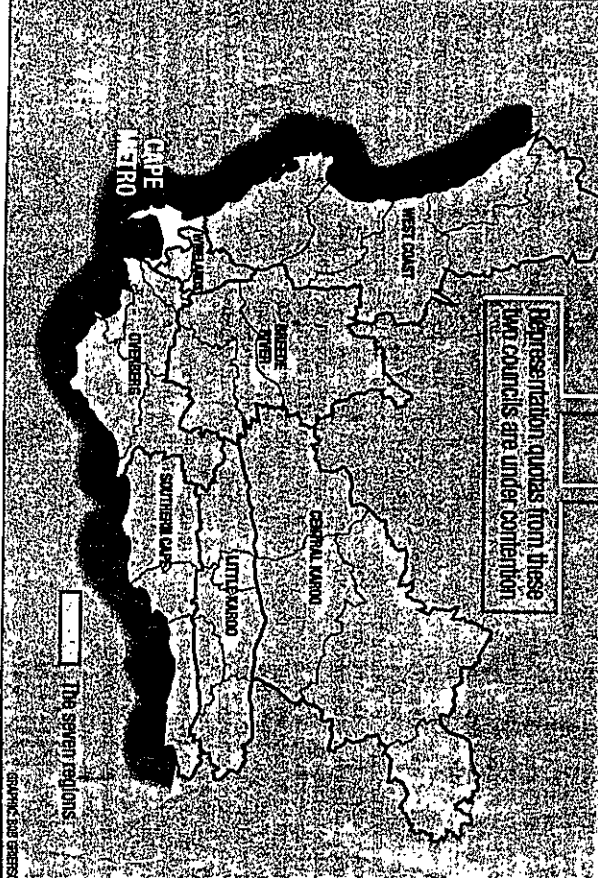
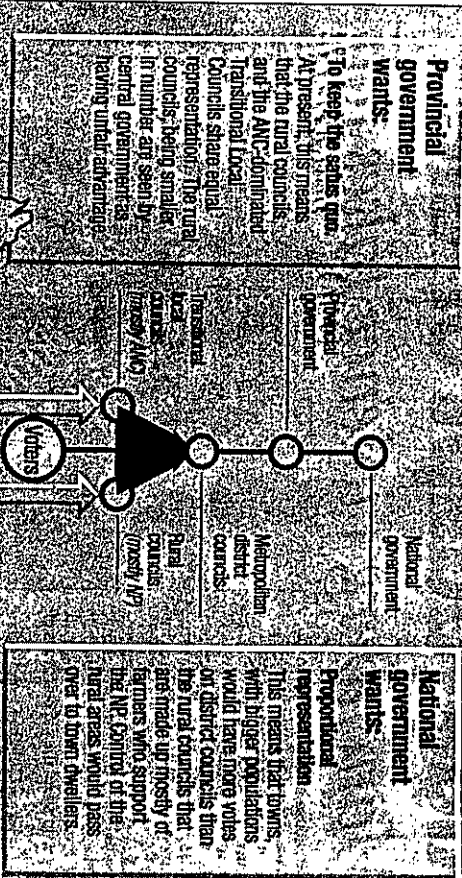
For example, ever since the Security of Tenure Act had come into being, farmer-councillors with whom he set on the Overberg District Council had consistently "dumped" workers in the town.

"We are faced with a problem of assisting those people with housing and other amenities from our own budget. In the meantime, the District Council doesn't contribute anything to our needs. They are just using the low-income people as a labour reserve, but don't want to contribute to development of the town."

He claimed the Overberg District Council had R15-million he described as "surplus", but that the mainly white councillors had vetoed all proposals made by the African and coloured councillors. "We live in the squatter camp, where fires break out

Abt 25/10/98

RURAL REPRESENTATION UNDER FIRE



occasionally. Why can't we build houses with the money?"

Rural representative councils were also accused of not monitoring evictions of farm workers from farms. Said Mr Damon, who works in the same office as Mr Booysse: "How can they monitor evictions when it is the

same people, the farmers, who sit on the councils and who are breaking the law?"

Jason Whyte, a labour and human rights lawyer, said district councils should regulate evictions on the farms, but claimed farmers had scant regard for the Extension of Tenure Act.

"They don't give notice to farm workers. They are also evicting people who have been on the farms since their childhood. They are evicting people. But they will be forced to stop this under the legislation. He said his firm was dealing with 12 eviction cases at any time."

The survey explains

AMPHIBIAN PRESS

Concern over 200 000 juvenile labourers

Star 3/6/98

(4)

Pietersburg - More than 200 000 children were being used as child labourers on farms in Northern Province and Mpumalanga, the Institute for Applied Labour Law and Farmworkers' Research said yesterday.

Farmers along the borders between South Africa and neighbouring Mozambique and Zimbabwe were particularly guilty of hiring children, institute spokesman Philip Lebopa said.

"This can be attributed to illegal border crossings because these children come from poverty-stricken families (across) the border and are prepared to work for meagre wages."

He said children were subjected to harder work than adults and were paid less.

"It's usual to find that a

child works for R5 a day, while an adult doing the same job earns three or four times that amount."

Lebopa said child labourers eventually suffered physically, psychologically and economically and felt inadequate when socialising with their peers.

"These children do not grow up normally, as their school-going peers do, and feel inferior when mingling with them."

He said the institute was gathering data on the extent of child labour in the two provinces before trying to devise solutions.

It was forced to stop operating for two years due to financial constraints, but started up again last year after receiving funding from international donor Norwegian Peoples Aid.

Sapa

...it will replace it with ...

'Nats, farmers in vote deal'

ANC man claims workers are intimidated

BLACKMAN NGORO
STAFF REPORTER

White farmers have entered into a sinister pact with the National Party over next year's elections, claims an African National Congress member of the Western Cape provincial legislature.

Garth Strachan, who attended last week's Speak Out On Poverty hearings in Ceres, told the Cape Argus that, in exchange for backing the farmers, the NP expected white farmers to deliver the farm worker vote.

Providing places to live and jobs gave farmers a hold over their workers. He said white farmers held the threat of firing and eviction over workers who thought or behaved independently.

Mr Strachan directed much of his fire at former national agriculture minister Lamplie Fick, now the Western Cape provincial Finance and Agriculture Minister.

"The Extension of Security of

Tenure Act is not being implemented on white farms because the NP is subverting it with other measures. Conditions for farm workers are terrible. Evictions are taking place daily. We have no access to farms because the farmers don't want the farm workers to think independently," he said.

"The farmers have huge power over farm workers and are holding them hostage. Farmers intimidate workers as to who they should vote for. Essentially what is happening is that the National Party will support farmers all the way and farmers promise to deliver the workers to the National Party.

"The NP is blocking development of coloured and African workers through the Development Planning Bill. The Labour Relations Act is blocked. Land restitution and support for farmers is also blocked," claimed Mr Strachan.

Mr Fick denied the allegations. "I'm a straight-dealing man. I'm not trying to subvert the national

legislation at all," he said.

Mr Fick's last provincial portfolio included development planning from whence originated the formulation of farm housing policies.

"There are no guidelines in terms of the implementation of national legislation. The Extension of Security of Tenure Act affected the farmers negatively. We are trying to give confidence to the farming sector."

The Extension of Security of Tenure Act provides for workers who have lived on farms for a certain period to be allowed to retire there with their own piece of land.

Mr Fick said his department had come up with four models of accommodation for farm workers, including on-farm and off-farm accommodation in "agro-villages" still to be established. He will present the models to the provincial legislature this week.

He said that last year the province had lost 10 000 jobs alone, mostly in the farming sector as a result of the

Extension of Security of Tenure Act.

Frik Bosman, spokesman for Western Cape Agriculture, the farmers' association, said there had not been enough consultation on the formulation of policies about to be put before the provincial legislature.

Only farmers had been involved at the 16 workshops in the 16 regions of Western Cape Agriculture.

But Mr Fick said: "If there was not enough consultation, so be it. We set out to put together the policies so that there could be public debate. The fact that one person says there wasn't enough consultation doesn't invalidate the effort."

An organiser for the South African Agricultural and Plantation Workers' Union, Rivin Shuma, said his organisation had not been consulted on the impending policy.

"There was no consultation with this union. How can the provincial government come up with policies binding on workers yet not consult with workers' representatives?"

Peanuts pay for baboons

Eastern Cape firm calls labourers 'stupids', 'baboons' in pay slips

AN EASTERN Cape construction company, P M Booyesen, has been accused of categorising its labourers as "stupid", "slow" or even "baboon type".

The categories appear on the company's pay slip.

The document titled "Artisan Rate" shows different pay structures for artisans, operators and labourers and the different rates for workers deemed to range from "top class" to "baboon type".

A "top class face hand" was to earn R13 an hour or R117 a day.

However, a "stupid/slow/baboon type" would earn R4 an hour or R36 a day, as opposed to a R5 (R45 a day) for the "good but slow baboon types".

Pieter Booyesen, P M Booyesen Construction director, confirmed the pay structure sheet came from his firm, "but it was written by one of my foremen".

Booyesen, however, denied the terms were racist.

He claimed he could not remember the exact terminology used on the rates sheet, but later said the terms were used for "easy understanding by foremen who had thought in that frame of mind for the past 40 years".

Booyesen said the expressions were used to refer to someone who was not skilled.

He said the company did not approve of the wording of the rates sheet, which was not intended for public distribution.

Booyesen said he would head for the construction site to deal with the problem, which could include a disciplinary hearing.

The matter was brought to the Press by Sekumpana Shabalala of the advice centre in Matielale.

Locat - ARTISAN RATE / 21st Day

A) Top class Face Hand	R 12.00/hr	=	R 117.00 Day
B) AS ABOVE BUT SLOW	R 11.00/hr	=	R 99.00 Day
A) Good Electrical	R 7.75/hr	=	R 70.00 Day
B) Slow Electrical	R 1.00/hr	=	R 34.00 Day
A) Good (Slow) Masonry	R 5.00/hr	=	R 45.00 Day
B) Slow (Slow) Masonry	R 4.00/hr	=	R 36.00 Day

cc. Candy Collins

RUBIN

THE REGISTERED ACCOUNTING OFFICE
JACKS BURN FIVE
NORTH END, WEST LONDON

Shabalala said the complaints about the East London based company had "shocked, embarrassed and annoyed him".

He said the company had been given the tender to build the Square Market Complex in Matielale by JSE-listed Johannesburg financial giant Investec.

The subsidiary merely used the building services of P M Booyesen. Rubin said they were unaware of any racist terminology used by P M Booyesen.

LIKE IT IS... A copy of the pay categories as they appear on the pay slip of the P M Booyesen Construction company. It shows different pay structures for artisans, operators and labourers as well as the different rates for workers deemed to range from "top class" to "baboon type".

He said Investec was not responsible for the actions of builders who took on their projects. Shabalala told a story of labourers who claimed they were being referred to in derogatory and racist terms, and paid less than what they had been promised.

The labourers had provided Shabalala with the pay rates sheet. Shabalala appealed to the authorities to "teach the company a lesson" in order for it to change its attitude towards its workers.

He said people did not have to be called "stupid" and "baboons" simply because jobs were scarce and they had to survive - ECN

See statement by Pieter Booyesen of P M Booyesen Construction (Pty) Limited in the next column

HRC hears of alleged abuse of farmworkers

KENNETH MULLER

(4) Mar 21/11/98

Claims of maltreatment at hands of farmers, security firms and police

BY RYAN CRESSWELL

Josephine Denga of Messina in Northern Province was convicted for stealing firewood and fined R800 or two months in jail.

But before she was taken to a police station, she told the Human Rights Commission that a farmer had assaulted her, ordered a dog to bite her, detained her for hours, and made her strip and lie in a coffin. The farmer was never charged.

Denga was one of a number of residents and farmworkers in the Messina area who made claims of abuse and bias from farmers, private security firms, police and even magistrates in August.

On Thursday and Friday last week, in sweltering heat at the local Agricultural Hall, police and farmers who were telling the HRC their side of the story denied many of the claims and said there was no proof of others. But workers and residents stood by their claims.

Attorney Jan Hammann, acting for farmer Rudolf Schutte, of Leeuplaas, said Denga had fabricated the tale of pain, indignity and terror because she wanted revenge for the steep fine she received after stealing wood in April 1997. He said there was no medical or

police documentation to back her claim.

"What I said was true," said Denga.

HRC chairperson Barney Pitsoana wanted to know why it took Schutte at least five hours to get Denga to the nearby police station.

In another case, Maswiri Boerdery farmer Andries Fourie told the commission he was forced to detain various residents and workers in two rooms on a number of occasions because they had placed snares on his property.

"We sometimes collect bakke-loads of snares," he said.

But former workers on Fourie's farm said he accused some of them of being Zimbabwean and then fired 200 of them after they joined a union and went on a three-day strike.

They said the union leaders had not helped them out since February, when they were told to strike; even though they had had to go to court at least six times on charges of trespassing and resisting arrest because they remained on the farm with their families.

Fourie has apparently hired Zimbabwean workers to replace them as part of a special short-term arrangement for the region undertaken by the Department of Home Affairs.



Terrorised ... Josephine Denga said a farmer made her lie half-naked in a coffin.

Farmers around Messina, who mainly grow oranges and other fruit, believe that Fourie was a model farmer who upgraded conditions and got into trouble only when unionists appeared.

There are almost no attacks on farmers in the area but many petty crimes are committed.

Allegations of serious human rights abuses in the area surfaced at the Poverty Hear-

ings in the middle of the year, and then the HRC took things further.

Claims in front of the commission ranged from security guards beating people with canes, electric shock treatment and detention, to repeated refusals by police to hear both sides of the story.

Shirhami Shirinda of the Nkuzi Development Association, which helps farmworkers

in disputes with landowners, spoke after the hearing of a case where drunk farmers accused a worker of stealing and then allegedly placed him in a cold storage tank, where he died.

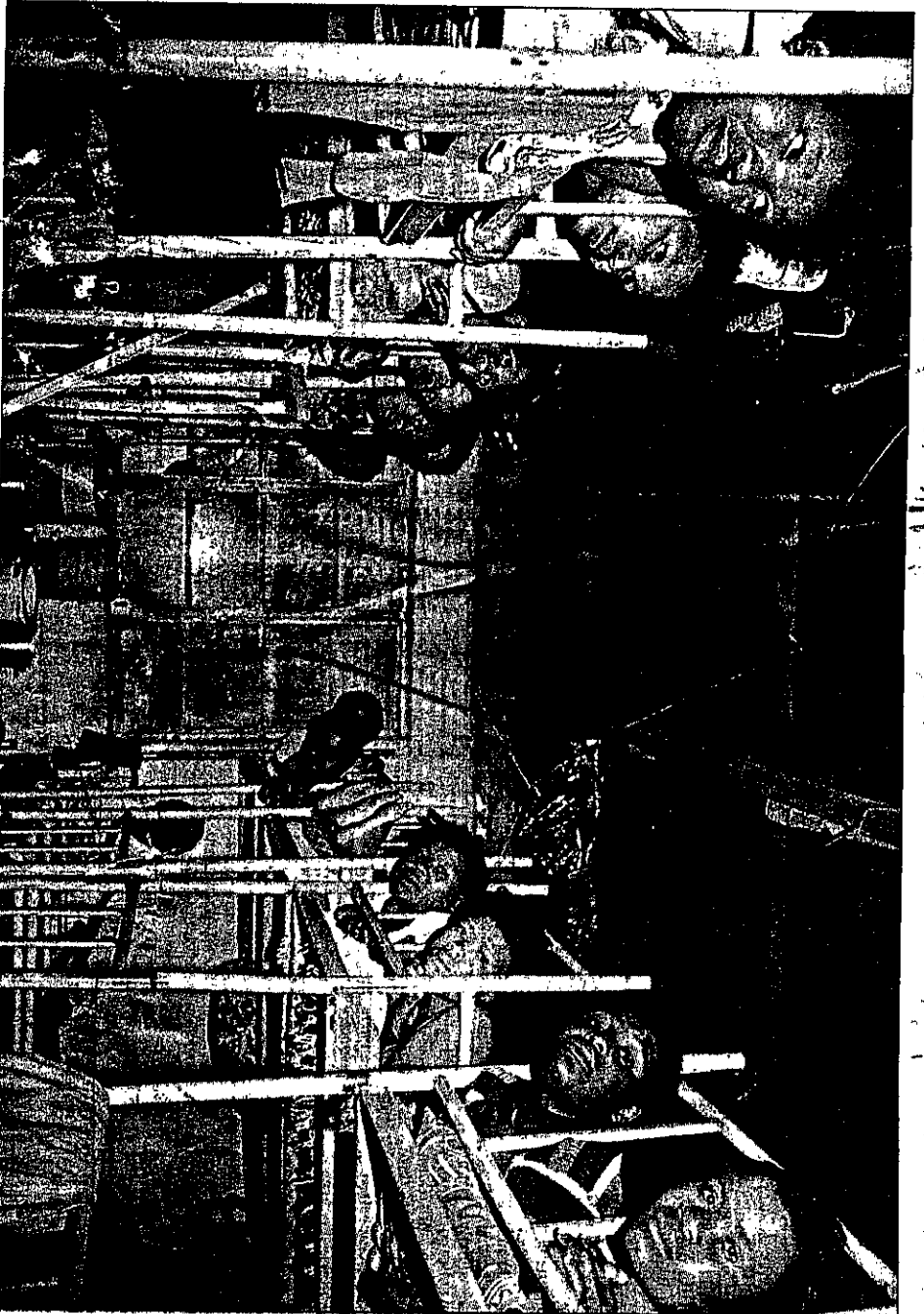
He also alleged that on another occasion two boys accused of poaching were beaten and placed in cold storage, and a man was shot in the leg during a pay dispute.

The HRC will probably hold one more short hearing in the region and then release a report on its findings.

This week the HRC moves to Durban to look into the plight of streetchildren in the city.

Legal head Mogam Moodliar said there had been allegations about the methods used by police and traffic officers to get the children to places of safety.

SLAVE LABOUR



By SHALLO MBATHA

There are farmworkers labouring in conditions of near-slavery on a farm in the Free State, a *Saturday Star* investigation has found.

Hundreds of women are hired as migrant workers to pick asparagus on a farm owned by Gert van Doornick near Beheklem. All are desperate to send money back to their poverty-stricken families in North West Province, Transkei and Lesotho. Their

See Slaaving Away in the Free State - Page 7

average earnings are less than R200 a month each, with some receiving as little as R4,50 for a full month's work.

If they are too sick to work, they are paid nothing.

Desperate for money and hungry, the women - some as young as 16 - have sex with soldiers from a nearby army camp for as little as R10 or for half-over food and fruit.

The women, who are known to Van Doornick only by their work numbers and not by their names, work from dawn to sunset, with only a 45-minute break. Their two meals a day consist of pap and beans, with cow offal thrown in at weekends.

The women, segregated by language groupings into six dormitory buildings, are forced to sleep two to a bed in

Photograph: NEO NRSOMA

cramped, damp, unhygienic conditions. There are no toilets and the water supply is from a plastic pipe.

Women who have sex with soldiers do so in front of the other women in their dormitories.

Van Doornick said the workers were lucky to have jobs, while the chairman of the Free State branch of the SA Agricultural Union, Dr Piet Gouws, dismissed the *Saturday Star* report as "bullshit", before slamming down the phone.

Star 28 11/98

(4)



THE WORKERS:

Left: Two women have to share one bed in the compound. Above left: Workers wait their turn in the fields. Above right: Cooking is mostly done outside. Often the women are so hungry that they sell themselves to local soldiers for sex in return for oranges and apples.

a farm in the Free State

and get meagre pay harvesting asparagus (4)

Star 28/11/98

bananas. Later in the evening, the local police also arrived.

The women were very excited and said the soldiers treated them very well, giving them extra money and bringing leftovers from the base, which they hand over for sex.

They are the best and regular customers and call the place "Field 17".

"At least, they always pay, rather than Machakachaka," said Thembeke, as the women laughed. Some soldiers told the girls not to speak to us because we would bring trouble.

An unfazed Van Doornick said his workers ought to be thankful because he gave them jobs and free food.

"As for the wages, I pay people according to their abilities - the harder they work, the more money they make. I am not keeping anyone here against their will," he added.

Van Doornick is chairman of the asparagus farmers' association. His produce is mainly exported to Europe, but also sold in South Africa.

Dr Piet Gouws, chairman of the Free State branch of the SA Agricultural Union, responded with surprise.

"As far as I am concerned, that is bullshit. Are you sure of your facts? There is no one who can treat their workers like that. Once you get your facts straight, fax me," he said - and put down the phone.

Getting a sensible response from the Free State Department of Labour was no easier. A spokesperson who would only give his name as "Mister Mokoe-na" said there was "nothing I can do".

He said the head of the section was on leave and that he himself was also going on leave.

"If they have a problem, they must go to town and report it. Then we will send an inspector."

He did not seem to be concerned that the workers had no transport, felt intimidated and did not know how to find his office.

Messages left with the national Department of Labour were not returned. Neither was there any feedback from the national Department of Agriculture or its Free State provincial counterpart.

National Lands Committee deputy director Dave Husy said: "The situation is shocking but, unfortunately, not unusual.

"It is illegal to treat people this way. The government is quick to pass legislation that it cannot police. Even when it has prosecuted farmers, they get away with limited fines. Unfortunately, most workers on the farms are not aware of their rights."



dormitories. The 3m-long sheds sleep 40 women each. A low-voltage naked bulb provides light.

There are no bathrooms or toilets. Running water is brought via hosepipe from a nearby stream.

The kitchen has no roof, just loose-fitting plastic sheets. It is infested with rodents and flies, and there is a smelly puddle of stagnant water with mosquitoes. A wood fire is made on the floor where the pap gets

Story: SHALO MBATHA
Pictures: NEO NTSOMA

cooked in different styles - doughy for the Sotho; stiff for the rest. The beans are cooked in the open.

Some of the women, especially the older ones, work in the processing plant on the estate. They use bare hands to wash the asparagus at minus 5C.

Some of the women said the farmer, Gert van Doornick, is very violent. He "shouts, hits in the face

and kicks us. We feel sorry for the older women because they can't run away when he attacks."

Recently, six workers were injured when a truck fell into a ditch. Nomp Gonyana (26) broke a leg and cannot walk because she hasn't earned enough money for medical treatment.

"I'm really worried because they are starving back home. I can't send money that I don't have. Please help us if you can," she said tearfully.

Women in the dormitory housing the SeSotho-speakers said the living conditions were better than no job in Lesotho. They showed me their lapsed passports and said they bribe immigration officers for R89 to get into Lesotho.

The Tswana-speakers said they wouldn't speak to me because I had talked to the others first.

As we chatted, soldiers from the nearby base, which accommodates 22 Squadron of the army's Corps of Engineers, arrived with oranges and

The rights and wrongs of rural life

RYAN CRESSWELL

AREUS CORRIE/REPORT

FRS 16/11/98

Johannesburg - Josephine Denga of Messina in the Northern Province was convicted for stealing firewood and fined R300 or two months in jail.

But she told the Human Rights Commission (HRC) that a farmer had assaulted her, ordered a dog to bite her, detained her for hours and made her strip and lie in a coffin. The farmer was never charged.

Ms Denga is one of a number of residents and farm workers in the Messina area who have made claims of abuse and bias against farmers, private security firms, police and even magistrates.

Recently, in sweltering heat at the local Agricultural Hall, police and farmers denied many of the claims and told the HRC there was no proof of others.

Attorney Jan Hammann, acting for farmer Rudolf Schutte of Leuphaas, said Ms Denga had fabricated the tale of pain, indignity and terror because she wanted revenge for the steep fine she received after stealing wood in April 1997. He said there was

no medical or police documentation to back her claim.

But Ms Denga insisted she told the truth.

HRC chairperson Barney Pitsoana wanted to know why it took Mr Schutte at least five hours to get Ms Denga to the nearby police station.

In another case, Maswiri Boerdery farmer Andries Fourie told the commission he was forced to detain various residents and workers in two rooms on a number of occasions because they placed snares on his property.

But former workers on Fourie's farm said he fired 200 of them after they joined a union and went on a three-day strike.

Allegations of serious human rights abuses in the Messina area surfaced at the poverty hearings in the middle of the year and then the HRC took things further.

Claims in front of the commission ranged from security guards beating people with canes, electric shock treatment and detention, to repeated refusals by police to hear both sides of the story.

The HRC will release a report on its findings.



Hearing: Josephine Denga said a farmer made her half-naked in a coffin

GETTING ALONG ON THE FARM

Relations could be worse

Fm 27/11/98
The stereotypical depiction of the average SA farmer as the coarse descendant of *trekboers*, and farm workers as brutalised, ill-paid serfs is balderdash — at least in KwaZulu-Natal, say two of SA's leading social researchers.

Helen Suzman Foundation head Professor Bill Johnson and colleague Lawrence Schlemmer take this stand after conducting what they claim to be the first independent attitudinal survey of farm workers and their employers.

Johnson says most commercial farm labourers in KwaZulu-Natal are relatively detribalised, working-class people who enjoy a higher income and standard of living than the rural average, valuing job security above concepts such as minimum wages and land ownership.

The ANC rejects the survey as an elaborate smokescreen to disguise the fact that many labourers endure inhumane feudal living and working conditions.

Johnson rebuts such criticism, saying the ANC, "only requested a copy of the report after issuing their statement." The foundation has published only a summary of its survey and expects the full report, due soon, will strengthen its findings.

"I'm not suggesting that relations between farmers and workers are idyllic," says Johnson, "but rather that they are often, though not invariably, reasonably good." He says just 24% of workers and 37% of farmers surveyed described relations as "very good" and 69% of workers as "fairly good".

"There will be parts of the report which will doubtless make farmers feel distinctly uneasy." For example, 7% of workers and 4% of farmers said relations were bad.

The research, based on the views of 335 farmers and 1 067 employees, found that farm wages, inclusive of payments in kind (amounting to about 40% to the wage package) and unquantifiable benefits such as interest-free loans (held by over 77% of workers), substantially exceed rural norms and are not far below urban averages. Over 80%, however, said they would prefer to be paid in cash with 88% in favour of a minimum wage, though not if it meant shedding jobs. Only 6% of workers pay allegiance to a tribal leader; 9% have land rights in a tribal area though only 3% have exercised these rights.

Herb Payne



Congress of SA Trade Unions' general secretary Mphazima Shilowa addresses a news briefing in Johannesburg yesterday. In the background is the federation's deputy president Peter Malepe.

Picture: ROBERT BOTHA

PW Botha warned not to travel

Genocidal dictators should be nervous after Britain's ruling, but international criminal cases against SA's human rights abusers are unlikely to materialise writes **Jannv Steinherr**

Farmers warned to stop beating staff

Pearl Sebola (4) 00 27 111 98

THE SA Agricultural Union should ensure the beating of farmworkers stopped. Congress of SA Trade Unions (Cosatu) general secretary Mphazima Shilowa said yesterday.

Shilowa told reporters that if the beatings continued, "workers will have to defend themselves. They have to break away from this cycle of fear." Shilowa said, however, that this was not a Cosatu position.

He said that during visits to farms around the country in past weeks, he talked to workers and encouraged them to "break away from the fear". He was not encouraging farmworkers to attack farmers, Shilowa said, but had told them not to allow themselves to be assaulted. "No one in the farm community should assault another," he said.

The federation's executive committee, which met earlier this week, condemned the violence, which it said had been "unleashed on our members" in Cape Town, Rustenburg, Kwazulu-Natal and other provinces. Cosatu had met provincial authorities to seek a solution, but had so far been unsuccessful in getting a commitment from the Western Cape. If no action was taken, Cosatu members would embark on a protected protest action, he said.

"We hope, though, that Morkel will take a lead from other premiers and we won't have to resort to such measures."

Shilowa attributed the violence against Cosatu members to corruption in the police and the failure of the justice system.

On socio-economic issues, the federation expected workers to contribute towards job creation and training. Cosatu proposed that workers contribute the equivalent of one day's wages to job-creation projects.

Shilowa said that since the money would come from beyond Cosatu membership, prominent members of society would be appointed trustees. The fund trustees would decide how the money would be allocated to ensure that projects delivered concrete benefits for South Africans.

President Nelson Mandela, Deputy President Thabo Mbeki and several provincial premiers had already pledged one day's salary for a job creation fund.

Fear keeps labourers(4) away from registration

By Charity Bhengu

FEAR of losing their jobs and plain ignorance seem to have played a big part in keeping many farmworkers away from registration stations at the weekend.

On a farm near Carletonville on the West Rand some farmworkers claimed they did not know they had to register in order to vote in next year's poll.

One farmworker said irritably: "We voted in 1994. What do we have to vote for now?"

Others who were too afraid to stop working to speak to *Sowetan* said they were not aware that voter registration was taking place because they had no access to newspapers, radio or television.

On the other hand, the owner of the farm (whose name is known to *Sowetan*) when approached by the team said: "I am aware of voter registration. In fact, I will be going to town to register."

He said it was not his duty to inform his workers about voter registration or to transport them to town.

"They will have to go on Sunday when they are off and use their own means to get there," he said before driving off, probably to register.

Sowetan staff measured the distance from the registration station to the farm - about 21km.

This was despite an undertaking by the Independent Electoral Commission that the furthest anyone would have to travel to a registration station in rural areas would be 10km.

Not all the farmworkers claimed ignorance though. A 58-year-old worker said he would never register because his vote in 1994 had not changed his life.

"I am still working for this oppressive farmer. As I am speaking to you now, I am risking my job. If I go to register, I will have no job to come back to."

A younger worker said he wanted to register, not for himself, but for his children who might benefit from the process. The frustrated workers said it was unlikely that they would find time because they worked from 6am to 7pm every day.

Meanwhile, in Carletonville, more whites than blacks were queuing up to register in their quest to influence the composition of the second democratically elected Parliament in May next year.

A younger worker said he wanted to register, not for himself but for his children

Sowetan 30/11/98

Asparagus farmer out to gag newspaper group

DD 10/12/98

(4)

Louise Cook

PRETORIA — An application for an urgent interdict to gag the Independent Newspaper Group from publishing "negative" news on employment conditions on the Free State farm of asparagus farmer Gert van Doornick, is to be lodged in the Johannesburg High Court today.

The Free State Agricultural Union said yesterday the Saturday Star's article two weeks ago caused staff of international airports to refuse to handle SA asparagus and harmed the export-driven industry. The industry reportedly had a turnover of between R120m and R130m a year, with about 42 asparagus farmers farming mainly in the Free State.

SA Airways Cargo communications manager Madelain Roscher said yesterday there were no problems at Johannesburg International in handling asparagus.

Free State Agricultural Union president Piet Gous said: "There is a deliberate political attack on SA's white commercial

farmers by central government. The announcement by Free State premier Ivy Matsepe-Casaburri that she was considering further inspections on farms was further proof of a deliberate political attack on agriculture."

Casaburri is believed to have visited Van Doornick's farm and last month Labour Minister Membathisi Mdladlana said labour department inspectors would visit farms to probe labour conditions.

Gous said several Free State farmers had also received notices of planned labour probes by different human rights' commissions. The union was backing a campaign to raise money from producer organisations for the planned court action, he said.

The provinces' asparagus farmers have reportedly already donated R50 000 to back Van Doornick's legal campaign against the newspaper group. His lawyer Andrew Callis said the plan was first to gag Independent Newspapers and then institute a libel case.

Few farm workers aspire to own land — Survey

Report which canvassed 1 067 Kwazulu-Natal workers branded a whitewash, writes Jonny Steinberg

(4)

17/11/98

THE stereotype of the SA farm worker as a "primalised, ill-paid helot" and a frustrated peasant farmer are untrue, a comprehensive survey of labour relations on Kwazulu-Natal farms has claimed.

The report, published by the Helen Suzman Foundation and commissioned by the Kwazulu-Natal Agricultural Union, has drawn a harsh response from the African National Congress (ANC) and the Congress of SA Trade Unions (Cosatu).

ANC Kwazulu-Natal spokesman Dumnisani Makhaye described the report as a "whitewash".

The report, which finds that land hunger and dire poverty are not universal experiences among Kwazulu-Natal farm workers, suggests that government legislation which permits workers to buy portions of their employers' land may end in disaster. It instead suggests share ownership and profit-sharing as more feasible forms of land reform.

The survey, which canvassed 535

farmers and 1 067 farm workers throughout the province, claimed that few farm workers aspired to having their own land.

"Only 15% said their chief ambition lay in gaining land of their own to farm. Another 9% made this their second choice.... The picture is of a mature and settled working class, keen to remain living on or near the farm where they work and less concerned to go into farming themselves than to gain a higher wage, material goods such as a car or bakkie, and keen to acquire more education."

Responding to the report, Agriculture Minister Derek Hanekom said he was not surprised that those surveyed did not express a desire for land.

"It depends on how the interviewer asks the question. What does it mean to ask a poor, powerless person whether he wants to own land? It is inconceivable to him. It is beyond his life experience."

Authors Bill Johnson and Lawrence Schlemmer claimed farm wages were at

least as high as the average rural wage for unskilled workers. "When the value of other unquantifiable benefits ... are reckoned in, the average wage may not be too far below the average urban wage."

Hanekom said he was sceptical: "It all depends on how payment in kind was measured. I have not read the full report yet, but I'm a little sceptical."

The report found that 24% of workers described relations with their employers as very good, while 69% thought they were fairly good. Only 7% of workers described their relations as bad.

"A lot depends on whether the respondents trusted the interviewer," Hanekom said. "We are talking of people who feel very threatened. The SA story is a mixed one. On some farms, employment relations are among the best in the world. On others they are appalling. A good chunk are as one might expect. We are not yet in a position to quantify these things. We need an accurate survey that all will

endorse. But on the whole, I'd say that the situation is not good enough."

The report painted an image of farms as centres of valuable welfare and services. "The average farm has 44 black people living on it, three quarters of them nonworking dependants."

"Majorities of workers get help from their employers with medical costs, transport to town, help with funeral costs and interest-free credit."

"Farm workers are among the most secure people in the rural areas," former Kwazulu-Natal Agricultural Union president Graham Machintosh said this week. "There is a safety net for them. They do not go hungry."

However, the report is not entirely rosy, asked what they thought about the emigration of white farmers, 7% of workers thought white farmers should be encouraged to leave and only 36% said farmers should be encouraged to stay, while 57% said they did not know.

Farm and forestry workers threaten to strike over pay

FORESTRY 152 (4)
Simphiwe Xako

MORE than 3 200 members of the SA Agricultural, Plantation and Allied Workers' Union (Saapawu) have threatened to go on strike on Monday after pay talks with management deadlocked.

Saapawu national organiser Thamsanga Myeza said workers decided to engage in industrial action following a dispute with management about wages and working conditions.

Myeza said the union and the Sapekoe Estates management failed to reach a settlement at a meeting with the Commission for Conciliation, Mediation and Arbitration (CCMA) on Tuesday.

"We have obtained a certificate from the CCMA and have already given management the required notification."

Sapekoe Estates is a national tea-growing company with estates in the Northern Province, North West and KwaZulu-Natal.

Myeza said the R330 a month earned by the lowest paid employee was "inadequate" and that management's 7% across the board final offer was unacceptable. "The union's position has always been the closure of the apartheid wage gap between the lowest and highest paid employees and the introduction of an adequate minimum wage."

Myeza said employees' wages should not be linked to the short-term behaviour of markets and that jobs should be retained.

The company's industrial relations officer Calie Lombard declined to comment, saying it would affect the "good faith of collective bargaining". He was optimistic, however, that a settlement could be reached by the two parties despite the strike notice.

Meanwhile, more than 150 Columbus Stainless Steel employees are expected to appear in the Middleburg Magistrate's Court today after a strike last month. National Union of Metalworkers of SA spokesman Dumisa Ntuli said the workers were charged with intimidation and defying a court interdict.

About 120 members of the Southern African Clothing and Textile Workers' Union gathered at the Cape Town customs and excise offices yesterday to protest against what they said were illegally imported clothing, textiles and footwear flooding the SA market. The union said protesters handed a memorandum to management demanding an end to the alleged illegal imports.

BD 2/9/99

Mysterious death in farm 'paradise'

Friends and relatives are suspicious about the death of Sam Moyo, who fought for the rights of farm workers in the landowners' paradise Lanseria. Thokozeni Mtshali reports

MHG 18 - 23/12/98 (4)

This Christmas, farm worker Farayi Moyo thinks not of his brother Sam, who relatives suspect was slowly poisoned while in jail on a farmer's accusation of intimidation.

Sam Moyo (29) zealously campaigned for the rights of farm workers in the prosperous, semi-rural area of Lanseria, north of Johannesburg. He won support from a few white farmers, but angered most.

Moyo also befriended the young and poor. His reputation in Lanseria was such that he drew 400 mourners to his funeral last Saturday, including Gauteng acting premier Dan Mokoeng, who was one of the speakers.

Moyo's relatives believe he died because he threatened the established labour patterns on the farms — long hours and low wages. And Gauteng officials described the area's landlords as wealthy farm owners governing a white spot "paradise". In the new South Africa, Farayi Moyo (31) thinks especially of his younger brother at Christmas because the arrest that preceded his death took place last Christmas eve.

Last December 24, farmer and businessman Erik Kok's security guard Ben Kaffi filed charges against Sam Moyo, accusing him of intimidation. A few hours later, a convoy of eight police vehicles descended on Mayford Seed Farm where Moyo resided. About 18 police emerged from the vehicles to arrest him.

"When Sam was arrested," Farayi Moyo said, "he had had another charge against one farmer who had beaten a farm worker and then threw him on to the fire. But due to his arrest that case vanished into thin air. Most surprisingly, three months prior to his arrest, he had had a similar charge of intimidation against Kok. But no arrest was made. The investigating officer said there was no valid evidence."

The Moyo brothers were born and raised in Kwekwe, a small mining town in the Zimbabwe midlands. At 23, Farayi Moyo left his mother country to work as a labourer for Rodney Zingel, owner of Mayford Seed Farm near Lanseria. The young Sam Moyo was employed by the Lantro group at Anzenc Gold Mines in Kwekwe. Studying by correspondence, Sam Moyo obtained a degree in law and economics. He lost

his job at the mines because of his involvement with trade unions.

In 1992, he followed his brother to Mayford Seed Farm, got a job at a roadside shop and enrolled at Newport University in Rosebank to study for a diploma in labour studies and financial management. The Moyo brothers obtained South African citizenship.

Prior to his arrest, Sam Moyo had written to the Human Rights Commission requesting it to investigate the abuse of farm workers' rights in the Lanseria area. And he sent another letter to the Independent Complaints Directorate urging it to examine the conduct of local police.

Mayford Farm owner Zingel described Sam Moyo as "a man of great potential" who died too soon. "Sam was nice," Zingel said. "He was concerned about other people. He would find poor children and bring them together, teach them writing and the Bible. Though he was not favoured by some farmers, one farmer released the importance of his work and gave some financial support for his education. "I'm sad, I employed (Sam) reasoning. If he had not gone to jail, we were on the brink of establishing a good relationship between farmers and their employees. Perhaps he did go too far, but that was his calling."

Last Saturday inside the Methodist Church at Mayford, Farayi Moyo sat on one of the benches lined up for mourners at his brother's funeral. Behind him lay piles of books that Sam Moyo had collected for the kids in the area.

Farayi Moyo said: "Sam became a pillar of this community. For some, he was a lawyer, a teacher and a saviour. In 1996, he initiated a school for the kids in this area. He negotiated with progressive people like Gary Player [the golf professional] and the kids he taught were integrated into Player's school."

Farayi Moyo said his brother also focused on labour issues and believes his brother's arrest was set up after the labour court and the Commission for Conciliation Mediation and Arbitration ordered Kok to reinstate employees he had dismissed. "But, to this day those people have not been reinstated," Farayi Moyo said. "And Sam was still preparing to launch another case against Kok for contempt of court."

After Sam Moyo's arrest, the Krugerstadp



Grieving: Sam Moyo's brother Farayi. PHOTOGRAPH: MADIANE HUTTON

magistrates court refused him bail until the family took the matter to the Johannesburg High Court, which granted him R3 000 bail in May.

"But four months later, Sam is no more, he is history, he is dead," Farayi Moyo lamented. "We suspect he was poisoned while in prison, but the family had no money to pay for an independent pathologist to conduct medical tests."

Five days after the court granted bail, Farayi Moyo went to the Muldersdrift police station to collect his brother, but found he was in hospital. He died on November 29.

Zingel said when Sam Moyo "came out of jail, he was in a poor state. He looked like he would die right then. As to the real cause of the death, I don't know. Only heaven knows."

Muldersdrift police said they are investigating Sam Moyo's death. Forensic samples have been sent to the government laboratory. As mourners paid tribute to Sam Moyo's good work, his parents sat facing the coffin in front of the pastors. Sam Moyo's father cried uncontrollably, while his Zimbabwean mother

er looked up at the roof, listened to foreigners talking her who her child was. They had come from Zimbabwe to witness their son being buried in a foreign country.

Sam Moyo's friend Marion Cloete told the mourners: "The suffering of people in the farms of Lanseria makes me think this area is not controlled by the current government. People here cannot report their complaints to the Muldersdrift police because this area is a landowner's paradise."

In his funeral address, Mokoeng said it may be too late to ascertain if Moyo's death was the result of any slow poisoning. "This Lanseria area is most difficult," Mokoeng said. "The landlords here act like they are the government, the judiciary and everything. If many people believe that Sam was poisoned, we must not overrule such possibility."

"Here, we are not burying a foreigner, but our own son whose good work will remain with us. As we bury him, we must commit ourselves to further his good works."

New job law not well received by Vaal farmers

By Charity Bhengu

THE new Basic Conditions of Employment Act "will destroy business and leave many farmworkers jobless", several Vaal Triangle farmers interviewed by *Sowetan* warned.

Some farmers expressed anger and frustration at the promulgation of the new law and vowed not to comply with it. They said the Act foisted "unreasonable" conditions on them.

Sowetan conducted a snap survey among farmers and workers in Carletonville and Eikenhof yesterday.

While some farmers warned that many workers would lose their jobs if they insisted on their "so-called rights", others said they were not happy that they had not been consulted or involved in discussions leading to the passing of the law.

The new Act, which became effective yesterday, is geared at improving working conditions of farm, domestic and contract workers.

Among other things, the law stipulates that workers cannot be forced to work more than 45 hours a week

without overtime pay.

Approached for comment, Hartsen-bergfontein farmer Mr Guy MacNab said: "I don't care about this law. It does not apply to me. It will not work here." He warned that many people would end up jobless.

"This law forces me to give a permanent job to a worker who has been working for me for more than 90 days. How can I give a seasonal worker a full-time employment if I need him only for a short time?"

Another local farmer, Mrs. Bee Parvus, was also up in arms against the new law.

"I am not happy that such decisions could be made without including us in the discussions," she said.

Many of the farmworkers *Sowetan* interviewed seemed oblivious of the new Act and believed their employers would resist it anyway.

They complained of working long hours and weekends for low wages.

Domestic worker Ms Thandi Masuku said she earned R100 a week and is not paid overtime.

● See page 6.

(4)

Sowetan 2/12/98

Employment Act not helping farmworkers

By Thabo Thulo

DESPITE the Basic Conditions of Employment Act having been extended to farm hands, workers on the KwaZulu-Natal South Coast said they still did not enjoy their rights guaranteed under the law.

Unionists charged that workers were still arbitrarily dismissed and trade unions were prevented from organising on farms.

Mr Lungile Nkolosane from Breeze Point Farm said when he recently returned from church he found that his belongings had been removed from his house and strewn on the road outside the farm.

He said his sin in the eyes of his employer was taking up the case of three workers who were unfairly

retrenched in September.

Mr Reggie Madikiza, of the Human Rights Union (HRU) which represent Nkolosane, said his union challenged the dismissal of their member on the grounds that it was an unfair labour practice and correct procedures were not followed.

Arbitration

Madikiza said according to the new Labour Relations Act, before a worker could be dismissed, the worker must first be given a fair hearing, then the process must go through a conciliation and ultimately arbitration.

Farm owner Mr John Louw said he fired Nkolosane because he stole boxes of tomatoes from the farm.

Louw said he did not follow the

procedures as he felt there was no point in seeking mediation and the only thing he was prepared to do was to go for arbitration.

On another farm, Natal Trust Farms, Madikiza said 41 workers have been unlawfully dismissed and the farmer was intimidating and firing union members.

Mr Frans Bredenkamp, owner of the farm, said Madikiza was a "communist thief" who stole workers' money and he would not allow him on his farm.

Bredenkamp said workers were happy before the trade union arrived. It was people like Madikiza who were bringing the economy of the country to a standstill, he said.

He added that the dismissed workers were casual labourers

Sowetan 8/12/98

4

CAPE ARGUS ISSUES

NP tries to stave off 'sunset deal' for workers *Cape farmers offered alternative 'models' to keep retired staff off their land*

(4) ARGUS 1/7/98

INSIDE STORY



Anxiety over farm-workers' tenure fights has given rise to other plans, writes Staff Reporter BLACKMAN NGORO

Ageing Western Cape farm workers, who assume they will retire on the farms on which they have spent decades working, could be in for a shock: they might find themselves seeing out their sunset years in an old Stellenbosch jail.

As Western Cape farmers, backed by the provincial government, reject national legislation set up to protect farm workers against evictions, negotiations with the provincial government's assets management team are under way to get workers off the land.

New measures have been brought before the provincial government by agriculture MEC Lamplie Fick to make provision for the settlement of farm workers.

This has come about as a result of anxiety caused by the Extension of Security of Tenure Act.

The act makes it an offence to evict a farm worker without a court order.

It gives disabled farm workers and those over 60, who have lived on a farm for 10 years, the right to permanent residence.

It also provides means to accommodate a farm worker on a long-term basis with financial assistance from the state in terms of the first-time buyers' subsidy. Workers can get up to R15 000 for a building to house them.

Many farmers believe that when President Mandela retires, they could be forced to keep ageing workers on their land for good and also give them a portion of their land if they make a legitimate claim on it.

In a bid to counter this, the provincial government has proposed measures which would make it difficult for farm dwellers to have legitimate land claims on privately-owned farm land.

In terms of the proposed measures, no farm workers aged 50 or over would be allowed to spend 10 years on a farm.

Mr Fick has a two-model plan which entails:

- A farmer selling a portion of his land, which would be rezoned to agro-

together and look at which model to go for," said Mr Fick.

In order to demonstrate how his proposals would work in practice, Mr Fick invited the Cape Argus to accompany him to a typical Western Cape farm.

Kanonkop, a farm belonging to Johann Krige, outside Stellenbosch, was chosen.

Mr Krige said he was prepared to double his workers' wages if they would move off his land.

At the moment, I get their children to school every day. I bought a 'black taxi' for them. I maintain it. Those who use it pay only R5 every month for maintenance.

"Those people living in squat-ter areas don't get any subsidies at all," said Mr Krige.

"I give my workers free electricity and free accommodation in houses built in 1971, as well as water. The houses are breaking down because of age."

But we are a very burdened people because we are also being taxed heavily."

Mr Krige's main problem appeared to be the one ignored in Mr Fick's guidelines for the accommodation of farm workers: what to do with an already-retired farm worker? Referring to one of his retired farm workers, Mr Krige said: "I need the house. Now I regret not having evicted him before the security of tenure bill became law."

"I will not be building any more new houses. In fact, I will be using labour from the township now."

"I will take the workers in each morning and take them back at the end of the day."

His foreman, Jan Hendriks, a member of the Tractor Party which contested the last general election, is on a committee negotiating for the old farm jail in Stellenbosch to be converted into a retirement village for aged farm workers.

The plan is to fund the project through the R15 000 first-time buyers' subsidy.

Only a retired couple would be allowed to live in the jail retire-

They think the longer people stay on farms, the more difficult it will be to remove them

Rural councils also were implicated in the overall plan by farmers to retain control over the land and therefore the economy in the



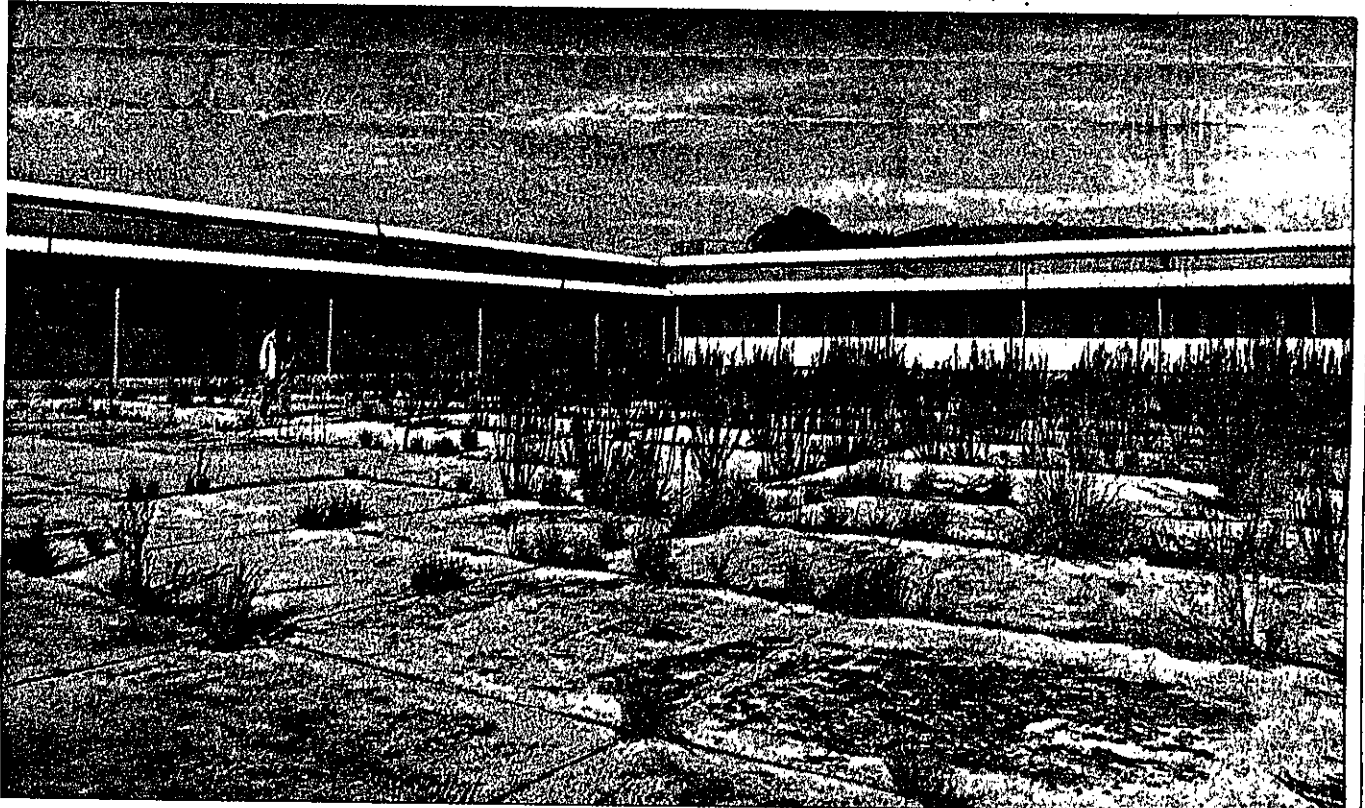
Farm facilities: provincial agricultural minister Lamplie Fick chats to chief foreman Jan Hendriks outside his cottage on Kanonkop farm near Stellenbosch. The cottage is typical of the excellent amenities provided for farm workers - but, when they retire, the labourers will have to move off the farm, in terms of Mr Fick's proposals.





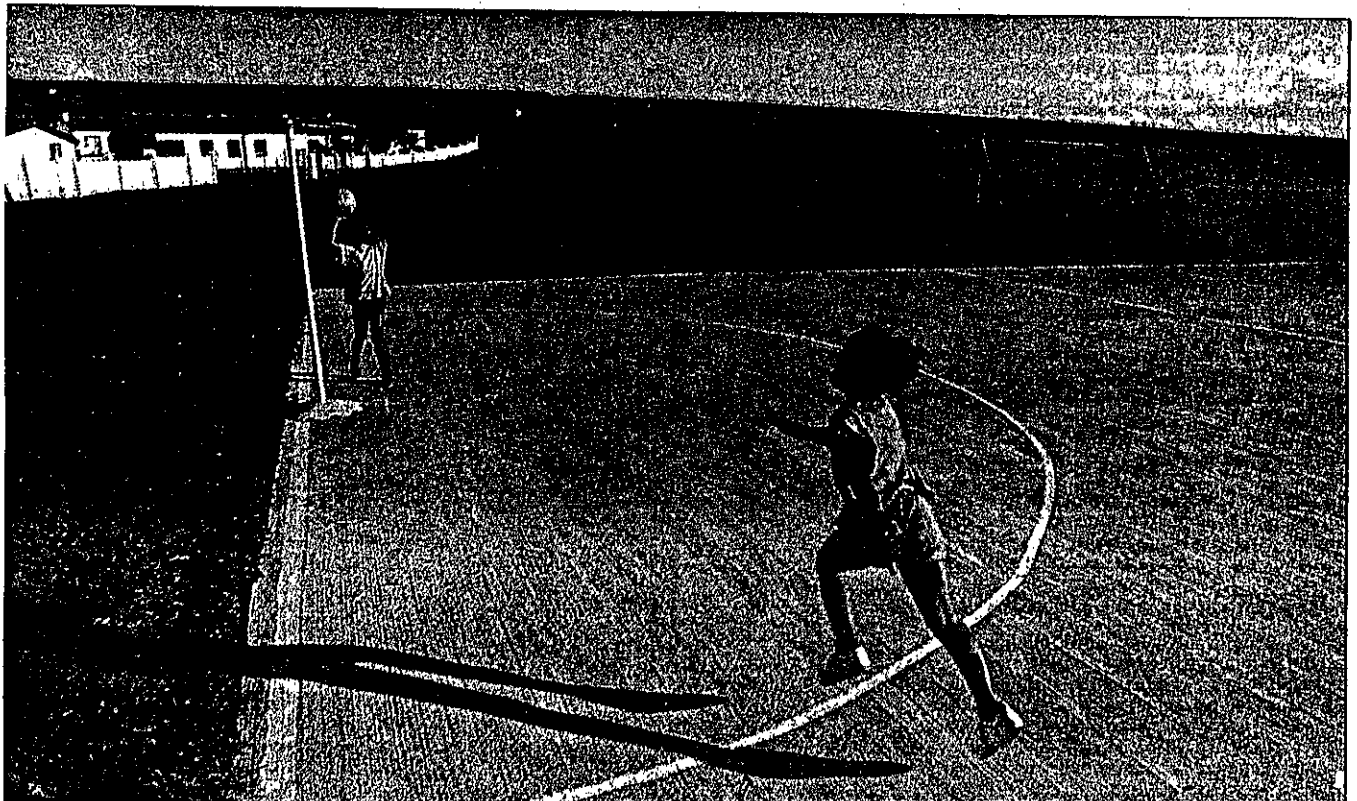
HANNES THART

Farm facilities: provincial agricultural minister Lample Fick chats to chief foreman Jan Hendriks outside his cottage on Kanonkop farm near Stellenbosch. The cottage is typical of the excellent amenities provided for farm workers – but, when they retire, the labourers will have to move off the farm, in terms of Mr Fick's proposals



BRENTON GEACH

Alternative accommodation: the old farm jail at Stellenbosch could be converted into a retirement village for farm workers



BRENTON GEACH

Rural bounce: children enjoy themselves on a basketball court provided for farm workers at Johann Krige's Kanonkop farm. Mr Krige is troubled by the Extension of Security of Tenure Act

Workers endure abuse to keep roofs over heads

BEAUREGARD TOMP

Women working on farms live like virtual prisoners, often having to endure abusive relationships to ensure that they have roofs over their heads.

This is one of the findings of the Women on Farms Project which has been working with women on farms in the Boland.

"Women are paid less than men doing the same jobs and farmers will

say they are doing women a favour," said project director Sandra Hill.

It was common practice that when the husband left the farm his wife and family were forced to leave, even though they were also workers.

On signing a contract with a farmer the most important benefit to a labourer was housing.

Here women were unfairly treated and almost never regarded as independent workers. Instead they were employed through their hus-

bands or fathers as part of contractual agreements, said Ms Hill.

On farms in the predominantly fruit and wine producing Western Cape women workers are in the majority.

Since the project started in 1983 it has fought to ensure the rights of women who are habitually forced into a cycle of dependency.

In a report on employment trends the organisation said the practice was to employ as small a labour force

as possible and make use of employees dependent during the labour intensive seasonal months.

Women were paid less than men and were the first to be dismissed or retrenched, said the report.

This allowed farmers greater productivity per household.

"Women's labour is often a condition for their right of residency on a farm with their spouses or parents," said the report.

Men workers were entrusted to

ensure that the women cooperated and fathered to do so often led to domestic violence.

"One of the main reasons for women enduring domestic violence is because they have no other place to call home and are dependent on husbands or fathers," said Ms Hill.

"What we found is that where there is an awareness of the law many people don't know how to access it and here we try to help," said Ms Hill.

(4)
AR 5 2/7/98

Horror story

Hanekom's intervention opens door to new home

(4)

ET 3/7/98

MOTSHIDISI MOKWENA

NOT even the drizzling rain and bad weather could dampen the spirit and excitement of the Williams family as they tidied up their new home in Stellenbosch yesterday.

Because of the personal intervention by Land and Agriculture Minister Derek Hanekom, Katrina Williams, 67, and her three adult daughters Julian ("Spekky"), 38, Jennifer, 31, and Yvonne, 34, have each received a R15 000 housing subsidy from the Department of Land Affairs and are now the proud owners of the R80 000 three bedroomed house. The other R20 000 was donated by Williams' nephew, Stephen Solomons.

"I am so happy and grateful that I have a house now. All I can do is thank the Lord for the wonderful gift," said an emotional Williams.

Williams was given an eviction order by Cape Trustees Limited to leave Les Verger Farm by October 31, 1996. She had lived there for 50 years when her employer was declared insolvent.

Ownership of the farm has changed hands over the years. All the previous owners ensured that



STEPPED IN: Derek Hanekom

Williams' contract and her right to stay in the house were transferred to the new owners of the farm.

However, the latest owners had been promised vacant possession and they applied for an urgent order in the Cape Town High Court to evict the family.

"What made me sad was that my children and grandchildren were born on the Verger Farm. And I had worked there for 45 years and my daughters for the past 15 years," Williams said.

But, after personal intervention

by Hanekom and Nicky Taylor from the Centre For Rural Legal Studies, the eviction order was delayed and the family was permitted to stay on the farm until they found alternative employment and accommodation.

With the help of The Women on Farms Project and Chennels Albertyn Attorneys, Williams and her daughters were granted a subsidy of R60 000, a first of its kind, to buy a house for the four households.

Levum Jantjies, a field worker at the Women on Farms Project, said that because the Extension of Tenure of Security Act came too late, it was not applicable to the Williams family. She explained that under this act, an employee aged over 60 who has worked on the farm for 10 years was entitled to claim long-term security.

"Without this ground-breaking subsidy, the family's future would remain uncertain. The subsidy paves the way for women farm workers to take control of their lives, without feeling constantly under threat," said Jantjies.

For "Spekky" Williams, the house is a blessing. And by the weekend, they will be unpacked and preparing for their new lives.

Power to the farmworkers from historic judgment

ARG 4/7/98
ASHLEY SMITH (4)

An historic Cape High Court decision has effectively swung the balance of power in the rural areas to the farmworkers.

And a High Court judge has lambasted former Western Cape Minister of Local Government Peter Marais for not implementing a 1996 amendment to the Local Government Act which would have effectively shifted the balance of power in rural areas to the workers.

The court found in favour of the central Government's formula for electing the councils which politicians believe favours the African National Congress while the status quo favoured by the Western Cape government is believed to favour the National Party.

Mr Justice John Foxcroft this week criticised Mr Marais of the NP, the present provincial Minister of Health, for his unwillingness to act in accordance with the law. The judge ruled that the Western Cape government enact the amendment within 60 days.

Judge Foxcroft's judgment came after the central Government's Provincial Affairs Minister Valli Moosa of the ANC applied to the court last month to force the NP-controlled Western Cape government to elect the province's seven district councils on a proportional representation basis.

This means that the numerically superior rural residents will hold the balance of power - probably favouring the ANC.

At present there is a 50-50 representation of rural and town councils, which favours the NP, which has more power in the white-dominated towns.

A decision will be taken over the weekend on whether the provincial government will appeal against the court's decision, a spokesman for the acting MEC of Local Government Piet Meyer told Saturday Argus yesterday.

Judge Foxcroft ruled on Thursday that the province's seven district councils had been improperly constituted for a full year in terms of the Local Government Act Second Amendment Act no 97 of 1996.

This decision is expected to have far-reaching implications for the past year's decisions and financial dealings of the councils - the West Coast, Breede River, the Winelands, Southern Cape, Little Karoo, Central Karoo and the Overberg.

The judge ordered the Western Cape government to pay the costs of the application.

Mr Marais had failed to implement the amendment, Judge Foxcroft said.

He said the application was "indicative of his (Mr Marais's) unwillingness to act in accordance with the directives" of Mr Moosa.

"His actions in the past as evidenced in the Worcester case ... suggest that he would have continued to oppose the new method of election of district councils for as long as possible" Judge Foxcroft said.

Mr Moosa said in the application that the status quo benefited the NP-supporting rural councils, because they had equal representation on these councils, in spite of their relatively small numbers in relation to the number of people who elected them.

Earlier, Jan Heunis, appearing for the Western Cape government, argued that other amendments to the Local Government Transition Act had rendered his client powerless to enact legislation to implement the proportional representation amendment.

He said that it was in fact Mr Moosa's task to implement the amendment.

Robert Wise represented Mr Moosa and Mr Justice Pat Tebbutt heard the application with Judge Foxcroft.

Fight looms for platteland power

ASHLEY SMITH
STAFF REPORTER

(4) ARG 7/7/98
(BBB)

The Western Cape Local Government Ministry decides tomorrow whether to appeal against a landmark High Court judgment which effectively tilts the balance of power on the platteland to farmworkers.

Provincial Affairs Minister Valli Moosa won an application last week which dissolves existing councils and

forces the province to elect new ones, on the basis of proportional representation, within 60 days.

All decisions taken by these "unconstitutionally elected" councils for the past two years could now be challenged and all their spending could become illegal.

The Western Cape platteland was governed by seven district councils which formed umbrella authorities over various rural and town councils.

The district councils were made

up of members of rural councils and of transitional local councils.

The status quo benefited the National Party-supporting rural councils, because they have equal representation on these councils in spite of the relatively small numbers of people who elected them.

Now the seven district councils, West Coast, Breede River, the Wine-lands, Southern Cape, Little Karoo, Central Karoo and Overberg, are in limbo until elected proportionally.

Retiring - to life in shackland

Aged farm workers anxious over evictions

AR 14/7/98

BLACKMAN NGORO
STAFF REPORTER

For many pensioned, elderly farm workers, the end of the road after life on the farm is life in a shack.

Susanna Geitzer, a 65-year-old former fruit worker in Grabouw, now lives in Snake Park, the shack settlement outside the town, with 11 of her dependants.

The pension she and her 67-year-old husband get is not enough to build a house. It just keeps body and soul together.

"It's very cold here," she said, her feet in the winter mud.

"My grandson has tuberculosis and there is nothing he can do about it. These conditions don't make him feel any better."

Two years ago she was told by her employer to move her family out of the workers' house she occupied. Her only option was to leave the farm.

"He told us he needed the house because we were too old to work. At 65, where could we find a house? So we came here and put this structure up."

"I was very disappointed to be thrown off the land just like that. The employers don't worry anymore about the new law we've heard about - that we can't be thrown off the land unless there is alternative accommodation. No, he (the employer) says. Even if you've lived on the farm for 70 years he'll chase you away. Old people don't count anymore."

Monica Ferreira of the Human Sciences Research Council University of Cape Town Centre for Gerontology, said that the only way these people could survive was on state pensions.

"Because of the pensions, the farmers absolve themselves of all responsibility for the people who have worked on their farms for all

their lives. In some cases you get unscrupulous farmers who use pensioners' money to pay them."

There was a case reported of a farmer using a worker's pension to pay him. Dr Ferreira said a respondent in her research said when the aged worker found out and asked the farmer why he was being paid with his own pension, the farmer fired him.

Dr Ferreira said the impact of pensions on communities with a high rate of unemployment was huge, as multi-generation households formed a constellation around the person receiving the pension. This made the conditions under which the aged lived very difficult.

Dr Ferreira said most farm workers spoke well of their employers, as they "are grateful for small mercies".

"They are not in a position to question their employers for all the injustices committed against them."

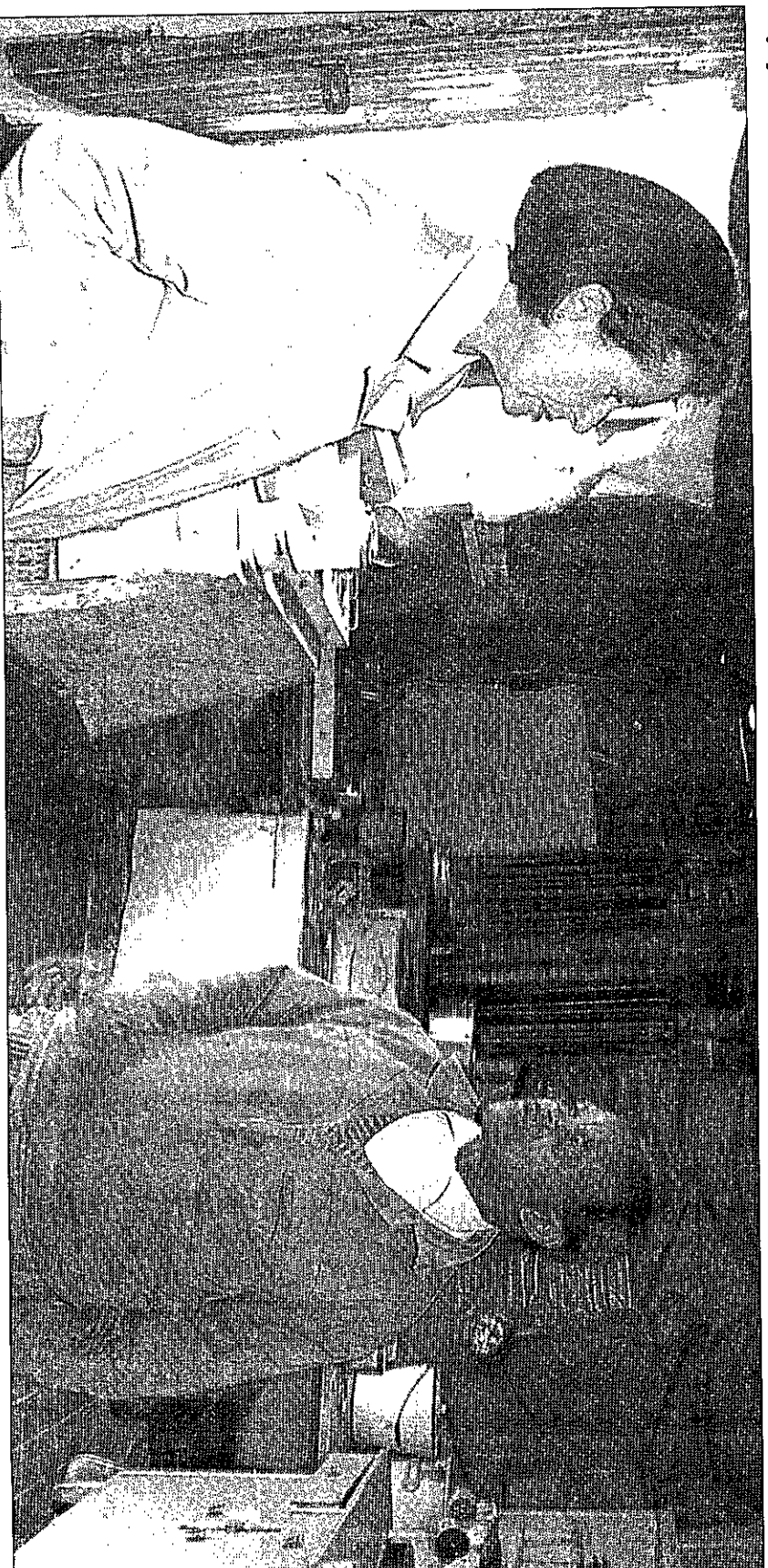
The deputy-director for aging, disability and AIDS in the Department of Welfare, Chris van den Heever, commenting on the housing needs of evicted farm pensioners, said: "We try to move away from institutionalisation and develop appropriate community-based programmes for the aged."

In many cases this meant putting the care of these people in the hands of their families.

Another 65-year-old - who lives with his 63-year-old wife, daughter and two grandchildren in a shack in Snake Park - lives in fear of eviction.

"We live with two-faced people. The farmers are two-faced, just like the council on whose land we live. If we speak out it could jeopardise our chances of getting houses, though I don't know when I will get a house."

"For the past five years I have been promised a place to live, but still I have nothing."



Vulnerable group: Monica Ferreira, of the Centre for Gerontology at the University of Cape Town, talks to an aged and desperate former farm worker who lives in a crumbling shack



Empty bowl: Mariam Martinus believes she faces a bleak future as a retired farm worker - with little to show for her life of labour

New policies offer little to elderly

BLACKMAN NGORO
STAFF REPORTER

The apartheid policies of the past work against a contented and secure old age for most South Africans - and new social welfare policies are not much better.

So says Monica Ferreira of the Centre for Gerontology at the University of Cape Town.

Past social welfare policies favoured white people, she said, but since the first democratic elections of 1994, elderly people had "fallen in the cracks between the policies of the different ministries".

Dr Ferreira bemoaned the fact that new social policies discriminated against the aged, treating them as

a "vulnerable group".

"What new policy there is is being structured in terms of a shift of responsibility for service provision to community agents."

In 1995, between 5% and 6.3% of the black coloured and Indian populations were 60 and older and 13.2% of whites fell into the same group.

In the same year, the number of elderly people numbered 2.7-million, or 6.1% of the total population.

That number was projected to increase to 3.1-million in 2000 and to 4.4-million in 2010, making up 9.2% of the total population.

In all racial groups and all age groups, women would then be more numerous than men and make up 60% of the population, said Dr

Ferreira.

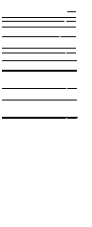
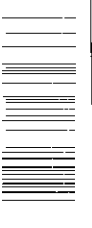
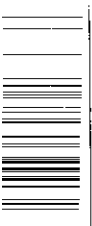
She pointed out that the Department of Welfare's new policies discouraged welfare dependency and saw social integration of elderly people as a responsibility of individuals, the families, communities - then the Government.

"I'm not in favour of age segregation."

"The elderly must still be part of the community and take part in the community's activities," she said.

"The new social welfare policy is nevertheless progressive, and offers several advantages for South African society and some of its elderly."

But new social policy failed to address the needs of those who had few links with their families.



Farmworkers share fruits of labour

BOBBY JORDAN

(4)

ST(CM) 19/7/98

A GROUP of 139 Cape farmworkers made land reform history this week when they received a R2-million stake in a large fruit-drying, packing and export company.

The venture is part of the Department of Agriculture's land reform programme and is the first in which farmworkers have acquired ownership of a "secondary" agricultural enterprise. This follows an initial drive to help farmworkers acquire land ownership on farms throughout the country.

The 139 beneficiaries on the farm Skaaprivier, about 10km outside Ceres, have a one-third shareholding in Northridge Packing and Marketing — a company with assets of R6,5-million.

They received their share certificates from the Minister of Land Affairs and Agriculture, Derek Hanekom, at a ceremony on the farm on Friday night.

Beneficiaries used special R15 000 department grants to buy their shares.

Conceived in September last year, the Skaaprivier project has been hailed as a model for empowerment initiatives and a positive step towards attaining a balance of power between farm owner and worker.

Hanekom said yesterday that the venture would not have been possible without deregulation in the agricultural sector and a move away from the single-channel marketing system.

"There's clearly a fantastic relationship between the farmworkers and the landowners involved," he said, adding that other similar ventures could follow.

(62)

Wine workers (4) earn R120 a week

ANDRE KOOPMAN

ET 21/7/98

WORKERS in the wine industry, which employs about 40% of the total workforce in the Western Cape, still earn about R120 a week, despite phenomenal growth in the export market and a 20% increase in domestic wine consumption.

Weekly earnings for women were considerably less than R120, said by Dr Joachim Ewert of the department of sociology at the University of Stellenbosch in a paper on labour conditions in the winelands.

The paper was presented to a conference on labour standards initiated by local MPs working in wineland constituencies.

The conference was attended by workers, farmers, government departments and NGOs.

According to a statement, the conference identified the "dop" system, farm evictions, poor housing and lack of security of tenure as key problems.

Farm workers often did not know how to claim rights and protections under new laws.

The conference accepted a draft code of minimum labour practices that includes:

- Wages that are fair and reasonable under prevailing conditions.
- Adequate housing, health care and access to educational opportunities.
- Improving living conditions and increasing employment in the industry by acting together to raise productivity and improve training.
- Addressing social problems — especially alcoholism and alcohol abuse, including the dop system.
- Promoting security on farms.

Poison scare in Northern Cape

Tangeni Amupadhi

A Northern Cape doctor has called for the mandatory use of protective clothing after an outbreak of chemical poisoning affecting dozens of farmworkers.

Many labourers in the Kakamas and surrounding areas have fallen ill during the past month after coming into contact with Dormex, which contains a highly toxic chemical called cyanamide.

The provincial Department of Health in Upington has records of 25 workers treated by one doctor over the past three weeks alone. Three of the labourers were admitted to hospital with severe symptoms.

Cyanamide causes nausea, headaches, eye and skin irritations — in some cases the skin becomes blistered. The chemical also interferes with the functioning of the nerves of people who drink alcohol within three days before or after coming in contact with it.

District surgeon Jan Meyer says this year he treated the worst case of Dormex poisoning he has come across in the five years he has been working in Kakamas — a woman with blisters all over her body. In all he alone has treated 23 labourers this year, most for allergic reaction.

Farmers use Dormex in winter to induce early budding of grapes. People working with the chemical are supposed to wear masks and overalls, as well as gloves which cover their arms up to the shoulders. But doctors in the area have found that few farmers give their workers the protective clothing.

The Department of Labour in Kimberley this week launched an investigation into the use of Dormex. The deputy director of occupational health and safety, Edward Khambula, says cases of poisoning were never reported to the department in the past. It will recommend prosecution of those found to have been negligent.

Dr Neil Slabbert, the Kakamas private doctor who has requested mandatory provision of protective clothing, believes manufacturers and farmers should launch an educational project for workers.

He says although farmers' techniques in the use of Dormex are improving, many do not follow guidelines for its use.

Johannes Moller, vice-

president of the Northern-Cape Agricultural Union, admits most farmers do not supply protective garments: "And we do not condone that." However, he adds that workers sometimes decline to wear the

clothing because it is uncomfortable.

The health department visited some farms and found "not all farmers are prepared to buy all kinds of safety equipment for all the workers".

It reported that the lot of farm labourers is unlikely to improve as the Department of Labour does not have enough inspectors to monitor the implementation of workplace safety regulation. The report also

mentions that most poisoning cases are not reported.

Moller says many farmers are in the process of mechanising the way they apply Dormex so that it is sprayed rather than brushed manually on to the plants.

Meanwhile, some of the sick workers are worried that farmers will not pay for their medical treatment. Most labourers used in the Dormex operations are employed on a seasonal basis.

MTG 24-30/7/98

(4) (2)

Wines to be certified 'worker friendly'

BOLAND WINES could soon carry a mark certifying that they are produced on farms that follow acceptable labour practices. Special Assignments Team **ROGER FRIEDMAN** and **BENNY GOOL** report.

THE stand-off between labour and management at the Franschhoek wine farm Plaisir de Merle — where a strike by most of the workers enters its fourth week today — is the type of unpleasant situation that parties to last week's Winelands Declaration seek to avoid.

The declaration was adopted at a conference at Stellenbosch University last weekend by the farmers' organisation Agriculture Western Cape, labour unions and associations, non-governmental organisations, community-based organisations, government departments and academics.

ANC MP Rob Davies said yesterday that conference organisers would meet late this week to devise a process that would eventually lead to implementing the declaration.

By then, the bruising Plaisir de

Merle wage dispute, now affecting a second farm in the Nederburg stable, Groenhof, should be over.

ANC MP Ben Turok, who is mediating between Stellenbosch Farmers' Winery and the African Wood and Allied Workers' Union, said yesterday he would invite both parties to Parliament today to thrash out their differences.

Seventy-seven of Plaisir de Merle's 123 workers were demanding a 14% wage increase, while the employer was offering 12%. "I am hopeful that we will be able to arrive at a compromise," Turok said.

But while the two percent gap might not appear insurmountable, the wounds and broken trust will take a long time to heal.

On Friday, management obtained a Labour Court interdict ordering the striking workers to stop intimidating scab workers brought

in to replace them, and to stop interfering with tourists and would-be wine-buyers visiting the farm.

The workers angrily denied yesterday that they had intimidated anybody.

Farm manager Freddie le Roux declined to speak to the press.

Shop-steward Colin van der Westhuizen said most of the workers earned about R120 a week. The union was demanding more because "salaries are very low".

While the farm was profitable, its income was not being fairly shared with its workers.

Van der Westhuizen said the strike was hurting workers, who were last paid three weeks ago. "We are surviving by sharing the little we have," he said.

The strike is also driving families apart. Elizabeth Fortuin, who has worked in the Plaisir de Merle vineyards for 28 years, is on strike. Her husband, Jan Fortuin, is working.

"We are no longer sleeping in the same room," she said. "I am sleeping with the children. He says the house is his and I must find somewhere else to stay."

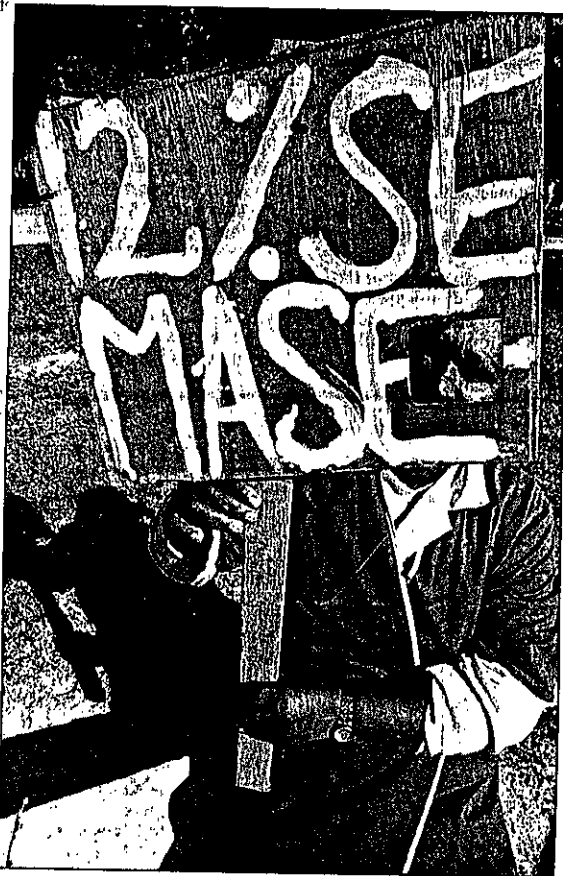
The fact that the "contract workers" brought in to replace those on strike are black, not coloured, has added to the tension. "They get drunk at night, then they come and threaten our people. They have no respect for our people. When our people drink they are peaceful," Van der Westhuizen said.

The Winelands Declaration commits the industry to fair wages determined by free collective bargaining, adequate housing, health care, access to education, improved living conditions and increased employment.

It also commits the industry to promoting gender equity, supporting efforts to create more equitable and representative ownership of the industry, promoting security on farms and addressing social problems — especially alcoholism and alcohol abuse.

It states: "We acknowledge that addressing abuses that occur in our industry is the responsibility of all of us. Where abuses and violations occur they threaten the reputation of the industry as a whole. We therefore commit ourselves to strive to create a new dispensation in which our customers can be assured that our labels are a guarantee of acceptable labour practices.

"In particular we will work together to devise monitoring and regulatory procedures that will allow the awarding of a recognised mark to producers that will guarantee purchasers that the wine they buy originates from farms where minimum standards prevail."



TOO LITTLE: Elizabeth Fortuin, whose 28-year marriage is under threat because she is on strike while her husband continues to work, shows what she thinks of the employer's offer of a 12% wage increase.

New deal for farmworkers - but enforcement is the key

Hanekom says tenure law must be upheld

BLACKMAN NEGRO
STAFF REPORTER

Derek Hanekom, the minister of land affairs and agriculture, is satisfied with the passing of the Extension of Security of Tenure Act. Now he has to work out how to enforce it.

Last week he travelled across the Western Cape, telling farmworkers about the protection they are afforded under the act, known as Esta.

For example, farmers may not evict workers without finding them alternative accommodation; farmers may also not evict workers who have lived on their farms for 10 years and are 60 or over.

"Without enforcement this act is not worth the paper it's written on. We in the department, the workers' representatives and the workers themselves must make sure that the law is upheld," Mr Hanekom said.

"For all these years farmers have been protected by the apartheid regime. This act is intended to give security to farm workers. I make no apologies about that. The rights of farmers are protected through the respect of property rights. I want to reassure workers that farmers will not be allowed to break the law and



BLACKMAN NEGRO

Making a point Derek Hanekom and the ANC's Vicky Zimri in Citrusdal last week

kick them off the land just like that. "I've also been visiting as a member of the African National Congress. I told the workers not to repeat the same mistake of 1994 and vote for the National Party. I'm not ashamed to say that."

It was mainly elderly workers who voiced their concern about their futures.

Dirk Visser, 29, chairman of the

Citrusdal Farmers' Union, on whose farm Mr Hanekom held one of his meetings, said the aged on his farm would never be evicted.

"These people know me very well," said Mr Visser. "Their grandfathers knew my grandfather. Their fathers know my father. We are building hostels for those who get old while working here."

"The only problem we have with

Esta is how to apply the rule of law on the farms. Say for instance a worker commits a crime like murder. What do we do? Do we have to keep a place for him on the farm? But there hasn't been any conclusions to these questions."

Mr Visser said he also wished Mr Hanekom could talk to farmers and give them similar reassurances to those he had given the farm workers.

While not all the questions raised by Mr Visser had a direct bearing on the application of Esta, he said most farmers in Citrusdal were committed to ensuring that farm workers had security.

It emerged, however, that some farmers disregarded the implications of the law and violated it through the indiscriminate eviction of farm workers.

Vicky Zimri, 31, chairman of the ANC branch in the area, said the workers' apprehension had dissipated as a result of the minister's visit.

"It's reassuring. A great number of farmers are throwing people off the farms. Farm workers feel sorry for themselves when they are told to go and they have nowhere to go."

Many of the farmers who were guilty of this practice targeted seasonal workers, he claimed.

(4) AR 4 27/7/98

'Fast-track women' call

~~10/8/98~~ ~~10/8/98~~
BUSINESS EDITOR

ARG 10/8/98
The SA Clothing and Textile Workers' Union (Sactwu) has called on employers to speed up the promotion of women in the textile industry, where barely than one manager in 10 is female.

Sactwu said today that though 44% of employees in the textile industry were women, women made up only 9% of managers and only 19% of supervisors.

Quoting a March study of 111 textile companies, Sactwu said there were "disturbingly high levels of gender inequalities" in the textile industry. The study also found that of 1 254 managers surveyed, nearly 80% were white, though whites made up only 9% of employees. Of the 110 woman managers, 78% were white.

"Sactwu calls on textile employers to institute programmes to fast-track the development of women workers."

Farm unions struggling to recruit members - Hanekom

ARG 10/8/98

(4)

CLIVE SAWYER
POLITICAL CORRESPONDENT

There are continuing difficulties in organising farm workers into labour unions, says Agriculture and Land Affairs Minister Derek Hanekom.

In a written reply to a question put in the National Assembly by Theo Alant of the National Party, Mr Hanekom said recent estimates showed between 12% and 14% of farm workers were unionised.

"However, a more helpful and honest reply would be to say there are still less than one in six farm labourers who have the benefit of union membership."

Official 1993 estimates were that there were just less than 1,1 million paid farm workers, while more recent independent estimates put the figure for farm employment at 1,2 million.

The main agricultural labour organisations with members on farms were the Farm Food and Rural Workers' Support Association with 75 000 members, SA Agricultural Plantation and Allied Workers' Union with almost 37 000 members and National Union of Farm Workers with just more than 25 000 members.

Mr Hanekom said the agricultural sector under apartheid was characterised by "semi-feudal" relationships in which farmworkers were denied basic human, organisational and other rights.

Farmworkers had weak bargaining power and farmers remained hostile to unions.

Farmworkers remained vulnerable and would not be able to claim their rights effectively until there was more widespread organisation and more effective implementation of legislation, he said.

CSS figures show sharp drop in farm jobs

PD 14/8/98

(4)

Louise Cook

EMPLOYMENT figures released by the Central Statistical Service (CSS) yesterday back claims by farmers that jobs on farms have been slashed in the past three years following unpopular legislation, declining security in rural areas and smaller profits in modern farming.

The CSS survey Employment and Unemployment in SA: 1994 to 1997 shows that out of the 1,4-million people employed in agriculture, hunting, forestry and fisheries in 1994, only 637 000, or less than half, remained in these sectors three years later.

According to the survey, jobs in these sectors picked up by 30 000 between 1996 and

last year, but the CSS changed the definition of employment last year, perhaps accounting for the rise in employment.

Free State and Northwest Province farmers' unions confirmed that the agricultural workforce had shrunk dramatically yesterday, but said their research showed a drop of between 30% and 40%.

Free State Agricultural Union spokesman Frans Delpoit said he expected the situation to deteriorate because farmers were becoming more selective about taking on new workers due to the spate of farm murders and the Extension of Security of Tenure Act, seen as a major threat to land ownership rights. "Before any new people are employed, they have to prove that they already

have alternative accommodation." The act stipulates that farmers have to help find alternative accommodation for dismissed workers.

Northwest Agricultural Union labour spokesman Luan Kloppers said the province's permanent farmworker numbers had dwindled 36% in the past year. This was largely a result of the new free market in agriculture which made farming less profitable. Cheap food imports — in the Northwest vegetables from Botswana in particular — as well as general negativity about farm murders were some of the causes.

The province had between 12 000 and 17 000 permanent farm workers, but about 3 000 seasonal workers had lost their jobs on

a tobacco irrigation scheme at Skunnsdriif when the project had to shut down as money ran out.

An SA Agricultural, Plantation and Allied Workers' Union spokesman said more than 80% of the farmworkers "have to find their own way after to the death of a farmer. All business comes to a halt and the workers' fate depends on how the estate is managed."

Free State Rural Development and Productivity Trust member Lifa Hlaphe confirmed that workers were as exposed as farmers. SA Agricultural Union director Kobus Kleynhans said indications were that the number of permanent farm workers was now well below 1-million compared to about 1,1-million two years ago.

Agri-villages forge ahead at last

Louise Cook

(4) 20 1/9/98

SA's first agri-village to provide farm workers with off-farm accommodation, at Bothaville in the Free State, was going ahead following extensive delays in receiving the R15 000-a-family housing grant from the Free State housing board last year.

At the time, the board was out of pocket to the tune of R120m. The plan was to provide houses for up to 6 000 farm labour families adjacent to Kgotsong, outside Bothaville.

Yesterday National Maize Producers' Organisation chairman Japie Grobler confirmed that the project was back on track, saying the housing board had come up with the money in its current budget.

Project co-ordinator Johan Hoffman said yesterday the advantage of the agri-village, rather than on-farm accommodation, was that the worker owned the dwelling. "Only farm workers are permitted to buy into the scheme," he said.

Outrage over conditions on farms in Northern Province

Star 1/9/98

(4)

By SIZWE SAMAYENDE

Messina - The Human Rights Commission is appalled by the living conditions of farm labourers encountered during investigations into alleged farm abuse in Northern Province last week, according to HRC commissioner Jody Kollapen.

The commission was shocked, he said, to find that more than 200 evicted labourers at Maswiri Boerdery in Messina had no access to toilets or clean water.

The commission found they were in constant danger of serious disease because of unhygienic living conditions.

"Evicted workers are living under very unsatisfactory conditions and have absolutely no prospect for alternative jobs or other sources of income," said Kollapen.

Emphasising that the HRC had not yet reviewed submissions to it by farmers in the province, Kollapen said members of the commission had been shocked at the plight of labourers during the series of farm visits and public hearings.

"We were also dismayed to see the large number of evicted labourers, with 200 former labourers out of work on one estate alone."

Workers' rights organisations and farmworkers also made submissions to the commission on alleged police and court bias against evicted labourers.

"In one case, we heard how an unemployed and homeless woman was fined R800 by the Messina Magistrate's Court for trespassing," said Kollapen.

"The commission is going to inves-

tigate all the allegations, and if there is a need to take legal action against anyone we will do so."

He added that the visit to Northern Province had proved to the commission the multitude of labour problems in the area.

All of these seemed to be exacerbated by the use of cheap Zimbabwean scab labour, he added.

"Farm owners assured us they employed the Zimbabweans legally on six-month work contracts, according to procedures set out by the Home Affairs Department," said Kollapen.

"The problem is that Zimbabweans are increasingly being used as scab labour to break wage- or salary-related strikes or as a threat to prevent any protests or demands for better wages and work conditions."

The 200 evicted farmworkers from Maswiri will appear on Monday in the Messina Magistrate's Court for the sixth time to answer to trespassing and intimidation charges.

Regional farm labour activists and Nkuzi Development Association director, Marc Wegerif, yesterday welcomed the HRC's tour of the region. But Wegerif cautioned that the legal system contributed just as much to the oppression of labourers as individual farmers.

"We really hope that the commission will lay bare the unfairness and bias of the justice system which ultimately leads to the widespread suffering of farmworkers in the region.

"Without a sympathetic and fair legal system, labourers have nowhere to turn for help," Wegerif said. - African Eye News Service

Research finds land tenants act has failed

Wyndham Hartley

(4)
BD 10/9/98

CAPE TOWN — Two independent reports have found that the controversial land reform act intended to secure land rights for farm labour tenants has failed and one, called "On the farms we are still kaffirs", has suggested a complete overhaul of the 1996 legislation.

The reports, discussed in Parliament's land affairs committee yesterday, were done in Mpumalanga and KwaZulu-Natal at the request of the land affairs department.

Nomfundo Communications from Mpumalanga defended the title of its

report after it was criticised by National Party and African National Congress MPs. The title was a direct quote from labour tenants who had been evicted to a "dumping ground".

The Nomfundo report said it found no success stories of labour tenants gaining access to the land they worked and lived on for many generations.

It and the report from the Centre for Adult Education at Natal University said that the department had failed to explain the law to labour tenants.

The reports also said the definition of a labour tenant was problematic as it excluded many with legitimate claims.

Union spells doom for farmworkers

(4)
Sowetan 22/9/98

By Khathu Mamaila

JUBERE settlement bears the hallmarks of a refugee camp but it is a permanent home for about 500 farm dwellers outside Messina.

On entering the place one is greeted by faces of desperation, squalor and poverty

Elderly people bask in the sun while malnourished children roam around the farm.

The small huts that cannot even accommodate a single bed look like temporary structures but they have been there for decades and have housed three generations of workers.

The lives of the farm labourers had been inextricably linked to the Fourie family for several decades.

However, the situation has changed after the current farm owner, Andries Fourie, fired about 300 labourers and allegedly told them to leave the farm.

Fourie's action has caused untold suffering to the workers and their children, who depended on him for survival. Most of the dismissed workers have vowed to remain on the farm, arguing that they have nowhere to go.

One of the fired labourers is Azwitamisi Thilivhali Kwindu (44), who was born on the farm.

Kwindu told *Sowetan* that her parents were born on the farm, adding that her father, Ratshikakala Bonyane, had worked for Andries Fourie's father, Joubert Fourie.

"I started working on the farm while I was a small girl. We worked in the afternoons and were not paid for our efforts. I started getting R1 a month in 1983 for doing all kinds of work on the orange farm.

"Over the years, my salary has increased but it reached a ceiling of R335 a month in 1996. Together with 300 other labourers, I was dismissed in March this year," she said.

"Since then my life has been unbearable. I have to helplessly watch my six children go to sleep without food on many occasions.

"My wage was small but at least I could buy them a bag of maize meal and life would continue. Now I have been reduced to a beggar.

"Throughout my life, I have worked to enrich the Fourie family and I have nothing of my own. I cannot leave this farm. This is not defiance but I cannot afford to build a hut anywhere. I do not even have a bed.

"I am too young to qualify for old-age pension that could assist me to support my children," said Kwindu.

Her sentiments were echoed by another dismissed worker, David Ndidzulafhi Mudau (32).

"Our biggest problem is food. If one of us secures some maize meal, he or she shares it with a number of people because they too will support him the following day. We are suffering," Mudau said.

Mudau started work at the farm in 1977 for R2,50 a month. He dropped out of school in grade 3.

"It was not bad, considering that the highest standard that could be passed on the farm was grade 4.

"After passing grade 4 we were old enough to work on the farm.

Even if you did not want to work, there was nothing to do since there was no higher primary school nearby," said Mudau.

As a foreman, Mudau earned R439 a month in 1996.

Asked why the workers were dismissed, Mudau said: "Our crime was to join a trade union. We wanted the union (the Trade Union of South African Authorities) to change our lives for the better and clearly our employer did not like this.

"In a bid to discourage people from joining Tusaa, the employer called the police to arrest nine of our colleagues, claiming that they were illegal Zimbabwean immigrants.

"This was just a tactic to scare off people because he knew very well that those people were born and bred in this country."

The nine, including a pregnant woman, were later released and the police confirmed that they had valid identity documents to prove they were South Africans.

Workers recently staged a march on the farm's administration offices, demanding an end to the harassment. The situation turned ugly when about 300 workers were dismissed.

Later the farm management sought an interdict barring dismissed workers from going to the administration area.

Workers, insisting that they wanted to speak to their employer, violated the court order and nearly 200 of them were arrested for trespassing. The case is still pending.

The workers also claim that Fourie has replaced them with illegal Zimbabwean immigrants. They said the immigrants could not join a union because they knew that the employer could report them to the police at any time.

Approached for comment, Fourie refused to talk to *Sowetan* but referred all inquiries to his lawyer, Mohsina Shenja.

Shenja denied that Fourie had called the police to arrest the nine workers, saying instead that they were arrested during a raid by Home Affairs officials.

She denied that Fourie had hired illegal immigrants and said that he contracted workers from a broker.

She said if they were Zimbabwean and working on the farm, they had work permits.

Commenting on the mass dismissals, Shenja said the workers were fired for embarking on an unprotected strike.

Asked if it was true that Fourie wanted to evict the dismissed workers from their compound, Shenja said: "The employer obviously needs the place to accommodate the workers working on the farm. However, there will be no evictions before the labour dispute has been resolved."

Shenja also denied that Fourie did not want Tusaa operating on his farm. She said that the farm management had agreed on stop order facilities for the union, adding that the farmer had entered into negotiations for a recognition agreement.

She said the farm management had tried everything possible to resolve the dispute with the union but to no avail.

Hanekom wants farm jobs survey

(4) CT(MR) 9/10/98
LYNDA LOXTON

Cape Town — Derek Hanekom, the agriculture minister, has called on Statistics SA, the renamed Central Statistical Service, to conduct an urgent survey on employment in the agricultural sector.

In a written reply to a question from the national assembly, Hanekom said this survey had become "absolutely essential" to ensure effective and efficient agricultural planning and development.

As soon as Statistics SA could provide "comprehensive and accurate" statistics, a proper analysis of the labour situation in the agricultural sector would be undertaken to provide a better understanding of what was happening at farm level, he said.

Hanekom said the latest and most accurate information dated back to 1993, when just over 1 million farmworkers were employed. October household surveys between 1994 and 1997 showed that agriculture had been shedding labour. But Hanekom said these surveys had been based on relatively small samples, and it was doubtful whether they reflected the real situation.

"It should also be pointed out that the new policy environment ... (in agriculture) is having a profound impact," he said.

Deregulation, improved tariff policies and the removal of subsidies and supports that had encouraged capital intensity were bringing about major changes in the sector, he said.

Summit may look at slide in farm jobs

Louise Cook

THE decline in farm jobs, which have dropped by more than half in agriculture, fisheries, hunting and forestry in the past three years, could come up at Friday's presidential jobs summit.

Land and Agriculture Minister Derek Hanekom is also likely to throw new light on the disastrous figures released by Statistics SA in August.

Sources in the agricultural sector said Hanekom would address the summit, but his office was unable to confirm this yesterday.

However, agriculture department deputy director-general Diana Callear

said the Statistics SA figures were misleading. A special Statistics SA survey, "Employment and Unemployment in SA: 1994 to 1997", showed that out of 1,4-million employees in farming, fisheries, hunting and forestry in 1994, only 637 000 remained employed three years later.

Callear confirmed that permanent jobs in farming had dropped in the past three years, but said the survey made the problem seem worse due to a change in the definition of employment. "The main reason (for the decline) is that farmers are increasingly making use of mechanisation and seasonal labour," she said.

The SA Agricultural Union would have two delegates at the summit but no submission would be made, union director Kobus Kleynhans said yesterday. "We are disappointed. It seems most emphasis will be on tourism, while employment in the agricultural sector holds equal potential, he said.

Before the drop set in — reportedly mainly due to unpopular land tenure and labour legislation — the sector was one of the country's largest employers. Jobs created indirectly in agriculture through backward and forward linkages were about six times that of the manufacturing industry. Meanwhile, a programme run by

(4) 27/10/98

the water and forestry department, Working for Water, has so far seen more than 40 000 temporary jobs set up for the rural poor in the past three years. A department spokesman said the programme, given a R120m boost from government's special funds last month, would feature prominently at the summit as an example of what government was doing to alleviate the critical job shortage.

Callear said the agriculture department's land-care programme vaguely resembled water and forestry's programme but did not make provision for temporary jobs. The project would see permanent jobs result indirectly.

AGRICULTURE-LABOUR

1999

Survey finds 'very positive' farmer-workers trend

(4) Star 4/11/99

SEAN WOODS

By Winnie Graham

A number of conceptions about life on KwaZulu Natal farms are disputed by a survey into the employment conditions and relationships between farmers and their workers in KwaZulu Natal - the province worst affected by murderous attacks.

Despite the rise in the number of attacks and allegations of brutal beatings of workers in the province, the survey, conducted under the auspices of the Helen Suzman Foundation for the KwaZulu Natal Agricultural Union, shows a "remarkably positive picture".

The work was carried out by two noted academics, British Professor R W Johnson and South African Professor Lawrence Schlemmer.

The report is important in that South Africa is one of only seven countries in the world that is a net exporter of agricultural products. The writers believe it is vital to the national economy that agricultural production be maintained.

They say that in recent years agriculture has achieved growth rates "other industries can only envy".

The gross value of production has risen from R30,5-billion in 1994 to R41,2-billion in 1997.

The academics found that although stock theft, rustling and crime are an overwhelming concern, farmers and their workers generally get on well.

Asked to describe their relationship with their workers, farmers generally spoke in glowing terms.

Farmworkers with problems complained there was "no communication" with their employers or "no rations".

According to the report, the farmworkers are as deeply concerned at the attacks on farms as the farmers.

"With the pressures on farmers as high as they are ... it is not surprising that there has been much talk of farmers emigrating or quitting farming," the report reads.

However, at a time when there has been a large and continuing emigration of urban middle class whites, their counterparts in the farming world are more likely to "grit their teeth and stay".

The report says that farms abutting the traditional tribal areas (now known as "amakosi areas") were in particular targets for robbery and stock theft.

"The general consensus is that stock theft in the Underberg-Mpendle district has reached a point where commercial farming is now impossible," the report reads. "As this occurs farmers sell - or sometimes just walk away from - their

land which quickly becomes a rural squatter camp.

This means that a new set of farms become the frontier and begin to suffer intolerable levels of stock theft."

Despite generally warm attitudes, only 36% of farm workers were willing to state openly that white farmers should be encouraged to stay on their farms.

This, the writers conclude, "bespoke a private world of pressures and counter-pressures of which we are largely still ignorant".

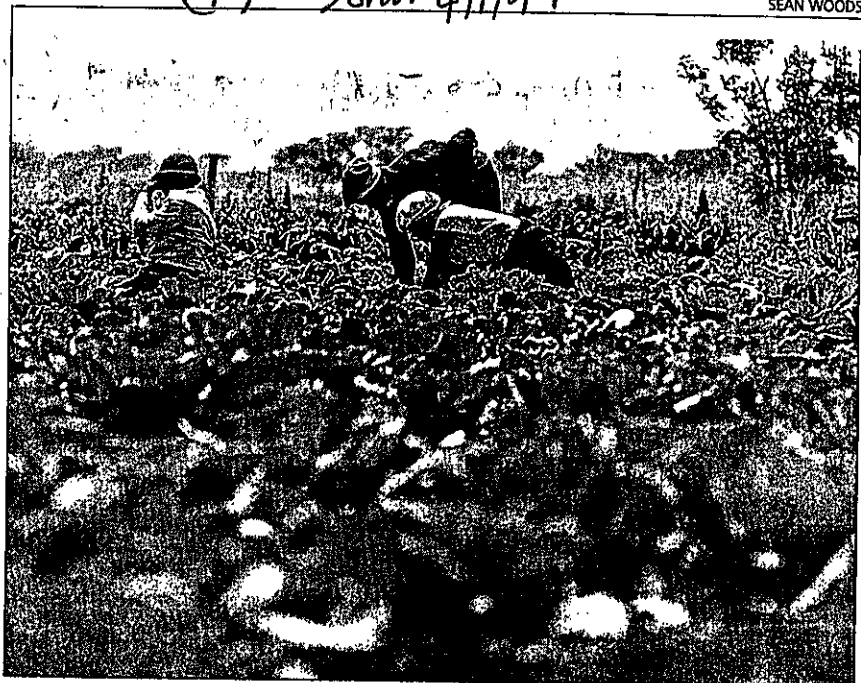
In outlining models of farmworkers, the report dismissed the various stereotyped "tribal traditionalist", "emergent peasant farmer" and "helot" categories, saying they had found a mature working class on the farms who were a stable, settled group.

Some 59% lived in concrete or brick houses, between 70 and 79% had tap water or toilets and between 56 and 60% toilets.

"On average farmworkers enjoy better facilities, though this is in part a comment on the shamefully poor level of provision still suffered by most Africans in contemporary South Africa."

The average farm worker at the time of the study was earning R709 a month, the report says, plus the benefit of the use of about eight hectares of land for grazing or cultivation, and assistance from the farmer for health services, education and transportation.

But despite long custom and use of benefits such as rations, grazing and cultivation rights, the report adds, 81% of farm workers said they would prefer to be paid in cash only.



Dispelling myth ... the report found workers comprised a mature working class who were a settled group.

The survey found that large estates (such as Sappi and Mondli) had moved to the contracting-out system of labour.

Ten years ago only 19% of the workers were contracted out. By 1997 the proportion had soared to 64%. The system meant these workers do not establish residential rights and the estate managers do

not have to bother about the Extension of Security of Tenure Act which made farm evictions all but impossible.

They mention, too, another trend in the plantation world where the industry has embarked on its own land reform programmes. Forestry was helping some 10 000 emergent black farmers get estab-

lished, and sugar corporates are selling off land to a host of small sugar growers.

"It is essential that Government carry the farmers along with its plans," the academics write. "They can hardly be expected to do this if it is convinced that black farmworkers and labour tenants are still being miserably treated."

ANC to make poor treatment of farmworkers an election issue

By Winnie Graham

The ANC plans to make the mistreatment and underpayment of farmworkers an election issue, say the joint authors of a report into conditions on farms in KwaZulu Natal.

Professors R W Johnson and Lawrence Schlemmer, who surveyed attitudes and relationships in the province on such issues as employment conditions, labour tenancy and land reform, write, in a postscript to their report, that the survey's findings were denounced by Dumisani Makhaye, ANC spokesperson for KwaZulu Natal, after the local press "decided that the key finding of the report was that 'farm workers are happy'."

Makhaye is quoted as saying the survey was "biased theorising by those who are not in the know".

According to the writers, Makhaye, at a meeting at Kwa Manyathi, called on the Human Rights Commission to investigate "the systematic violations of human rights on the farms of KwaZulu Natal".

Farmworkers at the meeting produced pay slips showing a top wage of R192 a month and a bottom wage of R41,80 a month.

Makhaye described these as "starvation wages" and described the brutal treatment of farmworkers by some farmers.

He claimed that the men who had carried out the survey did not know the reality. He added: "We

are part of the community. We are not theorising. We have our ear to the ground. We know what is happening to these workers."

According to the report, the Helen Suzman Foundation which funded it, was not in a position to comment on many issues raised.

It had not encountered any evidence of maltreatment during its inquiry - "but this was not to say that it could not exist".

The writers continue: "Similarly, we had no evidence to disprove Mr Makhaye's allegations of brutality and murder against farmworkers in KwaZulu Natal and since Mr Makhaye produced no evidence to substantiate his charges, we could not even evaluate that."

Referring to low wages, they said: "All we can definitely say is that should such wages exist, they were certainly a long way below the level we found, averaged over a thousand cases and vouched for by the recipients themselves."

They regret the suggestion that their research was in any sense a "whitewash". The Foundation was in no way committed to take the farmers' side in any dispute. It had no wish to become embroiled in any disputes.

The authors conclude: "The foundation had to resign itself to the fact that many of the issues discussed in the report were likely to play a dominant role in the immediate - and rancorous - period ahead."

The security forces and the South African Agricultural Union have issued a document outlining special security measures following the growing number of attacks and murders which are taking place on isolated farms across the country

'Farmer's remedy' prepared to help stop homestead killings

BY NORMAN CHARLTON
Pretoria Bureau

(4) (P) Star 4/1/99

A "farmer's remedy" has been prepared by the security forces and the South African Agricultural Union (SAAU) to prevent attacks on isolated homesteads.

It has been a devastating 1998 for farmers, with more being killed in rural attacks than in any previous year, according to the latest statistics issued by the SAAU.

By the end of November, there had been 653 farm attacks in which 138 farmers and 42 attackers were killed. These figures have since increased markedly as a result of isolated attacks which have taken place during December in KwaZulu Natal and Mpumalanga.

Over the year, most attacks took place in the Free State, North West Province, KwaZulu Natal and Mpumalanga.

The SAAU says the death toll is 54 more than for the same period in 1997 and 17 more than in 1996, the previous worst year.

The number of attacks has increased steadily since 1991, when there were 327, compared to 551 in 1998 and this year's 665. The highest number of deaths of farmers took place in May (89) and March (70).

Attackers were targeting weapons and vehicles, of which 387 and 146 respectively, were stolen in the 665 attacks. Farmers were this week urged to put into practice suggestions contained in a "farmer's remedy" document on how to prevent attacks.

The document sets out how to make safety precautions a priority in rural areas, giving suggestions for the home, farmyard, employees, movements and communication with security forces.

"The large-scale incidence of farm attacks has forced farmers

SAAU says economic prospects not expected to improve much

By Norman Charlton
Pretoria Bureau

It could be a tough 1999 for the country's farmers, according to the South African Agricultural Union (SAAU).

Economic pressures are not expected to improve much over 1998, especially with the added possibility of lower world prices for particular crops, according to the annual economic review.

SAAU economic boss Norman Charlton says there was for the year ending September 1998, total gross farm income was inflated mainly by field crops increasing in value on average by 7% as a result of a cut of 2% in income, generated from maize and wheat.

Intermediate and services crops as well as salaries and wages had cost farmers over R17-billion and as a result there had been a "bit back on their heels" and a "bit back on their heels" on field crops.

In view of the fact that winter cereal crops are expected to be lower, depressed production in the local and

foreign markets makes it unlikely that agricultural economic performance will improve.

As far as 1999 is concerned, two factors are bound to worry farmers - unpredictable weather conditions and the real possibility of low prices as signalled by the United States Department of Agriculture," said Dr. Phil.

Large crops in the United States have led to the lowest dollar prices in decades for some crops.

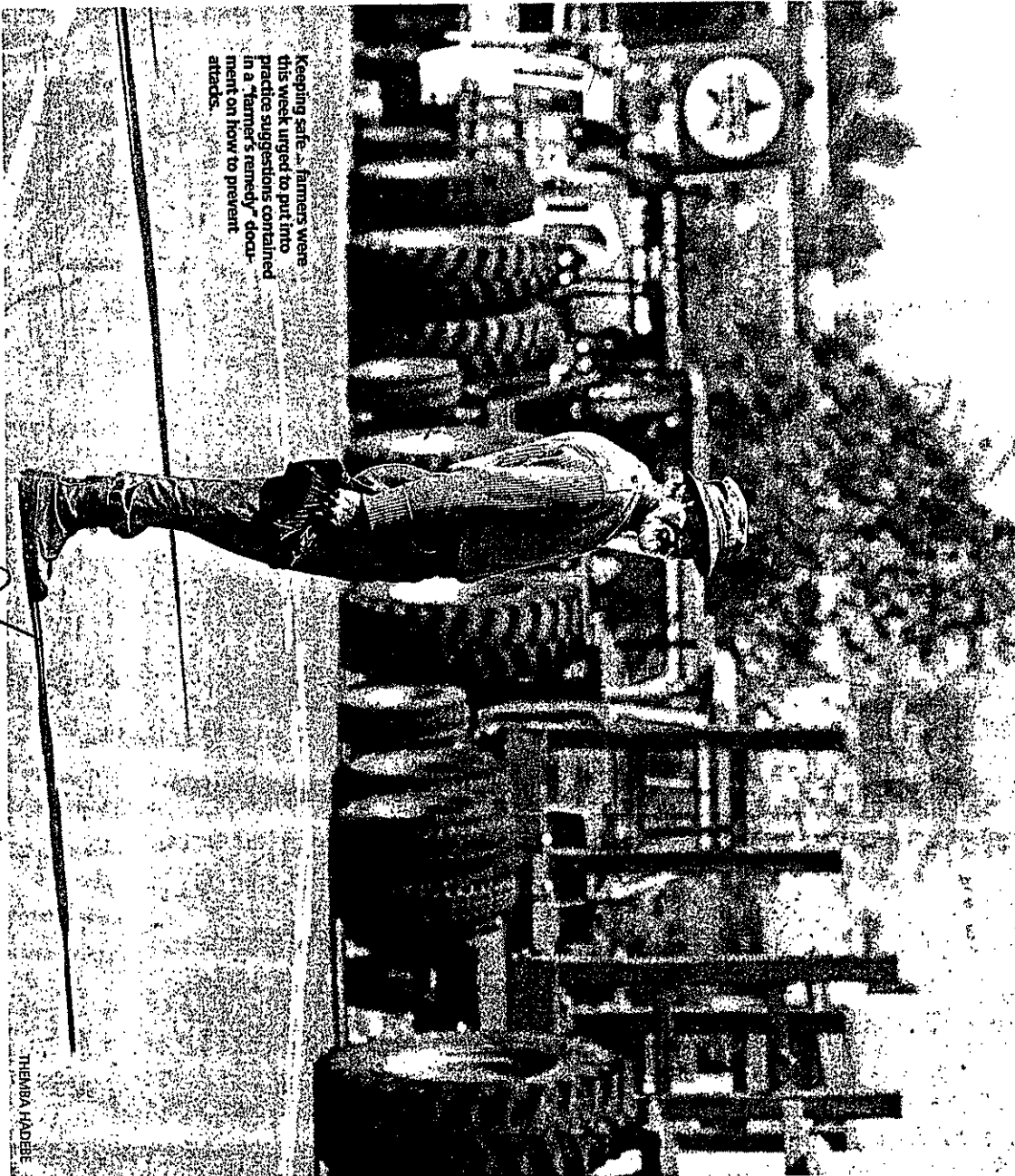
"This spells trouble for export countries such as South Africa who have to face the consequences of low prices with out the support measures which farmers enjoy in other export countries."

Dr. Phil adds that the weather will be a determining factor in agriculture contributing to a potential economic upturn for south Africa.

He says that if rainfall in the mid and late summer months proves to be at least average, the agricultural sector will almost certainly make a substantial contribution to stimulating economic growth.

storing safety on the farm with guard dogs, additional lighting and extra vigilance, farmers should also pay attention to what they hear during conversations about strange happenings, trouble or vehicles on neighbouring farms.

Involvement in local army commands, the police reserve



THEMBA HADZEE

Keeping safe - farmers were this week urged to put into practice suggestions contained in a "farmer's remedy" document on how to prevent attacks.

Union members' houses set alight as feud between farmer and farm

NORTHERN PROVINCE police are hunting for a woman who allegedly set fire to the houses of three union members at Maswiri Boerdery near Messina last week.

Investigating officer Captain Thomas Bilankulu said police were investigating whether the woman conspired with the farm owner to set alight the houses of three members of the Trade Union of South African Authorities (Tusaa).

Bilankulu said the woman allegedly approached one of the unionists, Azwintansi Ahhlivali Kwindi, and apologised for lighting the fires after she heard the police were looking for her.

She told Kwindi, the farmer gave her diesel to set alight the houses, explained Bilankulu.

Tusaa spokesman, Naledi Mofale, accused the farmer of trying to force the workers off his farm after they were acquitted of trespassing and resisting arrest charges in November last year. He also accused some renegade Tusaa members of helping the farmer.

CP 107/17/11/99

of abuse and assault prompting the Human Rights Commission to investigate controversial farms in Northern Province, including Maswiri Boerdery, Commissioner Humlan Rights said, its report today, Kollapen, said, its report would be released in Messina in a few weeks' time African Eye

Workers rages on

Farmer starves so others can live on his land

LYNNE ALTENROXEL

Pretoria - It is a land claims story with a difference: a farmer decided to give his land away, but had to embark on a six-week fast to convince authorities to allow him to do so.

But the ordeal that started on November 25 ended in triumph on Thursday for Broederstroom plot owner Roger Roman, who willingly signed over part of his 13-hectare smallholding to 11 families despite the protestations of his neighbours and the Hartbeespoort local council.

Mr Roman lost 21kg in his attempt to draw attention to the Hartbeespoort council's opposition to his land restitution plans.

The council has since drawn criticism from Agriculture and Land Affairs Minister Derek Hanekom for having no housing projects, which the Government says are the responsibility of local authorities.

Mr Hanekom this week announced that the State would use national legislation to overcome any stumbling blocks local authorities threw in Mr Roman's way, and would look at possible measures to ensure that the white-controlled council gave others a chance to obtain land.

"If they are not going to take their responsibilities seriously, we are obliged to use whatever national legislation we can," Mr Hanekom said.

The Broederstroom land restitution project is unusual for two reasons:

■ The Department of Land Affairs knew nothing about the project until they heard about it from the press.

■ It was initiated by a land owner who

willingly gave up his property in the interests of promoting reconciliation.

The project was also finalised in record time.

Delighted members of the 11 families who became sectional-title holders applauded as their representative, Philip Rafeidile, signed the official documents bringing the new Po Land community into being. They said they were very happy.

Mr Hanekom, a legal witness to the event, praised Mr Roman's initiative in promoting reconciliation.

"What makes it particularly significant is that it wasn't a group of threatened farm workers who came to us. It was the initiative of the farmer himself," Mr Hanekom said. "It is one of those rare cases of generosity that makes us proud to be South African."

For Roger Roman, giving away part of his land is not an act of generosity at all, but an act of common sense.

He pointed to President Robert Mugabe's land reform programme in Zimbabwe, which has come under severe criticism for expropriating land from white farmers to give to black people. "We have to learn from Zimbabwe," Mr Roman said.

A handful of neighbouring farmers have expressed concern about the possibility of a squatter camp mushrooming on the Po Land premises, but Mr Roman said the handover agreement stipulated the number of people allowed to live on the plot.

He said he had still not sorted out his problems with the Hartbeespoort council, but he said by placing the property in a trust and giving it away was a way of tackling the council head-on.

(4) RGT 9/1/99



PARTY TIME: family members Pauline Moja, and her grandfather Obed Moja celebrate with landowner Roger Roman, right, and Minister of Agriculture and Land Affairs Derek Hanekom

Apple workers win a windfall

State's cash boost for scheme to share the farm

MANDLA MNYAKAMA
STAFF REPORTER

The good life came a little closer for 120 Grabouw farm workers when Land Affairs Minister Derek Hanekom presented them with housing subsidies of R16 000 each as part of a unique farm ownership share scheme.

Mr Hanekom was all praise for farmer Henry Hall, who has sold half his apple farm to his workers, saying Mr Hall was a man who saw the importance of addressing the inequalities and needs of poor people.

The farm workers are members of the Whitehall land reform project, which has been given R1,9-million by

the department.

The initiative began in 1994 as a private equity scheme, and farm workers used loan financing from the Development Bank of South Africa, the Independent Development Trust and Standard Bank to acquire a 50% stake in the farm's holding and operating companies.

The money given by the department will help them to reduce their debt burden and help them realise the benefits from their share holdings.

Whitehall farm workers were thrilled to be getting shares from a farm on which they had put in many years of hard work.

Naas Fedricks, who has worked on the farm for 17 years, found it hard to

hide his feelings. "I never thought this would happen in my life. I'm feeling very excited. Opportunities like this are very important and I hope we're able to take advantage of it and strive for success," he said, thanking Mr Hall for what he had done.

Mr Hanekom said he saw Mr Hall as a person with a vision in a new, changing country. "He sees his own future tied up with that of his own farm workers, and he knows he is securing a future for himself and for everyone."

The weekend's initiative means each worker gets a R16 000 subsidy which he can use to contribute to the share purchase if he so chooses. Mr Hall, 64, said the idea of shar-

ing his farm came to him after five bad years.

When he wondered who to share it with, he decided the logical people to benefit were those who worked on the farm. He reckoned that within 15 years the debt would be paid.

Elliot Tshaple has worked in the farm since 1983. He said he would now be able to build his own house and send his four children to school.

"Workers here knew the farmer was the only person who got benefits for what we produced, but now every one of us will put our hands together knowing we will all get benefit each year," he said. "This way we really see the new South Africa because there is progress here."



Handover: Henry Hall looks on as Adelaide Magungo receives a R16 000 subsidy certificate from Land Affairs Minister Derek Hanekom

MANDLA MNYAKAMA

Broodkraal's first harvest a symbol of hope

ct aalilaa (4)



THREE years ago there was hardly a thing on Broodkraal farm. Now there are homes, a mini-municipality, lots of work to do and hectares of crisp, green vineyards. What used to be a symbol of hope has matured into a happy reality.

KARIN SCHIMKE reports on Broodkraal's first harvest.

SOME of the grapes being packed at Broodkraal farm for export are called "Majestic". One of these light green, oblong globes weighs heavily in Michael Heugh's hand and, sun-warmed, its sweet juice pours forth copiously when he samples different bunches before the pickers pluck them for packing.

It's Broodkraal's first harvest and the grape in Heugh's palm is the fruit of the labour and high ideals of everyone at Broodkraal.

It is also a "Majestic" symbol of hope for a better South Africa.

The *Cape Times* reported last year Jan le Roux, a Cape Town business person, had a vision for a dry valley near Piketberg which he wanted to fill with water, vineyards and hope. With each of the around 900 000 boxes of grapes that leave South Africa's shores for the US, Britain and Europe this year, his vision

increasingly becomes a reality.

And while the real hard-cash profits of this ambitious enterprise are not yet in hand, the district around Piketberg is quietly thriving. So much so, that if the growth continues as it has for the past three years, there will be 1 000 places in schools too few for the number of children expected to need schooling by then, says Hanje Bekker, who works on the farm.

Farm manager Jannie le Roux, no relation to "Groot Jan" who owns Broodkraal, said: "It's not easy to measure the economic impact Broodkraal has had on the district, but we seem to have dried up the human resources available to us in Piketberg and we now have to fetch seasonal workers from places like Atlantis, Velddrif and Moorreesburg."

An indirect positive result of the Broodkraal undertaking, has been the work it has provided for builders and



GRAFTING FOR PROFIT: Some of Broodkraal's residents help to graft new vines in an area that will be grafted every six weeks instead of twice a year. This allows production of table grapes in winter. Because the work is delicate and nimble fingers are needed, women are better suited to it.

other small entrepreneurs from Piketberg.

The Broodkraal concept is fairly simple: There is no welfare on this farm. Each is responsible for the work he or she can and wants to do, the entire community is responsible for its own happiness and education and ambition are encouraged on the farm.

While everything seems to be provided for the workers free — beautiful individual farm cottages, each with its garden, an enormous community centre with a hall for concerts and other events, a library and a creche, rugby and netball fields, buses for school children and adult education — nothing is really free.

Each gives of his or her skills.

Mechanics, nursery school teachers, gardeners, dressmakers and cooks have emerged from this community.

Every member of every family that lives and works at Broodkraal is gainfully employed. One man runs the community's *miensipaliteit* — a tractor and cart carrying service and a handful of men who mow the lawns, keep the streets tidy and call the meetings where unruly elements are confronted about their anti-social behaviour and told to buck up or risk losing their job and home. Discipline comes from within, not from the farmer.

Last year, Le Roux's dream to uplift the area he loves so much — creating jobs and housing for the local community — was grandly celebrated when Water Affairs and Forestry Minister Kader Asmal opened the farm's dam. "Ou Kadertjie", as they call him affectionately at Broodkraal, was key to the project because he gave permission for Le Roux to build a dam at a time when there was a moratorium on the building of dams.

Realising Broodkraal's potential as an economic injection for the Swartland area, Asmal has since sung Le Roux's praises publicly and privately, hailing him as someone who has truly embraced the spirit of the Reconstruction and Development Programme.

"Ou Kadertjie" recently popped in at Broodkraal with his wife on the way back from holiday and was treated to a box of the farm's export grapes and the farm's matter-of-fact hospitality.

This year's harvest is a mere fraction of what will eventually be produced for the overseas market. When the *Cape Times* visited the farm a year ago, it was a small, busy blob of green in a golden valley. This year, the green has spread like a welcome infection all across the valley. The community centre is near completion and the workers' pretty homes are clustered beside a glorious rugby field.

When the Broodkraal development is



A BUNCH OF WORK: Seasonal workers Mafa Nkwebe (left) and Ellah Poswa lend a hand with Broodkraal's first harvest. Seasonal workers are accommodated in holiday-style cottages on the farm during harvest, and are allowed to use the various sports and community amenities on the farm, as long as they abide by the rules of the Broodkraal community.



Broodkraal's residents help to graft new vines in an unusual horticultural feat that allows plants to bear fruit a year. This allows production of table grapes for the European market to be speeded up. For delicate fingers are needed, women are better suited to this work. PICTURES: KARIN SCHIMKE



PICK OF THE HARVEST: Piet Abrahams' fleet fingers make short work of Broodkraal's harvestable table grapes.

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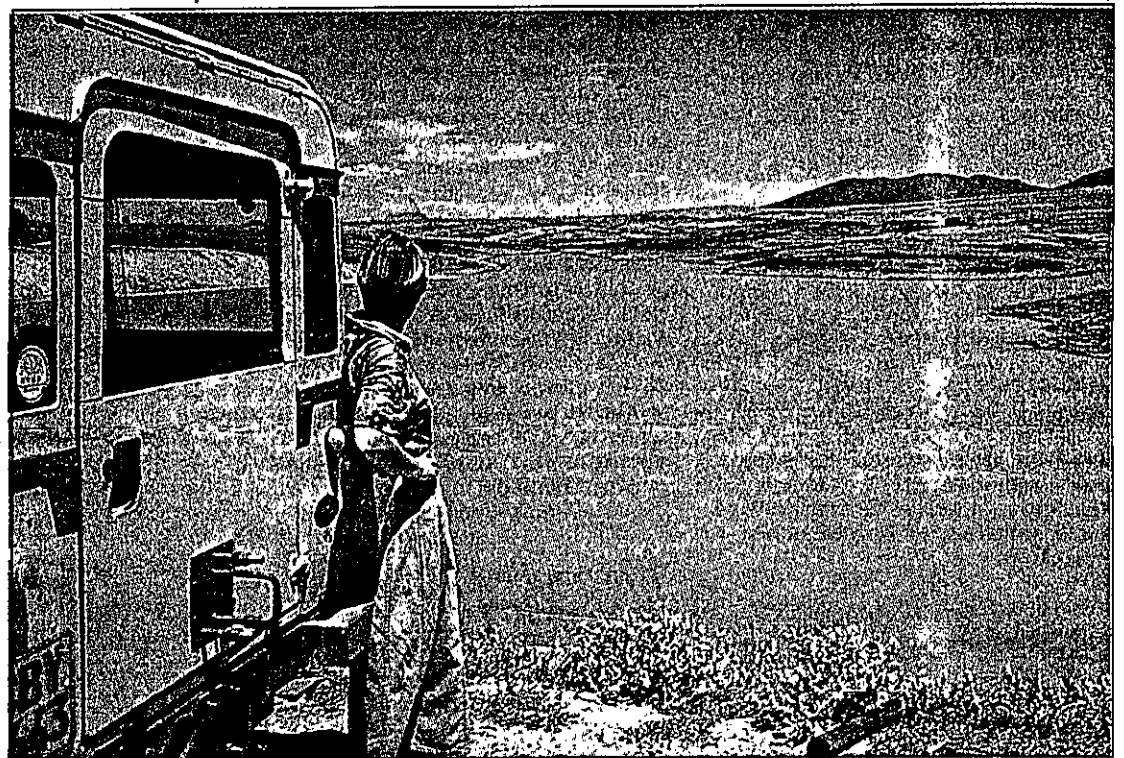
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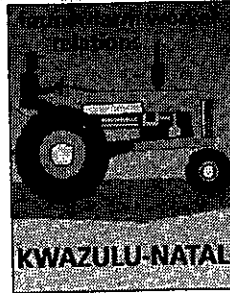
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When the Broodkraal development is

finally finished in years to come, perhaps Le Roux would consider changing its name in honour of the grapes he exports. But he's probably too humble to call this place Majestic. He says: "The Lord has been good to me and I realised that if I wanted to plough something back, I couldn't just do it by giving money to charity. I wanted to give people a chance to live in decent houses and build up self-respect by working to support themselves and their families."



DREAM DAM: Hanje Bekker, a Broodkraal resident and worker, surveys the dam Water Affairs and Forestry Minister Kader Asmal allowed to be built on the farm to fulfil a business person's dream of boosting the economy of Piketberg.



Survey on farmers carries no weight

(4) Star 25/1/99

Conclusions drawn about land

reform are questionable, write

Brendan Pearce and Dave Husy

The recently released results of a Helen Suzman Foundation survey into farmers and farmworkers in KwaZulu Natal are extremely surprising. Perhaps more surprising is the fact that the authors of the report make assurances as to the independence of the survey and its nature as the "first scientific inquiry of its kind ever conducted".

Considering the highly complex nature of farmer-farmworker relations and the history of these relations, neither the results of the survey, nor these claims can be given any weight.

The first problem is that the format and methodology employed in the survey means that the data collected and conclusions drawn are questionable. The survey was carried out in conjunction with an employers' association, and one which reflects a particular segment of farmers in KwaZulu Natal.

Considering interviews were conducted on farms where the permission of farmers was sought before interviews could be arranged, this approach immediately poses the problem of ensuring accurate data. Not only are the farms included in the survey likely to be those of farmers with less antagonistic attitudes and practices, and ones which are more accommodating to the intention of the survey, but it also affects the responses of farmworkers.

Secondly, interviewers on a farm are correctly assumed by farmworkers to have the permission of the farmer, and therefore are closely connected to them. If it is assumed that this is the case, many farmworkers are hardly likely to severely criticise their employer if there is a chance that the employer will be briefed afterwards.

The context of a farm as one which has traditionally been one of total control has been documented by many observers.

In light of this, the authors' assertion that the survey ensured adequate responses by the fact that "interviewees were always interviewed out of sight and sound of the farmer", that they were interviewed "separately by black interviewers in the respondents' own language", and that "all respondents were assured of their complete anonymity" is ludicrous. This claim is either naive at best, or misleading at worst.

Another weakness of the survey is in the presentation of data and the conclusions drawn. In their postscript to the survey report the authors complain "early press reports had given a some-

what misleading picture" by portraying farmworkers as "happy". Their complaint is unfounded.

The report clearly implies that farmer-farmworker relations are good - "farmworkers were almost as glowing about this relationship as farmers had been" - and farmworkers were part of communities that were "islands of order and relative prosperity".

A more mischievous component of the survey relates to land reform, and this is where the political intentions of the authors become clear. The crude counter-positioning of wages against land is a traditional strategy employed by farmers to forestall land reform. The survey supports this strategy by implying, even asserting, that farmworkers do not want or need land, and that they are content with remaining as waged workers.

Certainly, our experience of labour tenants and farmworkers is they want land, but they also want to ensure that they can ensure their current and future livelihoods and are therefore careful to assert the need for both higher wages, and land reform which minimises their cost.

For these reservations to be taken as reservations about land reform in general is a misrepresentation of their views.

The report, and the survey, are both methodologically and politically flawed. The act as a vehicle for traditional farmer opinions and representations, and can hardly be considered independent. As the report notes, Kwanalu commissioned the foundation to conduct the survey to confirm the findings of its own internal survey.

The fact that the Helen Suzman Foundation and Kwanalu co-sponsored the survey merely confirms to us the close relationship between their interests, and one which is supported by the findings of the survey. Unlike the authors, it is not surprising to us that there was an outcry from farmworker unions, and NGOs working in rural areas of the province. ■ Pearce is director and Husy deputy director of the National Land Committee

Farmers accused of abusing workers

(4)

CLAIMS that a Messina farmer forced a woman to climb half-naked into a coffin after he caught her stealing wood were credible, the SA Human Rights Commission said yesterday.

It referred the matter to the national director of prosecutions in a report released in Messina. The document deals with human rights violations against farmworkers in the Northern Province districts of Messina and Tshipise.

Commission chairman Barney Piyaana presented the Messina community with a copy of the report earlier in the day. Evidence about the alleged violations against the woman emerged during hearings held by the commission in Messina in November last year.

The report said Ms J Denga testified that she was gathering wood on the farm Leeuplaas last year when the owner, Mr. Roelf Schutte, apprehended her. "She alleged that Schutte assaulted her and took her to his place of business, where he forced her to perform a coffin while in a state of semi-nudness. This was denied by Schutte, who said he merely detained the woman until he was able to take her to the police five hours later. Denga was later fined R800 for trespassing on land for stealing wood. The commission found Denga's version to be the more probable one, said the report. It criticises Schutte's testimony, but the judge told one of his workers after capturing Denga: "Here is a woman, take her."

The commission said: "Such utterances constitute sexual harassment. In another case it found that a Ms Randima was subjected to inhuman treatment while being held for trespassing. She was compelled to sit under a tree for seven hours without food or water before being taken to the police. The commission dismissed six allegations of police misconduct during an operation against farmworkers at Maswiti Boerdery in March last year. But it reports widespread mistrust of the

criminal justice system among farmworkers. "People testified to being held without charge for long periods for minor offences like trespassing. Courts often fix unaffordable bail. People also complain of double standards in the processing of complaints by workers and farmers," said the report. This reinforced the view that the police and courts existed only to serve the farmer community. Another area of concern was the way in which the use of labour from Zimbabwe, which is about 10km from Messina, was being regulated. The commission said it found that immigration officials at the Beit Bridge border post were issuing work permits without consultation or approval. "We accordingly recommend that the Department of Home Affairs take all necessary measures to ensure that applications are considered in accordance with existing policy." The department had since given an undertaking to do so, the report said. — Sapa.

11/2/99

Hanekom embroiled in labour dispute (4)

RD 12/2/99
Renee Grawitzky

LAND Affairs Minister Derek Hanekom is embroiled in a labour dispute with former employees of the Agricultural Credit Board whose contracts were allegedly terminated midterm without compensation.

The aggrieved workers also claim that the closure of the board last year was unconstitutional and illegal as the necessary legislation was only promulgated three months after the event.

Sources claimed Hanekom's decision to close down the board was in conflict with a legal opinion drafted by the chief state law adviser.

The land affairs ministry confirmed yesterday that the dispute had been referred to the Commission for Conciliation, Mediation and Arbitration (CCMA).

It said the decision to close the board — which was responsible for considering and making subsidised loans to farmers — was in line with recommendations by a commission of inquiry into the provision of financial services in the rural areas that lending functions should be transferred to the Land Bank.

The ministry said the decision to shut down the board was supported by the SA Agricultural Union and the National African Farmers' Union.

However, sources said yesterday the board was closed prematurely and that applications from farmers already in the system were ignored.

Former board employees said yesterday the ministry was trying to drag out the proceedings so that the matter could be dropped.

The CCMA was supposed to start arbitration talks last month, but postponed the case after failing to appoint a senior commissioner to preside over it.

Sowing the seeds of xenophobia

(4) (2/10)

M+G 12/18/99

Farmers on South Africa's northern border are dispossessing their South African workers and trucking in Zimbabweans, who are willing to work for R5 a day. Ann Eveleth reports

Maswiri Boerdery director Andries Fourie is the quintessential old-style farmer. Khaki-clad and drunk with the power he exerts over the 400 South African farmworkers he dismissed last year and about 500 Zimbabwean farmworkers he trucked across the border to replace them, Fourie brooks no opposition.

He doesn't believe the 900 black people living on "his" Northern Province farm in Tshipise — a stone's throw from the Beit Bridge border post with Zimbabwe — have the right to speak to outsiders without his permission.

He had never heard of the European Union before this week. And he doesn't believe his workers have the right to join a union to press for increases to their R335 monthly wage.

"I'm not answering any of your questions. You are going to answer my questions," he declared as he tried to force an EU-led delegation, accompanied by the *Mail & Guardian*, to leave the farm during a meeting with his sacked workers on Monday.

Fourie is embroiled in a Labour Court battle with the workers he dismissed last year after they joined the Trade Union of South African Authority (TUSAA) in a bid to improve their working and living conditions.

He was also criticised this week by the Human Rights Commission for the "cruel, inhuman and degrading treatment" meted out with his knowledge to a former worker.

This week Fourie detained representatives of the EU Foundation for Human Rights, the National Land Committee (NLC), the Nkuzi Development Association and the M&G after a visit to the produce sheds where he houses his Zimbabwean workforce in squalid conditions.

"We pick oranges in the fields from 6am to 5pm, Monday to Saturday," says Bangai Shengiwa, a 25-year-old woman who got a job at the border post last March by paying about R5 to a border official for a permit. "People come from as far away as Harare to get jobs at the border. The farmer brings you across in his truck the first time, but after that you have to pay your own way back," she adds.

Shengiwa lives in a filthy 4m² cement shed with 19 other women who, like her, left their families behind in Zimbabwe to search for a better life in South Africa. She is embarrassed to open the tiny blackened pot on a tiny twig fire in front of her room. "I don't want you to see how badly we are living," she says. The pot is less than half-full with the mopane worms the workers collect for food.

"Most of the time we only have *juna* [a thin soup] and cabbage. The last time I had meat was in

Zimbabwe," adds Shengiwa.

Some of the men, like Leonard Tachle (47), live in crowded cement rooms like Shengiwa's. But most sleep in the dirt that lines the floor of the two aluminium sheds once used to store mielies and other produce. Four big pots cook the porridge they will eat for days. "You get another R45 a month for food if you don't eat the farm food," says Tachle.

"People volunteer for this work when the agent comes to Zimbabwe because they say there are good wages of R500 a month and good accommodation. Only when you arrive here things are very different," he adds.

Tachle says fights are common between his fellow Zimbabwean workers and the South African workers that used to do their jobs. The two groups live on separate parts of Fourie's extensive farm. Shengiwa says she knows the South Africans used to work there, but explains, "We came here for the jobs because we are very poor."

Back on the other side of the farm, where the sacked South African workers await the outcome of their Labour Court application and a land restitution claim for a large part of the farm where some families have lived for generations, the tempers are rising against the Zimbabweans.

"The Zimbabweans are taking our jobs and we should fight. They have left their country and come here, so we don't feel any pity for them," says Thomas Tobo (26).

"They better get these jobs while the South Africans are working. We voted for this government, but they only gave rights to the Zimbabweans, not to us," says another man.

Nkuzi Development Association fieldworker Shirami Shirinda says most farms in the Tshipise/Messina district use Zimbabwean farmworkers.

A Human Rights Commission report on alleged violations of farmworkers' rights in the district released this week estimates that at least 45% of Messina's mainly black population of 27 000 is unemployed. The only work in the area is found on the large citrus and tomato farms owned mainly by white farmers.

But the Zimbabweans are not illegal immigrants. They proudly display their work permits, mostly for six months and often renewed. A sticker on the permits bears the name of a Messina labour broker, Bertus Schutte.

Northern Province home affairs regional director Victor Mabunda says the permits are issued in terms of a long-standing agreement between the governments of South Africa and Zimbabwe. "It might happen that some of



Replaced: Azwitamsi Kwinda and her colleagues were fired after they joined a union. PHOTO: ANN EVELETH

our officials are abusing their power [by rubber-stamping applications], and if we know of cases like that we will investigate. But if there is an agreement, we cannot change the policy," he said.

Nobody seems to have a copy of this agreement, but Beit Bridge immigration officer Erika Nuller says between 2 000 and 3 000 Zimbabwean farmworkers are granted visas each month on this basis.

The Agricultural Employers Organisation (AEO) says the agreement — forged by the apartheid regime — was due to end last year, but it managed to convince the government to extend it to January 31 and are now negotiating for a further extension. Many of the current workers at Maswiri are legal until April.

The AEO says the farmers need the agreement because "South African workers do not want to work".

Immigration seems to accept this argument. Although Nuller says there are no efforts made to ensure local labour cannot fill the jobs, she explains that "we all know the farmers say the South African workers don't want to work. Especially at places like Messina, people ask for exorbitant amounts just to pick tomatoes," she says.

But Nkuzi Development Association policy co-ordinator Edward Lahiff says South African workers simply want a decent wage. "The farmers are pitching their wages so low — between R5 and R9 a day — because they know they can get Zimbabwean labour. Such a wage only came about with the large

pool of unemployed labour that this agreement made available. It is not a market wage. These farmers are producing oranges for export.

"Now that South African workers have rights, the farmers are saying 'We want to keep the old system by using a super-exploited labour pool from Zimbabwe,'" adds Lahiff.

Azwitamsi Kwinda (40) is adamant that Fourie fired her and her colleagues "because this farmer doesn't like the unions. We wanted the union because life was difficult on the farm and because now the law is allowing people to join unions. He formed another union and told us to join that one. Some people joined because it only cost R5, but the rest of us stayed with TUSAA. Then he made a list of the people from TUSAA and said we are too dark so we must be Zimbabwean. He called the police and 11 of us were arrested," she says.

Kwinda — the appointed representative of the group — says the unionised workers tried to discuss this with Fourie for a week. "Fourie refused to speak to us. Then he promised to give us R50 and R100 later. He paid us R50 one month and we never saw it again."

The workers went on strike and Fourie dismissed them. Then he marked their houses for eviction, but Nkuzi averted this plan by informing him of the Extension of Security of Tenure Act. But the workers have had no money for almost a year.

"I started working when I was not even able to carry five litres of water, packing boxes for oranges," says Kwinda. "Our average salary was R335 per month and sometimes he would only pay after six weeks. We worked from 7am to 5pm Monday to Saturday. Now we have nothing," she adds.

Northern Province Department of Labour director Pinky Mayesela says the province had not been informed of the agreement that apparently allowed Fourie to replace Kwinda and her colleagues. Most foreign work permits are vetted with the department, but this has not happened in this case.

"We have a very high rate of unemployment in the Northern Province and we would prefer to give preference to unemployed South Africans. If there is an agreement, maybe the balance can be struck on a quota system until that agreement runs out. But we have plenty of internal farm labour here.

"We have queues and queues of people looking for work. Not only must they be employed, but they must work under decent conditions in terms of the Basic Conditions of Employment Act," adds Mayesela.

The visit to the Maswiri Boerdery was sponsored by the European Union Foundation for Human Rights as part of a R2-million project conducted by the NLC, the Legal Resources Centre and the Centre for Applied Legal Studies to implement the 1997 Extension of Security of Tenure Act

Farm 'justice' slammed

Star 11/2/99

(4)

Commission says punishments violated victims' rights

BY RYAN CRESSWELL

The Human Rights Commission has found that two farmers in Messina, Northern Province, violated the rights of two members of the community but that allegations against police, the courts and a security company could not be proved.

The commission presented the report yesterday in the Messina Agricultural Hall, the same venue where witnesses made allegations of abuse and injustice last year.

It also outlined a number of recommendations for changes involving policing, justice, security and immigration.

The HRC said the SA Police Service, the Department of Justice and the office of the national director of public prosecutions should ensure "proper two-way communication" between service providers and the community to alleviate

distrust and cynicism. The use of the Trespass Act should also be reviewed.

The Department of Home Affairs should develop and issue clear guidelines laying down criteria for the arrest of suspected aliens in terms of the Aliens Control Act.

And the Security Officers Board should include training for security personnel.

The commission found that Maswiri Boerdery owner Andries Fourie was aware that a woman was being detained on Maswiri Farm, and that he treated her in an inhumane manner.

Fourie testified that he was aware of the detention and he further admitted that she received no nourishment during her extended detention outside his offices.

The detention amounted to cruel, inhuman and degrading treatment, the HRC said. But the report dismissed allega-

tions that Fourie kept a specific detention room on one of his farms.

Commissioners said farmer Rudolf Schutte of Leeuplaas violated Josephine Denga's "right to dignity and her right to freedom and security" after he legally arrested her for stealing firewood.

Denga last year told the HRC she was assaulted, held for nearly five hours, threatened with being bitten by an angry dog, and made to partly strip and lie in a coffin. She was fined R800 or two months in jail for stealing wood, but Schutte did not face charges.

The HRC recommended that the prosecuting authority should consider the findings and the full record relevant to the allegations against Schutte.

The commission also said six complaints against the police, ranging from negligence to assault, could not be proved and had to be dismissed.

Four seek R1-m from Hanekom

(4)

(A)

BY RAPHAEL BANDA

Four former Agricultural Credit Board (ACB) members are demanding almost R1-million from Agriculture and Land Affairs Minister Derek Hanekom for unfair dismissal in terms of the Labour Relations Act.

The four, including former ACB deputy chairperson Wielie Heine, lost their jobs when the minister amended the Agricultural Act last year and transferred credit functions from the board to the Land Bank.

Len Bekker, the legal representative for the four, said they are demanding payment for the remainder of their contracts, compensation of one week's salary for every year worked and legal costs.

The case began when 10 members of the board were left jobless following the closure of the ACB on April 1. Their contracts would have ended in December, but six of them were placed in alternative positions.

They have failed to agree on a settlement and now the case is set to go to arbitration. A date has not been set.

The case was postponed on January 20 this year when a "junior" commissioner was assigned to hear the case contrary to an agreement between the two sides for a senior commissioner to be appointed, Bekker said.

Sources said the closure of the ACB had left about 1.000 applications for credit from small farmers unconsidered.

/SKW 15/2/99

Olive toil pays off for 30 workers

CT 17/2/99
JUDITH SOAL

(4)

KAREL HENDRICKS has worked on the Cape Olive farm in Dal Josafat near Paarl for 12 years. Tomorrow, for the first time, he will be working for himself — at least partly.

"In all these 12 years I've never achieved anything. Now, after this new business, maybe I will be able to," he said yesterday.

Hendricks was one of 30 farmworkers to receive a grant from the Department of Land Affairs yesterday allowing him and his colleagues — who have formed the Unlimited Olive People's Trust — to buy a 15% share in the Cape Olive Group business. Land Affairs Minister Derek Hanekom visited the farm to hand over a cheque for R432,000 to the trust.

"This is true transformation at work," Hanekom said. "It shows there is so much we can do to change our society if we have the creativity, vision and energy. I believe we have all these things."

The initiative has been planned by the Cape Olive Group, the government and the workers for 18 months. The planning has included farmworkers learning entrepreneurial skills so that they can help run their business. One of their number, Unlimited Olive People's Trust representative Christie Pieterse, will be a full member of the Cape Olive Group board.

The workers will continue to be paid their normal salaries. At the end of each year they will receive their share of the farm's profits.

Hannes le Roux, managing director of the New Farmers group — which owns 60% of the business — said the workers would increase their shareholding over time.

"Globally, the olive market is growing rapidly and domestically we're up about 10% every year," he said. "We want to ensure that over time our workers build up a meaningful stake in the agribusiness."

Hendricks says he knows the project will not change his life overnight. But for the first time he and his wife Eva believe they have something to work towards.

Government to meet on phantom farm labour 'agreement'

Ann Eveleth

A high-level government meeting set for March 1 is expected to lay down the law on the use of Zimbabwean farm labour — now widespread in areas of high unemployment along the Northern Province border — by South African farmers.

Department of Labour representative Sello Mosai said the deputy directors general of the departments of labour, home affairs, agriculture and trade and industry would meet next month to map the future of long-standing policy which has allowed South African farmers to bypass local farmworkers in favour of importing cheaper workers from across the border. The practice had been extended again until June this year, pending a finalisation of new policy, he added.

Mosai, a researcher in the department's labour-market policy unit, said the meeting fol-

lows consultations with farmers and other stakeholders. "The farmers said they need this policy because they cannot get people with certain skills, like sheep-shearing, in South Africa," said Mosai.

The *Mail & Guardian* last week visited a Tshipise citrus farm where about 500 Zimbabwean farmworkers have been employed for R235 per month as strikebusters to replace South African workers demanding higher wages. Beit Bridge border officials reported granting 2 000 to 3 000 Zimbabwean farm labour work permits each month on the basis of "an agreement" between the governments of South Africa and Zimbabwe.

The national Department of Home Affairs told the Northern Province-based Nkuzo Development Association in a December 1998 letter that permits are issued in terms of a "special concession granted in terms of a bilateral

agreement between the governments of Zimbabwe and South Africa."

But the departments of home affairs, labour, agriculture and foreign affairs this week denied that any bilateral agreement governing farm labour migration existed between South Africa and Zimbabwe.

Department of Home Affairs representative Tumi Maloi said South Africa had signed other agreements on the use of farm and mine labour with the governments of Lesotho, Botswana, Swaziland and Mozambique in the 1980s.

Negotiations have, however, taken place over the past year between agricultural unions and various government departments to extend the terms of what appears to be a phantom agreement with Zimbabwe.

Mosai said the practice of granting "no objection" work permits — a sort of express lane for migrant labour where permits are

(4)
MTG 19-25/2/99

granted at the border — to Zimbabwean farmworkers at the request of South African farmers had been in place for years and continued in terms of the Aliens Control Act of 1991.

A presidential committee on labour market policy recommended in 1997 that the practice be phased out and that such work permits should only be granted in terms of the normal procedures governing foreign work permits.

The 1997 Green Paper on International Migration calls for greater integration of South Africa into the Southern African Development Community (SADC) and paves the way for continued employment for semi-skilled and unskilled migrant labour exclusively from SADC countries. But it also calls for these to be governed by flexible annual quotas; an onus on employers to demonstrate their need to employ SADC citizens; and the extension of all Southern African employment rights and protections to SADC workers.

But these appear to have been largely ignored by officials involved in the Beit Bridge immigration process.

Fumes kill two winery workers

JOHAN SCHRONEN
CRIME CORRESPONDENT

(4)

ARG 19/2/99

Two workers at a winery in Oudtshoorn died and two others were seriously ill after being overcome by gas in a fermenting tank.

The accident happened at Kango Co-operative soon after 7am, as workers were cleaning a wine press.

The men were on the side of the press but Siphso Hoko climbed into the tank to retrieve a metal bar which had fallen in.

When Mr Hoko got into trouble, Branville Maart climbed down to help him - but also lost consciousness.

Pieter Conradie, the winemaker, and his assistant, Damon Booysen, rushed to help the men. They were also overcome by fumes.

Two other workers were able to save Mr Conradie and Mr Booysen.

They were taken to Oudtshoorn Hospital in a serious but stable condition, but Mr Hoko and Mr Maart were declared dead on the scene.

'THEY'RE AFRAID TO COMPLAIN'

Farm women in work trap

ET 22/2/99 (4)

THE WIVES OF labourers on some Western Cape farms find themselves trapped in a form of servitude they're afraid to question. Political writer **KARIN SCHIMKE** reports.

THERE is only one South African law superior to the Constitution and that is the law of the farm.

This is not technically true, but it is the reality by which Julie Davids must abide, or face being expelled from her home, causing her husband to lose his job as a supervisor on a Wellington farm, and perhaps even endangering the future of her parents who live and work on the same farm.

The law of the farm is not one Davids is about to break, even though a new-found financial freedom makes it tempting.

Davids is one of several wives of farm workers and have found work off their home farms so that they can provide an income for their families. When picking season comes around, however, these women are forced to leave their steady jobs as factory or domestic workers to help with the harvest.

"The farmer only needs me from January to April," said Davids, "but we struggle financially the rest of the time, so I decided to get a job in town. The farmer said it was okay, but then when the season started he wanted me back. I had to give up my other work."

"If I refuse he'll probably ban us from the farm. And maybe even my parents. They've been working there for 27 years."

Davids' employer, Emily Barhuitzen, said she would have Davids back as soon as the harvest was over.

"It's going to be hard to cope without her, but I'm more concerned about Julie than about me. She's very upset. When the women are working in the vineyards, they're there from early morning

till late evening. Who cooks? Who looks after their children?"

Pierre-Jean Geber of the New National Party, who works closely with farming communities, has decided to refer the matter to both the Gender and the Human Rights commissions.

"It's prehistoric. It's out of line, it's out of touch and it's out of synch with modern South Africa. If the same kind of thing had to happen in, for instance, the mining industry, we'd have a revolution on our hands."

It appears the practice is common and accepted in the Western Cape, both by farm workers and the women involved.

Because the women are afraid of their employers, they seldom complain. This makes it difficult for unions and non-government organisations to deal with the problem.

Andries Titus of the Surplus People Project said: "I recently dealt with a case of a 75-year-old woman who was forced to work. She broke her leg one night, but the farmer insisted she carry on working. He told her that if she didn't want to work, she and her daughters would have to leave the farm. He didn't say her husband had to leave, but obviously she wasn't going to go without him. Where would she go anyway?"

The women are so afraid of speaking, said Titus, that even the non-government organisations who were on their side struggled to get them to voice their complaints. "The women are also afraid to

ask advice from unions, because quite often the third party will have to make contact with the farmer to explain the women's rights to him. As soon as the third party is out of the picture, the women are left alone with the farmer. They would rather not complain to anyone about this, than suffer the consequences."

Lisa Seftel, chief director of labour relations in the Department of Labour, said: "It is well known that on farms employers put a lot of pressure on their workers. In this case, expecting a woman to work on the farm because her husband works there, is theoretically wrong. It's a form of forced labour."

With our new relations with the European Union and the potential for greater export, this kind of practice is going to come under increased scrutiny, because the sophisticated European market likes to know under what circumstances the products it buys have been produced."

Jacqui Sunde, a rural researcher, said that apart from the concern about the women's working conditions, there were economic considerations. There was the impact on the livelihood of the particular household affected by a woman not being able to commit herself to permanent employment off the farm, and there was the impact on the local rural economy.

"Other employers are becoming adamant that women applying for jobs in their factories commit themselves to their jobs, which is understandable, because they have a business to run and can't keep employing new people every time harvest rolls around."

Sunde said of these women: "They suffer under a double layer of gender oppression. Their husbands accept work on farms on condition the women can work too and the man's employment needs are always considered first. Many farmers still neglect to enter into a contractual agreement with women, even though that is now law, and they often refer to the women as casual labour, even when those women are expected to be available for work all the time.

"Farmers generally have a paternalistic approach to labour relations. If the women are not being pressured by their husbands to work on the farms, they are definitely being pressured by the farmers. It's a double set of oppressive patriarchal relations."

Sunde made it clear that "forced labour" was not practised on all farms. "Some farmers do permit workers' wives to work off the farm without stipulating any conditions. Most farmers allow women to work elsewhere as long as their labour is available when he needs it or they don't work for another farmer. Some refuse to let the women work elsewhere. And some farmers provide clear incentives for the women to work on their farms; for instance, paying their children's school fees, or buying school clothes or paying medical bills."

Sunde said the majority of farm workers were not the poorest of South Africa's poor, because they had work. But they were definitely among the least enlightened about their rights and the most vulnerable because they relied on the farmers' goodwill.

Davids said: "Since I started working for Emily I tell my daughter every day to study hard because there's a better world out there. She must get off the farm as soon as she can."



A ROCK AND A HARD PLACE: Labourers' wives who seek work off their farms find themselves trapped between a double layer of oppression — and their families are the ones who suffer. **PICTURE: A K ADAMS**

Row brews over use of 'cheap' Zimbabwean farm workers

Louise Cook

(4) BD 22/2/99

PRETORIA — The National Land Committee has condemned government and the Transvaal Agricultural Union (TAU) for allowing the migrant labour system to continue on farms in Northern Province.

It said there was no shortage of local labourers, and Zimbabweans being recruited were grossly underpaid and maltreated.

However, TAU labour and land affairs manager Jack Loggenberg denied the accusation, saying Zimbabwean workers, some

of whom had been working on SA farms for eight years, could not simply be sent back.

Committee director Brendon Pearce said the Zimbabweans' work permits should not be renewed as the system boiled down to "oppressive labour practices of the past".

Zimbabweans have been recruited to work on farms in the province for many years in terms of an agreement between the TAU and government. However, the contracts expired some months ago and government granted them extensions.

"Light needs to be shed on the murky world of farm labour," Pearce said. Among issues now being exposed were the appalling conditions endured by the workers and the questionable role of certain government departments in the provision of ultra-cheap labour for farmers.

Labour department researcher Cello Mosai said government was aware of problems and was rewriting policy on migrant labour. Foreigners fell under local labour legislation and enjoyed the same protection as South Africans.

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FARM EQUITY SCHEMES

WORKERS REAP DIVIDENDS FROM WHAT THEY SOW

fm 26/2/99

Fruit and wine industry gives workers stake in agri-businesses

Rural development is being given a boost by a spate of farm worker equity participation schemes in the Western Cape's fruit and wine industry.

Over the past five years, about 19 such schemes have sprung up across the province, enabling poorly educated farm workers to acquire equity in commercial farms and to share in their management.

A significant player is the NewFarmers Development Company which aims to make profitable investments in agri-business while empowering farm workers. It has R51,3m in share capital put up by several large banks and corporations, including the Commonwealth Development Corporation and the Netherlands Development Finance Company.

So far it has invested R29m in six partnership schemes around the country. Its latest venture involves the acquisition of a 64% stake in the Cape Olive Group, producers of SA's household brand Buffet Olives. The deal has been structured to give the farm's 27 worker families a 5% share in the business with each family contributing their R16 000 settlement allowance (the rural equivalent of the urban housing subsidy) provided by the Department of Land Affairs.

Handing over share certificates worth nearly half a million rand to the families last week, Land Affairs Minister Derek Hanekom said the project was an excellent example of a growing trend in which the

department, private sector and workers pooled resources to provide the rural poor with access to land and better livelihoods.

The non-governmental organisation Surplus People's Project recently produced a report on four such schemes. Some of these have not met worker expectations. Nevertheless, the department supports the concept since the high cost of land and considerable capital outlay required often mitigates against workers going it alone.

The department conducts a rigorous evaluation of each proposed scheme before providing workers with settlement grants.

Redistributive policy director George Oricho says the department supports and promotes farm worker equity participation schemes because they give workers access to the farmers' existing infrastructure and markets, facilitate the transfer of skills to workers, mobilise private-sector support and investment, and create opportunities to leverage institutional funding.

Equity participation schemes are not

profit-sharing arrangements. The workers derive income in the form of dividends, though the company may not be obliged to declare one annually. But for labour it is less about raising current income levels, than access to an appreciating asset which can be sold or used as collateral to build a home or to invest in a small business.

In the Buffet Olive case workers are very positive about the deal, says Christie Pieterse, chairman of the workers' trust. "It's an opportunity that may never come again. Besides the partnership in the business, there are huge opportunities for them to grow personally and socially."

The shares have been placed in a trust established by the workers after an 18-month training programme which sought to help them understand the risks and benefits of investing, how to play an active role on the company's board, and included basic life skills training. The workers' representative on the board is a full director, has a say in strategic decision-making, and is able to veto certain company decisions.

In order for the farm workers to make an informed decision on an equal footing with the other parties, they need the support of an independent agent. This is where someone like Johan Hamman comes in. Hamman is a lawyer who runs his own rural development consultancy in Cape Town. He is currently acting for farm workers in about 10 similar equity participation schemes across the province.

"Equity participation schemes are becoming a popular mechanism for land reform in the province and are generally working well," says Hamman, who believes they may eventually become the norm in the fruit and wine export sector.

The sector lends itself to this kind of scheme because of its high-value, labour-intensive nature. Because there are substantial profits to be made, there is a real possibility of increased wealth.

The wine industry has experienced a spate of partnership schemes with workers and many of the resultant wines are being exported; among them Fairview's Fair Valley wine, Backsberg's Freedom

BANKING ON THE BARN

Farm equity participation schemes

KEY ADVANTAGES TO FARM WORKERS:

- *Improvement in income and wealth
- *Greater security of employment
- *Opportunity to build a capital base for future needs
- *Free high quality technical and managerial support
- *New learning opportunities
- *Exposure to skills wider than those acquired as a worker; and
- *Lower risk when entering own commercial farming ventures.

KEY ADVANTAGES TO THE FARMER:

- *Improvement in worker productivity
- *Lower staff turnover and increased loyalty
- *Release of capital for investment; and
- *A means to contribute to reconstruction

Road, Nelson's Creek's New Beginnings, and Thandi wines. Thandi are produced on the Lebanon Fruit Farm in Elgin, in a venture which includes workers, the SA Forestry Co (Safcol), Stellenbosch Farmers' Winery and the De Rust estate, owned by Unifruco chairman Dr Paul Clüver.

Integral to this scheme is the mentorship role that participating organisations play. For instance, UK supermarket giant Tesco is helping the project meet export criteria.

"Five years ago when you spoke to farmers about participation share schemes they thought you were crazy. Now they see the sense in it," says Pretoria University Professor of Agri-Business Management Johan van Rooyen.

Farmers can use the cash injected by workers to reduce their debt or to invest in the farm. They can expect a huge boost in labour productivity and loyalty and a decline in labour turnover — benefits which will improve competitiveness.

Hamman says the Whitehall deciduous fruit farm in Elgin, which was recognised as the most productive farm in the area prior to the introduction of its partnership scheme 1990, experienced a 30% increase in productivity since then. Two Whitehall workers have since sold their shares in the farm to go into business for themselves.

Van Rooyen says government should encourage farmers to launch equity participation schemes because of the advantages to society and because the cost to the State of this form of empowerment is low compared to other forms of land reform such as State-led farm settlement schemes.

But not all equity participation schemes work. "SA has had many disaster stories," says NewFarmers MD Hannes Le Roux, "mainly because they didn't have a proper partnership or business plan in place."

For schemes to succeed they require technical know-how, access to working capital, sound operational and managerial skills, good corporate governance and financial administration, and commitment from all the players. Building trust between groups with different backgrounds is also crucial and the partnership needs to be massaged continuously.

Schemes are unlikely to succeed as a tool to heal ill relationships on the farm and should ideally be built on a basis of mutual respect that has been developed over time, says Van Rooyen.

They are not a quick or easy solution to SA's rural development problems and farmers should not underestimate the capacity building they will be required to undertake.

Claire Bissek

Hanekom hands over title deeds

By Joshua Raboroko

AGRICULTURE and Land Affairs Minister Derek Hanekom handed more than 1 500 title deeds to poor people in North West in the past few days, making them property owners for the first time.

Hundreds of hectares of land in Welverdiend, Grasfontein and Bakerville were bought by the Government and involved more than R10 million in development projects for North West.

Hanekom also visited similar project sites in Klerksdorp's Maputle-Goanagomo farms which are now owned by local communities.

Other projects include those in Harmonie Farm in Piketberg, Eikenvlie, Burgler's Post and Karnemelkvei, Luiperskop and Sonop in the Western

Cape. The visit, as well as the handing over of the title deeds and developing projects such as agriculture and health and welfare facilities were important milestones in the development of land restitution and land reform, Hanekom said.

The families of about 250 people at Welverdiend have lived on the farm since 1926. The Government bought the land at a cost of more than R400 000.

He was applauded by hundreds of destitute people who followed him on tour to some of the farms where communities claimed they were evicted from the land by the previous government.

The Grasfontein project cost R3,4 million and would benefit 230 families, while the Bakerville land cost R6 million.

Government was committed to improve the quality of life of the poor and ensure economic growth through land reform, the minister said.

There were 31 redistribution projects in the Western Cape which involved 1 759 households.

In addition, 15 restitution claims had been resolved, affecting 2 004 people.

SOWETAN 5/3/99

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'Faithful' get share in farm

ERIC NTABAZALILA

ALG FARMS, one of the leading citrus producers in the Western Cape, has rewarded their "most faithful and reliable farm workers" by presenting them with a share in a prime citrus farmland in Citrusdal.

In a joint venture between ALG Farms and ALG Workers' Investment, Minister of Agriculture and Land Affairs, Derek Hanekom, presented the 36 farm workers with the title deeds to 40 hectares of the prime land which is on the banks of the Olifants River Valley in the hub of the Western Cape's Citrus Industry.

The venture was not only hailed as the first citrus land reform project in the Western Cape, but was also a successful reflection of the government's land reform policy, and set

new standards for the collaboration between farmers and their workers.

The venture will be registered and managed as Cedar Citrus (Pty) Ltd, and no outside shareholder will be able to own more than 50% of the shares.

The farm workers are going reap good crops as the land is ideally situated for optimal citrus production. They will also plant subsistence crops between the citrus fruit trees. They will have access to the latest technology in terms of drainage systems, soil preparation, computerised irrigation systems and the methods of planting new trees.

Gerrit van der Merwe, co-owner of ALG Farms, who has been appointed Cedar Citrus' chairperson, said a high level of technology was essential in the production of a profitable, world-class product.

CT 5/5/99

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(4)

Land Affairs divides and conquers

Ann Eveleth

Land reform has quietly undergone a major policy shift as the government has entered the land market in a bid to reshape the way land reform works.

Minister of Agriculture and Land Affairs Derek Hanekom told the *Mail & Guardian* in an interview this week that the government had already begun purchasing farms for subdivision, and intended intervening further in the shape of the land market over the next five years.

The move marks a major shift from the demand-led land reform programmes of the past five years, to supply-led land reform. In the past the government has been loathe to purchase land, and has instead helped beneficiaries use their R16 000 land reform grants to purchase the farms they chose.

Now the government has begun to purchase large farms to subdivide among different groups of beneficiaries with different objectives.

Hanekom said the shift followed the realisation that demand-led land reform — and the large size of farms on the market — was forcing beneficiaries to join big groups and pool their grants in spite of competing interests.

"The supply of farms in South Africa is predetermined. The farms are big and the farmer wants to sell the whole farm. But someone who just wants some land to cultivate is forced to join a group because they can't buy the whole farm ... But they don't need the whole farm, and the different land needs in the group can create conflict," said Hanekom.

He added that the demand-led policy had seen many projects reach an advanced stage, with substantial proposals and business plans already drafted, before they were rejected as not being viable.

Hanekom said he had just rejected plans for a farm in Vanderbijlpark, where 250 people wanted to buy a 420ha farm for an agri-village. "They only need about 20ha or so, but the land they want to buy is very developed. There would still be about 400ha left which they wouldn't use. The need is for a small piece of the farm, but the farmer says, 'I'll sell all or nothing.' Under the past method, we would buy the farm. Now we are going to buy the farm and subdivide it to do other projects. The 250 people will get individual title, and form a little township. The rest of the farm will be modelled to create maximum jobs, which we will offer to the people in the community who are genuinely interested in farming. But some of the beneficiaries are handdressers."

The government had failed to create rural jobs in its first term, Hanekom said, and this would form a major focus of land reform in the future. "In the next five years, there will be far more emphasis on stimulating and supporting rural productive capacity. We've spent too little money on it. We need a major shift from land reform to land reform plus other measures," he said.

The infant land rights Bill — not yet available in draft form — which plans to register and confirm existing occupation in the former homelands, would help pave the way for greater individual and private sector investment in the 13% of South Africa that comprises the former homelands.

A growing focus on helping local governments to purchase municipal commonage for people for grazing and other land uses would also stimulate productive capacity by introducing small-scale agriculturalists to land reform when they were not yet prepared to spend their one-time R16 000 grants on a farm.

"Commonage is going to be a major programme in the future. Some livestock owners need grazing land, but not ownership. Commonage provides them access to land without forfeiting their R16 000 grants. We can invest in public infrastructure, like kraals, fencing and water points, and the programme provides

an entry and exit point for people who find it quite difficult to go into the land market. They may then move on to use their grants or the Land Bank later on," added Hanekom.

He said commonage programmes also hold a high potential for job creation. Pointing to an emerging blueberry project on commonage in his Vredendal constituency, Hanekom predicted that the 10ha plot now under commonage use could yield at least 50 jobs for unemployed beneficiaries, if not 100 jobs, as these beneficiaries hire others to help them.

But he added that much more needed to be done "to stimulate rural entrepreneurs", and funds were needed to sustain programmes aimed at this.

The minister said he intended approaching the European Union to fund rural job creation programmes like the Land Care Programme to the tune of about R150-million a year. "The EU feels at the moment that we haven't tackled rural development overtly, that we haven't tackled poverty. We think this will fit into what they are interested in funding in South Africa."

Hanekom said land reform was likely to receive a larger share of the budget in future years if it could create jobs. "What we need is output-based land reform."

(4) m+G 30/4-6/5/99



Working the earth: Farmers generally want to sell a whole farm, but rural people often only need a small area of ground. Subdivision can help solve this problem



The Independent Mediation Service of South Africa (IMSSA) wishes all the workers of South Africa a happy workers' day and may they enjoy the Mayday celebrations.

As an independent non-statutory agency, IMSSA plays a key role in the resolution and prevention of industrial conflict. Once a dispute has been referred to IMSSA, it takes less than 24 hours to set-up the process, thereby saving parties money and time.

On the training front, IMSSA supports the Skills Development Act 97 of 1998. IMSSA always has and continues to place a premium on skills development. In 1998, IMSSA received a grant from the Department of Labour's Strengthening of Civil Society Fund for industrial dispute resolution training for Public Sector Unions. To contribute to the enhancement of their capacity, IMSSA offers subsidised training for these unions.

Courses offered are:

- Negotiation and Dispute Resolution;
- Arbitration Skills;
- Basic Conditions of Employment;
- Business Finance;
- Employer Participation;
- Relationship Building and
- Diversity Management.

IMSSA applies the "Training for Learning" methodology, which makes use of adult education principles. It assumes everyone has experience in these skills and that the role of training is to offer a framework to further develop this experience. This methodology ensures the maximum amount of learning takes place in any training event. It is experiential and participatory.

Through this initiative, IMSSA will be able to make available its considerable experience in alternative dispute resolution to public sector trade union shopstewards and organisers, thereby developing their capacity as strong negotiating partners.

Public Sector unions are encouraged to be pro-active by contacting
Ms. Kholisa Xinindlu at (011) 482-2390/1 for more information.

Farmworkers fight back with new charter

Ant Eveleth

Today's farmworkers are a vocal bunch. Not only do they know that they are getting the short end of the stick, but also that the battery of new land and labour laws are supposed to protect them, and they have strong ideas on why these measures are falling short.

Joining forces with about 500 rural people from all nine provinces in a Rural People's Convention in Bloemfontein, farmworker delegates and representatives helped craft a Rural Charter which they believe will help them gain an equitable share of South Africa's rural hinterland.

The farmworkers share a vision of a future where the land they have worked, often for decades, can be their own; where their children will earn degrees in agriculture instead of skipping school to pick oranges; and where the home they return to after a hard day's work will be lit, warm and spacious, with more than just pap on the table; and where they will retire with more than just their last pay cheque. That vision resonates throughout the Rural Charter.

"We demand... that farmworkers receive the title deeds to the land on which their houses are built; that farmworkers be targeted as beneficiaries of land reform; that houses for farmworkers must not be smaller than 50m², with electricity, running water and sanitation in the house; a minimum wage, with mechanisms to prevent retrenchments; that heavy fines are imposed on farmers who use child labour or contravene labour laws," states the Rural Charter.

But the expectations of South Africa's six million farmworkers have moved beyond mere provision of basic necessities. "We demand that the Extension of Security of Tenure Act be rewritten to become a law to stop evictions and only cater for evictions under exceptional circumstances," was the call of farmworkers, after two years' experience with the law they thought would protect them.

"The Act only provides a procedure for evictions," argued one delegate. "We need the Labour Relations Act and the Basic Conditions of Employment Act to be rewritten for farmworkers, after negotiation," says Gary Twigg of the Farm Food and Rural Workers Support Association from the Western Cape. "These

laws don't work the same on the farms as in the factories," he adds.

Twigg's plea was reflected in a charter demand that "labour legislation must be reviewed in consultation with farmworkers, NGOs, community-based organisations and trade unions to enhance organisational rights and empowerment for farmworkers". The bottom line was that while legislation is one thing, enforcement in the conservative farming sector is quite another.

"We demand that inspectors from the departments of labour and land affairs are sent out to ensure that laws protecting farmworkers' rights are obeyed by farm owners and police... We demand that the departments of labour and land affairs make accurate information on laws and rights accessible to farmworkers... We demand that farmers' unions convince their members to allow NGOs and trade unions on to the farms... We demand that registration of farmworkers by farmers become compulsory to enable monitoring of labour laws; We demand that the rights of migrant workers are protected to prevent illegal labour from undermining farmworker rights

and wage levels," states the Rural Charter.

Several delegates complained about the difficulties in organising farmworkers in a hostile farm climate, and some called for farmworkers to form their own associations to counter the organised power of employers, but other delegates said this would be counter-productive. The charter demands instead that "NGOs and community-based organisations must support and speed up the unionisation of farm workers".

But some delegates complained that it was impossible to enforce existing laws because the harsher realities of farm life. Labour inspectors have to notify employers before visits, enabling farmers to visibly improve working conditions ahead of inspection. In spite of these gaps, the farmworkers are not lowering their expectations. They demand the same benefits as their urban counterparts, including that "a negotiated provident fund and medical aid must be made compulsory".

It remains to be seen whether the emerging Rural People's Movement, a coalition of rural NGOs, community-based organisations and communities, can do more than the splintered rural union movement has done. The pressure is on, as the time to begin negotiating a sectoral minimum wage for farmworkers in terms of the Basic Conditions of Employment Act approaches.

(4)

DOMESTIC & FARM WORKERS

Minister seeks comment on work conditions

Membathisi Mdladlana, the labour minister, would today publish a notice in the Government Gazette inviting written public comment on the creation of minimum wages and conditions of employment for domestic and farm workers. Once comment had been collated, a report would be made available to the Employment Conditions Commission which, in turn, would use it to prepare advice for the minister on appropriate minimum wages and conditions of work for agricultural and domestic sectoral determinations. In advising the minister, the commission would take into account factors like the ability of employers to successfully conduct their businesses, the operations of small businesses, the cost of living, the alleviation of poverty and wage differentials and inequalities, among others. - *Frank Nxumalo*

Johannesburg

~~(4)~~ (4) CI(PR) 7/5/99

Roibos tea makes dreams come true

Man keeps 28-year promise to help his family beat poverty-stricken existence

BY AVAL VA SHOTA

WHEN Clem Zimri was a boy working on a tea farm, he cared about one thing — helping his farm labourer parents put food on the table.

Zimri, his parents and 10 brothers and sisters lived in a one-bedroom house with no hot water or radio.

In 1971, armed with a Std 6 education and determination, Zimri left his poverty-stricken family on Wupperthal farm in the Cederberg and set off on the 350km journey to Cape Town, but swore he would come back and help them prosper.

At that time most families in the area survived by working on rooibos tea farms around Clanwilliam 80km away. They earned a little extra by growing their own tea, which they handed over to the farmers for cleaning and marketing.

Rik Zimri has changed all that. He arrived home in 1994 after working at a plastics factory.

Soon after his arrival he won a government tender to provide the area with drainage and sanitation. Then he helped start the Wupperthal Tea Co-operative, an empowerment project consisting of 50 small-scale farmers who grow tea on 200ha of land.

The co-operative got off to a slow start, but in 1997 they were introduced to the concept of organic farming, the growing of produce without the aid of chemicals, by a German organisation, the Oasis Tea Handel.

Last month they exported their second consignment, which was sold in Germany, Holland and Japan under their own label.

The first time we sold tea in Europe I was so happy — the feeling is indescribable. It was a dream come true for all of us," said Zimri.

For the tea to be marketed overseas, the farmers had to grow it to European standards.

Zimri said: "The quantity we harvest is smaller and takes longer than if we use chemical fertilisers and pesticides, but we get a higher



HEALTH LEAVES: Clem Zimri and the tea farmers with organic rooibos tea bound for Europe

price and better quality with organic tea.

Two weeks ago Zimri visited President Nelson Mandela at Genadendal and presented him with bags of rooibos tea.

"We wanted to thank him for the RDP and give him a report on our

success. I was scared and excited to meet such a great man. I never thought this could ever happen to me," he said.

Although most of the people in Wupperthal still use donkey carts, they said their standard of living had improved.

Dik Moudon, 55, said life started getting better after the formation of the farmer's co-operative. The thatched houses now have electricity, running water and flush toilets.

"I have not become rich, but I have a comfortable life and provide

for my nine children," said Moudon. "Rooibos tea is very good and healthy. I drink it every day — that is why I can produce nine children."

Zimri, who drives a 4x4 bakkie, said his children were going to school and did not lack anything.

He said Wupperthal residents were also experimenting with organic vegetable farming.

"Now that we have been given the opportunity we want to try everything. We are growing onions and different kinds of sweet potatoes — all without chemicals."

ST (cm) 9/5/99

Picture: AMBROSE PETERS

Farmer gives land to workers

By RAPULE TABANE

(4) Star 12/5/99

Heidelberg - A cattle farmer has donated a large portion of his farm near Heidelberg in Gauteng to his workers for farming and to build their houses on.

Part of the farm Nooitgedacht in Suikerbosrand will be owned by the farmworkers after the Department of Land Affairs has processed the deeds of transfer.

Ivor Karan, who owns Karan Beef Feeding Schemes, gave the land to 290 families who live on his farm and adjacent farms.

Karan said he was introducing the concept of an agri-village - where workers could own their farm and at the same time have a job elsewhere - because he was concerned about the future of his workers.

He said: "The tradition on South African farms is that farmworkers work and live on the farm. When they lose their jobs, you find that not only do they become unemployed, but they lose their homes and have to leave the farm.

"It is a very unjust system as their lives are disrupted. The risk of losing their jobs makes



Ivor Karan

workers grin and bear whatever the farmer throws at them." Karan said there had been mixed reaction from neighbouring farmers.

The Land Affairs Department, which facilitated the transfer, said it would spend R2,5-million on the construction of houses while the Eastern Regional Services Council would provide R1,4-million for water and sewerage services.

Johannes Motaung (40), who has worked on Karan's farm since 1985, said he was happy that his three boys would now have a home of their own.

Citrusdal's sweet taste of democracy

Homes, land, water, power — they've all come. Now the ANC is set to reap the benefits.



Words: TYRONE ROY
Pictures: ROY WIGLEY
SEALE

A slip of paper drawn from a hat four years ago heralded Jan Meyer's career as mayor of Citrusdal.

The municipal elections in November 1995 left Citrusdal with three African National Congress and three National Party councillors. A lucky draw was the only fair way to select a mayor.

The mayoral mantle — and the historic onus of becoming the town's first black figurehead in a democratic South Africa — went to Mr Meyer.

Now, in the run-up to June 2, Mr Meyer is making his colours — black, gold and green — to the mast, and anticipates an overwhelming ANC victory.

However, even though campaigning calls for insults and a denial of any credit, Mr Meyer only acknowledges the value of cross-party co-operation in this town of 6 000 people, including those living and working on farms.

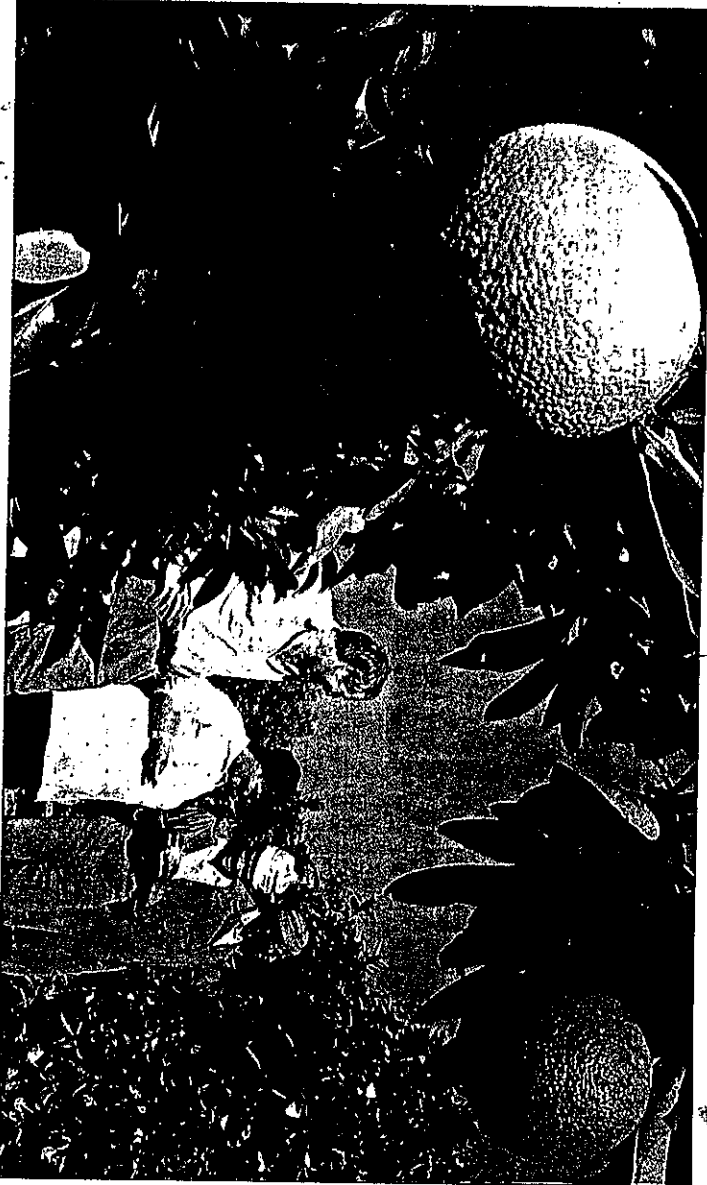
"We have very good co-operation here. It's never been necessary for me to step between the two parties to sort things out. We have a good sense of consensus," he says.

This observation is underscored by Vicky Zimri, the town's ANC chairman and human resources officer at the Citrusdal Goede Hoop Citrus Co-operative, the major local employer.

It is a measure of transformation in Citrusdal that Mr Zimri, pursued by police during his days as a food and Allied Workers' Union organiser and civic activist, now enjoys broad respect in the community.

"All of us here are very reasonable and positive and we have no lasting political conflict," he says.

Based on word-of-mouth evidence from his canvassing comrades, Mr Zimri believes the local New National Party is losing out to parties to its left, among them the United Democratic Front, the



Harvest of riches: A/G Farms co-owner Gerrit van der Merwe, left, surveys the harvest with three colleagues who were recently handed the deeds to 40 hectares of prime citrus orchard on the banks of the Olifants River. The new farmers are, from left, 'Trikke' September, Andries Fickster and Moses Lambert.

of poor road conditions.

While 314 families who used to live in backyards or shared houses with relatives now live in housing provided by the Reconstruction and Development Programme, they are beginning to voice discontent.

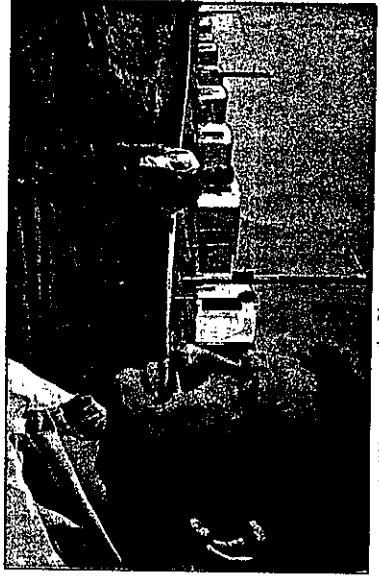
"Nobody expected to end up in houses of 24m, but people are much better off than they were before the RDP came along," Mr Zimri says.

In the town centre, coloured professionals and civil servants have in five years changed the complexion of the once exclusively white area.

But non-racialism brings its own challenges, as ANC campaigners have found. Mr Zimri explains that as new families settle in the town, centre, it is becoming increasingly



THE CAMPAIGN TRAIL



Reconstructed: Mr Zimri, left, and Mr Meyer in a new, RDP-funded part of town hard to tell the colour and political persuasion of those who open their doors to canvassers from all parties. The ANC has therefore decided

to debate all Citrusdal's problems with all its people and to convince them that issues such as gradually increasing crime and AIDS — six among young people.

the benefits
HKQ 12/15/1999

Farmer's fast sparks land donation offers

(4) BD 14/15/99

Louise Cook

OFFERS of land donations for farm workers are streaming into the offices of the Hartbeespoort Dam local council following a hunger strike last year by one of the residents who was prevented by the council from giving away some of his land.

In addition, the Northwest Housing Development Board has made money available to build a thousand new houses for

the workers on farm land given away by people in the area.

"If we do not get enough land donated, it means then that some of the houses will have to be built in an agri-village, but this would mean moving people off the farms where they are now living," says Hartbeespoort mayor Pieter Rautenbach.

Reports suggest that there are about 25 000 people on farms at Hartbeespoort Dam without

security of tenure.

Last year, Roger Roman, owner of one of the farms, resorted to a hunger strike to drive home his message of wanting to donate land to farm-workers on his land.

Some families, he said, had lived on his land for nearly a century.

This week Roman, who also heads up government's Working for Water job creation project at the dam, said he was delighted his protest had sparked

support from neighbours to donate land.

"We want to turn land, historically a source of conflict in SA, into a resource for reconciliation between people."

However, his sentiment was not shared by everyone on small holdings and farms outside the town.

At an information day for landowners addressed by Land and Agriculture Minister Derek Hanekom on Wednesday, a spokesman for a poultry farm which claims to be one of the area's biggest employers, said the farm would not be donating land at this stage.

"We are merely considering making land available to sell."

Another landowner said that since December

last year the area had been 'like a bloodbath' as a result of the planned land donations.

An upsurge in evictions of workers was reportedly one of the main consequences of the furore.

Rautenbach said the town council would now determine the exact amount of donated land available for on-farm housing before taking a decision on whether to start up an agri-village.

"We hope this will not be necessary as we prefer not to have to move people," he said.

The promised R16m from the province's housing development board would come on stream following completion of the usual administrative process, Rautenbach said.

By RYAN CRESSWELL

Focus on workers' conditions

An investigation into the wages and working conditions of the agricultural and domestic worker sectors would take nearly a year to complete and would involve widespread consultation and research, the Labour Department said yesterday.

Under the Basic Conditions of Employment Act, promul-

gated in December, the government can now set conditions of employment, which include minimum wages, for these workers. But farmers and other employers believe this could stifle job creation and the government is taking a careful look before making any further

decisions.

Notices on the beginning of the investigation into the two generally poorly paid sectors were published in the *Government Gazette* two weeks ago.

In a four-month first phase, the Labour Department will assess the market and find out

what kind of wages are being paid and what social security or medical benefits are being supplied. The second phase will involve specialised research into various issues, and there will be consultation with all role-players, including unions and non-governmental organisations.

Early next year the department will write up its report.

SPAW 20/5/99

Farm workers to get share certificates

Louise Cook (4) PD 21/5/99

FARM workers who set up a joint venture grain and garlic operation with two Free State farmers last year will receive share certificates from Land and Agriculture Minister Derek Hanekom today.

The 15 workers recently used their R16 000 settlement grants from government to settle the outstanding debt to the farmers who provided the bridging capital with which to buy the operation.

The Handevat Boerdery was set up with equal shareholding.

"For us this is a dream come true. We no longer have to move around looking for work on different farms in the area," a spokesman for the farm workers, Willem Morewe, said yesterday.

Hanekom is also visiting several Free State land reform projects that are under scrutiny by the land affairs ministry.

The land affairs department said yesterday there was concern over the lack of participation of many beneficiaries in a proposed new farming company in the Thaba Nchu area.

"A problem with the project plan is

that only a small number of the 124 company shareholders will actually work on the land.

"The remainder of the beneficiaries are envisaged as sleeping partners, having no active role in the enterprise other than receiving a share of the profit," said the department.

Hanekom will meet with this group today to assist in revising the business plan. If the venture turned out to be successful, fodder crop cultivation, a butchery and cheese-maker could follow, the department said.

Why poverty's more than sums

Haroon Bhorat

One of the key dilemmas facing the government is to eradicate, or at least reduce, poverty. The first step is to understand which are the most affected groups. In the labour market there are three groups which together explain more than 80% of the poverty in South Africa. They are unemployed people, domestic workers and farmworkers.

Domestics and farmworkers may have jobs, but they are still living in poverty. While less than 4% of labourers in the mining and manufacturing sectors live in poverty, 38% of domestics are poor and 27% of farmworkers earn below the poverty line.

From a policy perspective, this means that labour market interventions aimed at poverty alleviation need to give credence to the fact that poverty exists not only among the unemployed, but also among narrowly (and indeed easily) defined sections of the employed.

Some commentators may argue that while these groups are very poor, they could be living in households that are not poor; that the collective income in a home they have access to will make them non-poor.

Statistics show, however, that this is patently untrue: the three poorest groups also come from the three poorest types of households in the country. The statistics show that in the homes where

farmworkers live, more than 60% live in dire poverty. In the case of the unemployed and domestics, more than 40% of their homes are poor.

Knowing who most of the poor people are, in which homes they live and how much money each of these homes earns enables one to undertake a theoretical exercise giving each of these poor households enough money to place them above the poverty line.

For example, if a home is earning an income of R500 and the poverty line is about R900, then we would need to give that home R400 and it would no longer be poor.

If we use this approach, what would it cost, in theory, to eradicate most of the poverty in society?

In total, the number of poor homes which have domestics, unemployed people or farmworkers living in them amounts to just more than two million. The calculations show it would cost about R10-billion a year to place all these homes out of poverty. This translates into giving each of these poor homes an average of R3 300 a year.

How do we evaluate this amount? Is it inordinately large or surprisingly small? To put it in perspective: it represents about 5% of the government's total expenditure outlays.

The government spends about 20% of its budget on paying the interest on its debt, and about the same amount on education each year. This 6%, then, is a relatively low amount, and it would seem to indicate that the prob-

lem of poverty is easily solved.

Does this mean all that needs to happen is for the government to make provision for an income grant of this sort on an annual basis, and we could immediately talk of a poverty-free society? The answer is no.

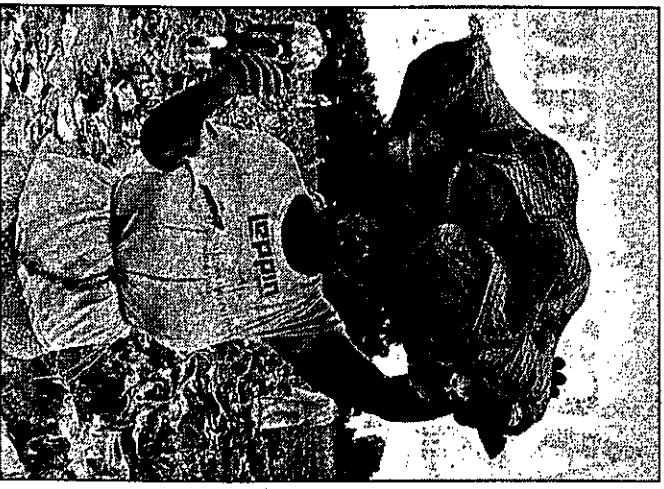
As is the case with most theoretically appealing calculations, such a potential income grant throws up a whole host of obstacles.

The first difficulty is that the government will not find it easy to target the poorest of the poor effectively. Large wastage could occur through ineffective targeting, and while the money may get into the hands of poor homes, it won't reach the poorest of the poor.

Then there are the not insignificant administration costs that inevitably go with the setting up of such a scheme.

Thirdly, giving grants to indigent homes could result in an undesired outcome: individuals may cease work, or stop looking for work. Apart from the obvious moral issues here, such a withdrawal of labour would have serious negative economic consequences. One can imagine the growing drain on the state of such a scheme, as new entrants in the labour market refused to find jobs and rather relied on the state's income transfer.

What is clear, however, is that we can describe the nature and extent of poverty in South Africa quite simply and vividly. It is also evident that those individuals who are poor invariably live in homes that are indigent.



A heavy load: Three groups in the labour market explain 80% of the poverty — the unemployed, domestic workers and farmworkers. PHOTOGRAPH: RUTH MOZAU

Finally, while the above calculations are simplistic and rather tell a story about the size of the problem than offer a tangible policy intervention, they suggest the government needs to think more energetically about social security and welfare provision for the poor.

Haroon Bhorat is a senior researcher in the development policy research unit at the School of Economics, University of Cape Town

MTG 28/5-3/6/99

(4)

Act clarifies the rights of both owner and residents

By Mokgadi Pela (4)

THE Extension of Security of Tenure Act (Esta) was designed to give owners and occupiers of land certain basic rights. They have the right to:

- Dignity;
- Personal freedom and security;
- Privacy;
- Freedom of religion, belief, opinion and expression;
- Freedom of association; and
- Freedom of movement.

Furthermore, Esta gives occupiers the legal and protected right to live on and use the land which they were living on and using with the consent of the owner on February 4 1997 or after that date. This is called a right of residence.

Owners may not end the occupier's right of residence without following

the steps laid down in the Act.

The right of residence does not only belong to the head of the household.

Each member of the household is an occupier in his or her own right, if the owner has consented to him or her being there.

The Act also gives occupiers the following rights to:

- Receive visitors under reasonable conditions of the owner. The occupier may be held responsible for damage caused by visitors;
- Receive post or other communication;
- Family life within the context of the occupier's cultural background;
- Be given access to water, education and health services. This right does not mean the owner must provide these services, but it prevents him or her from

denying access to these services where they are available; and

● Get 72 hours' notice from the owner that their animals which are trespassing will be impounded. The owner may take reasonable steps to prevent the animal from causing damage.

Owners in turn, have rights to:

- Terminate an occupier's right of residence, if this is just and equitable;
- Apply to court for an eviction order;
- Make an urgent application for eviction in certain circumstances;
- Set reasonable conditions regarding visits to occupiers' homes. These conditions must apply to all visitors to the land, not only those visiting them; and
- Set reasonable conditions for visits to family graves.

66/19/01
10/16/99
Kouo

Workers forced off NW farms

By Dan Fuphe and
Mokgadi Pela

FARMERS in North West are deliberately depriving their workers of basic needs such as running water, electricity and even food, often with the intention of driving them off the farms, *Sowetan* has established.

Domestic, Farm and Allied Workers Union of SA president Mr Meshack Getyes says that farmers in the Brits, Lichtenburg, Groot Marico, Delarey, Swaruggens and Zeerust areas at present resort to "constructive evictions", aimed at denying basic needs and rights to hapless victims.

Many are forced to sleep in the open veld or along roads, says Getyes

Thirty seven evictions involving 400 men, women and children have taken place in the past two weeks.

Sowetan visited some areas along the Hartbeespoort Dam area where the North West government is providing temporary shelter for some of the evicted families.

Among those who had earlier spent several days in the open were a 26-year-old pregnant woman, who had to be admitted to hospital suffering from exposure. Miss Maggie Maluleke, who is five months pregnant, spent at least three days in hospital to stabilise her condition. She said she and 27 of her colleagues were evicted by their employer from his farm resort in Broederspruit.

"Our problems with him started when we asked for a day off on December 24 to shop for groceries on Christmas Eve. He refused. We decided to defy him.

"In retaliation our employer fired the lot of us. However, he only started the evictions a month ago.

Mr Obed Manganyi, who is said to be 110 years old, was among 260 workers who were retrenched from a nursery.

Manganyi complained bitterly and said that although he had worked and lived on the farm since 1953, he was astonished when the owner paid him a meagre R216 in severance pay and fired him.

All those interviewed alleged that they were harassed, intimidated and even threatened with death if they resisted the evictions.

The evictions were confirmed by North West director of social welfare Mr Othniel Mosielele.

Mosielele said such evictions were now a daily occurrence and, if not curtailed, could easily render thousands of farmworkers homeless "turning them into refugees in their own country".

Mosielele said his department had applied for a court interdict to overturn the evictions and a decision was expected soon. He said that the farmers were resisting the application of laws such as the Basic Conditions of Employment Act, which guarantees farmworkers and domestic workers a R1 200 minimum wage. Furthermore the Land Act extends part ownership rights to farmworkers after 10 years.

● A meeting between the provincial government, political parties and farmers' groups is to be held in Hartbeespoort later this week.

In terms of the Extension of the Security of Tenure Act, if the owner evicts an occupier without following the procedures of the Act, which include a court order, he or she commits a criminal offence and can be jailed for up to two years. The occupiers can apply to the court to have their rights restored and occupiers can claim compensation from the owner.

The Act further recognises the occupiers' and owner's rights to dignity, personal freedom and security, privacy, freedom of religion, belief, opinion and expression, freedom of association and freedom of movement.

The act gives occupiers the right to:

● Receive visitors under reasonable conditions of the owner;

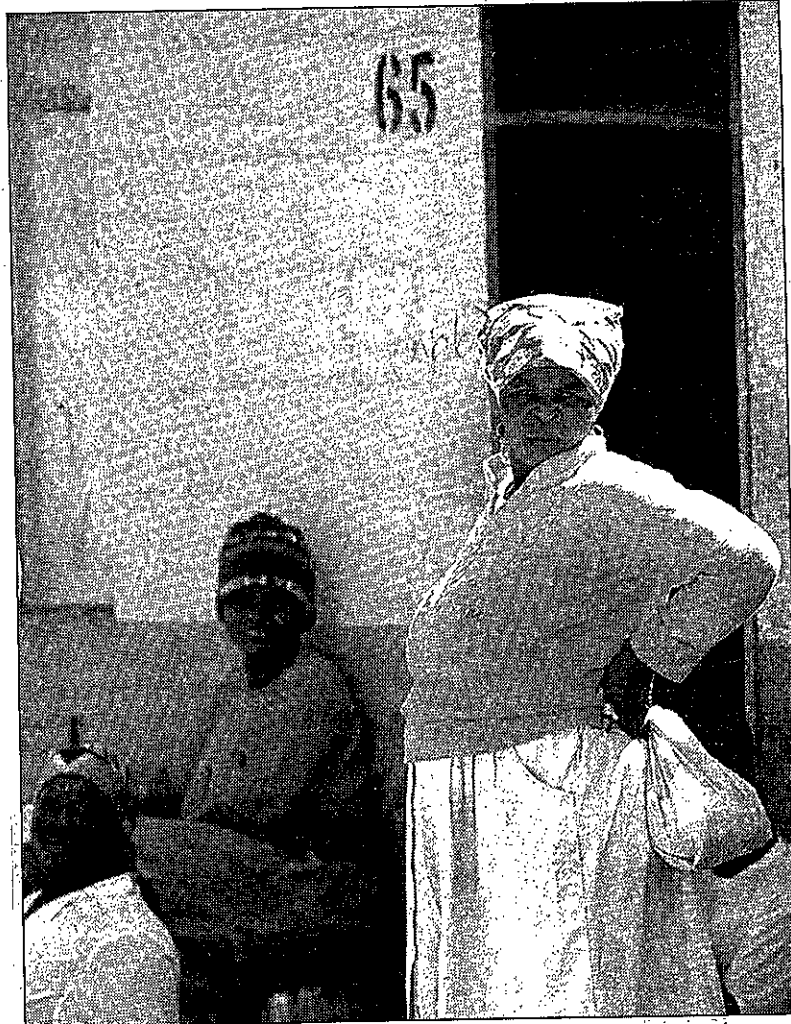
● Receive post or other communication;

● Family life within the context of the occupier's cultural background; and

● Not to be denied access to water, education and health services. This does not mean that the owner must provide these services, but prevents him or her from denying access to these.

Sowetan 10/6/99

(4)



Farmworkers such as these are finding themselves without basic resources' allegedly as a result of a policy by farmers in North West to 'constructively' evict unproductive workers by denying them housing and clean water.

PIC: PETER MOGAKI

Farm workers' rights 'violated'

Old habits die hard in spite of positive changes in the country, says trade unions survey

Reneé Grawitzky

GENEVA — SA farm workers continue to face violations of their trade union rights despite the implementation of the Labour Relations Act, a report released by the International Confederation of Free Trade Unions in Geneva said yesterday.

The report on violations of trade union rights in 119 countries also found that 123 trade unionists were murdered last year alone, the majority being in Latin America, while 3 660 were arrested and 21 427 workers dismissed for trade union activities.

In SA, workers were arrested and beaten last year while protesting for better working conditions at Maswir Boerdery farm in the Northern Province. The organisation said "old habits die hard" in SA and, despite all the positive changes, existing laws still allowed arrests of protesting workers.

The report highlighted violations in 47 African countries.

Speaking at the launch of the report, the organisation's general secretary, Bill Jordan, said as globalisation and the intensification of international competition continued trade union rights around the world would continue to be undermined.

He said it was regrettable that as the century neared its close, the report indicated that governments continued to undermine human and worker rights, while rights already won were now beginning to be eroded.

The report highlighted Burma, China and Colombia as being the "major black spots for trade union rights".

Many countries in the Middle East, such as Saudi Arabia, Bahrain and the United Arab Emirates, banned trade

unions altogether.

The deepening world financial crisis was continuing to have an impact on workers in countries such as Korea and Indonesia.

The organisation's report found that the crisis for trade unionist was a direct reflection of world events.

"Flashpoints between workers and governments or employers frequently arise when workers protest against government austerity measures, or job layoffs brought about by the global economic crisis."

This was seen last year in a number of Asian countries as well as in Russia, South America and Africa.

Discussion at the International Labour Organisation (ILO) conference revealed that the social impact of the economic crisis in Indonesia had led to the loss of one in every four jobs in the formal sector of the economy, with the result that an additional 20% of the population now lived in poverty.

Unemployment in Korea had increased fourfold.

However, in countries such as the US, where the economy is booming, the report said the right of workers to organise or strike was not adequately protected in the law.

"The law is unable to protect workers when the employer is determined to destroy or prevent union representation," the report said.

It was estimated that one in 10 union supporters campaigning to form a union was illegally dismissed.

The report was released to coincide with the 50th anniversary of the adoption of ILO convention 98, relating to the right to bargain collectively.

Jordan said that to date 34 countries had failed to ratify this convention.

(20) (4)
DD 11/6/99

Arg 15/6/99 (4)

Women 'slaves' in the winelands

Project aims to enforce rights for workers still seen as 'attached labour'

RESUME AND TRAMP
SHEPHERD

The Cape is renowned for its winelands - but behind the rolling green vineyards few realise that there are countless women who live their lives as virtual slaves.

They are still seen as "attached labour" to a male worker.

Take the example of Hilda Philander, who worked on a farm near Klipnups from the age of 16.

By last year her father, 75, was unable to work a full day anymore and was ordered to leave the farm.

This meant the entire family, who all worked on the farm, had to move to a squatter camp.

"It's been the norm that when the male worker loses his job or leaves the farm the female partner automatically also has to leave," said Sharon Marco-Thyse, acting director of the Women on Farms Project.

Since its inception in 1993, the organisation has striven to help women exercise their rights. The group regularly goes on to farms to educate women.

Ms Marco-Thyse said that for farm workers the most important benefit of working on a farm was housing.

But many women are not seen as independent workers and are employed through their husbands or fathers as part of a contractual agreement.

A recent study showed that 80% of women did not have written contractual agreements with their employer, and were unprotected.

Ms Marco-Thyse said the example of Hilda Philander illustrated this and her story had further fall-out. When the family was forced to leave, the Women on Farms Project got involved.

"In Hilda's case the farmer started harassing other workers, threatening to pull down their houses and saying that he would bring in machines to do all the work on the farm," said Ms Marco-Thyse.

Fearing for their own security and that of their families, the workers gave in. The farmer sacked all the female workers.

"For a woman to fight an eviction it is very costly because it is usually a drawn-out process and for a worker a day's wages is a lot of money."

Added to this is the fact that women are paid less than their male counterparts, with a difference of up to 78% in salary in the general employment category.

A third of women working on farms do not get paid maternity leave, so that they work up until the day they give birth.

The same percentage go back to work within a month of giving birth.

Ms Marco-Thyse criticised the recently implemented Extension of Security of Tenure Act (ESTA), which is supposed to ensure a worker's right to accommodation.

"The Act does not recognise women's individual rights and falls short in that it assumes that the workers are organised and are in a position to negotiate," she said.

She said that some farmers offered workers benefits in return for them not joining unions.

She called for women to be informed of their rights, and for them to receive visible support from the community.

She said consultation with legislative policymakers and enforcement by government of the new laws covering workers was also important.

"Most importantly we need people to be sensitised to the rights of women," she said.



Time to be courted: project acting-director Sharon Marco-Thyse informs women of their rights on a farm in Stellenbosch

At the moment the project is busy with 20 cases, of which three are before the courts.

Unfortunately, the project does not have many legal successes.

So what motivates this team of women who fight for women's rights?

"We ask ourselves what keeps them (women workers) going when they are often in abusive relationships and earning little money," she said.

"We find that those women go on because of their amazing will to survive."

Fired for joining a union

CP 27/6/49

Farmworker loses all after being driven from farm

BY MOIPONE KOMANE
and MATEFU MOKOENA

A 40-YEAR-OLD mother of seven from Vrede in the Free State is battling to make ends meet after she was expelled from the farm for joining a trade union.

As a result of her signing up with the union, her home was demolished and she had to flee, leaving behind all her earthly belongings, including her six cows and 10 goats. Sara Nhlapo has accused her former landlord, Johan Portwig, of forcing her off the farm, pointing a firearm at her children and calling her a "kaffir".

Nhlapo, who worked for Portwig at Cloverfield for more than five years, said the trouble started last April when she joined the South African Meat Distributors and Allied Workers Union (Sama dawu).

She said after being approached by a union representative to arrange payment of union fees, Portwig became aggressive. Portwig then called Nhlapo and told her to immediately terminate her membership with the union, but she refused to obey his instructions.

"I refused to resign as I thought the union would help me fight for my rights," said Nhlapo. She said she had wanted the union to help her not to work on Sundays and public holidays without pay.

Nhlapo said she earned a mere R150 per month and one bag of mealie meal as payment for her labour.

With this amount she said life was difficult as she had to look after her children single-handedly.

When Nhlapo refused to resign, Portwig began to harass and insult her, calling her "kaffir".

She said one day Portwig took her to the livestock camp and instructed her to show him all her cows and goats. While she showed him, Portwig took notes.

One evening Portwig came along with a group of farmers who called themselves *Amazoggo* and told her to resign from the union.

When Nhlapo refused, she said, Portwig told her she was dismissed and even told her not to put her "stinking" feet on his farm.

A few days later, Nhlapo said Portwig came again with his *Amazoggo* and destroyed everything in her room before demolishing the entire room.

After the incident Nhlapo ran away to arrange accommodation while her children were at school.



NO UNIONISTS HERE!... The home of Sara Nhlapo that was demolished. (Inset) Nhlapo who was dismissed for joining a union. Pictures: George Makhahla

While Nhlapo was away Portwig and his *Amazoggo* came and sprayed them with teargas.

The following day Nhlapo said she took her children and ran away, leaving everything behind, including her livestock. Since then she has not set foot on that farm.

Nhlapo said a few days later she came back to see her children and, while they were sleeping, Portwig

and his *Amazoggo* came and sprayed them with teargas.

The following day Nhlapo said she took her children and ran away, leaving everything behind, including her livestock. Since then she has not set foot on that farm.

Nhlapo said a few days later she came back to see her children and, while they were sleeping, Portwig

but nothing was done. Last month she was told by the police that all the charges were withdrawn.

Nhlapo said the police even convinced her children to drop the fire-arm-pointing case by saying that there was no evidence to support their claims.

She said police refused to let her

make an affidavit even though she offered repeatedly. Portwig refused to comment. He told City Press staffers: "Get lost... I don't owe you any explanation."

Cornelia police referred City Press to Vrede state prosecutor, Hanlie van Wyk, who refused to comment, even when our staffers tried to give her the case numbers.

Farmers spurn burials, fearing land claims (271)

BD 14/7/99 (4)

LOUIS TRICHARDT — Some farmers in the Northern Province are fighting to prevent dead farm labourers from being buried on their land because they fear the graves will be used as evidence in land claims.

The bodies of some elderly workers have been lying unburied in mortuaries for months while others have been dumped after farmers refused to allow the burials.

In the latest incident a farmer allowed the body of a 105-year-old labourer to be buried on Sunday only after the man's wife signed an agreement never to use the grave as a basis for a land claim.

The agreement signed by Mampho Muravha also prohibits her children or any other relatives from claiming the land on which the couple had lived for 40 years while working as cattle herders for Gert Smith.

Muravha's husband, Majoni Nkube, died on July 4 and was buried only after a week.

Smith insists there was no malice behind the agreement.

"I care for these people. I've known them my whole life. They've been loyal but I am afraid that their children or other relatives might come back in 20 years and use the grave as an excuse for a land claim. I have to protect my land and my own children's future," he said.

The couple worked for Smith's father in Soekmekaar until 1981 when Smith brought them to work on his Luvuvhu Farm near Louis Trichardt.

The agreement was brokered by Nkuzi Development Association field-worker Shirhami Shirinda.

Shirinda concedes the agreement is unusual but emphasises that it allows Muravha to continue living on the farm, to bury her husband with dignity and grants her free access to the grave until her own death.

"It's a far better deal than others have got in this province and it is all that Muravha wants at this stage," said Shirinda.

Messina police have meanwhile charged a local mortuary owner for dumping the corpse of an 82-year-old farm labourer in a shed two weeks ago.

Messina Funeral Undertakers owner Nico Stapelberg admits to dumping the body of Chequela Mabasa after it lay in his mortuary for six weeks because the man's employer refused to bury him on his farm.

Farm owner Andries Fourie was not at home when Stapelberg dumped Mabasa's corpse in a small farm shed.

However, farm workers immediately phoned the local police station to collect the body.

The police drove 40km to Fourie's farm and took the body to their own mortuary. Mabasa was given a pauper's funeral in the Messina cemetery last Friday.

Stapelberg told his workers to return Mabasa's body to Maswiri farm after Fourie refused to bury it and no one paid the R800 the mortuary was charging for storing it. — Sapa.

Farmers fear workers' return to haunt them

(4) (271) CT 14/7/99

LOUIS TRICHARDT: Farmers in the Northern Province are fighting to prevent farm labourers from being buried on their land for fear the graves may be used as evidence in land claims.

The bodies of some workers have been lying unburied in mortuaries for months. Others have been dumped after farmers refused to allow the burials.

In the latest incident, a farmer only allowed the body of a 105-year-old labourer to be buried on Sunday after the man's wife signed an agreement never to use the grave as a basis for a land claim.

The agreement signed by Mampho Muravha prohibits her children or any other relatives from claiming the land on which the couple lived for 40 years while working for Gert Smith.

Muravha's husband, Zimbabwean-born Majoni Nkube, died two Sundays ago at the reputed age of 105. He was buried last Sunday.

Smith insists there was no malice behind the agreement. "I care for these people. I've known them my whole life and they've been loyal, but I am afraid that their children or other relatives might come back in 20 years' time and use the

grave as an excuse for a land claim," he said.

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Messina Funeral Undertakers owner Nico Stapelberg admits to dumping the body after it lay in his mortuary for six weeks because the man's employer refused to bury him on his farm. — Sapa

Farmers stop burials (4) for fear of land claims (271)

FARMERS in Northern Province are fighting to prevent dead farmworkers from being buried on their land for fear the graves will be used as evidence in land claims.

The bodies of some elderly workers have been lying unburied in mortuaries for months, while others have been dumped after farmers refused to allow the burials, reports Sapa.

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dumped Mabasa's corpse in a small farm shed but farmworkers immediately phoned the police to collect the body.

The police drove 40 kilometres to the farm and took the body to their own mortuary. Mabasa was given a pauper's funeral at Messina Cemetery last Friday.

Stapelberg told his workers to return Mabasa's body to Maswiri farm after Fourie refused to bury it and no one paid the R800 that the mortuary is charging for storing it. Mabasa has no relatives in South Africa.

Themba Molefe reports that in North West the battle continues to stop pauper burials of farmworkers.

Efforts are at present under way in Sonop, near Brits, to prevent paupers' funerals for 18 farmworkers whose bodies are being kept at a private mortuary after being transferred from various state mortuaries, said welfare official Mr Othniel Mosielele.

In March the Sonop welfare department arranged the mass burial of 22 people, including a one-month-old baby, after they were dumped in surrounding hospitals and in the open, allegedly by farmers in the Hartbeespoort Dam area.

Earlier in January another 18 farmworkers' bodies were exhumed and reburied in Sonop.

Source: Fourie

Paint case: MEC intervenes

(4)
CT 15/9/99

JOHANNESBURG: The investigating officer in the case of an Mpumalanga farm worker, whose entire body was coated in silver paint for allegedly trespassing on a farm, has been removed from the case — and the men allegedly responsible have appeared in court.

Sergeant Gideon Rossouw was relieved of the case yesterday in the wake of a report last week about Moses Nkosi's ordeal. In the attack, Nkosi, 21, had his entire body — private parts included — painted silver by a farmer and labourer who accused him of trespassing.

Rossouw's removal from the case follows the intervention of Mpumalanga Safety and Security MEC Steve Mabona.

Mabona said he contacted the acting provincial commissioner, Moraledi Gaoepe, who instructed the area commissioner for the Highveld region, Naphty Bohlole, to ensure that the suspects were speedily arrested.

"I also asked Gaoepe to investigate the role played by Rossouw and the Balfour police station commissioner, Captain Geldus Diederichs, in the case," said Mabona. "Their stories were contradictory. We are not going to allow racism to take root in this province."



ACCUSED: Farmer Conrad de Beer

The case is now being handled by Inspector Samson Mochuping, a detective at Balfour police station.

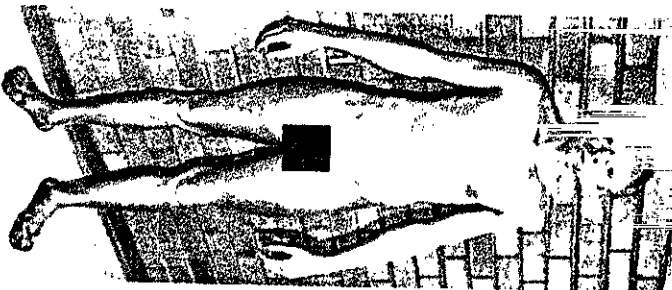
Meanwhile, Conrad Frederick de Beer, 45, owner of Brakfontein farm, and Andries Majola, 49, his employee, have been charged with assaulting Nkosi with intent to do grievous bodily harm. They appeared briefly in the Balfour Magistrate's Court yesterday and were granted bail of R300 each. De Beer and Majola were not asked to plead. The matter was postponed until August 25.

Nkosi had traces of the paint on his hands on Tuesday this week after Standerton Hospital staff had done their best to clean him with methylated spirits on Monday last week, the day of the attack. He said he had passed bloody urine hours after being painted from head to toe.

Nkosi fought back tears as he described how he was returning to Crestlands, the farm near Balfour where he and his father work, after buying a box of cigarettes at a nearby shop, when he was accosted by the farmer and a man who seemed to be the farmer's son. The farmer allegedly threatened to shoot him if he refused to get into his bakkie.

He was taken to a room in the farmhouse where the farmer, with two labourers, coated him with silver paint. Nkosi said the farmer only allowed him to leave after the paint had dried. He then fled, naked, to report the matter to police.

While running he met his brother, who works at another farm. His brother took off his shirt, wrapped it around Nkosi and walked him to the police station, from where an ambulance was summoned. He spent the next two days recovering at Standerton Hospital. — Owen Cori, respondent.



COVERED IN PAIN... A photographer captured Moses Nkosi's ordeal. Picture courtesy of The Star

By STEVE DIAMINI

FORMER state president Nelson Mandela may have ended white domination in South Africa, but he failed to eradicate white racism.

This is according to Moses Nkosi (21), a farm labourer in Balfour, Mpumalanga, who was painted silver from head to toe by a "racist" farmer on Tuesday July 6.

His crime: trespassing on a live-stock and maize farm.

The farmer allegedly wanted to make an example of Nkosi, who claims that "I was painted because I am black".

"Mandela has made it possible for blacks to walk with their heads held high by ending white domination but he has failed to eradicate white racism," Nkosi said.

Explaining how the incident occurred last week, Nkosi said a farmer came to his place of work, which is about 3 km from the farm, Brakfontein.

He accused me of trespassing on his farm and ordered me to accompany him to the farm," Nkosi said. He said he had walked through the farm on his way to work from a shop on the day of the incident.

He said there is a footpath cutting across the farm to the shop. "Many people use the footpath and, prior to this incident, I was not aware that I was trespassing," Nkosi said.

He ordered me to jump onto the back of his bakkeke, but I refused. He

Silver-pointed sign 'No blacks allowed'

(4)
CP 1813 199



PLACE OF EVIL... Moses Nkosi shows the entrance to the farm where he was painted silver allegedly by the owner, who accused him of trespassing

then threatened to shoot me and forced me onto the bakkeke," Nkosi said. He jumped onto the bakkeke and the farmer sped off to his farm with him.

He took me to a warehouse. Then I was undressed and painted," he said.

After it was done, he was allegedly forced to sit in the sun for an hour for the paint to dry. "I felt as if I was on fire. I was itching all over as if hot water or bladders had been poured over me. The pain was unbearable," he said.

He was then ordered to leave. "I could not see any more because my face was covered in paint. It was dry and my eyes could not open. I walked home like a blind man without a walking-stick searching for the way," Nkosi said.

He said his brother came to his rescue and covered him with a shirt.

"He gave me his shirt to cover my private parts and took me to his house. He tried to remove the paint but without success."



STILL SMARTING... Christinah Nkosi wipes the paint off her brother, Moses' legs. By Fidooy, all the paint had not yet been removed despite three days in hospital

is scheduled for August 25. Their arrest, eight days after the painting incident, followed an assurance by Steve Mabona, Mpumalanga's MEC for Safety and Security, that he wanted the two charged within 48 hours.

Mabona's statement on Tuesday followed the revelation that, although a case docket had been opened on July 6, De Beer had not been arrested and charged with the offence.

When the painting was reported, the local police said they could not charge De Beer because it would have been difficult to prove any guilt.

"It was a white-wash," said Nkosi. He said shortly after the painting, a local freelance photographer took his picture.

"I was silver from head to toe. What other evidence did the police have?"

Inspector Samsom Ntshuping of the Balfour police told City Press that the two suspects were arrested at Brakfontein.

"This is the first incident of its kind to be reported at the station. We haven't received any similar reports before," Ntshuping said.

In a similar but unreported incident, a 14-year-old youth spent Thursday night stripped naked and tied to a tree. His face and head were then painted white.

This happened in Oukasie village near Brits in North West. The youth had allegedly stolen sugar cane. Sapa reported yesterday.

Police spokesman Sergeant Fela Roos said the boy's captor, a 25-year-old man from the same village, allegedly threw cold water in while painting.

Roos said that five boys were walking down a street in Oukasie on Thursday evening when the man apparently grabbed the victim.

The other boys ran away. The man allegedly took the boy to his house, undressed him and tied his feet and hands to a tree with wire.

"The boy was left outside for the whole night."

The next day the suspect threw cold water over the boy and painted his head and face white.

The boy's parents were alerted when neighbours heard him screaming.

They found the man untying their son when they arrived. The man was apprehended and handed over to police.

The boy was treated in hospital for minor injuries to his face. "The man told the boy he was being punished because he had stolen sugarcane," Roos said.

He will appear in the Brits Magistrate's Court tomorrow.

Nkosi said they then went to the police station, where a case was opened against the farmer.

"The police immediately rushed me to the Standerton Hospital because the paint was penetrating my skin."

He spent three days in the hospital. Even the doctors were unable to remove all the paint.

"As a result of the paint on my face, doctors say I have an eye infection. My eyes are sore and I cannot see properly," he said.

Shally Mabusa, deputy chairperson of the Human Rights Commission, on Friday said Nkosi's rights were "grossly violated".

"We won't tolerate this situation. The law should take its course," Mabusa said.

"It's horrible, unacceptable and disgusting to see such actions contin-

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Modern farms 'need new type of worker'

SHIRLEY JONES

KWAZULU NATAL EDITOR

(4)

ST (CRK) 20/7/99

Durban - Employment in primary agricultural production would shrink as the industry modernised and expanded, Leonard Bauer, professor emeritus at the University of Alberta in Canada, said at yesterday's International Farm Management Congress.

He said the quality of employees would increase, forcing agriculture to compete with the manufacturing sector for skills.

"Farm businesses require employees with the ability to manage themselves as opposed to working on a production or assembly line. The hired man who can't get a job elsewhere is no longer a suitable candidate," he said.

According to Bauer, labour was one of many challenges facing the global farming sector. Farm busi-

nesses could no longer isolate themselves to what went on within the farm fence-lines. While managing within the fence-lines remained critical, attention to industry trends and global economic events to keep the farm business competitive was of strategic importance.

Significant trends included the advent of fewer and bigger agribusinesses, which would become more specialised. They would be selling production to a highly educated global market, operating in the face of concerns about the natural and social environments.

One distinguishing feature of future primary agriculture would be its relationship with other businesses. "Farm businesses will be operating in a much more integrated manner with those who hold proprietary rights. There may be more customised products produced into target markets. Be-

cause of risk management and market opportunities, closer relationships between farm businesses and input suppliers and processors are likely to develop."

Bauer said although the requirements for primary agriculture would not be materially different from past decades, the consequences of ignoring these would be much more severe.

Because of capital requirements, proprietorships would decline in favour of multi-ownership, which required new management skills. Until now proprietorships have been the main form of farm business ownership.

Bauer said while many farm failures during the eighties could be attributed to sharp rises in interest rates, most were because of bad investments. Specialised economic analysis needed to be developed for the agri-food industry.

R20 A WEEK AFTER DEDUCTIONS

Farm workers exploited

THE EXPLOITATION of farm workers, especially those under 18, as evidenced in the farming district of Vredendal, is an indication that greater control needs to be exercised by government. **PRISCILLA SINGH** reports.

THE complaint was not unusual — a farm worker or two assaulted by their employer. The farm workers of Vredendal have just about had enough of the ritual abuse, including poor working conditions and the paltry wages they receive every week.

The latest assault last weekend of George Mampa, 15, and Hendrik Steenkamp, 26, on Vaalboschkloof Farm has brought to light the suffering farm workers endure. The farmer had apparently slapped, kicked and punched the two after they allegedly broke into the farm store on Friday night.

On the Saturday night, the farmer hauled Mampa and Steenkamp to the main farmhouse and beat them up. He apparently threatened the workers with eviction and job loss if they went to the police to lay charges of assault.

Speaking to Mampa and Hen-

drik yesterday, they said that they were not criminals and only broke into the shop because they did not have enough food or money.

"The farmer does not pay us enough money to live properly and we are supposed to live like animals in a tiny room and beg for food from him whenever we are hungry," Steenkamp said.

Mampa earns R75 a week and Steenkamp R105 a week. Out of this money the farmer deducts costs for food that he sells to them from the farm store. For the week ending July 6, Mampa had R20 left after deductions.

The farmer could not be reached for comment.

A social worker who is contacted by various farms to assist labourers said it was because the workers were paid so badly, that they became desperate and invited trouble by committing petty crime on the farms.

"They do not earn a living wage. Houses on several farms in

the district have no inside water and no toilets. Many farmers are still using the dop system and are keeping these workers addicted.

"Whenever a worker has to complain or even take some fruits or vegetables for himself, the farmer either fires him or evicts him and then goes to the other farmers in the area and tell them not to employ this worker."

In March this year, Labour Minister Memphathi Mladlana said that the government could and would stipulate minimum wages for domestic and farm workers. Mladlana said he was concerned that 25% of South Africans earned less than R500 a month.

"I will continue to pursue the issue of a minimum wage for domestic and farm workers.

"We cannot tolerate slave labour in our homes and on our farms," he said.

Johan Cloete, the ANC administrator in the party's North West region which covers the towns and settlements including Citrusdal, Clanwilliam, Wuppertal, Klaver and Vredendal, said they heard reports of assaults on farm workers by farmers nearly every

weekend.

"Workers are intimidated by the farmers and the local detective unit into not pressing charges.

"Otherwise they would be fired and evicted."

Christopher Ghall, 17, said he had been working on different farms for about two years now.

He had left school after his mother died and when his father's alcoholic habits overtook the responsibility of paying for school books and uniforms, he had to fend for himself.

He now earns R95 a week. The social worker said that many teenagers were being used on the farms as cheap labour.

When she started making inquiries about their schooling, she was cautioned by her supervisor to not worry about the farm workers.

"I care about what happens to workers because they are so brainwashed by the farmers that they do believe or care that they can have a better life.

"The government needs to do something about the poor situation of the farm workers, especially out here in the rural areas," she said.

Tragedy stalks workers' widows

By Danielle Owen

MAWWEILA Mawela (58) has lived on the same farm in Northern Province for more than 20 years. But soon after her husband Franz Korambi died last year, the farm owner reportedly told her to leave.

"My husband was born here," Mawela says. "He was 86 when he died and he was still working for the farmer. My husband's parents were also born here and they are buried here."

The Korambi family has much longer ties to this piece of land than the farmer, and new land laws passed by the Government after 1994 are designed to protect the rights of people like the Korambis.

But Mawela gained her rights to the farm through marriage. She was not employed by the farmer but earned her income by brewing traditional beer for local farmworkers.

Now that her husband is dead, Mawela has been told to stop brewing beer and leave the farm.

A local non-governmental organisation, Nkeze Development Associa-

tion, is helping Mawela to fight for her right to remain on the farm.

Cases like Mawela's are common in South Africa's rural hinterland where progressive laws aimed at protecting the rights of women are often ignored.

Gender equity is a new buzz word in South Africa's post-apartheid political vocabulary, and the Government's land reform programme launched in 1994 aims to bring equal rights to

6 Laws aimed at protecting the rights of women are ignored

women in rural communities. But a recent study of Government-sponsored share equity schemes between white commercial farmers and state-subsidised black farmworkers indicates that there remains a wide gap between the aims of the new laws and their application on the ground.

The Surplus People's Project (SPP), a land rights non-governmental organisation based in Western Cape,

(4) Sowetan 6/8/99

interviewed members of four share equity schemes in different regions and found that the schemes had done little to shift the economic status of women within their communities.

A project in Mpuumalanga had five beneficiaries, and these were all men. Although three of the men were married, their wives were excluded from the project, which gained government funding even though it offered no plans to improve the lives of women on the farm.

Women on other projects in Mpuumalanga and Western Cape were paid less for their work than their male counterparts, even in cases where women performed the same work as men.

In other cases, like the Whitehall project in Western Cape, women who said they wanted to drive tractors were refused on the grounds that the work was "too dangerous" for them.

The SPP findings highlight a central problem with South Africa's land reform programme.

The failure of this programme to improve the status of rural women was a common complaint raised by land rights workers from non-govern-

mental organisations, universities and government officials who gathered at a recent conference on land and agrarian reform to seek solutions to the country's growing rural development dilemma.

The conference was hosted by the National Land Committee (NLC) and the University of the Western Cape Programme for Land and Agrarian Studies in a bid to review the first five years of land reform and identify changes that must take place to transform South Africa's flagging rural economy.

The participants called on the Government to rethink its current land grant policy, which gives qualifying households R16 000 to purchase land.

This policy, participants said, serves to entrench existing power relations in which male household heads retained economic control at the expense of female members.

SPP researcher Hildegard Fast reported that share equity scheme members interviewed often believed that although the household applied for the grant, "the man is the beneficiary on behalf of the household".

This led to "women beneficiaries often being excluded from decision-making and participation in economic opportunities."

Other research from the Centre for Rural Legal Studies pointed out that despite laws aimed at providing secure tenure to farm workers, women continued to gain access to housing and employment through their husbands, and had little security in their own right.

Some 48 percent of farmers interviewed said they saw housing as part of

a husband's pay package, but not as part of a woman worker's package, while 70.4 percent of farmers interviewed believed that an unmarried woman worker should live with her parents or relatives working on the farm.

Researchers Samantha Hargreaves and Shamim Meer from the Rural Action Committee said much of the problem lay with the fact that neither the Department of Land Affairs nor the NLC had brought gender issues

6 Farmers see housing as part of a husband's pay package

into their central monitoring policies. As a result, little data was available on the scope of rural women's needs and the extent to which these were being met or ignored.

The continuing gender bias of land reform was one of several serious problems identified by the conference, which called for wide-ranging changes to Government programmes.

Laying down the gauntlet to newly appointed Agriculture and Land Affairs Minister Thabo Dikiza, the conference called for an integrated rural development strategy to receive a fair share of public funds.

About half of South Africa's 40 million population resides in rural areas, but Government resource allocation is skewed toward cities and towns.

President Thabo Mbeki is expected to announce plans to integrate government's rural development efforts later this month. - *Sowetan-IPS*

Nothing changed for farmworkers

By SOLLY MOELA

THE FIRST all-inclusive election in April 1994 changed the lives of all South Africans. But for the country's 1.4 million farmworkers, real change is just a dream.

For many years black workers who toil the country's farmlands have been exploited, yet all past labour laws excluded them.

The first law to look at farming was the Agricultural Labour Relations Act of 1993. However, it protected farmers more than it considered farmworkers.

National Union of Farmworkers' general secretary, Kibera Mogale, says the Act was intended to give farmworkers "some rights", but it did not.

Mogale says farmers still call police to remove the unionists from their farms and to charge them with trespassing. Some farmers even assault and threaten to kill union organisers.

Mogale says: "It is impossible to organise on the farms because of these conditions, yet the Act says farmworkers have the right to be organised. Even if one contacts the farmers by phone, they refuse to allow one access to their farms once they learn you are a unionist."



PIGS LIFE... Frank Mosthoe, feeding pigs, is this the way farmworkers are treated?

When City Press visited farms near Brits, we discovered that farmworkers work 14 hours and sometimes more a day, and earn as little as R200 a month.

Work on the farms begins at the crack of dawn and ends when darkness falls. Farmers hire and fire workers at will and are not bound by any law or contract. Workers are basically at master's mercy. They do not have sick leave.

Their bonus at the end of the year is a few bags of maize meal, packets of dried beans and a piece of meat if the owner feels like it.

They have no right to make any decision of their own. They have to do as they are told. The penalty for disobedience is flogging and sometimes death.

We found the same conditions on the Brits farms. The conditions farmworkers live in are appalling. Many children are forced to work to supplement their family income, and few receive any education.

One of the pernicious big lies of modern times is that racial discrimination is a thing of the past. Tell that to thousands of farmworkers who are still struggling for their freedom. Honestly, nothing has changed on farms: if you are one of those people who think democracy has brought changes on farms, I urge you to visit farms and view working conditions first-hand.

Think of the poor farmworker picking berries and having no place to wash their hands, then they eat lunch with their hands.

This is caused by the attitude white farmers have against their workers. Their working conditions are akin to slavery.

Most people who live on farms

(4) CP8/8/99

are illiterate. Do they deserve this kind of treatment just because they are illiterate? Are they not human beings like us? Are they excluded from the Constitution of this country? What does the law say about these people?

You think about these things and it makes you shudder. Why all this hostility, rage and anger toward innocent people who want better lives?

I never cease to be horrified not only by the amount of suffering in the world today, but also and more so by millions of farmers who inflict unspeakable pain and trauma on farmworkers day after day without batting an eyelid.

I think the government policies have worked to the great advantage of white farmers and to the detriment of farmworkers.

It didn't matter to Philemon Ntsheng that he had heard about changes to the labour laws.

"I am finished, my energy is slowly deteriorating and I still earn a pittance," he said angrily. He has been with his present employer for 25 years, earning R200 a month.

"We have been exploited for too long. If these changes mean we will lose our jobs, let it be. Last month my 'baas' had decided to reduce my salary without consulting me. My 'baas' has already told me that I will be fired should I join one of the unions. He said that I won't be given any meals and that he will rather stay without a 'boy'," said Ntsheng.

Another labourer at a Brits farm, Abel Dipodi (not his real name), says his employer does not allow workers to eat meat because he fears they will start stealing sheep once they taste it.

Dipodi says: "We do eat meat, but we have to hide it from him. Once a 'baas' caught a young man eating meat here, he fired him the next day and took him in his bakkie and dumped him on the road outside the farm without having given him his benefits."

"When one oversleeps and is late for work, the 'baas' also beats you up. One has to be extra careful at everything, because if you spill the milk or injure a cow by mistake, you get beaten up."

Five weeks back I visited a certain farm in Delareyville in the North West. Attie Koekemoer, the owner of the farm, runs an eating room in town called Delareyville Kafee.

While I was busy talking to my friend, I saw three strangers walk into the all-white and whites-only café and ordered food.

An Afrikaans-speaking girl took one look at them and ordered them off the premises, using uncivilised language like 'f...off julle kaffirs'.

They stood their ground and, into the fray entered the farm-owner, Koekemoer, who repeated the order, adding a few choice words of his own, revealing what he thought of blacks in general and uppity ones in particular.

Using traditional farming methods of discipline, he waded into them, kicking and punching while his daughter in the background, who was looking on with pleasure, declared: "It does not matter what they are. They are still kaffirs. They must f...off." This clearly shows that nothing has changed. The situation is still the same.

Some of the farmworkers from one of the farms in Brits who preferred to remain anonymous told City Press that they had been tortured and denied basic human rights by the bosses. Some of them

were still wearing the clothes they were beaten in, lifting their shirts to reveal bruising they had suffered. They told of beating, being forced to work for long hours for a pittance.

"We are innocent; dreadful things have been going on at farms, and most of the things are not reported because newspapers and radios are less concerned about our lives on farms. What has been going on is barbaric," they lament. Another distressing fact associated with farmers' culture is that



UNFAIR DISMISSAL... Sarah Nhlapo, fired for joining a union

children are discriminated against at schools to the point that racism has become institutionalised in schools. You will never see a white child attending the same school with his black counterparts.

Really, racism is deeply woven in the fabric of South African society. The painting of Moses Nkosi at Balfour farm shocked both black leaders and white conservatives alike, sparking an unprecedented outcry across racial divides.

I think the case highlights the rising trend of violence on farms and rural areas in South Africa. Many white farmers are complaining that the government fails to protect them from constant attacks, while black farm workers say their employers and landowners abuse them.

The white cattle trader and black farmworker were charged with assault for covering the entire skin of Nkosi, including his genitals, with silver metallic paint and they were fined R300 each.

I thought with the passage of time things might have improved, you think, especially with so much talk of reform. But nix, in our country, time moves anti-clockwise.

Brits, Vrede, Balfour, Ventersdorp and Zeerust have the dubious distinction of being the only towns in the country determined not to change.

The government's failure to address this situation stems from a lack of political will to confront white farmers.

The white farming sector has been an enormous, powerful political lobby and the new government want to avoid challenging the power wielded by this sector.

SALES OPERATED LIKE TOT SYSTEM

Papsak operation halted

(4) (3) WINE

THE South African wine industry is too fragmented to deal with its future and to tackle the important issues of transformation and upliftment of the poor. Consumer Writer **GUSTAV THIEL** reports.

TRILLOGY Wine Corporation owns the Berg-and-Brook farm from which independent wine producer Tjaart van der Walt operated the illegal *papsak* retail operation reported in the *Cape Times* yesterday.

Van der Walt's operation — he rented space from Berg-and-Brook — was stopped by Trilog's chief wine maker, Ben Radford, this week. Van der Walt may still make wine, but may not sell it to the workers on the farm.

Trilog's deputy chairperson, Graham Knox, told the *Cape Times* yesterday that Berg-and-Brook farm families, to some of whom Van der Walt sold wine under circumstances that equate to the tot system, will be moving to a village in the area which is part of Spier's upliftment programme. Knox said Trilog had "never

been involved in anything approximating the tot system".

A spokesperson for Spier said the Spier resort's wine and entertainment components were operated separately and that neither had been involved in the tot system.

All the families on Trilog's Berg-and-Brook farm are to be rehoused in a village that has schools, shops and medical facilities.

Knox said the workers identified in the article on the effects of the *papsak* system did not live on Berg-and-Brook, but might have bought wine from Van der Walt.

Knox came to South Africa 30 years ago from Australia. He says South Africa needs visionary lead-

ership and proper structures to cope with the demands of a new society.

Knox said that formerly KWV had operated as "a kind of grandfather to the industry", but had converted three years ago to a company, responsible only to its shareholders.

Formerly KWV had administered the industry, and if farmers couldn't sell their wine, KWV had bought it and found ways of disposing of it.

If farmers couldn't sell their wine, KWV bought it, but nobody has the responsibility today.

"Nobody has the responsibility today to buy wine that farmers are stuck with," Knox added.

The *Cape Times* reported this week that farmers have an excess of 100 million litres of white wine that they cannot sell.

The reason for this is partly that European drinkers have switched to drinking red wine. Three years ago KWV, the Distillers Corporation and Stellen-

bosch Farmers' Winery bought white wine for making brandy from Argentina and France. But reduced consumer spending in South Africa had led to a brandy glut, which added to the white wine surplus.

Wine farmers in the Western Cape told the *Cape Times* yesterday that KWV had a market for distilled wine spirits in Russia, but couldn't capitalise on this because wine producers wanted too much for their product.

KWV is currently offering 37 cents a litre for white wine, but most wine makers feel that this is too low.

One Stellenbosch wine maker says most of the white wine will have to be dumped.

Knox admitted that the industry is facing complex problems, but he feels that "we have enough positive energy within our ranks to make a success of the future of the industry". "What we desperately need is a commitment from all wine producers towards proper transformation and democratisation."

Vineyard staff taught art of wine

(4)

TARZAN MBITA
STAFF REPORTER

2018/99

Wine producers in the Paarl region are very serious about empowering their workers.

So serious in fact, that they are roping in a group of assistant wine makers, cellar assistants and general workers from disadvantaged communities, and teaching them the art of wine tasting. This emerged during a wine tasting ceremony held at the Boland Wine Cellars in Paarl yesterday, in which 25 estates took part.

Paarl Vintners manager Charles Frank said: "Although the wine tasting event is held annually, training of staff in specialised courses goes on throughout the year.

"We aim to empower the workers so they can get to know wine better and be able to distinguish between the various wine qualities and also appreciate wine. The communities will also benefit from the newly-acquired skills."

Mr Frank said some communities attached a stigma to wine because of perceptions created over the years.

The infamous dop system, when farmers gave their workers wine as part of their wages, contributed to poor perceptions of wine.

"The challenge is now on for other wine regions in the country to do the same for their workers, in order to remove misconceptions," he said.

The papsak blues

ET 18/8/99 (4)



IN spite of the wine industry's condemnation of the tot system, a few farmers persist in perpetuating a system that effectively keeps workers addicted to drink. In the second part of an in-depth look at the wine industry, consumer writer **GUSTAV THIEL** investigated one such farm.

SAVANHA Holdings, the Johannesburg Stock Exchange-listed wine producer in Franschoek, is one of the biggest producers of white wine in the country. In 1998, the Savanba group took over management of Spier Wine Estate's wine production, making it one of the most influential players in the wine industry.

The industry is currently at pains to avoid any negative publicity, because the export market is highly competitive. An article on the tot system, published three months ago in the *New York Times*, had many industry leaders who insist that everything is being done to eradicate all traces of the tot system.

Kim Green, CEO of the SA Wine and Spirits Exporters' Association, says publicly about the tot system tends to be negative and has the potential to cause enormous damage to the local wine industry. Many wine estates, including Fairview, Vineshof and DeWet, have gone to great lengths to uplift the grape part ownership to workers.

To say, however, that the tot system doesn't exist is not true and this much is admitted by the industry. The KWV (Ko-Operatiewe Wynbouers Vereniging), an important player in the industry, has stopped buying wine from farmers who they suspect might still employ the system.

The problem is that farms are finding ways to circumvent the traditional tot system where workers are paid directly with wine for their labour. Today, some farmers sell wine illegally to workers on farm premises and thus succeed in perpetuating the effects of the system.

The discovery of this system in operation at Savanba Wines means simply that one very powerful industry player turns a blind eye to the illegal practice on their property.

According to William Lawrence, a member of the Franschoek Community Police Forum who lives and works on Savanba, one of the farm's winemakers, Thart van der Walt, sells white wine in papsakke — plastic bags with a spout — to his workers.

Says Lawrence: "I live and work with the workers on the farm and I can tell you that the lives of these people have been destroyed for generations because the people who own the property only care about their back pockets. These workers have no sense of dignity left and all they live for is to buy a papsak at the end of the day to

drink away their misery." The papsakke, which contain five litres of mixed white wine, is sold right next to the farm's cellar out of a little wooden shack.

David Visagie, who runs the operation for Van der Walt, admits that they are open at all hours, a contravention of the Liquor Act. The papsakke are sold for R20.50 and the average weekly wage of workers on the farm is only R120.

Hendrik Loots has lived on Savanba, previously Simondium Wine Estate, for most of his life. He doesn't know his own age, says he fights constantly with everyone on the farm, and cares only about the next consignment of wine from Van der Walt's veritable treasure trove.

"I spend all my money on wine and can't buy food for my family. Everybody who works here just drinks the whole day, I think it is not right," he says. Lawrence says he is "extremely concerned" about the physical and mental health of the workers.

"We have a young girl on the farm who is only twelve years old and she recently gave birth to a child. The girl is already drinking heavily and I don't know what diseases she can pass on to her child. "The living conditions on the farm are appalling and I am sure that Van der Walt doesn't give a damn about the well-being of all these people."

Rainer and Faizel, two brothers who work on the farm, spoke to the *Cape Times* even though they said they were embarrassed about their intoxicated state. Faizel is sure about his fate: "Look at me, I mean, I don't want people to see me like this, but I can't stop drinking now. And I will just one day die from all the booze they give me. They make it impossible to stop. The wine is just always available."

Lawrence says that although Van der Walt's system doesn't equate to the traditional definition of the tot system, he has fashioned it in such a way that he profits substantially from it. Repeatedly efforts from the *Cape Times* to give Van der Walt a chance to respond were met with silence.

Perhaps the thoughts of two little girls who live on the farm, oblivious to things like alcoholism and profit margins, will convince Van der Walt to speak about his workers' living conditions. Shamaa Sholes and Sarah Galant say they want money for toys and food.

"Faizel's papsak always leaks. He is so drunk. They just spend all their money on the wine."



'IMPOSSIBLE TO STOP': Faizel and Rainer show off their papsakke



ALWAYS AVAILABLE: Farmworkers after buying papsakke

PHOTOS: BERRY GOOL

Trust plans upliftment and protection of workers

ET 18/8/99 (4)

THE South African Wine Industry Trust (SAWIT) was established in 1998 to provide a structure for the upliftment of farm workers and to give them an ownership stake in the industry. The trust was the brainchild of the ex-minister of Agriculture, Derek Hanekom, and the KWV.

Michael Fiddlohn, chairman of the trust, told the *Cape Times* yesterday that structures are still being put in place to

make sure that funds are allocated so as to exert a meaningful and long-lasting effect on the industry. Fiddlohn admitted the industry needs to transform farm workers and its effects have damaged the image of the wine industry abroad over a number of years.

The KWV has repeatedly expressed its opposition to the tot system. Its managing director, William Barnard, has also expressed his concern the development of wine smuggling

which takes place between farm workers, but also involves some wine makers. The *Cape Times* discovered this practice on the Savanba farm in Franschoek.

Says Barnard: "The implications of addiction and economic decline as a result of the increasing and disastrous expenditure on the illegal trade in liquor requires joint preventative measures on the part of worker communities, farm owners, the wine industry and the government. "The problem will probably enjoy priority at SAWIT."

Farm and forestry workers threaten to strike over pay

FORESTRY 152 (4)
Simphiwe Xako

MORE than 3 200 members of the SA Agricultural, Plantation and Allied Workers' Union (Saapawu) have threatened to go on strike on Monday after pay talks with management deadlocked.

Saapawu national organiser Thamsanga Myeza said workers decided to engage in industrial action following a dispute with management about wages and working conditions.

Myeza said the union and the Sapekoe Estates management failed to reach a settlement at a meeting with the Commission for Conciliation, Mediation and Arbitration (CCMA) on Tuesday.

"We have obtained a certificate from the CCMA and have already given management the required notification."

Sapekoe Estates is a national tea-growing company with estates in the Northern Province, North West and KwaZulu-Natal.

Myeza said the R330 a month earned by the lowest paid employee was "inadequate" and that management's 7% across the board final offer was unacceptable. "The union's position has always been the closure of the apartheid wage gap between the lowest and highest paid employees and the introduction of an adequate minimum wage."

Myeza said employees' wages should not be linked to the short-term behaviour of markets and that jobs should be retained.

The company's industrial relations officer Calie Lombard declined to comment, saying it would affect the "good faith of collective bargaining". He was optimistic, however, that a settlement could be reached by the two parties despite the strike notice.

Meanwhile, more than 150 Columbus Stainless Steel employees are expected to appear in the Middleburg Magistrate's Court today after a strike last month. National Union of Metalworkers of SA spokesman Dumisa Ntuli said the workers were charged with intimidation and defying a court interdict.

About 120 members of the Southern African Clothing and Textile Workers' Union gathered at the Cape Town customs and excise offices yesterday to protest against what they said were illegally imported clothing, textiles and footwear flooding the SA market. The union said protesters handed a memorandum to management demanding an end to the alleged illegal imports.

BD 2/9/99

Farm workers 'most vulnerable to abuse'

Minister singles out violence, nonpayment of wages and poor housing

(4)

BD 14/9/99

Minimum farm wage by 2000?
(4)

RT (ORA) 14/9/99

FOR COXANI
Pretoria - The labour department hopes to have a minimum wage in place in the agricultural sector by next year, Member of Parliament, the labour minister, said yesterday.

Mdladlana said the department wanted a minimum wage for agricultural workers because of problems in the sector, including human rights abuses, violence against workers, abuse of illegal aliens, child labour and non-payment of wages.

He was speaking after a meeting with Barney Pitso, the chairman of the Human Rights Commission (HRC).

Mdladlana said negotiations for a minimum wage were continuing but there was a need to consult and the department had brought the HRC on board.

He said farmworkers were one of the most vulnerable groups in the community.

"There is poverty in employment in South Africa, with 28 per cent of the population earning less than R500 per month and 40 per cent earning less than R300 per month," he said.

"The agricultural sector is non-unionised or has very weak unions. Only 4,5 per cent of agricultural workers are unionised."

Mdladlana said inspectors experienced difficulties in entering farm premises, contacting owners to make a prior arrangement, being refused entry and being threatened with violence.

It was extremely difficult for the government to fight for export markets when farmers were trampling on workers' rights, he said.

He believed farms would become more productive and would perform better when human rights were observed.

Mdladlana denied there was any rift between himself and the SA Agricultural Union (SAAUD) but he sensed "some organisational and ideological problems within the SAAUD".

Pitso stressed that efforts to improve the well being of the population would benefit the national economy.

"We will be better off as a country and as people if the economy is based on sound human rights principles," he said.

Louise Cook

LABOUR Minister Memphahisi Mdladlana told the SA Human Rights Commission yesterday that farm workers were the most vulnerable sector of the labour market and that abuses such as violence, non-payment of wages, the use of illegal workers and poor housing were rife on SA farms.

Mdladlana met commission chairman Barney Pitso in Pretoria to brief him on general issues, including employment conditions on farms. Pitso said after the

meeting that several issues in the labour market were also human rights issues.

"Human rights is not an optional extra in the workplace. It is the intrinsic right of all workers." He said the commission supported the efforts of the labour department to bring about respect for human rights in the workplace.

Mdladlana introduced a system of inspections last year to monitor working con-

ditions on farms but said the inspectors often could not get access to the farms. "Even with an appointment they find it difficult to get hold of the employer." In one case in the Free State a farmer ordered his dog to attack the inspector. However, not all farmers treated workers badly.

I am awaiting a report by the provinces to see how many farms were visited, what the main conditions were and whether any

prosecutions will be necessary.

Mdladlana said: "The department has adopted a peaceful approach but I sense that some farmers out there see the need as a situation they can exploit."

If farmers continued to thwart inspectors a full-blown commission of inquiry might be necessary, he said.

Mdladlana said he would involve the commission in the process of setting a min-

imum wage for the farming sector. It was expected the minimum wage would be introduced in the next year.

Pitso said the commission was concerned about shedding jobs and would approach the minimum wage issue with sensitivity. "We take a holistic view of both sides, including attacks on farmers."

Farmers and their families have been the focus of a spate of violent killings for several years. Mdladlana condemned the attacks, saying that the criminals should be brought to justice.

Govt to tackle workers' abuse (4)

By Mzwakhe Hlangani SOWETAN
Labour Reporter 14/9/99

THE Government would only consider instituting a commission of inquiry into evictions, violence and the exploitation of farmworkers and rightwing vigilantism by some farmers if mechanisms to foster a human rights culture in the farming communities failed.

Labour Minister Membathisi Mdladlana and chairman of the SA Human Rights Commission Dr Barney Pitjana told a media briefing in Pretoria yesterday that the major crisis around the abuse of farmworkers needed urgent attention as workers' rights were also human rights.

Mdladlana issued a stern warning to farmers that they would not be allowed "to trample on human rights and to continue breaking the law".

Exploitation

He also said that the evidence at his disposal revealed that the highest levels of exploitation prevalent in the labour market was found in the agricultural sector, with more than 250 000 children employed on farms.

Mdladlana said problems had also started when inspectors attached to the Department of Labour tried to gain access to farms, with some farmers setting their dogs on the inspectors who wanted to check out their farms.

Pitjana said the commission was taking up the issue of violence on farms with the Directorate of National Prosecutions and the police to ensure that prosecutions were followed up.

The commission had also set up a series of meetings with the South African Agricultural Union to impress upon the union that the crisis "bode ill for the benefit of the country's agricultural economy".

'Things aren't going well on farms'

Ynda Giffillak

(4)

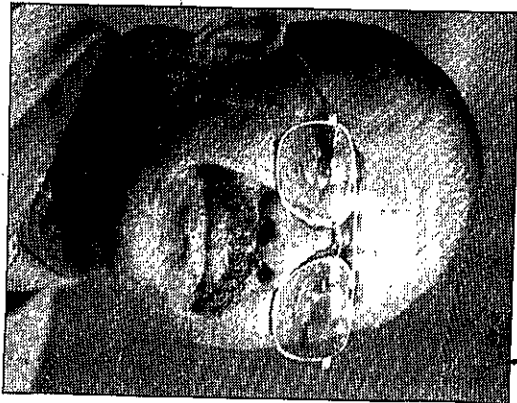
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A marble bust of Queen Victoria adorns the front of the Graaff-Reinet town hall, the interior of which hung with crystal chandeliers, here farmers and farm workers gathered this week to express their views on a minimum wage and conditions of employment.

A series of similar meetings has, over recent weeks, quietly taken place under the auspices of the Department of Labour. They form part of the process initiated by Minister Labour Membathisi Mdladlana to regulate working conditions, including the question of a minimum wage under the Basic Conditions of Employment Act.

The crisply attired farm owners contradicted the usual stereotype of the khaki-clad, pot-bellied South African farmer. Included among these great-grandsons of settlers was young, chic and articulate woman farmer — all had been invited to press opinions on whether wages ought to be determined according to factors such as sector, area, workers' levels of skill, and so on.

Meeting chair Tembani Mkalipi, director of labour relations from east London, explained that, while the minimum wage is open to negotiation, the principle itself is not. A veil of suspicion hung over the



In charge: Minister of Labour Membathisi Mdladlana

group, for whom it was clearly an initiation into the consultative process.

The point of the meeting was to elicit a broad response from individual employers — not all of whom are members of farmers' associations.

Mkalipi explained that the workshop was the start of an information gathering process, but responses from the farmers were slow and tentative and consisted mainly of defensive utterances about their concerns of protecting the jobs of their workers. When the matter of in-kind pay-

ments (housing, food, fuel) was discussed, the ingrained paternalism of the system expressed itself in one farmer's view: "Farms are communities, and in-kind payments have become entrenched over time."

Reluctant to suggest actual figures for a minimum wage because this would somehow imply an acceptance of the principle, farmers spun the usual web of rationalisations: "We treat our labourers well, we have to ensure that they have enough food for the month and don't blow their cash."

In an area where the average monthly wage (inclusive of in-kind payments) is R700, Mkalipi informed the group that at other meetings in the Eastern Cape, farmers had suggested figures of not less than R200 and not more than R1 000. He warned that negative perceptions of farmers needed to be changed, particularly regarding exploitative wages.

The creative response to this of the only Afrikaans-speaking farmer present was that a maximum rather than a minimum wage ought to be established to safeguard wage and employment levels. "These people are our family," he said.

At midday a small group of 13 farmworkers, representing six farms in the district, showed just how dysfunctional relations in these farm "families" are.

Again, a pall of suspicion hung in

the air as the workers sized up the officials seated before them.

Worker attendance was — as with similar meetings held from Cradock to Komga — so poor as to mock the consultative process.

When asked why workers explained that they were at the mercy of employers for transport and information and that, while employers had brought them to the meeting, they had not been informed of its purpose, and so were ill-prepared.

They disclosed that current cash wages ranged between R204 and R580 per month. The figures workers then proceeded to suggest for a minimum wage mocked the fears employers had expressed earlier regarding their expectations. With neither anger nor outrage this most marginalised group of workers suggested cash wages between R800 and R1 000.

The abyss that exists between the perceptions of farm owner and worker may be widening. For one member of the farmer's "family" at least: "*Dinge gaan nie lekker op die plase nie* [Things aren't going well on the farms]."

However, even if there is little material improvement after 2001 when this complex piece of legislation is expected to be passed, at the very least, farm owners and workers are slowly being integrated into those processes that form the fabric of a culture of rights.

Farmers oppose minimum wage (4)

Louise Cook

THE SA Agricultural Union (SAAU) urged Labour Minister Memphahisi Mdladlana not to introduce a minimum wage in agriculture, saying the profitability of farming had been under pressure for years and many farmers battle to survive.

In a recent submission to the labour department on minimum standards of employment, the union said agriculture department statistics show farm wages increased 14,9% since 1985. An average worker's pay went up 18,8% — more than the 12,7% inflation rate.

The union said: "It can reasonably be expected further increases in labour costs will inevitably lead

to fewer, but better-skilled and better-paid workers on farms." Mdladlana announced earlier this year that a minimum wage would be introduced for farm workers.

Earlier this week, he dismissed claims that farm workers earned high salaries, saying 72% earned below the poverty line.

Poverty was reflected in the total labour market in SA where 26% of the workforce earned less than R500 a month and 40% less than R900 a month. "Where are the high wages in SA?" Mdladlana asked.

The SAAU document said, in 1996, the average pay per farm worker was R575 a month, but would have been R322 had wage increases been made according to an

inflation rate of 12,7% between 1985 and 1996.

In addition, last year wage costs outstripped other major costs like fuel, fertiliser, dips, interest on debt and feed. The union said: "Improved productivity is therefore a prerequisite for higher remuneration in the sector. The introduction of new labour laws... brought a rigidity into the labour market which is difficult to deal with."

"Agriculture offers a relatively safe life to farm workers and their dependants, including education, housing, training and health care."

The union said there was still overemployment in farming which left room for rationalisation and mechanisation.

PD 16/9/99

No protection for farmworkers

By Siphwe Mpye

LAND conflicts in North West have in recent months highlighted the situation of the farmworkers who are subjected to evictions, ill-treatment and denial of land.

These events have also raised questions about the effectiveness of the Extension of Security of Tenure Act (ESTA), established in 1997. The act is supposed to protect farm workers, but incidents lately have proved that it does not really help.

North West Premier Popo Molefe this month responded to pleas by farmworkers who have had enough of ill-treatment by their employers. At a meeting in Schoemansville, near Britz, Molefe promised that a government representative would look into their complaints.

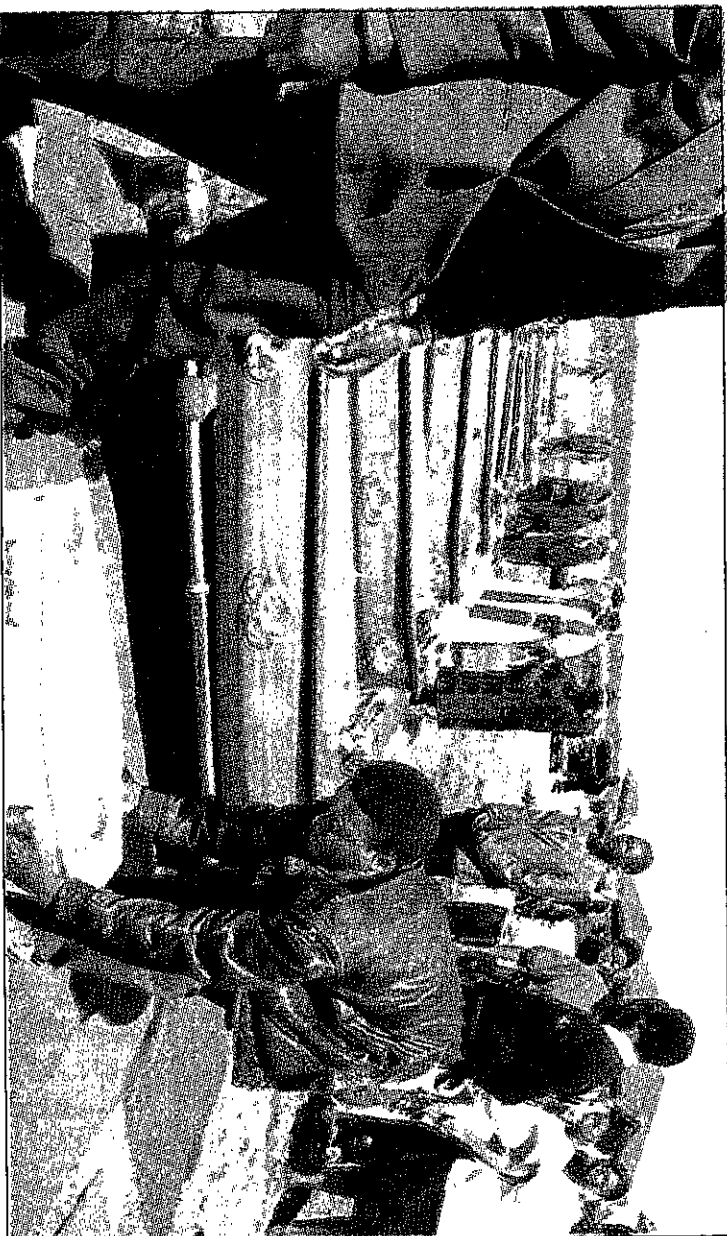
He said the workers should use the Constitution and labour laws to fight abuse.

Congress of South African Trade Unions (Cosatu) chairman in North West Solly Peiso says his organisation is committed to ensuring that the union for workers is visible in the area.

In the same week 20 deceased farmworkers were unable to be buried on farms where they worked because farmers refused to allow graves on their properties — for fear of their descendants having future claims on the land.

Sadly, the Act does not guarantee farmworkers the right of burial on the land where they might have worked for half their lives.

This was confirmed earlier this year by South African Agricultural Union legal advisor Annalize Crosby, who said: "What is certain is that the law does not give farmworkers the right to be buried on the farms."



Twenty four unclaimed bodies including those of a month old baby and a homeless white man are given a decent christian mass funeral at Demonville, Brits in the North West recently. PHOTO: PAT SEBOKO

These bodies were eventually buried through an initiative by North West Social Services.

They are to be commended for this, but is the law going to continue to allow farmers to dump corpses to rot in government mortuaries?

It is, says Shihami Shivimda of the Nkuzi Development Association (NDA).

His organisation, based in Northern Province, is an affiliate of the National Land Commission which deals directly with problems arising from farm evictions and attempts to educate farmworkers on the content of Esta.

Shivimda confirms the Act's ineffectiveness in dealing with a number of issues plaguing the labourers, including those following their death.

When a labourer dies, according to Shivimda, the farmer is not required by law to allow a burial on his property, so the bodies are dumped in mortuaries.

Organisations like the NDA are hard at work lobbying for an amendment to Esta because, as it is, it is inadequate.

"Esta has many flaws. We view the act simply as a regulator of relationships between the farmers and their employees", and not as a form of protection for the workers," he says.

According to him, the act stipulates conditions under which farmers can or cannot evict their workers. It sets out procedures such as applications for an eviction order and giving prior notice.

This, Shivimda feels, only prevents blatant misconduct on the part of the farmers, but still leaves a lot of scope for abuse. "The Act puts a lot of emphasis on the farmer's rights and not enough on the employee," he says.

Another Esta flaw is its inability to secure a family's permanent status on a farm. If a worker acquires a disability

while working on a farm, he or she can apply for permanent status. If the farmer refuses, the burden of finding alternative accommodation rests with the farmer. But this arrangement does not extend to the whole family.

"The worker's family is not covered by this and can be evicted at any time, although according to the law, there has to be 12 months' notice," says Shivimda. Ignorance of the law is a problem. Non-governmental organisations like NDA are trying hard to inform people because this ignorance puts people that Esta is trying to help at a disadvantage.

Shivimda says: "We are constantly trying to let people know their rights but it is difficult because even though the law encourages us to help, it does not cover us."

NGO members are always at risk of being charged with trespassing (Shivimda is facing two charges) if they enter farms to give workshops on Esta. Only Government employees are exempt from prosecution, he says.

He finds this particularly discriminatory because NGOs are doing a better job than the Government in this regard. NDA is not discouraged, though, because it has undertaken a multi-media campaign to raise awareness among the hundreds of workers it serves.

Shivimda's passion for this cause is fuelled by years of frustration at the levels of ill-treatment experienced by innocent labourers on many farms. This problem is compounded by the fact that local authorities are either ignorant or are unwilling to uphold the law.

"Many police, prosecutors and magistrates are not well-informed about Esta. Police are often not willing to cooperate when a case of unfair eviction comes up. A lot of education needs to take place to change the authorities' attitudes," Shivimda says.

(4) Soweitan 20/9/99

Benefits of wage law could be marginal

Proposed legislation to govern minimum wages for South Africa's lowest-paid employment sectors could pose a serious danger for employment losses, writes Haroon Bhorat

MtG 10-16/93 (335) (355)

The Department of Labour has recently called for public submissions and comment on the issue of minimum wages and conditions of employment for domestic and farm workers. An analysis of the first of these two issues, namely wages, will place into sharp focus the stringent trade-offs faced by the department in this part of the workforce.

It is important, at the outset, to get a sense of the basic wage and employment statistics governing domestic and farm workers in the economy. There are approximately 700 000 household domestic workers in the society, compared with fewer than one million farm labourers.

The imposition of any labour legislation will therefore impact on nearly two million workers, and their respective dependants. One is not, therefore, talking of an unsubstantial number of affected individuals.

The overwhelming majority (96%) of domestic workers are female, while the majority of farmworkers (78%) are male. Hence the legislation would have a near equivalent impact on both males and females in the workforce.

But perhaps the most important reason for the Department of Labour seeking to isolate these two occupations for special consideration lies in the pitifully low wages earned by these two groups.

Domestic workers on average earn just more than R300 per month, while farmworkers earn approximately R400 per month. These two occupations are far and away the lowest paid in the South African labour market.

To put into perspective how low these earnings are: domestic workers earn a third of what the average minor earns, and fourteen times less

than the average skilled professional. Extremely low wages lead to the familiar outcome of individuals having a job, yet living in deep poverty.

Given these earnings of domestic and farmworkers, it is not surprising that more than 80% of all these workers remain below the poverty line. In this environment of extreme levels of indigence, it is tempting to give serious consideration to a legislated policy of minimum wages for these workers.

It is possible, given the above parameters, to undertake a carefully conceived thought experiment, wherein the dilemma of the choice between higher wages and lower levels of employment is vividly displayed.

We can think of such an experiment in the form of two scenarios:

- Scenario one — where the wage of domestic and farm workers is increased by 10%.
- Scenario two — where the wage is doubled.

The first scenario is, of course, a far more likely outcome than the second. But the purpose of the extreme second case is to display how harsh some of the trade-offs between wages and employment are.

The effects of scenario one will be that the increase in the wage of these two occupations by 10% will reduce the percentage of workers in poverty to 75%, a 5% reduction to the poverty level prior to the wage increase. This, for domestic workers, means that about 22 000 of them will no longer be in poverty.

For farmworkers, the wage increase will extricate 47 000 of them from poverty. Given the large numbers of these workers, this is not by any means a significant poverty reduction effect.

This does not mean that the wage increase will not be beneficial, but it



Living in poverty: Farmworkers are one of the two lowest-paid groups in the South African labour market, earning on average about R400 per month. PHOTOGRAPH: JACQU FILM

is clear that its benefits in terms of alleviating poverty will be marginal. It has to be remembered though that, along with a wage increase, there is a serious danger of employment losses, as some employers perceive the cost of employment as being too high. This option may be the best and most optimal available to the department.

Aside from the concerns around the trade-off between poverty and employment, there are two other relevant issues surrounding the minimum wage. These are the effects of a minimum wage may have on payments in kind and, secondly, the monitoring of minimum wages should they be set.

On the first, it is true that a large number of employers do offer transfers in kind to their employees. By this, one is referring to, for example,

food given to domestic, or bags of mealie meal to farm labourers, by their respective employers.

The imposition of the minimum wage may see employers rescind these free transfers and begin them to charge employees for these products. So, an employer of a household domestic minimum wage is not affordable given the current working arrangements.

In order to retain the services of the domestic, the employer will begin to include the free meals and so on as part of the wage paid to the domestic. In such a case, the cash wage received by the domestic may not change and, in some cases, may go down. The potential for circumventing the minimum wage law arises thus from the existing and significant free transfers flowing from

the employer to the employee. The second concern around the minimum wage, that of monitoring its implementation, is, in many senses, what the effectiveness of the legislation hinges on. For example, even a minimum wage at double the current average wage is only effective if the government can ensure that such legislation is implemented and adhered to by employers.

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This is because employers in these sectors are widespread, often in un-reachable areas and seldom a visible presence in the economy. If one thinks of the impossibility of trying to track down even a small national sample of households that employ domestic workers, as well as extracting wage information from the employer or employee, then the difficulty in monitoring these two sectors becomes evident.

Simply put, the effectiveness of any minimum wage legislation will depend on the state's ability to enforce and monitor the implementation by employers of the terms of the legislation.

Together with the difficulties in monitoring such legislation, its employment effects as well as employers' possible responses -- the minimum wage legislation proposed here should be, at best, viewed as setting a precedent for employers to improve their wages and other conditions of employment for these two indigent groups of workers.

The goal of poverty reduction among domestic and farm workers is thus only realistically achievable through a combination of economic policy interventions.

Haroon Bhorat is senior researcher in the development policy research unit at the University of Cape Town's School of Economics

Widows live on a 'farm without pity'

(4) Sowetan 1/10/99

By Themba Molefo

It is harvest time on the maize farm Doreen in Viljoenskroon in the Free State, a season that brings no joy for the 10 widows who live there with their children.

The women were widowed in one of the worst farm accidents in the country early this year – when men and two boys became the victims of a horrific crash between a tractor and a truck at dusk on May 6.

As with all tragedies of such a nature, the accident received maximum publicity and sympathy from many quarters.

It also served to expose the reality of farmworkers' families: living in poverty and constant fear of losing the only homes they have known.

The widows told *Sowetan* that since their husbands' had died, their level of poverty had taken another plunge.

Also, they spoke of an alleged plan to evict them by the farmer, John Gossayn. Some of them had spent up to 20 years there.

Thirty-two men were on the back of Gossayn's truck when the tragedy struck. Ten workers died of their injuries within a week of the accident. Four of them, including the boys and the driver, were killed instantly.

At the time the accident attracted material support from diverse sectors, including the Government, the South African Council of Churches (SACC) in the Free State and even a neighbouring farmer.

Sowetan learnt that the benevolent farmer donated R5 000 towards the men's funeral costs, while the SACC and Government structures in the Free State helped with the burials.

Gossayn paid only for the burial of the white driver and loaned the women money to fund their husbands' funerals, the widows claimed.

They alleged that after the funeral Gossayn wanted them off his land, but has since relented.

According to Pulane Mofutsana, who lost her husband Abel, Gossayn told them he was not chasing them away from the farm but rather he was selling the place.

The plight of the widows resurfaced recently when it came to the attention of the SACC again, in particular to the National Widows Forum under Maggie Nkwe. She has labelled the situation "a disaster for the widows".

The widows are wearing identical traditional black (or blue to denote their Christian indigenous faith) mourning dresses. These dreary clothes that they have to don for a year emphasise their woes.



Widows wear traditional black mourning dresses.

PHOTO: PAT SEBOKO

The women say that despite earning a pittance of up to R500 a month each while alive, their men also brought home monthly rations of maize and dairy products.

Mofutsana said: "Today we even have to borrow mealie meal which we cannot afford to repay to the farmer."

"On many occasions our children go to bed without food. On the fortunate days when we do manage to scrape something together we can have soft porridge for supper to keep hunger at bay."

Speaking from her sparsely furnished four-roomed house, Mamosebeisi Sere, whose husband Joseph was also killed, said: "While the farmer seems to have withdrawn his threat to evict all of us widows, now he has discontinued giving us the food we used to get free when our husbands were still alive."

She claimed Gossayn told them that whatever the widows had received in the past ended when their husbands died.

They told *Sowetan* their lives and what passed for their livelihood was wholly dependent on Gossayn.

Meanwhile, Gossayn declined to fully respond to *Sowetan's* inquiry regarding the status of the widows on his farm and compensation for their husbands' deaths.

He said: "I have done everything for these women. I have no further comment."

The widows say they received between R1 500 and R2 000 each as an "insurance" payout after the men died, following deductions by the farmer for loans, such as for funeral costs.

The other widows confirmed Mofutsana's claims, with some saying they "paid back" up to R500 each for funeral loans out of their "insurance" payouts.

Mofutsana and her husband Abel, who had 11 children, lived on the farm for 21 years. She said apart from the May disaster in which her husband was killed, he was severely injured in

August last year.

She said: "On that day Gossayn took my husband to help rescue livestock on a neighbouring farm from a raging veld fire."

"Later he sent a message that Abel had been slightly burnt. However, after a week he had not returned. I became desperate and decided to look for him. I hitch-hiked from Viljoenskroon to Kroonstad – about 100km away – where I found him with severe burns in a hospital."

She said her husband received no compensation for injuries sustained in the fire. "This was despite his promise at my husband's funeral that he would see that I got compensated."

In fact, most women complained that their husbands and sons were not helped by the farmer to apply for workman's compensation after they had been injured on duty.

Another widow, Nofezile Kamisa, said her only son Andrew was not compensated for a tractor-related leg injury

sustained on October 24 1994. He has since died on the farm.

Anna Mokaitanyane lost her husband Elias, but said her sons John (24) and Abram (17) were working for Gossayn.

Said Nkwe: "This kind of life is a disaster for the widows. It is scandalous that they have to live in such poverty, with their rations including milk and other healthy food being stopped."

"How do you feed five children on daily diet of soft porridge? These women deserve respect. They are human beings."

During *Sowetan's* visit to the farm 13-year-old Abuti Ngwenya showed the team a one-roomed brick "school" with broken windows on the premises.

This pupil said all the children on the farm – from grade 1 to grade 6 – learned simultaneously under the dilapidated classroom with one teacher tutoring all the grades.

CT 5/4/10/99 (4)

Farm workers trained for wine tastings

GUSTAV THIEL
CONSUMER WRITER

THE South African Wine and Spirit Exporters' Association has established a course that will enable workers on wine farms to conduct tastings of South African wines.

The seven-month course, which is run in association with the Cape Wine Academy in Stellenbosch, will also teach workers about techniques of wine grape growing and wine-making, as well as the history of wine in South Africa. Workers will also be taught how to match wines with food.

The first intake of 39 students, including farm workers and town-

ship students, began the course at the beginning of this month.

The course — entitled the Wine Ambassadors' Programme — will be conducted over the next few years. The cost of the project is about R1,5 million and the aim is to train 100 candidates a year.

It is funded by the Wine Industry Trust, which is a partnership between the local wine industry and the government.

The partnership was established after the KWV was restructured from a co-operative into a group of companies.

The association's CEO, Kim Green, commented of the course: "It is critical that the people

involved in making our wines are made part of the bigger picture and exposed to the culture of wine.

"Not only does the course place the workers' role in the local wine industry in context but, even more importantly, it trains them to serve as ambassadors for South African wine among local and foreign consumers."

Green says the association envisages that graduates will present wine tastings to consumers on the estates where they work, at wine gatherings and in association with retailers.

She added that the exposure of wine workers to the "culture of

wine" is a necessary step in the transformation of the local wine industry.

"Several wine farmers have established joint ventures with their farm workers to give them part-ownership and to transfer skills in wine farm management, viticulture and viniculture.

"There are also a number of private initiatives on the go to fund black students and others to promote the quality of life among wine farm worker communities," said Green.

About 100 000 people from historically disadvantaged communities are currently employed in the local wine industry.

Govt to act on errant farmers

By Mzwakhe Hlangani
Labour Reporter

THE Government is set to crack the whip on renegade farmers guilty of violating human and labour rights in defiance of the new labour legislation.

Labour Minister Membathisi Mdladlana has warned that any violation of basic worker rights by farmers will be prosecuted without fail, after discussions with the South African Agricultural Union (SAAU) in Pretoria yesterday.

He said the continuing abuse of farmworkers will harm South Africa's image abroad and compromise trade relations with countries which it exported its agricultural produce to.

In a demonstration of his commitment to fighting the abuse of farmworkers, Mdladlana gave notice yesterday that he would undertake "unannounced visits" to the farms with high-level government delegations.

The department is currently investigating at least 4 336 complaints against farmers ranging from racial violence, to unfair dismissals and torture.

Some of the claims made by farmworkers

have been corroborated by inspectors sent into to investigate conditions on farms.

Farmers are also being investigated for allegedly refusing access to departmental inspectors and frustrating attempts to investigate violations of the Labour Relations Act.

According to Mdladlana, difficulties in gaining access to farms also compromised the ability of inspectors to educate farmers on labour rights.

The meeting between the Minister and the delegation was convened after the agricultural union had expressed concern about allegations of abuse, human rights violations and racial atrocities levelled against its members.

The SAAU told the Minister it supported the prosecution of any farmer found to be violating workers' basic rights.

The union distanced itself from ill-disciplined farming groups who refuse to be educated in provisions of the country's labour laws. The SAAU also agreed with the Minister on the need for education about labour rights.

SAAU spokesman Mr Kobus Kleinhans was not available for comment as he was reported to be in another farmers' meeting yesterday.

Sowetan 6/10/99

All is not well down on the farm

JANET HEARD

(4) ST(CM) 10/10/99

MORE than 800 farm workers in the Western Cape have laid complaints about working conditions to the government this year, according to Labour Minister Membathisi Mdladlana.

"The reality is that down on the farm all is not well," Mdladlana said at a weekend conference in Bellville which was held to set standards for the wine industry.

A total of 4 336 farm workers had laid complaints countrywide, he told the gathering, which included farmers and workers.

While the top 10 percent of agricultural workers earned an average of R1 065 a month, the average wage for workers on the lowest end of the scale was R133 a month.

"If one uses the poverty line of R650, as debated and proposed by the Presidential Labour Market Commission in 1996, 72 percent of all agricultural workers would earn below the poverty line," he said on Friday.

Responding to concern among employers that minimum wage levels could lead to job losses, he asked whether this was not "just an irrational prejudice or fear of the unknown".

He urged farmers and workers to help the department find an appropriate minimum wage level "that can protect workers from exploitation without putting workers out of jobs".

The department is also investigating whether one minimum wage will "fit all" or whether levels are required for commodities, different provinces and different categories of workers.

The protection of the rights of agricultural workers was not just about human rights, he said. "It is also about realising the visions of the labour market. It is also about building an agricultural sector which is conducive to investment, economic growth and job creation. And it is about ensuring stability, productivity and efficiency in a sector that is facing the pressures of our country's integration into the global economy.

"We need to ensure together that the bad elements [among farmers] do not negate the work of these good farmers who have had the vision to implement sound labour relations and decent working conditions. It is the efforts of these farmers and other role-players which will improve the image of the agricultural sector, increase our exports and thus help our country grow and prosper."

Problems encountered by inspectors included:

- Refusing inspectors access to farms;
- Failure to comply with the Basic Conditions of Employment Act, ranging from not keeping records to the employment of children;
- The lack of provision of protective clothing for farm workers and endangering their lives through the unsafe use of pesticides and herbicides;
- Non-payment of Unemployment Insurance and Compensation Funds; and
- Unprocedural dismissals, abuse, low wages and poor accommodation.

Housing scheme dispute settled in favour of farm worker pensioners

(4) at 12/10/99



THE old struggle saying "dare to struggle, dare to win" won the day recently for homeless farm workers at Meerlust-Bosbon, writes Mxolisi Mgashhe.

THE Department of Land Affairs and the Groot Drakenstein Housing Forum became the winners in a five-year battle with the local farmers and landowners over whether national government should construct 420 houses for more than 900 pensioned homeless farm workers at Meerlust-Bosbon, outside Paarl. Things changed when the majority party of Winelands District Council became the ANC with 11 seats out of the 20.

Over the years, the district council had defended the interests of farmers and landowners — which included grant investors such as Anglo American Corporation — and had been blocking the scheme, with an expected budget of about R7 million, for the area.

One of the first actions of the new regime in the council was to undo the positions taken by its predecessor on the matter and support the national government's scheme.

To seal this new understanding, the Department of Land Affairs and the Winelands District Council will soon be signing a R7 million agreement for

the construction of the 420 houses on 20 hectares for the pensioned workers. This piece of land comes from a chunk of 63 hectares owned by the Public Works Department.

The department has also agreed to release 40 more hectares of land towards an agricultural project to provide a sense of self-reliance among the Meerlust-Bosbon residents, when their new settlement is complete.

A group of consultants from the University of Stellenbosch will be investigating the details of the economic project. Among grievances registered against the scheme was a notion that the pensioned farm workers could not be anything better than the "dronkies" they had become.

Opponents of the scheme also argued that the proposed settlement would become a den of crime and an "eyesore" to good business.

Most of the workers had worked for the farmers for decades. This seems to have been ignored by some of the farmers and land owners who were more concerned about the profits their prize wines and grapes fetched on overseas markets.

This was the heart of the matter.

Former ANC MP for the area, Professor Ben Turuk, was drawn into the dispute as mediator by the Simondium Action Group representing the handovers, farmers and some professional bodies, in anticipation that he would side with them.

His arbitration was, however, rejected the moment he proposed a housing

settlement scheme as a solution to the conflict and when he accepted a petition from members of the Groot Drakenstein Housing Forum, who demonstrated next to a building in which the Action Group and Turuk were meeting. Turuk said he was quite delighted about the breakthrough, and that the feeling was shared by the beneficiaries of the scheme.

"I want to say we have won. It is an example of the reward for persistence, but above all for persistence," said Turuk, who was born in the area.

"I am no longer the MP for the area, and have now moved to Muzizenaberg, but I have promised the community that, because I have some planning development generally in Lanzania, I will assist and advise them to the best of my ability. They are very keen on that," he said.

Turuk said the lessons of the Groot Drakenstein case were very clear: That political control of the local authorities, and even the character of the political control of the province, was very important.

He said that people did not understand that, then they were misunderstanding some very important elements about the new South Africa. That the national government can be blocked at local level.

"Notwithstanding these difficulties, it is possible to win, provided the community lobbies in the right way and identifies with and leans on the national government, which is in favour of their interests, and provided you can overcome the resistance of reactionary landowners and farmers whose mentality is still feudal," said Turuk.

Farmers fight minimum wages

Linda Ensor

CAPE TOWN — The promulgation of a minimum wage for farm workers met with stiff opposition by farmers, the department's director of minimum standards, Fatima Bayet, told the National Council of Provinces yesterday.

Briefing the council's select committee on labour and public enterprises, Bayet said 90% of farmers indicated in their submissions on a sectoral wage determination that there should be no minimum wage. Instead, wage striking should be examined and noted that a "good relationship" existed on farms.

The department initiated the process of introducing minimum wages and conditions for agricultural workers in terms of the Basic Conditions of Employment Act earlier this year.

Bayet outlined the lengthy process of stakeholder consultations and public hearings that would take place during the next few

months in the hope that Labour Minister Membathisi Madlathana could publish a determination by June next year.

She stressed that there was a long way to go before a determination could be made as research was required into the future prospects and employment trends in the sector.

Bayet painted a pitiful picture of the "outrageous working conditions on farms throughout the country," noted the widespread non-compliance by farmers with labour laws and described the difficulties that departmental inspectors experienced in gaining access to farms.

Inspectors were often verbally and racially abused or set upon by dogs, she said. In some provinces such as Mpumalanga and Northern Province, they could only enter "no-go areas" with police escort.

Bayet said there were high levels of exploitation and widespread abuse of worker rights. Workers' health was seriously compromised

in many instances, and the department had serious problems in enforcing labour laws.

Between January and September the department had received 4,336 complaints from farm workers. Western Cape farm workers produced the highest number of complaints, with 880.

Bayet said the high-profile cases of abuse of farm workers exposed in the media were just the tip of the iceberg.

The average wage for farm workers is R457 a month, but some in the Free State earned as little as R40 to R50 a month. Bayet said, in total, 72% of agricultural workers earned less than the poverty line of R650 a month.

The bottom 10% earned an average of R133 a month, while the top 10% earned an average of R1 065 a month. The average wage of the bottom and top 25% was R193 and R620 respectively.

Bayet said there were huge wage differentials between individual farms and from area to area.

'Slavery

continues'

on farms

Workers battle poverty

Almost three-quarters of South Africa's farm workers earned less than the poverty-line wage of R650 a month. Parliament's standing committee on labour heard.

Many of the workers also suffered physical and verbal abuse from farmers, some of whom breached various laws, labour department director Fatima Bayet told the committee yesterday.

"Most workers are accommodated in subhuman conditions. Their sanitary facilities are inadequate at best; unhygienic at worst," she said.

The average wage of farm workers was R457 a month, with some earning as little as R40 or R50 a month. An estimated 72% of them had an income below the poverty line, she said.

The department had received a total of 4,336 complaints from farm workers during the period January to September this year. The majority of these (880) came from the Northern Province, closely followed by the Western Cape (815) and Mpumalanga (712).

Most of the complaints related to farmers ignoring the Basic Conditions of Employment Act, and still using child labour, refusing workers leave, and summarily evicting them from farms once their services was over.

Health and safety regulations were seriously compromised on many farms, and in the Free State and Northern Cape workers were found to have been exposed to herbicide and insecticide.

After Ms Bayet's presentation, committee chairman Sente Feysane said: "We learnt today that slavery is continuing in South Africa on the farms."

"We will legislate with a view to changing behaviour, but legislation can't change attitudes," he said.

Ms Bayet said the labour department was investigating the feasibility of setting a minimum wage and conditions of employment in the agricultural sector.

The draft legislation was expected to be ready by April next year, she said. — Seta

Farm wages review

THE Labour Ministry said it will proceed with plans to look into the introduction of a minimum wage for farm workers as it had a responsibility to protect their rights to decent wages — currently being violated by some employers.

Commenting after its presentation to the parliamentary committee on labour yesterday, the ministry said 72% of farm workers were being paid wages below the poverty line of R650 per month.

A spokesperson said the ministry was currently involved in a research on the minimum wage proposal, which would be followed by workshops with stakeholders at national and regional levels, and the drafting of a minimum wage document. — Owa

Correspondent
 145 et 20/10/1999

Farm worker sues boss for R1,4m

An Mpumalanga farm worker gave his heart to the land — and then his eyes, reports **Aaron Nicodemus**

An Mpumalanga farm worker has filed a R1,47-million suit against three white farmers for a tear gas attack three years ago that has left him permanently blind.

The suit, filed in the Pretoria High Court, claims for past and future medical expenses, past and future wages lost and R180 000 for "general damages for pain and suffering, loss of amenities of life, disablement and loss of dignity".

Moses Mayisela (33) alleges that two farmers, Barnd and Willem Greyling, along with six other men, attacked him for two days in early October 1996. In the attack, Mayisela alleges that he was handcuffed, kicked and punched and given electric shocks. He alleges that when the men sprayed his eyes with tear gas and covered his head with a balaclava, his resulting injuries left him blind.

Cornelius Greyling, father of the two accused, is also named in the suit.

After the attack Mayisela was denied medical treatment for two weeks, the suit claims.

Mayisela's mother remembers the day of the attack. "I kept asking the men, why are you killing my son?" she said. "They said he stole cattle. After they left with him, they came back and took some cattle."

Mayisela maintains the cattle belongs to him, and continues to wrestle with the Greylings over rent for the use of the land.

Since the attack, Mayisela has been unable to work. He supports his wife and three young children on a small pension. He spends his days with his children and his mother on Rookop farm.

Attempts to prosecute the Greylings have proved fruitless. The case was remanded several times before being withdrawn by the state in May. This remote section of the Wakkersdroom

district in Mpumalanga has always been home to Mayisela and his family.

When he was young he started working on the farm as a labourer, never getting a chance to go to school. He has given his heart to the land. Now, he has given his eyes.

Mayisela's seven-year-old son leads him out of his kraal. With a touch, he indicates that his father should sit. To move from place to place, Mayisela requires one of his children to lead him.

Mayisela said he would never consider leaving the farm. "Even if I leave, there is no one who can help me build a house where I can stay on and live," he said.

Some family members worried that the Greylings might retaliate when he filed the suit, and suggested that maybe he should move somewhere else. Mayisela said: "I would never leave. I am not afraid."

Another farm worker, Richard Hlatshwayo (38), is also suing the Greylings. His suit, for almost R300 000, alleges that he was given electric shocks, sprayed with tear gas and locked in a small room. Hlatshwayo alleges he has developed a hernia as a result of the attack and is in constant pain.

The attacks were part of a campaign of intimidation against farm workers after the Labour Tenants Act was passed in 1995, according to sources within the Department of Land Affairs. The Act allowed farm workers to put in claims for land that they had lived on as farm workers.

White farmers in the area hired soldiers and security officers to harass and intimidate farm workers from filing such land claims, and to force them to leave the land. This intimidation regularly escalated into violence.

Malcolm Lyons, whose Johannesburg personal injury law firm, Malcolm Lyons & Munro, is handling both claims, said Mayisela's



In the dark: Moses Mayisela, an Mpumalanga farm worker, was left blind after a tear gas attack by white farmers three years ago. PHOTOGRAPH: NADINE HUTTON

(4)
injuries justify the large amount. "It's a particularly high claim because of the injuries sustained," Lyons said. "The extent of the claim depends on the extent of the injury. In this case, he cannot work anymore."

When contacted about the case, Cornelius

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Greyling said: "You're at the wrong place. I'm afraid I won't be able to help you in this case. I suggest you get your information right." When pressed, he said: "You are wasting my time. I do not know anything about this. Thank you." And he politely hung up.

Farm workers' union demands R850 a month

Louise Cook

THE SA Agricultural, Plantations and Allied Workers' Union has announced it has pegged its demand for a minimum wage on farms at R850 a month. This was R100 a month more than the union demanded in the past.

"Statistics show a living wage is R850 a month, and if we do not adjust our figure accordingly, farm workers would not be able to survive," union general secretary Dixon Nkoti said yesterday.

On the issue of payment in kind, he said the union was not in a position to force farmers to do away with this. However, the union wanted to negotiate the value of food, housing and other items added to wage packages, Nkoti said.

Labour Minister Membathisi Mdladlana is preparing to introduce a minimum wage on farms. He appointed a special committee some time ago to investigate an appropriate wage level.

Yesterday Nkoti said the union would finalise policy details at its annual congress next month, but doubted if a stage would be reached where there were direct negotiations between the union and farmer unions like AgriSA —

BD 21/10/99 (4)
formerly the SA Agricultural Union — to agree on the level of the wage.

Farmers are opposed a minimum wage, saying it will lead to further job losses. The sector shed about 40% of jobs in recent years, with farmers citing the switch to a free market and the Extension of Security of Tenure Act.

Dixon warned that without a minimum wage, workers on farms would remain vulnerable to exploitation. Yesterday in Parliament, labour department director of minimum standards Fatima Bayet outlined the complexities of setting the wage, saying that consultations with interested parties, public hearings and research into future prospects and employment trends had to be done first.

She said the average wage for farm workers was R457 a month, but in the Free State some earned as little as R40 to R50 a month. About 72% of workers earned less than R650 a month. It was hoped the minister could publish a determination by June, Bayet said.

AgriSA said yesterday that the introduction of a minimum wage could have an extremely negative effect on those it is meant to help. They said labour easily constituted a farmer's greatest cost.

Farm jobs secure

(4)
FARM workers are to be consulted about minimum wage legislation so that jobs are not lost in the industry.

This was the undertaking at the weekend from Western Cape Agriculture MEC Gerrit van Rensburg.

The labour ministry recently announced it would be introducing a minimum wage level for workers, which union representatives felt could endanger jobs in agriculture.

Vice-chairperson of the Farm Workers Association in the Western Cape, Johannes Muller, said workers had not been informed about the legislation.

"Workers' current wages should be seen as part of a package deal," he said.

"Apart from wages, which may seem little when seen as a single entity, the majority of farm workers also receive accommodation, food, medical aid, transport, and other forms of help.

"(This) cannot be measured in terms of money." — Bunty West

CT 25/10/99

Farm workers' rights need to be improved

21) Saueran 26/10/99

It is not well on our farms. I recently received reports from the Department of Labour's provincial offices and labour centres on the working and living conditions of farm workers.

It is clear that the situation leaves much to be desired and that a lot more needs to be done in our agricultural sector to entrench the culture captured in the maxim "Worker rights are human rights".

According to reports which contain information collected from January to September, the Department received 4 336 complaints by farm workers. This figure is very high.

The largest number of complaints were received by the Northern Province office - 880 - with the Western Cape office receiving 815.

There is also a lack of cooperation by farmers' refusing departmental inspectors access to their farms.

The inaccessibility of their farms is coupled with a lack of compliance with all aspects of the Basic Condi-

The agricultural sector still lags behind when it comes to addressing workers' human rights, based on an assessment of their working conditions and their wages, writes Membothisi Mdladlana

tions of Employment Act. These contraventions range from not keeping records to the illegal employment of children.

On some farms protective clothing is not supplied to farm workers and their lives are endangered through the unsafe use of pesticides and herbicides.

Some farmers do not make contributions to the unemployment insurance and compensation funds. As a result, families of breadwinners who die as a result of workplace accidents are not compensated.

Farm workers have been dismissed abruptly as well.

Abusive behaviour towards farm workers is also reported. In some instances farm workers are offered poor accommodation, including unhygienic and unsanitary facilities. Farm workers are also forced to

live in poverty earning low wages, including some as low as R40 a month in Northern Province.

The reports forwarded to me by the provincial offices of the Department are backed up by information from surveys conducted by Statistics SA.

According to the October Household Survey the average wage in 1995 - excluding non-wage benefits - was R437 a month. Logically then, nearly half of all agricultural workers in 1995 earned less than this a month.

The lowest earning 10 percent of agricultural workers earned an average of R133 a month, while the top 10 percent earned an average of R1 065.

If one uses the poverty line of R650 - as debated and proposed by the Presidential Labour Market Commission in 1996 - 72 percent of all agricultural workers earned below the poverty line.



In my discussions with the South African Agricultural Union, they pointed to differences between conditions and practices of commercial farmers and so-called emerging farmers on the one hand and people who own smallholdings and call themselves farmers on the other.

However, the fact of the matter is that the agricultural sector is widely perceived to be a poor performer when it comes to labour relations and the working and living conditions of agricultural workers.

Its poor record is perhaps only surpassed by the security industry and the domestic worker sector and that is nothing of which to be proud.

In my 15-point programme for the next five years, announced at the end of June, I committed myself and my Department to take steps to ensure the protection of agricultural and other vulnerable workers.

The protection of the rights of farm workers is not just about making our Constitution a living reality on our country's farms.

It is about realising the vision of the labour market which underpins my 15-point programme: it is about building an agricultural sector which is conducive to investment, economic growth and job creation and it is about ensuring stability, productivity and efficiency in a sector that is facing the pressures of our country's integration into the global economy.

We have a collective responsibility. The Government and our social partners all need to address these challenges.

There are good farmers, but there are also bad farmers who must change the way they do things.

(The writer is the Minister of Labour)

Farmer told not to use child labour

Louise Cook

AGRI-SA, formerly the SA Agricultural Union, supported moves to stop child labour including such labour on farms, the organisation said over the weekend.

This follows the labour department's recent ordering of a farmer near Laingsberg in the Karoo to stop children from working on his farm.

Agri-SA chief director of general and social affairs Kobus Kleynhans said that children should be allowed to enjoy their youth and prepare for a career through education and the development of skills. "This organisation has for many years told farmers that children

(298) under the age of 15 should not be employed," he said. (4)

In the case of the Laingsberg farmer, four children between the ages of 12 and 15 years watched over sheep and worked in fields on the farm.

A labour department inspector gave the farmer two weeks to stop the practise or face prosecution. Kleynhans said he appreciated the fact that the inspector did not hesitate to act, but at the same time showed reasonableness in that the farmer was given a warning.

In terms of the Basic Conditions of Employment Act, children under 15 may not be employed. Transgressors face sentences of up to three years.

BD 8/11/99

Rewards for ethically correct farmers.

The Land Bank is set to play a more proactive role in the social welfare of farm workers, writes Scotch Tagwireyi

The Land Bank, South Africa's major agricultural financier, is offering rewards and incentives to farmers to encourage them to provide social services and engage in ethical labour practices.

The initiative, known as Land Bank Social Accounting, is aimed at discouraging farmers from abusing their workers and encouraging them to provide health and educational facilities and proper housing for their workers.

The rewards and incentives, which will be in the form of discounted interest rate loans, will be given for creating jobs, improving living and working conditions, building proper housing, school, clinics on farms and adopting environmentally friendly farming practices.

"We are measuring the impact of our business on all stakeholders, and that includes the farmers and their workers. We are helping farmers to be ethically and morally responsible," says the Land Bank's social accountant, Kerlen Pienaar.

She added that wine farmers in the Cape, for example, whose overseas clients demand that they should not use child labour, will benefit from this project.

"We will give farmers incentives — for example, on the type of labour contracts they have with their workers, whether they comply with the legislation. We will look at farm violence and child labour," she says.

Physical abuse of farm workers by their employers, and other atrocities, are still happening on South African farms. Farm workers are also among the least paid and the most exploited workers in South Africa.

The South African Agriculture Plantation and Allied Union's (SAAPAU) media and educational officer, Bheki Ngubane, says: "Things are still very bad in the farms. The majority of farmers don't improve the conditions of their workers." He added that the only schools on farms are primary schools, which merely prepare farm children for farm labour. According to the South Africa Agricultural Union's (SAU) chief director responsible for general and social issues, Kobus Kleynhans, there are about 5 000 primary schools on farms.

Ngubane says that in places like the Eastern Cape there is still widespread use of child labour and wages are as low as R80 a month, with the highest wages at R500 a month.

Kleynhans says he does not know any cases of child labour, but agrees that wages are low in the industry. "Farmers usually employ very young workers with no skills or work ethics, and their labour cannot be very expensive," he says.

The Land Bank is obviously an important player in turning around the social lives of the agricultural employees. The bank finances more than 40% of commercial farmers and is the only institution that finances emerging black farmers. It is one of the three departments under the Ministry of Agriculture and Land Affairs.

Despite social problems in the industry, agriculture is one of the important industries in South Africa. It contributes 4.1% of South

Africa's gross domestic product annually and provides employment for about one million people — 10% of the economically active population. It also contributes up to R14-billion to our economy through foreign exchange, per year.

Although both SAAPAU and SAAU say they haven't heard of the Land Bank's proposed new initiative, the Land Bank Social Accounting Project will be launched in May 2000.

The Strauss commission, in 1996, recommended that the Land Bank should change its vision to reach pre-

viously disadvantaged people.

The commission was appointed by then minister of agriculture and land affairs Derek Hanekom to look into rural financing.

The Land Bank was established in 1912 and "has been dominated by male Afrikaner employees and has been focusing on financing white farmers only", says Land Bank general manager Totsi Memela. Memela says the bank was poorly managed and only two branches out of 25 made profit.

However, there has been a major shake-up in the management and the structure of the bank since 1997.

At the head office alone the 42 layers of management were reduced to seven levels and the staff were reduced from 300 to 130.

This, according to Memela, has turned 22 of its branches into



Better days ahead? The Land Bank will provide incentives to farmers who provide facilities to farm workers in the new year. PHOTO: JACQUI PILE

profit-making institutions.

According to Pienaar, the social accountability project is an extension

of this internal transformation and is expected to improve the life of many farm workers.

TABLE 1 illustrates what the interest rate would be if interest was paid and compounded each year. *Monthly rates available on request. Minimum investment £1,000. 2.50% p.a./A.E.R. Rates are variable and correct as at 1/10/1999. Annual interest is paid each 1st January. Monthly interest is paid at the end of each month. Interest is paid gross and it is the depositor's responsibility to declare it to the appropriate tax authority. Britannia International Limited: Registered Company No 50563. Registered office: Britannia House, Victoria Street, Douglas, Isle of Man IM99 1SD. Britannia International is a wholly-owned subsidiary of Britannia Building Society and registered with the Isle of Man Financial Supervision Commission for Banking Business. Deposits made with an Isle of Man office of Britannia International are covered by the Depositors' Compensation Scheme contained in the Banking Business (Compensation of Depositors) Regulations 1991. For your further protection, Britannia Building Society has given a legally binding undertaking to discharge all liabilities of Britannia International should Britannia International be unable to do so whilst it still remains a subsidiary of the Society.

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ment. Even
as ready — or almost
did not immediately

A second subcommittee was
created for the highly contested
Equality Bill.
The Administrative Justice Bill is

...on-off nature of this last session can
be shed and the stature of national
legislature repaired.

'Unintended consequences' bedevil tenure security act

(4) 00 2/12/99

Land affairs department reluctant to talk, writes Louise Cook

A CRUCIAL briefing on the Extension of Security of Tenure Act by the land affairs department was cancelled this week because the department's director-general, Geoff Budlender, was unable to attend.

Taken together with other developments, this seems to mark a trend by the department to pull a veil of secrecy over land matters since Agriculture and Land Affairs Minister Thoko Didiza took over from former minister Derek Hanekom.

Sources suggest that the secrecy relates to leadership and staff problems within the department's communications section.

Whatever lies behind the department's "head-in-the-sand" stance to the media and some land reform interest groups since the appointment of the new minister, the cancellation of yesterday's briefing came as no surprise.

However, this state of affairs stands in sharp contrast to the department's attitude of a few years ago, when there was a virtual information explosion in relation to the Extension of Security of Tenure Act.

Under Hanekom, the department wasted no time in keeping ordinary citizens up to date through the media of what land reform was, where it was going and how it would affect SA.

Press conferences and statements were issued out regularly. A statement on Tuesday this week states: "The department of land affairs regrets to inform you that the above media conference (on a workshop this week on a review of the act) has been cancelled. The department apologises for any inconvenience."

Land affairs deputy-director Teresa Yates said delegates at the three-day workshop would present Budlender and Didiza with a report on their findings and recommendations. A statement would later be sent to the media.

Considering that the tenure law has sparked controversy since its inception as it over-



Didiza... veil of secrecy

turns past eviction procedures from farms and other rural land, it is not surprising that the department is hesitant, of late, to inform the public.

The act places the onus to provide alternative accommodation in cases of eviction on the state. Fact is, the department has been unable to provide suitable alternative accommodation in many cases.

In one instance, a Pretoria High Court judge ruled in 1997 that unless the department did just that — and quickly — illegal occupiers of land belonging to a community of black farmers in Mpumalanga would be thrown off the land with or without a place to go. The occupiers were contaminating the farmers' water resources and their animals were trampling out the land, the judge found.

There are other similar cases of "unintended consequences" flowing from the well-intentioned law.

Considering that the department's workshop was a review of the act and dealt with key issues like improving implementation, evictions, land owners' and occupiers' understanding of the act and their rights, it must be asked why the press was barred from attending. Could it be that the act has failed?

Farmers blame the legislation for an almost 40% reduction in

employment in the sector over the past few years. Unlawful evictions in regions like the Eastern Cape are still rife, despite the purpose of the act being to stop this practice.

In other cases big companies like Anglo American and occupiers of its land have come to a deadlock in negotiations despite efforts by land affairs facilitators to broker a peaceful deal between the parties.

This is the case with the Uitvlucht-Soetvelde community near Vereeniging. Many community members there are also employed at nearby Anglo farms.

Some have been working on the farms for more than 30 years and most of them are now pensioners. In 1998, the company retrenched and evicted a number of its workers, prompting the eastern Gauteng services council to intervene. Most of those evicted were reinstated but three families were left out.

The act has granted some benefits to land occupiers by giving them the right to stay when land owners have wanted to evict them, but this may have had unintended consequences for the state.

Members of the Oesskraal community near Wolmaransstad still live on the farm of Piet du Toit thanks to the act. But now they are demanding that the land affairs department pay Du Toit R5m in a settlement grant to buy the diamond-rich farm for them.

So far, the department has not agreed to this and offered Du Toit R750 000 for the land, from which he earns R5m a year through diamond diggings.

Whether the act, which became law two years ago, has failed will only become apparent at some later date.

The act is a vital tool in land reform and protecting rights of tenants. However, the challenge is for the department to find implementation strategies that streamline the process without it giving rise to a string of "unintended consequences".

MG 3-9/12/99

Number of (4) farm workers declines

Barry Streek

The number of regular farm workers in South Africa decreased by 2% a year over the past five financial years, but the number of seasonal workers increased slightly, Minister of Agriculture and Land Affairs Thoko Didiza has disclosed.

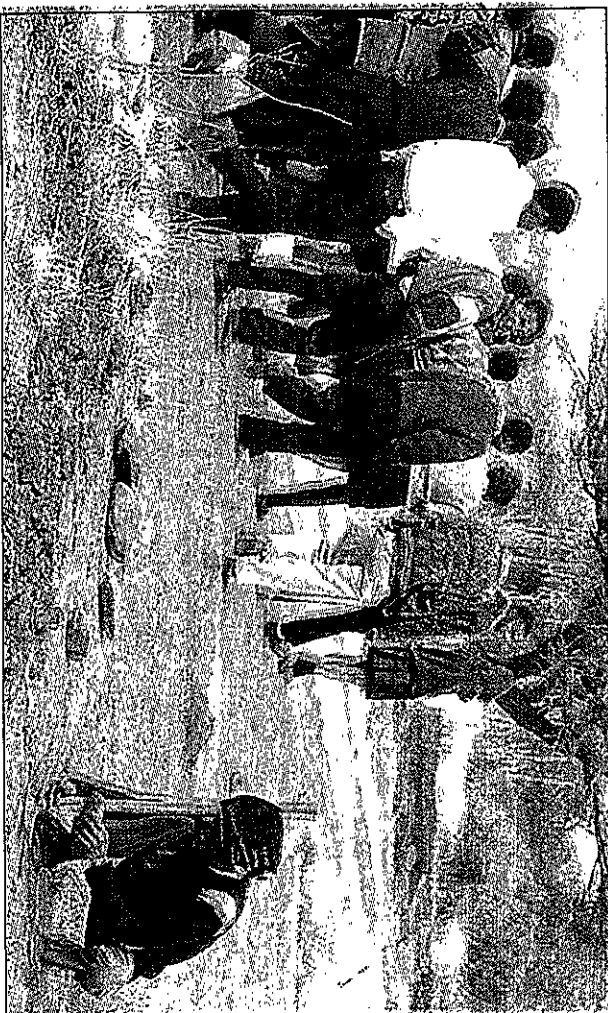
She warned that there are difficulties in obtaining reliable statistics on farms, including commercial farms.

However, her department had conducted a survey of 10 000 commercial farms and this showed a decline in the number of farm workers.

She also disclosed that the Land Bank had lent R171,5-million to previously disadvantaged individuals during the first nine months of 1999. Didiza, who was replying to questions tabled in Parliament by Flip Nel and Kobus Dowy of the New National Party, said the number of regular farm workers had decreased from 628 925 in 1994/95 to 581 144 in 1998/99.

Over the same period, the number of seasonal workers increased by 0,8% from 289 810 to 299 614. While the number of skilled farm workers increased from 60% to 65%, farmers indicated there was an increase in the use of contract workers.

According to three studies of the Western Cape fruit and wine industries, one of the largest users of casual and seasonal labour, it was found



Reluctant to hire: The number of permanent farm workers has decreased over the past five years as farmers rely more on seasonal labour. PHOTOGRAPH: DANNY HOFFMAN

that casual and seasonal employment had increased significantly since 1992, while permanent employment had remained largely unchanged "despite a considerable rate of expansion in current and anticipated output".

The same trend could be expected in the citrus industry in the Western and Eastern Cape and Mpumalanga, as well as the subtropical fruit industry in Mpumalanga and KwaZulu-Natal.

Asked what the most important reasons for this trend were, Didiza replied: "The unease among employers, resulting from the perception that certain legislation had a negative impact on the sector, meant that employers who perceived these acts as inflexible were not only reluctant to hire but in some cases to actively shed labour."

Adjustment after deregulation of the industry when the marketing legislation took

effect also meant a changing direction in production and location which also had an impact on labour.

"While new employment was created, it was initially at a rate slower than the erosion of the then existing employment opportunities. This led to a reduction of the total agricultural labour force," she said.

Didiza said the Land Bank had received 8 000 applications for loans from previously disadvantaged people between January and September 1999, and all but 1 850 had been approved at a cost of R171,5-million.

What it all means is that despite the encouraging trends in Land Bank loans this year, and despite the growth in the sector, agriculture is providing fewer permanent jobs than before, and this is contributing to the national decline in permanent jobs.

Nulaid workers buy Kaalfontein farm

3 EGGS (4)

Louise Cook

NULAIID, SA's largest egg producer, sold its layer farm at Kaalfontein outside Pretoria to 19 employees at the weekend.

The R22,5m deal forms part of a drive started more than three years ago by the Pioneer Food Group to empower workers on layer farms.

The sales are based on similar models on layer farms in Europe, and the sale of the Kaalfontein farm is the seventeenth to be privatised on this basis.

So far, 116 layer farm workers have been empowered in such a manner since 1995 at a cost of R134,1m.

"The sale of this farm is unique in that, before, the buyers obtained loans from a bank," Nulaid GM John Pearce said.

"In this instance, Pioneer is financing the deal itself, which cuts out interest costs for new owners. The money gets paid back over the next 20 years."

Together with Bokomo and Sasko, Nulaid is a business unit of Pioneer group's agri-business division.

The Kaalfontein farm has 468 000 chickens that lay six eggs a week each. It has a turnover of R28m a year, representing 9,9-million dozen eggs.

The Nulaid employees who bought into the business acquire the 248ha property. With it comes poultry sheds, equipment and the hens.

Nulaid will continue to provide back-up in the form of training, technical support and distribution services to the farm.

"Empowerment deals such as this are aimed at improving productivity and unlocking capital for other growth opportunities," Pearce said.

Since the start of the company's empowerment deals, productivity has in some cases risen to over 300 eggs a hen over a 72-week period.

The productivity standard on layer farms is normally 288 eggs for the same period.

The farm was handed over to its new owners by Gauteng agriculture, conservation environment and land affairs MEC Mary Metcalfe on Friday.

Pearce said the privatisation of the farms was not unusual.

"In Europe most egg farmers produce eggs under contract to packers and distributors. Egg production consists of three main levels of activity: the breeding of layer hens, the operation of egg farms and the packing and distribution of eggs," he said.

BD 6/12/99

Land court orders expropriation

Louise Cook (4) (271)

THE Land Claims Court has ordered the first expropriation of land for restitution purposes since its inception.

In addition, the claimants' land rights were upgraded to full ownership of the farm despite them having enjoyed only informal occupation of the land in the 1950s.

The landmark judgment last week relating to the 600-member Kranspoort community is expected to benefit thousands of labour tenants on farms in SA.

Regional land claims commissioner Dirkje Gilfillian said yesterday that the court accepted that if it was not for the racially discriminatory laws of the past, they would have been the land owners.

Gilfillian said it was also the first time that the court took into account hardship suffered during the removal.

The Kranspoort community was ejected from a Dutch Reformed Church mission station at the foot of the Soutpansberg in 1995 when conflict erupted between different groups on the land. The church subsequently sold the land.

However, insisting that they be-

longed on the land, the community lodged a claim.

Both the church and the new land owners opposed the claim on several grounds. These included that the Kranspoort people were not a community at the time they lodged the claim, that compensation was paid at the time of the removal and that the removals took place for reasons other than racial discriminatory laws.

They argued that the community did not have any land rights in the first instance, but enjoyed mere "beneficial occupation". Gilfillian said the ruling was significant in that it proved that insecure land rights could be upgraded to full ownership. The court further ruled that part of the land be expropriated for return to the people in the next six months, provided they submitted a proper business plan regarding sustainable living on the property.

Gilfillian said the expropriation would go ahead only if the owners and the state failed to agree on a price. Chief land commissioner Wallace Mgoqi said the land affairs department would assist with a business plan.

