AGRICULTURE - LABOUR

1993
CITRUSDAL farmer Mr Daniel du Plessis has granted a four-year reprieve to 13 tenant families who settled on his property 30 years ago after allegedly having their land confiscated in a deal brokered by the Ned Geref Church.

About 400 people from all over the Cape made their way to Citrusdal Magistrate's Court this week where Mr Du Plessis was expected to renew a 1991 attempt to evict the 13 extended families, totalling about 100 people, from Allandale Farm, 10km outside the town.

The Allandale community are the members and descendants of a group of families who claimed they were forced off their Elandsnek Farm in the Cedarberg in 1961 when the NG Kerk sold the property to two brothers for R34 000 without the consent of the families who lived there.

The families claimed it was on record that Queen Victoria granted the land to freed slaves about 1890 on condition that the residents paid for the surveying cost. After the land was sold to the brothers the families were forced to leave the land.

The Elandsnekloofers are dispersed in Citrusdal and surrounds, the Boland, Southern Cape and Cape Town. Part of the group settled on Allandale farm at the invitation of the farmer, the present Mr Du Plessis's father.

Assistant by the Surplus Peoples Project, the Legal Resources Centre and the ANC, the Allandale residents launched a legal battle which they hoped would resolve the future for all Elandsnekloofers.

At Thursday's hearing lawyers representing the tenants were told by Mr Du Plessis's counsel that the farmer wanted to settle out of court and would give his tenants three years to leave.

The Allandale lawyers asked for a five-year reprieve and the parties amicably settled for four, with January 21, 1997, the deadline. The parties will pay their own costs.

Mr Du Plessis said yesterday he was pleased with the settlement and was hopeful the families would find another home by 1997.

Allandale community leader Mr Saul Titus said while settlement gave residents temporary peace of mind it would not deter them from returning to Elandsnekloof.

This would be a long complicated battle that would be led by organisations that had assisted the community so far, he said.

In a statement issued by the ANC in the Western Cape, Dr Allan Boesak said the ANC welcomed the out-of-court settlement and lauded Mr Du Plessis for his acknowledgement of the needs of the community who will continue to live on his farm for the next four years.

The organisation expressed the hope that the application by the people to return to Elandsnekloof would succeed and that they would be re-instated on the land "to which they have a historic right".
No eviction for farm community

Staff Reporter

THE Elandskloof community in Citrusdal has been granted a four-year reprieve from eviction from the farm they have occupied for the last 30 years.

On Thursday an application to the Citrusdal Magistrate's Court by the farm's owner, Mr Danie du Plessis, for the eviction of the 23 families turned into a day of legal negotiation. A settlement agreement was finally concluded at 7pm on Thursday. The families — over 100 people — can stay on the farm, rent-free, until January 21, 1997, when Mr Du Plessis may take steps to remove them from his land.

On Wednesday night Dr Allan Boesak held a prayer meeting in the church hall at Citrusdal. The families living at Allandale are the remnants of the original Elandskloof community who were evicted when the land was sold by the Dutch Reformed Church to a farmer in the area over 30 years ago.

Mr Du Plessis's father, Mr Paul du Plessis, was one of a number of farmers who offered the group a place to stay. The dispute over Elandskloof itself has been referred to the Advisory Commission on Land Allocation. The community claims ancestral title to the land on the basis that a clause in the title deeds reserving it for use as a mission station — allegedly a stipulation made by Queen Victoria in 1899 — was improperly removed before the sale in 1960, at the instance of Mr PW Botha, then Minister of Coloured Affairs.

Mr Danie du Plessis said he had been trying to relocate the families for the last 10 years, with the help of the Cape Provincial Administration.

Mrs Aletta Titus, a member of the Elandskloof community and spokesperson for their committee, said on Thursday that she felt "much better" knowing that they could stay.

Mr JA Burger, Mr Du Plessis's attorney, said yesterday that they were satisfied with the settlement.

The community's attorney, Mr Steven Kahanovitz of the Legal Resources Centre, described the decision as "a breakthrough for the area".

The Western Cape Region of the ANC yesterday issued a statement declaring their delight at the outcome.
Decisions to be taken on farm labour laws

SHARON SOROUR
Weekend Argus Labour Reporter

A WORKING document on extending the Labour Relations Act to agriculture, the establishment of a special labour court and mechanisms for creating labour codes for the agricultural sector was gazetted this week.

The document flows from a report by the National Manpower Commission recommending the extension of the Act to the agricultural sector.

Manpower Ministry spokesman Mr Johan Smit said the government would decide whether existing legislation should be extended or one Act on labour relations in agriculture should be promulgated.

The decision will be based on comment received from interest groups on the document and further deliberations.

Last month controversy erupted when Manpower Minister Mr Leon Wessels entered into a ground-breaking agreement with Cosatu to extend basic rights to the country's 1.3 million farmworkers.

The farmers' union, the SA Agricultural Union (SAAU), threatened to scupper the plan because it was not consulted.

In terms of the agreement with Cosatu the government undertook to promulgate the Unemployment Insurance Act for the agricultural sector not later than January 1 and to enact the Basic Conditions of Employment Amendment Act — passed in parliament in June — not later than March 1.

The government agreed to introduce legislation to extend the Labour Relations Act and the Wage Act to agriculture.

Farmers were shocked by the decision and the SAAU warned it would oppose the agreement. However, it adopted a more positive stance after President De Klerk intervened and consensus was reached that the legislation would be "placed back in the negotiation process to develop practical applicable legislation adjusted to agricultural circumstances".

All interested parties are invited to submit comment on the working document before February 26 to the Department of Manpower, Private Bag X117, Pretoria, 0001.
Caring mayor under attack for efforts to improve lives

By CAS ST LEGER

A MOTORIST using a car phone plunged, into a group of teenagers loading a camper at the roadside, leaving one dead and another critically injured.

The dead boy, Abraham "Avreni" Mendelow, 15, of Percella, Johannesburg, was among 15 Jewish students packing for a Zimbabwe river rafting trip late on Monday night.

They were loading the safari camper, parked at the marshalling point on the corner of Eeckstein Street, Observatory, when the incident occurred.

Survivors said a Jaguar winged a parked car on the opposite side of the road at 11pm and swerved into the group, Avreni died instantly from head injuries.

His friend, Yossi Goodman, 16, sustained head, internal and leg injuries and is in a serious condition in Johannesburg hospital.

Witnesses said the driver of the car told them he had been using his phone when he lost control of his car.

A doctor on the scene — the owner of the first car hit — established that Abraham was dead and helped keep Yossi alive until he reached hospital.

Yehuda Kay, 17, administered mouth to mouth resuscitation to Abraham until it was hopeless.

The driver of the camper, Mr Ian Harvey, 24, of Gadjamia Manzi Adventure and Safari Club, was also admitted to Johannesburg hospital but in a satisfactory condition.

Distracted

This weekend, a stricken Yehuda was grieving with Avreni’s parents, Charles and Nellie Mendelow, and his brothers and sister, Levi, 12, Menachem, 11, and...
New Bill heralds a better deal for farmworkers

By SEKOLA Sello

The government has unveiled a long-awaited draft bill to bring the working conditions of farmworkers in line with the rest of the country. (3/11/93)

The working document is the extension of the Labour Relations Act which includes farmworkers under the Basic Conditions of Employment Act of 1993 and expected to bring about far-reaching changes in the farming industry.

In terms of the proposals, child labour (15 years and under) at the farms is effectively eliminated; farmworkers are entitled to unionisation and collective bargaining; female workers are entitled to maternity leave; working hours are prescribed and wages determined.

The sweeping changes the government proposes are likely to overhaul the lot of farmworkers – generally regarded as the most underpaid, overworked and exploited employees in the country.

But, as changes begin to take effect, the government and trade union federations such as Cosatu and Nactu could find themselves on a collision course with the powerful SA Agricultural Union which is opposed to any changes in the industry.

A month ago when it became clear that it was considering extending the Labour Relations Act to farmworkers, the agricultural union expressed its opposition to the envisaged proposals, saying they were "unworkable" and that the legislation would not take into account the "unique" circumstances of agriculture.

Farmers' representatives subsequently met State President FW de Klerk and Manpower Minister Leon Wessels to express dissatisfaction that there were no proper consultations with farmers on the implications of the Act.

To counter the swelling opposition to the envisaged legislation, Wessels proposed further discussions on the issue.

Farmers have until the end of Feb-

NEW DEAL... The long-awaited draft bill protecting exploited farmworkers will be open for written comments until March 31.
Novel plans for future labour law being cultivated

By FERIAL HAFFAJEE

A LAST-minute parliamentary dash ensured a full set of labour law recommendations for the farming sector by the time the bells rang in the new year.

The publication of draft Wage and Labour Relations Act recommendations on the day before Christmas and on New Year’s Eve bodes well for passage of legislation in the agricultural sector in 1993.

The Labour Relations Act proposals include a number of novel concepts, such as a special labour court and the capacity to introduce different labour codes in different regions and sub-sectors.

These recommendations recognise the particular circumstances of the farming sector, where conditions depend on the goodwill of individual farmers.

The government has yet to decide whether the existing legislation should be extended or whether a single Act to regulate labour relations in agriculture should be promulgated”, said Minister of Manpower Leon Wessels.

The special labour court will be similar to the small claims court in that it will provide quick relief and be easy to use because neither farmers nor workers are familiar with court procedures.

The working document suggests that farmers and their employees can enter into “no-strike” agreements and also recommends drawing the sector into the conciliation board system.

Although farmworkers will not be brought under the ambit of the Wage Act, the Wage Board can pass recommendations for the various sectors and regions in the sector.

But the board will have to take into account the “special circumstances” in the sector, like distance from markets, transport costs, the value of board, food and other benefits with which farmers provide their workers.
Labour codes could set trend

A NEW system of legally enforceable labour codes recommended for the agricultural sector could set a trend for the introduction of a similar system in other parts of the economy. 

An investigation into the desirability of such a move is proposed in notes to the draft Labour Relations Amendment Bill published in the Government Gazette on Thursday. The draft Bill is designed to extend the Labour Relations Act to cover the agricultural sector.

In addition to labour codes, it also seeks to establish a special labour court to operate in the sector, legally recognises "no-strike" agreements, clarifies the grounds on which interdicts against strikes may be obtained and attempts to enhance the use of conciliation boards in the sector.

The draft Bill is in accordance with the November 6 agreement reached between the Manpower Minister Leon Wessels and Co-satu that the department publish for comment draft legislation on the issue "before the end of 1992". The agreement provides that the Bill, based on National Manpower Commission (NMC) recommendations, be passed through Parliament in 1993.

Notes to the Bill point out a number of areas where employee and SA Agricultural Union representatives on the NMC were unable to reach consensus, and are likely still to be hotly debated. 

The Bill authorises the Minister to produce a labour code applicable to agriculture after recommendations have been received by interested parties.

The purpose of the code is to introduce clarity and certainty on unfair labour practice issues which have been adjudicated by the industrial and other courts. It is seen as especially necessary for agriculture as "it would be unfair towards"

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Labour codes

both employers and employees to expect them to be in line with the principles set out in the numerous decisions of the various courts.

A novel provision makes it possible for employers and employees — individuals, agricultural sub-sectors, or those in particular regions — to reach agreement on their own, legally binding labour codes.

The basis of operation of the special labour court is simplicity and speed.

The court would not, in cases of unfair dismissal, be entitled to order reinstatement (one of the matters of dispute between the unions and the SAAU). It would be able to order compensation only at a rate of two weeks' wages per year of service up to a maximum of 30 weeks. If a dismissed employee wanted reinstatement he or she would have to take the case to the Industrial Court.

Decisions of the special labour court would be final and the court would not be permitted to make orders on costs.

The Bill recognises contravention of "no-strike" agreements as a particular

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Wine estate workers dismissed after strike

By Diane Coetzee

THE future of more than 20 workers fired from the Lord Neethling Restaurant on the internationally-known Neethlingshof wine estate during the festive season remains in the balance.

General secretary of the Farm-workers Support Committee (FSC) Mr Grant Twigg said the organisation met with management on Tuesday.

"Neethlingshof management said they were not prepared to discuss the issue of the fired workers at the meeting.

"They did, however, ask for a letter detailing our position to be sent to them so we are meeting our lawyers this week to draw that up," Twigg said.

Over 50 workers went on strike for three days on December 18 over demands around wages, Christmas bonuses and union recognition.

Tourists visiting the award-winning wine estate were greeted by toyi-toyiing workers.

One of their major demands was that the FSC be recognised as their representative union.

After police were called on December 20, management fired all the workers. Some returned to work in the following weeks.

Managing director of the Neethling restaurant, Mr Francois Theron, said management was not adverse to recognising a formal union with the necessary credentials and membership. He denied workers were badly treated or poorly paid.
Crucial year ahead for farm workers

Legislation to be passed in the next few months may usher in a new era on South Africa’s farms, writes Alan Morris.

This year may bear witness to a profound shift in the balance of power in the agricultural sector.

For the first time farm workers will have the same legal rights as other workers and their capacity to challenge the unenviable power of white farmers will be substantially enhanced.

Since the arrival of white settlers in the 17th century, black South Africans stuck in the farming sector have probably been the worst off of all workers.

In 1988, the 906,700 African agricultural workers received on average 15.6 times less than their white counterparts.

According to a survey of the South African Institute of Race Relations, African workers earned an average annual income of R799 in 1988 or R66 a month (including taxes), while whites employed in the agricultural sector earned an average R12,536 a year or R1,044 a month.

The wretched situation of farm workers is not only reflected in the pay they receive but also in their lack of legal protection.

There are four main acts which provide basic protection for most South African workers - the Wage Act, the Basic Conditions of Employment Act, the Labour Relations Act and the Unemployment Insurance Act.

Not one of these acts has covered farm or domestic workers and this has greatly facilitated the exploitation of farm workers.

However, this will soon change. In the next few months all four acts will be amended to cover farm workers and domestic workers.

HARD LABOUR: Farm workers are set to get a new deal when legislation is passed to extend labour rights to them.

Officials have shown that on most South African farms the provisions of the Basic Conditions of Employment Act are ignored.

- The Wage Act sets the statutory minimum wage; workers are entitled to this wage in cash or in kind.
- The Basic Conditions of Employment Act stipulates that wages should be paid in cash in a given period and in a way that makes the payment of overtime mandatory. If these limits are exceeded, the act also provides for compensation for overtime work.
- The Labour Relations Act requires that workers are entitled to two weeks' leave annually on full pay.
- The Unemployment Insurance Act provides for the payment of unemployment benefits to workers who are dismissed or retrenched. The act also provides benefits to farmers who lose their jobs.

Farm workers, however, are immediately thrown to the wolves if they lose their jobs. Often losing their jobs does not mean losing a regular wage, it also means losing their accommodation, access to land and their livestock.

The number of Africans employed on white farms has dropped by three on 30 per cent in the last 24 years. In 1988 there were 1,387,000 African farm workers.

By 1988 there were 906,700 African farm workers.

The lifting of the pass laws in 1986, the more tolerant approach to the erection of informal housing, the harsh conditions on the farms and the drought has ensured that the farmers of farm workers moving to the city has continued unabated.

The decision to extend basic legal protection to farm workers is long overdue. The key issue is whether the legislation will have any effect on the lives of ordinary farm workers.

White farmers are one of the most conservative groups among the population and, not surprisingly, have expressed their views against the proposed legislation.

They have accused the government of pandering to Cosatu and ignoring the "special circumstances of agriculture". There is no doubt that this powerful grouping will be lobbying to persuade the government to drop the proposed changes.

In the current context the farmers are unlikely to succeed. The government will be hard-pressed to go back on its declaration of intent as regards agricultural workers. However, the agricultural unions could issue a directive to its members to simply ignore the legislation.

The final question is how Cosatu will respond to the organisational space created by the extension of rights to agricultural workers.

Will it move into agriculture in a major way or will agriculture continue to be the Cinderella of the labour movement? — AIA
Scarred for rest of life

By MOSES MAMAILA

A 35-YEAR-OLD Le- vubu farm labourer this week told how his white employer made him cut live electric cables which left him severely burnt.

Thomas Mashaba of Hamhinga village in the northern Transvaal had several septic injuries on his legs and hands which smelled as though his wounds were rotting when City Press visited him this week.

Speaking from his hospital bed in Tshilidzini, outside Thohoyandou, Mashaba said: "It does not seem that these wounds will ever heal and all this pain was caused by my obeying my employer."

Recounting the fateful day of December 21 last year, the father of two said his employer had given him a new assignment - cutting electrical wires.

Although he was employed to do the normal farm duties like watering, he never questioned his employer - despite the fact that his meagre wage of R220 was never increased.

"My employer told me that he had switched off the electricity and that my job was as safe as cutting a plant."

"He gave me a steel step-ladder and cutting equipment and showed me which cables to cut."

"I was just about to cut the other wire when the ladder came into contact with live wire. I would have been killed had I touched the live cable myself."

"Shortly after it was electrified, I was thrown into the air and fell to the ground."

"I stayed on the ground for several minutes before I could move, I was in much pain," he said.

After a while, the employer took his electrocut-ed employee to a private doctor who only gave Mashaba some tablets to ease the agony.

But Mashaba, who was complaining of severe pain, then admitted himself to Tshilidzini Hospital.

Asked if he was aware that cutting the electric cables was illegal, Mashaba said he knew it was not allowed but could not have challenged the orders of his employer.
Slapping a white girl nearly cost boy his life

By DAN DHLAMINI

THE derogatory name of the farm Kafferskraal in the western Transvaal tells it all!

A racially inspired argument which allegedly led to a slap in the face of a white girl at Kafferskraal this week nearly cost a 13-year-old black boy his life.

Little Seuntjie Basson is now lying in a critical condition at Tshepong Hospital with a bullet lodged in his left shoulder after the girl's father opened fire on him.

Western Transvaal police spokeswoman Lt J Kleynhans confirmed the shooting incident.

Kleynhans said the farmer claimed he intended firing a warning shot in the air, but a shot went off when he cocked his gun and Basson was hit in the shoulder.

The farmer's version was however dismissed by some farm workers.

One of the workers, who wished to remain anonymous, told City Press that the farmer did not fire a warning shot, but took aim and opened fire, hitting the boy who was at that stage running away.
Aid ‘not reaching farm workers’

Own Correspondent

Johannesburg. — Food aid of more than R1 million meant for Free State farm workers was not reaching them, Operation Hunger and relief officials claimed.

Money and food parcels from the government’s National Nutrition and Social Development Programme were being claimed by farmers, but no evidence could be found that aid had reached farm workers, said Ms Judith Mokhelle, the organisation’s regional director. Her organisation had documented cases of farmers selling government-funded food parcels to their workers for R5 each and pocketing the money.

Food aid of R1.9m was given to the farmers for their workers, the Health and Population Development Department said yesterday.
Farmer’s body found in pigsty: two go on trial

By Anna Louw
East Rand Bureau

A farmworker and the son of a domestic servant yesterday pleaded not guilty in the Springs Circuit Court to murdering a sickly 65-year-old Devon farmer, whose bloodspattered body was found in a pigsty feeding trough.

George Nogqala (30) and John Mahlangu (19) appeared before Mr Justice J F Myburgh and two assessors.

They also pleaded not guilty to robbery with aggravating circumstances as well as illegal possession of a firearm and ammunition.

The trial is related to the death of Johan Godfried van der Merwe on his farm in the Devon district on September 17 1991.

A neighbouring farmer, Johannes Green, said he went to feed his cattle which were on Van der Merwe’s farm two days before the incident.

Van der Merwe told him that he had hired Nogqala.

Green said that on the Tuesday morning he telephoned Van der Merwe but there was no reply, when there was still no answer at 5 pm he drove to the farm to investigate.

He saw Van der Merwe’s bunch of keys on the inside of the kitchen door which was locked. Green said he knocked and called out but there was no answer, he looked outside but found nothing.

He and another farmer met Van der Merwe’s wife Maria on the farm road.

They told her they suspected trouble at the house and requested her to get the police.

The two men went to the house, found it unlocked and in disarray.

A search for Van der Merwe continued until late that night and resumed in the morning.

Green said he found clothing which belonged to Nogqala, whom he said was missing.

Warrant Officer Petrus Fourie said he arrived at the farmhouse at 5 am that morning. The farmer’s wife showed him drops of blood on some rocks and at the gate of the fowl-run.

After a search the policeman said he found Van der Merwe’s body in a feeding trough concealed under a pile of rocks and old tyres in the corner of the pigsty.

He said the farmer’s hands were bound with wire and handcuffs with a SAP serial number engraved on them.

Van der Merwe’s feet were also tied with wire. The hearing continues.
'Farmer used cattle prod on me'

A 13-YEAR-OLD Worcester boy accused of stealing a watermelon on a farm claimed yesterday that he was hung up in a cellar, severely beaten and shocked with a cattle prod by a farmer.

The farmer denied beating the boy and said his allegations were "largely untrue".

The Rev Nick Appollis, of the Dutch Reformed Mission Church in Worcester, said Sean Swartz was brought to him yesterday morning by his school principal.

"One side of his face was swollen. His lips and the inside of his mouth were cut and broken, and he had blood on his face and neck," he said.

Sean claimed that the farmer took him to his cellar yesterday morning, hung him up with a rope after accusing him of stealing a watermelon, and then beat him with his fists and repeatedly shocked him with a cattle prod.

Mr Appollis said Sean's grandmother had refused to lay charges against the farmer because she feared eviction.
Farm labour law talks resume

PRETORIA — Negotiations on the application of labour legislation to the farming industry will be resumed tomorrow against a background of a demand from organised agriculture for separate legislation for farming.

Represented at the meeting will be the SA Agricultural Union (SAAU), the Manpower Department and organised labour, including Cosasa.

Negotiations on the issue have been in progress on and off for the past 12 months and government has given the negotiators until end March to reach agreement otherwise government will decide on the issue.

There are more than a million workers employed on farms.

Only one of the three pieces of legislation — the Basic Conditions of Employment Act — has gone through Parliament. Comment on drafts of the other two — the Labour Relations Act and the Wage Act — is still being submitted to the Manpower Department.

The SAAU's manpower spokesman Kobus Kleynhans said the unique conditions in the farming industry justified a separate Act.

The draft of a specific Act was being prepared and would be on the agenda of future meetings. If government decided the three Acts would be applied to the industry "then amendments will have to be made before they are acceptable to organised agriculture."

Kleynhans said government intended to extend the Wage Act to farm workers during the coming parliamentary session "but on this the last word has not been spoken". Wage packages, he said, were not as popular among farmworkers as was generally believed.
R3bn drought fund ‘almost up’

Own Correspondent

JOHANNESBURG. — The government had already used “close to” all of the R3.4bn drought-relief package to write off commercial farmers’ debts, a source involved in assessing the programme said yesterday.

There has not yet been any official announcement on how the funds — originally to have run over a couple of years — are being spent.

However, finance special adviser Mr Japie Jacobs confirmed yesterday the government could use part of the funds to reduce farmers’ debts to the Land Bank.

The source said the government had decided to complete the drought relief programme in one year.

The debts written off are understood to be carry-over debts arising when unforeseen circumstances (such as the drought) prevent farmers from being able to pay back production credits.

The source said the interest on the carry-over debt would have grown to about R1bn over three years, which was one of the reasons the government had chosen to speed up the paying of debts.

ANC agriculture spokesman Mr Derek Hanekom said the organisation had not had any say in how the funds would be spent. “It was a unilateral decision to again bail out the commercial farmers.”
The amendments to the Wage Act were also a farce as they did not extend wage determination to farm workers. (Quoted 1/2/93)
Draft Bills flawed says Cosatu

THE Congress of South African Trade Unions has expressed concern about the proposed changes and extensions to the Labour Relations Act as well as the Wage Act, both in relation to farmworkers.

Cosatu said in a statement yesterday after studying the two draft Bills it found it had major problems with the contents of the proposed legislation. The draft Bills were "seriously flawed", it said. Cosatu said it did not approve of suggested limitations on the right to strike, the introduction of labour codes for agriculture and a special labour court for farm workers which would only "entrench the status quo of farmers".
Bill proposes to tighten loans law

CAPE TOWN — The Usury Amendment Bill, which proposes prohibiting imposition of finance charges for shorter or additional periods on money lending, credit or leasing transactions, was tabled in Parliament yesterday.

The Bill also proposes the payment of more or less equal instalments to prevent the final payment being considerably smaller than other payments.

Association of General Banks' Tony Norton said the Bill was an interim measure pending introduction of a new Usury Bill, hopefully during the current parliamentary session. He said the complexity of the existing Act had caused many problems.

The Amendment Bill contains provisions for the abolition of exemptions regarding disclosure of finance charges in respect of money lending transactions.

Farm workers lose jobs over drought, new laws

CAPE TOWN — About 100 000 jobs had been lost in the agriculture industry in the past year because of the drought — as well as fears over possible labour legislation for farm workers, Agriculture Minister Kraai van Niekerk said yesterday.

But he believed government's drought aid scheme had saved 300 000 job opportunities in the industry. Job creation programmes in the homelands had provided at least 28 000 people with employment.

He intimated that government would continue to provide drought aid if needed.

"We have no option other than to look at the merits of requests for assistance."

Government looked at the individual farmer's needs, as well as the effects of drought on the industry and on the economy as a whole. If government did nothing about the situation it would probably have to "pick up an account" in the end.

This would include increased unemployment, accelerated urbanisation and the disintegration of the social fabric of rural areas.

Van Niekerk said the possibility of labour legislation for the agriculture industry meant that some farmers were cutting down the number of workers.

"In the past large numbers of labourers were employed on farms due to the sympathy of farmers," he said. Because of the possibility of minimum wage regulations and prescribed working conditions, some farmers had changed their approach.

Van Niekerk said it was likely that the legislation would suit farmers' needs. He did not believe that the new law would have a major impact on the industry.

He said farming conditions differed from those in industry and this needed to be taken into account. Most farmers already had some form of employment code, but it was necessary to get into line those with unacceptable practices.

He said a normal grain crop was expected this year. About 3.5-million hectares had been planted. Although drought was a threat, late rains had raised hopes.
Farmer's labour practice bears fruit

Labour Reporter

An Elgin fruit farmer has signed a ground-breaking recognition agreement with a farmworker body which will regulate the conduct of both parties.

Molteno Brothers Trust, a large farm in the Elgin district, negotiated and signed the agreement with the Farmworkers' Support Committee which represents about 600 workers.

According to the agreement, strike and lock-out action is prohibited because it would be 'prejudicial to the farming concern and the employees', the parties said in a joint statement.

The support committee, officially recognized as the collective representative of the farm's workers, recruited the majority of workers and approached the farm management for recognition.

The statement said: "Notwithstanding that the appropriate mechanisms for this type of relationship have not been created yet in legislation, which still excludes workers from the ambit of the Labour Relations Act, the Molteno Brothers Trust decided to accept the request for recognition.

"We believe the organization of farmworkers and the regulation of its relationship with the worker's union would be of benefit to the farm and its people."

A decision was taken to create mechanisms for the private regulation of disputes between the parties under the auspices of the Independent Mediation Services of South Africa.

The agreement anticipated changes in the relationship between farmers and their employees and created a structure in advance to promote good relations and collective bargaining.
No minimum wages for domestics

CAPE TOWN — Draft labour rights for domestic workers did not prescribe minimum wages, while proposed changes to the Wage Act set minimum earnings guidelines only for farmworkers, Manpower Minister Leop Wessels said yesterday.

Addressing the Institute of Personnel Management in Stellenbosch, he said recent developments in the labour field had covered the extension of basic labour rights to domestics and farmworkers.

Cosatu and the SA Agricultural Union (SAAU) disagreed on key aspects regarding the application of the Labour Relations Act to agriculture.

Because of the sensitivity of the matter, the Government had taken the unusual step of publishing the Basic Conditions of Employment Act regulations for farmworkers for further comment.

The amended Act had been approved by Parliament last year. Cosatu and the SAAU had, however, still not reached consensus on a separate labour law for agriculture, and it needed further attention, Sapa.
New deal for farmworkers

By GAYE DAVIS, Cape Town

WORKERS employed on an Elgin fruit farm have agreed not to strike and their employer has agreed never to lock them out in terms of a recognition agreement believed to be the first of its kind in the western Cape fruit farming industry.

The agreement, signed between Molteno Brothers Trust and the Farmworkers Support Committee (FSC), which represents more than 600 workers on the farm, anticipates pending changes to the Labour Relations Act to include farmworkers within its ambit.

FSC general secretary Grant Twigg said because housing formed part of farmworkers’ pay packages, a lock-out could mean families being summarily evicted from their homes. The clause would fail away if the Labour Relations Act extended protection for striking workers to farm labourers, he said.

Johann Hamman, a researcher for the Centre for Rural and Legal Studies in Stellenbosch, said the agreement’s significance lay in a compulsory mediation and arbitration clause. “It tries to accommodate a farmer’s fear of a strike during the height of the harvest season, and also protects workers who might find a farmer reopening negotiations during the winter season, when, if the talks failed, he could theoretically lock them out of their homes.”

Hamman pointed out that while industrial workers in industry had a year-round capacity to strike, for farmworkers it was generally limited to the harvest season. However, farmworkers’ vulnerability to a lock-out lasted all year long, he said.

Twigg said any disputes over dismissals or wages would be referred to a mediator if negotiations between management and shop stewards deadlocked. If mediation failed the matter would go to arbitration for final settlement. “We hope this agreement will encourage other farmers to forge similar recognition agreements,” he said.

Frank O’Driscoll, general manager of Molteno Brothers Trust, said: “We may have lost a certain amount of power in our labour relations but that’s not necessarily a bad thing. The bottom line was we felt our employees wanted (the agreement) and that they should get it.”
SAAU draws up draft bill

THE South African Agricultural Union (SAAU) yesterday handed organised agriculture's draft labour bill to the Ministry of Manpower in Cape Town. (October)

The bill was compiled by senior members of the legal profession.

SAAU president Mr Boet Fourie said it was organised agriculture's objective to draft a simple bill which regulated labour matters with due consideration for the interests of employer and employee. — Sapa
Government spending put at R104,87-bn for the year

THE budget deficit for 1992/3 will be R29,3-billion, or 9% of gross domestic product, director-general of state expenditure Hannes Smit confirmed on Friday.

This is twice the level budgeted for at the beginning of the year.

The Additional Appropriation Bill, tabled in Parliament on Friday, pushes government spending up by R6,84-billion to R104,87-billion for the year.

Of this, R1,04-billion has already been financed through the sale of state assets. The additional spending figure includes R7,77-billion which was already announced in the main budget, reducing the actual excess to R4,5-billion.

The biggest item on the list is R2,4-billion, which will be used to repay farmers' debts to the Land Bank. Mr Smit said this amount would have been repaid over three years, but by paying it now, the government saves R1,07-billion in interest.

This amount was not put in the main budget when the severity of the drought was already well-known to avoid disruption of the capital markets.

The total drought relief package is billed at R2,4-billion, as against initial forecasts of R1,4-billion.

The interest on state debt has risen by R7,40-million to R17,04-million as state revenues undershot expenditure, forcing the government to increase borrowings.

An amount of R220-million is earmarked for the SAN Commuter Services Corporation and a further amount of R230-million for bus commuter subsidies.

Agriculture sets free market plan

By TERRY BETTY

DRAFT labour legislation in agriculture was handed to the Manpower Minister on Friday advocating a free market system and the democratisation and deregulation of labour law.

The draft, drawn up by the legal profession and evaluated by the agricultural unions and Nampo, proposes the right of free association, collective bargaining, with the right to negotiate individually, and conditions of service can be adapted to climatic conditions.

It also includes proposals that parties try to resolve their own problems or reconcile them at a low level, and that a special labour court will be available, in each magisterial district.

The right of workers to strike and the right of employers to lock out their workers is recognised.

A breach of employment condition would not be a punishable offence but may be referred to the special labour court for an order to correct the breach.

However, if the court order is ignored then a crime has been committed.

Iveco trucks into SA

By DON ROBERTSON

THE Italian-based Iveco truck giant plans to make a "considerable" investment in SA in the next few months.

The intention is to expand its operations in SA to meet the local and sub-Saharan markets and slots in with its planned globalisation strategy which has seen it recently move into Turkey, India and China.

Iveco's major shareholders are Fiat and Magneti Marelli and a decision to invest in SA could spark off a flood of interest by other large Italian conglomerates, says Jean Saurel, international operations director.

Mr Saurel is on a short visit to Johannesburg for discussions with Truckmakers, a subsidiary of Automakers, which owns Nissan SA.

Iveco has been represented in SA for more than 15 years, providing technology for the manufacture of the Samil military trucks manufactured by Truckmakers. This association was strengthened in 1989, when Truckmakers began production of Iveco's TurboStar for the commercial market.

Iveco has now decided to expand its range of trucks for the local and adjoining markets and is looking for a partner.

Discussions are continuing with Truckmakers, but no decision has yet been taken. An investment of at least R50-million has been suggested.

Mossie Mostert, managing director of Truckmakers, says he has been "very comfortable" with the association over the years.

The plan to expand its range of trucks "does present certain problems for our group, considering that we already handle the full range of Nissan Diesel products. For this reason, it may be more advantageous for Iveco to consider an investment through a third party."
Farms get in on the Act

AFTER nearly three years of negotiation and politicking, 1993 seems set to be the year that labour legislation will finally be extended to cover workers on South African farms.

But there are fears that its implementation may be further delayed.

The draft legislation published at the end of December provides important basic rights to farmworkers, though in a weaker form than in industry. It also contains various concessions to the farmers' lobby which watered down earlier proposals agreed to by the National Manpower Commission.

This may be an attempt by the government to create the space for the South African Agricultural Union (SAAU) leadership and head office bureaucracy to save face by winning concessions on aspects of the legislation.

The SAAU — this week criticised by the Kassier Commission for receiving R20 to R30 million in compulsory levies through the marketing boards — is looking increasingly vulnerable.

A federal body, with key regions such as the Transvaal and the Free State dominated by Conservative Party politics, its supremacy over all things agricultural has been undermined by shifts in government economic policies in the mid-1980s and more recently by the political reform process.

The SAAU is demanding a single and separate consolidated labour Act, designed to suit the special conditions of agriculture, although it initially rejected any labour legislation for farmworkers.

But, since the much-publicised furor at the end of last year, when the state president intervened, the SAAU has been remarkably quiet and seems set to drop this demand, suggesting it will agree to the legislation if concessions are extended.

Legal protection for farmworkers may finally reach the statute books this year — but when will it filter down to the farms? By Dawie Bosch

However, there is fear among all parties that a right-wing breakaway from the Transvaal and the Free State branches will render any labour legislation almost impossible to administer in these regions.

The Congress of South African Trade Unions, for its part, may have to agree to some of these concessions if it wants to show the fruits of negotiation and claim victory in a notoriously difficult sector — only five percent of the country’s farmworkers are organised.

Negotiations on the Basic Conditions of Employment Act (BCEA) were reopened in November — despite an earlier agreement between Cosatu and the government to put the legislation into effect — and will be on the table during negotiations on the Labour Relations Act (LRA) and the Wage Act.

An unfettered BCEA is essential, especially in small towns where unorganised farmworkers flock to advice centres and other service organisations.

Cosatu’s immediate concern, however, is to gain effective rights around the LRA to organise farmworkers in undertakings where organisation is viable — such as bigger company-owned farms.

To achieve this, they will be under considerable pressure to agree to additional compromise on the BCEA and to drop their demand for immediate extension of the Wage Act.

In terms of the Wage Act proposals, no determination can be made on minimum wages or other conditions of employment, but the Wage Board will be able to make recommendations to farmers.

It is unlikely the procedure will be used much since the last decade has seen a drastic decrease in wage determinations.

If the LRA proposals are legislated they will provide:

- Legal incentives for farmers to ensure that labour practices are fair for the first time
- For the creation of a special labour court, available more locally and similar to the small claims court: easy to use, quick but without the right to representation and appeal
- That a strike can be declared “unacceptable” for a specified period if it could cause serious damage to an employer’s property or threaten the viability of the employer’s business.

Although special measures around strikes may be in order in some sectors of agriculture, farmers would be able to use this clause to interdict most legal strikes in agriculture, undermine the only real bargaining tool workers have.

The LRA proposals provide that labour codes can be drafted for the agricultural sector and in sub-sectors by the National Manpower Commission.

If the farmworkers or their employee organisations see the code as unfair, the onus of proof will rest on them.

The Department of Manpower recommends that the extension of the LRA should not be made effective until a code has been fully negotiated in the NMC.

This is of grave concern since such a negotiating process will delay the extension of the LRA to agriculture by months if not years.

Dawie Bosch is a lawyer at the Centre for Rural Legal Studies in Grabouwtown.
Legal loopholes may permit child labour.

The Weekly Mail, February 1984, p. 20
NMC steps in on farms.

THE National Manpower Commission stepped in to attempt to iron out growing conflict surrounding draft legislation for farmworkers.

In its first meeting, the tripartite negotiating forum requested to see the legislation and to comment on it before it is debated in parliament.

1972 28 2 93
PRETORIA — The SA Agricultural Union has submitted a draft farm labour Bill to Manpower Minister Leon Wessels which acknowledges the right of workers to strike as well as an employer’s right to lock out workers.

SAAU president Boet Fourie said at the weekend the Bill also provided for “no strike” agreements between farmers and workers to accommodate unique circumstances in agriculture.

The SAAU made public its proposals while still engaged in negotiations with Cosatu over labour legislation. The Manpower Department had asked the two organisations to try to reach agreement and make recommendations to government.

Cosatu said it could not comment on the SAAU proposals until it had studied them.

Fourie said the SAAU believed that, as far as possible, labour legislation should be deregulated and decriminalised. Mechanisms to settle disputes should be inexpensive and easily accessible.

The SAAU proposals acknowledged collective bargaining, as well as the right of a worker and his employer to negotiate individually. Other important aspects were:

- Conditions of service should be adaptable to accommodate practical circumstances of the particular commodity branch;
- Parties to disputes should be encouraged to solve their problems themselves at a low level through an agricultural reconciliation board;
- A special labour court be set up in each magisterial district;
- Provision for non-striking agreements and specified conditions in which strikes may not take place.

Fourie said SAAU’s draft Bill accepted a 48-hour working week. However, at certain times of the year, because of weather conditions, as few as 35 hours would be worked with no cut in pay. At peak times, the working week could be extended.

The aim had been a simple and easily understood Bill to regulate labour in agriculture. Organised agriculture’s view was that labour laws should be fair to worker and employer. The worker had to have reasonable protection, but the employer’s rights as a provider of badly needed jobs should be acknowledged.

A Cosatu spokesman said negotiations had been in progress with the SAAU for the past 18 months without agreement being reached on labour legislation for the industry.

Cosatu favoured the application of the Basic Conditions of Employment, the Labour Relations and the Wage Acts to agricultural workers.
Farm labour laws take effect today

The Argus Correspondent
DURBAN. — Farmers urgently need to gear themselves up for new labour legislation which comes into force today.

Mr Dunstan Farrell, of Durban-based Shepstone Wylie's employment law and industrial relations division, says benefits of the new legislation will be felt by employers as well as farmworkers.

Now clearly demarcated parameters of employment, leave and dismissal conditions "will provide the framework for higher work standards, production and efficiency within the agricultural sector".

The changes will see the Basic Conditions of Employment Act (BCEA) extended to the agricultural sector. The Wage Act and the Labour Relations Act will be extended to this sector during 1993.

The BCEA provides for:
- A maximum of 48 working hours a week (with limited exception up to 52 hours made in a written agreement).
- Hours cannot be extended to more than 10 hours a day, nor can overtime exceed 2½ hours a day or six hours a week.
- A farmworker is entitled to at least one month's notice of termination of service and in this period retains rights to continue in accommodation, keep livestock on the land and harvest his crops planted on a farmer's land.
- A farmer may not pay a worker on the basis of work performed — piecework — unless this exceeds his normal remuneration.
The Minister of Health Services must ensure that the proposed department is not created in a manner that would undermine the Department of Health Services, or any other Department of the Government, in the provision of health services to the population.

The Minister shall consult with the relevant Departments and other stakeholders before creating a new department.

The proposed department shall be subject to the approval of the Minister of Finance, who shall consider the financial implications of the creation of the new department.

The Minister shall ensure that the new department is adequately staffed and resourced to deliver effective health services to the population.

The Minister shall ensure that the new department is accountable to the Government and the people of the region.

The Minister shall ensure that the new department is integrated with existing health services and that there is no duplication of efforts.

The Minister shall ensure that the new department is aligned with the regional health strategy and plans.

The Minister shall ensure that the new department is transparent and that its activities are subject to external audit.

(2)

The Minister of Health Services must ensure that the proposed department does not create an unnecessary duplication of services.

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The Finance Committee of the House of Representatives, by its resolution of December 29, 1979, and the Committee on Education and Labor, by its joint resolution of December 29, 1979, transmit to the House the following report:

The Committee on Education and Labor has jurisdiction over the Department of Education, the Federal Council on School Improvement, the National Science Foundation, the National Endowment for the Arts, the United States Information Agency, and the National Endowment for the Humanities. The Committee on Appropriations has jurisdiction over the budget and appropriations of the Department of Education, the Federal Council on School Improvement, the National Science Foundation, the National Endowment for the Arts, the United States Information Agency, and the National Endowment for the Humanities.

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Grape pickers a social bunch of workers

Staff Reporter

CITY dwellers can be forgiven for believing that grape harvesting is backbreaking toil in the heat of midsummer.

Undoubtedly much of it is, but the grape-pickers of the Boland have learnt to make light work of it.

To them it is a social occasion more than anything else — with loud, animated conversation punctuated by raucous laughter drifting between rows of unseen teams of pickers hidden among the vines.

And it's a long day, which starts well before what most city dwellers would consider a reasonably decent time to rise.

Menial labour? Don't you believe it. There is much more to picking grapes than meets the eye — if you want to pick up a bonus over and above your salary, that is.

Harvesting follows much the same pattern on all wine farms. Take one of the biggest — Nederburg in the Paarl Valley, for instance. Picking starts at 6am which, before sunrise, is a pleasure to watch.

But later, with the sun beating down mercilessly, the pickers astound visitors by running from one vine to the next, eagerly cutting bunches of riesling grapes and dropping them in crates; the heat apparently having little or no effect.

Each picker has a number and as soon as his crate is full, he drops the grapes into a tip bucket where a note is made against his number.

The tip buckets, pulled by tractors, hold between 2100kg and 2500kg. Each take about 20 minutes to fill.

The grapes are then taken to the cellars, where they are crushed and put into settlement tanks.

The pickers are paid a basic wage and a bonus for any extra crates picked.

Says Nederburg managing director Mr Ernst Le-Roux: "We hire very few extras during the harvesting season. We try to arrange our farming in such a way that we can keep our people. During the quieter times they help out in the nurseries."
Mamre no to 'political vacuum'

Residents of the picturesque West Coast village of Mamre say politicians — including the liberation movements — are ignoring their needs; so they are preparing to go it alone.

While the Moravian church still has a strong influence in the community and the town is mainly visited for its historic buildings on the old "welv" belonging to the mission, residents have woken up to the realities of a new political dispensation.

Secretary of the Mamre discussion forum, Mr. Bill Pick, said this week there was a "political vacuum" in the town.

Mamre residents, who claim that politicians are leaving the platteland behind, are determined to become an informed community.

Libby Peacock
Weekend Argus Reporter

"Rural areas stayed behind under apartheid. Now liberation movements are also displaying urban bias towards us."
The discussion forum aims at providing voter education for the community and has invited all political parties to visit the town and spell out their policies regarding rural areas, but only the Democratic Party has responded so far.

"We want to prepare our people for a totally unknown future and give them the necessary skills. At the end of the day we want an independent community."

Mr. Basil Kivedo, a resident of Mamre who is doing his doctorate in sociology at the University of the Western Cape, lectured at the university for 10 years before abandoning his academic career to "work on ground level."

He believes in the empowerment of the underprivileged and a "real democracy."

"I don't have a vendetta against academics, but I do have it against pretentiousness.

"In Mamre people are cut off from the city. They don't know what is going on. The political role players are more interested in votes than people. We are not waiting for saviours..."
Farm workers to be primed for voting

LIBBY PEACOCK
Weekend Argus Reporter

A CIVIC education programme aimed at preparing farm workers to vote for central and local government is being developed by the Rural Foundation, a countrywide development organisation dedicated to upgrading the quality of life for farm workers and their families.

Mr Herman Bailey, the foundation’s head of public relations, this week said that with the progress of negotiations all South Africans would soon have the right to vote.

Few civic education programmes exist for unskilled and semi-literate people and his organisation feels responsible for informing and instructing those who have never before had the right to vote.

The move follows a resolution taken at the foundation’s annual general meeting at the end of last year.

Mr Bailey said the foundation had a strong infrastructure and was training about 200 people as “master trainers”.

Liaison committees made up of workers were being formed on farms, and these committee members would be trained to help their colleagues.

The programme ultimately will consist of a written manual and video and will not be party political, but purely inform voters of their rights and responsibilities.

Simple issues such as voting procedures and how to get an ID book will be covered.

Mr Bailey said about 60 percent of black South Africans lived in rural areas. Civic education for these people was a "strongly felt need".

The programme is to be run nationally and in a wide range of indigenous languages.

The education programme should be finished by the middle of the year and the foundation hopes to begin training and voter education soon after that.
Unions, farmers: 30 days to agree

The South African Agricultural Union and the Congress of South African Trade Unions have 30 days left in which to settle their long-standing differences over labour rights for farmworkers.

The deadline for comment on draft labour laws for farm and domestic workers expired on February 26, and interested parties had until the end of March to find consensus, Manpower Ministry spokesman Mr Johan Smit said on Friday.

In a statement yesterday, Manpower Minister Mr Leon Wessels called for constructive negotiations to narrow the gap between the parties.

"It appears from the comments received that there are still several differences between the role-players," he said. He hoped to give the cabinet a progress report by the end of March.

Cosatu and the SAAU still disagreed on the role of labour codes, strike rights, a separate consolidated labour law for agriculture, organisational rights, dispute procedures, wage measures and certain basic conditions of service.

Cosatu has pressed for all labour laws to apply to all workers, while the SAAU submitted a draft law catering exclusively for labour relations in agriculture.

Negotiations on extending labour laws to an estimated 1.3 million farmworkers followed shortly on the Laboria Minute, signed in September 1993.

The amended laws under scrutiny were the Basic Conditions of Employment Act, the Wage Act, and the Labour Relations Act.

Mr Wessels said that in terms of agreements with the SAAU and Cosatu, the government would determine the final form of the laws in question.

The government has committed itself to implementing the laws by the end of 1993. — Sapa
Farm union quits talks over strike issue

THE Transvaal Agricultural Union (TAU) has withdrawn from further participation in the SA Agricultural Union's (SAAU) actions on labour legislation.

Sapa reports the TAU said in a statement from Pretoria yesterday that the decision was prompted by the SAAU's acknowledgement of agricultural labourers' right to strike.

This right to strike was "totally unacceptable" because of the nature of the agricultural sector, it said.

"There are biological processes which have to continue, and a strike could totally ruin a farmer." (4)

ERICA JANKOWITZ reports that Cosatu spokesman Lisa Sefel responded that collective bargaining — including the right to strike — was viewed as a fundamental right for all workers.

"The TAU is swimming against the tide of history," she said, adding that Cosatu would not acknowledge its objection.

Sefel said the future of agriculture depended on a sound relationship between employee and employer and the TAU's approach would not benefit agriculture.
Pretória. — The Transvaal Agricultural Union has withdrawn from further participation in the SA Agricultural Union's actions on labour legislation.

The decision was prompted by the SAASU's acknowledgment of agricultural labourers' right to strike, the TAU said yesterday.

This was "unacceptable," it said.

"There are biological processes which have to continue, and a strike could totally ruin a farmer." — Sapa CT 4/2/92
Farm labour conference

KEY role players in agricultural industrial relations will explore the practical implications of the extension of workers' rights to farm labourers at a conference organised by the Centre for Rural Legal Studies in Stellenbosch from May 12 to 14.

For more details contact Andries du Toit at (022) 81 98032.
Revenge ‘motive for attack’

THE victims of the latest Natal massacre died despite being neutral in a war between Inkatha and the ANC, their neighbours said yesterday.

Residents of Nkanyezi village, near Maritzburg, blamed gunmen loyal to Inkatha for the deaths of 10 people in an ambush on a minibus on Friday.

They said they believed the attack was intended to avenge the killing of six schoolchildren at the neighbouring village of Imboyi on Tuesday. Three of the victims in that attack were children of a local Inkatha leader.

About 700 people have been killed in political warfare since President FW de Klerk lifted bans on opposition groups and began dismantling apartheid three years ago.

“Everyone believes Inkatha is responsible for the attack,” Inkanyezi resident Bernad Ngobo said.

He said Inkatha supporters from Imboyi drove through Nkanyezi on Thursday, shouting from their cars that they were going to kill all the children in the local school in retaliation.

But Ngobo said there were no ANC supporters in Nkanyezi.

“There is no ANC, the ANC ran away from here, now they are shooting us again, saying we’re going with the ANC,” he said.

Only the minibus driver escaped unscathed from the ambush on Friday in which an unknown number of gunmen armed with automatic weapons opened up with a hail of bullets on the bus.

Police said the gunmen then approached the minibus and fired with shotguns at point-blank range, leaving powder burns on the bodies. Four men and six women were killed.

Solomon Ngobo said his 19-year-old daughter Bonisiwe was one of them. She was at school in Imbali black township outside Pietermaritzburg and only came home at weekends.

“I feel very bad … I did not realise it was my child who had been shot,” Ngobo said.

He said Nkanyezi was a neutral area. “We don’t have any political parties here, we are all neutral.”

Inkatha leader David Ntombele said his organisation condemned the latest attack.

“We can’t accept these killings – in one week 16 people have been killed,” Ntombele added.

Police spokesman Craig Kotze said it appeared Friday’s ambush was a political revenge raid for the Tuesday attack.

— Sapa-Reuter

Family’s night of terror

By BERENG MTIMKULU

THE Loving household in Boipatong was beset by hatred and double tragedy this week.

While the Loving family and friends were mourning the death of their mother Joyce Loving, 53, six armed robbers burst into the Dutch Reformed minister’s home.

They left with goods valued at R20 000.

Father Peter Loving said he was left with his “smallest” — and ill-fitting — suit in his wardrobe. His frigde was pillaged of R6 000 worth of food bought for today’s burial.

The robbers also took a video machine worth about R2 000, Father Loving’s suits — worth over R10 000 — cutlery, kitchen utensils, a music system worth over R2 000, R5 000 in cash, and personal items.

Tshidi Loving said that at about 8 pm a man entered, claiming his vehicle had a flat.

He then demanded the removal of a mourner’s minibus to make way for their car.

“That’s when I sensed trouble because I did not understand why the mini-bus should be removed for a car with a flat wheel,” interjected Loving’s aunt, Maria Mokoena.

Loving said she and her aunt went outside to find six men, “one armed with a double-barrelled gun, the other with a pistol and the rest with knives.”

Ois is baas... waar jou pass

By DAN DLHLMINI

It could be back to slavery for Groote Matroos black farm labourers if right-wingers call their way.

They are demanding that blacks carry passbooks.

City Press investigations revealed that since last year Groote Matroos Boeremie members and right-wingers decided at meetings attended by police to reintroduce the pass system in a bid to curb squatting.

There were plans to round up farm labourers and photograph them for “ID” cards.

Ntobie Molotsane, who said he was moving out of the area, told City Press that Groote Matroos right-wingers did not regard blacks as human.

“They are only interested in our labour, while paying us peanuts,” said Molotsane, who earns R80 a month.
Where PIGS are MORE equal than PEOPLE

By SOBANTU XAYIYA

"OORTREDERS SAL GESKIE TRESPASSERS WILL BE SHOT ABANDON BAYAKUDUYULWA"

THE above warning confronted us as we entered GF Moor's Varkplaas Pigfarm at Ottery, 12 km from Cape Town.

Despite the warning we took the risk this week and entered the premises to satisfy our curiosity as to what lurked behind the sign.

We targeted a grimy, dilapidated, windowless building (which we later learnt was a workers' compound), where we were greeted by grim-faced labourers in dirty overalls who took us inside a dark corridor with doors on either side.

Inside, a sickening stench permeated the passage.

At the far end of the passage was an open space we were told was a common kitchen.

The stench in the grimy, smoke-filled kitchen was intense, because the labourers explained, the toilet—which was blocked—was directly opposite.

According to one of the labourers, Collen Gola, 64, the toilet has not been functioning since 1988.

"We have tried several times to tell Baas Willem, (farmer GM More) but he is not interested," he said.

Gola started working on the farm in 1976 and earns about R35 a week. His duty is to look after the pigs.

"I feed them, give them water and clean the pigsty," he said.

Gola said that there was no water in the compound for workers, which made it difficult for workers to wash.

In the kitchen, a number of children were gathered. They were told by another labourer that they should wash their hands with used soaps. It was, however, unclear if they used the same soaps as the pigs.

"Five years back we had a water pump and a geyser, but Baas Willem took those out and told us to get water from the pump outside his house," he said.

"But it's difficult to fetch water there because he owns aggressive dogs... so we wear the same dirty clothes the whole year. There is no difference between us and the pigs we look after."

The workers said they had built tin shacks opposite the compound, where there was at least fresh air.

HOME, SWEET (?) HOME... These little children know no other home.

At Varkplaas there are no holidays or days off. Farmer More, however, was not sympathetic to his workers' plight. He said he had installed facilities, but the workers had stolen them.

"They don't want to work. All they want is to complain. We work on a bonus system here, and if they don't work they won't get it."

He said those who complained were just "lazy buggers".

"If you (reporters) think you're clever, you'd better give these guys a job," More said.
MINISTER LOSES PATIENCE

MINISTRY OF MANPOWER Minister Leon West-

geld has lost patience with the fail-

e of the SA Agriculture Union

and Cosatu to organise a meeting

to discuss the legal position of

farmworkers.

He said in Cape Town yesterday

that he was "now personally going
to endeavour, finding a suitable
date for dialogue".
Mediation body comes to W Cape

SHARON SOROUR, Labour Reporter

RESOLVING disputes in the fledgling agricultural labour arena and between squatters and aggrieved land owners is expected to dominate the agenda of the new Western Cape office of the Independent Mediation Services of SA (Imssa).

Imssa, which has played a prominent role in the peace process in the Transvaal and Natal as well as in major labour disputes throughout the country, last night opened a Western Cape office to extend its influence in the region.

Regional co-ordinator Ms Susan Hayter said: "Disputes in the Western Cape tend not to be along the ethnic lines of those in other parts of the country. The major issues here are things like access to land, squatter disputes and development issues and we believe there is a lot of scope for intervention and conflict mediation."

Imssa national director Mr Charles Napen said the opening of the Western Cape office "is a concrete affirmation of our presence rather than an arrival" and would increase Imssa's effectiveness.

He believed a particular focus in the Western Cape would be the provision of dispute resolution services in the agricultural sector.


The increase in the use of arbitration could be attributed to the fact that some employers had now incorporated clauses in their procedural agreements to refer disputes over dismissals to arbitration automatically.

The reduction in mediations was attributed to several factors, including the trend towards centralised bargaining, and current economic conditions which had precluded employers from any flexibility during pay talks.
Pig farm staff live in filth and stench

WORKERS on a pig farm in Ottery claim they are being treated worse than the animals they look after.

The workers — timid, grimy and wearing dirty overalls — complained their compound was dirty, dilapidated and a health hazard.

They said their toilet had not been working for the past three years and that passages were filled with the stench of urine and faeces.

The workers' compound is a windowless, dirty, dilapidated building.

When the Cape Metro visited the compound, the stench of pigs' manure filled the air. The labourers took us into a dark, narrow, smelly passage where we were overwhelmed by a sickening stench — the result of a blocked toilet.

At the far end of the corridor is a smoke-filled open space which was the labourers' common kitchen where one man was preparing breakfast on a wood fire using two soil-covered tins as pots.

The kitchen, with no window panes, sink or a single household utensil, was filled with smoke.

Here the stench was more intense, as the blocked toilet is directly opposite the kitchen.

According to one of the labourers, Colleen Gola, 64, the toilet has not been working since 1998.

Mr Gola started working on the farm in 1976 and earns less than R35 a week.

"I feed the pigs, give them water and clean the pigsty," he said.

In their compound there is no water to wash the workers or their clothes.

He said five years ago their kitchen used to have a water pump and a geyser, but "Baas Willem" took those out and told them to get water from the pump outside his house.

"But it's impossible to fetch water from there because of his dogs and at night he confuses us with prowlers and takes pot-shots at us.

"To wash we have to fetch water from neighbouring farms far from here. As a result we wear the same clothes for a week, or even a month. We are no different from the pigs we look after," he said.

The labourers said that because the rooms of their compound are too small to accommodate them, they have built tin shacks just opposite the compound.

In one shack a baby in dirty blankets, almost covered by flies, was sleeping peacefully.

Michael Pongoma, 34, a labourer, complained about the meagre wages paid for unspecified hours.

The worst is we don't have shops here. The only shop available belongs to the farm owner. He is forcing us to buy food on credit and later deducts this from our wages," Pongoma said.

"At Varplaas there are no holidays, days off or sick leave. "Here we don't know the difference between Monday and Sunday," he said.

The farmer, Mr G F Moors, this week said he had on several occasions installed the necessary amenities "but the workers stole them".

He said he worked on a bonus system: If the labourers did not work, he did not give them bonuses.

"They are lucky that they are working for me otherwise they would have been outside without food and shelter. I know of people who are working for less than R35 a week and they are not complaining," Mr Moors said.
Paarl farm

labourer

shot dead

Crime Reporter

Police yesterday opened a murder docket after a Paarl farm labourer was shot dead in a tussle with a farmer's son at the weekend.

Mr Willem Solomons, 24, of Langkloof Farm, died after he was shot in the head, chest, back and arm.

A Paarl police spokesman said an inquest docket was initially opened but late yesterday it was changed to one of murder "in the interests of objectivity".

The spokesman said the farmer's son, aged 23, tried to apprehend Mr Solomons after being told that he had stolen stock.

Mr Solomons was spotted in a labourer's cottage and tried to run away.

The spokesman said a tussle followed, and Mr Solomons allegedly tried to attack the farmer's son with a rock. Shots were then fired.

No arrests have yet been made and it is not known when the man will appear in court.
A northern Cape farmer who assaulted his farm foreman with a knotted nylon rope has agreed to pay his former employee R15,000 in an out-of-court settlement.

The settlement between Mr Andries Wiese, of the farm Aswegenfontein in Loxton, and Mr Willem Vorster, who used to be Mr Wiese's foreman, was made an order of the court yesterday.

The case appeared before the Kimberley Supreme Court for a week in March 1992 and was due to continue this week.

It was alleged that Mr Wiese repeatedly hit Mr Vorster with a nylon rope with a knot at the end on October 8, 1990. As a result of the alleged assault, Mr Vorster could not bend and found it difficult to walk.

It was further alleged that Mr Wiese forced Mr Vorster to work on the day of the assault and on subsequent days, aggravating his injuries, and that he dismissed Mr Vorster unlawfully on January 21, 1991.

In terms of the settlement, Mr Wiese agreed to pay Mr Vorster R15,000 with costs including R1,150.
Peace hopes fade

Schoolyard tell "pack of lies"

Sowetan Wednesday March 24 1993
Farm labour talks deadlock

THE SA Agricultural Union and Cosatu yesterday failed in an 11-hour bid to reach agreement on labour legislation for the country's 1-million farm workers. An SAAU spokesman said the deadlock was "absolute".

Both sides were warned last year by Manpower Minister Leon Wessels that if there was no agreement in the 18-month-long negotiations by March 31, government would decide on the issue.

The SAAU spokesman said disagreement on the application to farm workers of the Basic Conditions of Employment Act was a major reason for the breakdown. The inflexibility of the 48-hour week provided for in the legislation was unacceptable to the SAAU.

The SAAU had pleaded for separate legislation for agriculture because of the "unique conditions in the industry". This was opposed by Cosatu which preferred that the Basic Conditions of Employment Act, the Wage Act and the Labour Relations Act be applied to farm workers.

The SAAU spokesman said: "We ended up miles apart. The break is complete and as the March 31 deadline set by Wessels for an agreement to be reached is only a few days away, government will now obviously have to decide on the issue."

He said the SAAU was not totally opposed to the three Acts being applied to the industry provided they were amended to suit the needs of farming.

The provision in the legislation permitting strikes was unacceptable. Strikes at critical times in the farming cycle such as planting and harvesting would have serious consequences, the spokesman said.

Cosatu spokesman Neil Coleman said government had agreed in principle to the three labour Acts being applied to farming.

Cosatu's view was that farm workers were entitled to the same basic labour rights and privileges enjoyed by workers in other sectors of the economy.

"We have not been blind to the needs of the industry. Our approach has been flexible, but at the end of the day the core issue is that of ensuring farm workers have effective bargaining mechanisms and rights, including the right to strike," 24/3/93.

He said the issue had been brewing for months and farm workers could not wait much longer for a settlement.

Manpower director-general Ross Fourie, who was at the meeting, said it was regrettable that it ended without consensus. Government would have to decide "within the next week or two" what labour legislation would apply to the agricultural industry.
Breakdown in farm talks

Own Correspondent

JOHANNESBURG. — The SA Agricultural Union and Cosatu yesterday failed in an 11th-hour bid to reach agreement on labour legislation for the country's one million farmworkers.

An SAAU spokesman said the deadlock was "absolute".

Both sides were warned by Manpower Minister Mr Leon Wessels that if there was no agreement by March 31 the government would decide on the issue.

The SAAU spokesman said disagreement on the application of the Basic Conditions of Employment Act was a major reason for the breakdown.

The inflexibility of the 48-hour week in the legislation was unacceptable to the SAAU.

Cosatu demanded that the Basic Conditions of Employment, the Wage and the Labour Relations acts be applied to farm workers.

Strikes at critical times in the farming cycle would have serious consequences, the SAAU spokesman said.

Cosatu's view was farmworkers were entitled to the same rights enjoyed by workers in other sectors.
Cabinet set to act on farm law

SHARON SOROUR, Labour Reporter

CONTROVERSY over extending labour law to farmworkers could come to a head next Wednesday when the Cabinet decides whether — or how — to apply the contentious Basic Conditions of Employment Act to agriculture by the end of March.

Minister of Manpower Mr Leon Wessels yesterday said he was obliged to present to the Cabinet a progress report on the labour legislation, even though the parties had not reached consensus.

He said the Cabinet would decide on the content of the law, as well as when and how it should be applied.

The Government has an agreement with Cosatu to extend the Basic Conditions of Employment Act to South Africa’s 1.2-million farmworkers by the end of the month.

But the latest round of talks between trade union federation Cosatu and the powerful farmers’ SA Agricultural Union ended in deadlock this week.

Cosatu spokesman Mr Neil Coleman said the parties could not reach consensus on applying the law to farmworkers by the end of March.

“The agricultural union said they needed the application date to be extended again, but this is totally unacceptable. The Act, as well as other laws, were supposed to be applied to the sector last year,” Mr Coleman said.

Cosatu expected Mr Wessels to honour last year’s agreement to extend the legislation to agriculture by the end of March.

He added that Cosatu had no plans for a last-minute meeting with the SAAU to resolve differences before the Cabinet meeting.

But Mr Wessels said that he and Department of Manpower officials would “still endeavour to narrow the matters at issue” between the parties in the best interests of employers and employees. He said he was disappointed at the outcome of the negotiations.

The two parties have had a 30-day extension — from March 1 — to settle their long-standing differences. Although the deadline for comment on draft labour law expired on February 26, the parties were given until the end of March to find consensus.

Cosatu has campaigned for four labour laws to be extended to agriculture — the BCEA, the Labour Relations Act, the Unemployment Insurance Act and the Wage Act — while the SAAU wanted a single labour relations law specifically geared to agriculture.

● The SAAU could not be reached for comment.
NEWS IN BRIEF

Cabinet to act on labour law

The Cabinet would decide next week on labour legislation for farm workers, Manpower Minister Leon Wessels said in a statement yesterday. The SA Agricultural Union and Cosatu have failed to agree on what the legislation should be, and Wessels has said government will have to decide for them.

Transfer of Groot Constantia

Introducing the Groot Constantia Trust Bill yesterday, Agriculture Minister Kraai van Niekerk told Parliament the measure authorized the formation of a non-profit trust which would take over the estate. He said the historic estate was being transferred to the wine industry, thereby relieving the state of its financial responsibility.

Mandela meets delegations

ANC president Nelson Mandela met a visiting European Commission and Afro-Caribbean-Pacific Group delegation in Johannesburg yesterday. ANC spokesman Carl Niehaus said they held "general discussions about the political situation".

At a separate meeting immediately before, Mandela met Azapo president Prof Hlumelo Moleka. Both leaders said their talks, which were routine, had focused on "the unity of liberation movements".

Teacher cuts outlined

A total of 5,045 teachers were retrenched or retired early during 1993, House of Assembly Education and Culture Committee Pet Marais said in Parliament yesterday. He said 486 teachers who qualified at the end of 1992 — and were bursary holders — could not be employed as they were unable to obtain posts. However, 5,045 white student teachers had bursaries at present at a cost of R22.6m to the state.

Interest on late VAT payments decreased

CAPE TOWN — Legislation was introduced in Parliament yesterday that decreases the rate of interest payable on late VAT payments by vendors from 1.5% a month to 1.2%.

The amount payable according to the Value-Added Tax Amendment Bill by Inland Revenue to vendors when refunds are due is up to 16% per annum, a reduction of 4%.

The legislation also empowers the Finance Minister to change the rates of interest from time to time, which may become necessary when prevailing interest rates in the financial sector increase or drop.

The laws come into effect as from the beginning of the calendar month following the month during which the amending Act is promulgated.

The legislation also clarifies what VAT rate is applicable when the rate is changed, stating that according to the principle Act, liability arises on the date on which a supply of goods or services is made.
Ultimatum given over law for farm workers

Political Correspondent

MANPOWER Minister Mr Leon Wessels yesterday gave an ultimatum to Cosatu and the South African Agricultural Union (SAAU) on the extension of labour legislation to farm labourers.

Mr Wessels said he was disappointed the talks between Cosatu and SAAU deadlocked. He warned the cabinet would decide on the extension at the end of the month.
New farms campaign

FARM labour tenants plan to
revivise their campaign against
exploitation at a meeting this week
end.

"An appeal for a moratorium on evi
ctions of farm labour tenants and
farmworkers made to the govern
ment in March 1991 appears to have
fallen on deaf ears," the Association
for Rural Advancement said last
week.

The tenants' land rights of labour
tenants came under the spotlight last
year when hundreds of people were
given notice from land many had
lived on for generations.

Drought, recession, pending land
reform and farmworker legislation
all played a part in the evictions.
‘Your melon plot failed!’

Mom claims farmer framed her little girl

By MOSES MAMAILA

THE mother of a nine-year-old girl who was arrested and locked up for a week in a Krugersdorp police cell, this week accused a farmer of “framing” the girl.

Salome Kopano claimed the arrest of her child was the result of “a ploy by the racist farmer” to keep his labourers under control.

Charges against the girl, three youths and a 50-year-old woman were withdrawn in the Krugersdorp Magistrate’s Court two weeks ago.

No evidence was led.

The group were accused of stealing 24 watermelons from CJ van der Berg’s farm in Hekpoort.

This week Kopano claimed Van der Berg wanted to “blackmail” the workers into working seven days a week.

Kopano said: “When they refused he framed them saying they had stolen the watermelons.”

Kopano claimed that a report in City Press had made a big difference to the issue.

She said she found it “very strange” that while the police could not trace her for more than a week after her daughter was arrested, she was traced within hours after City Press made inquiries.

Kopano, who is employed on another farm, said the police had been wrong to let a little girl sleep with adults in a cell.

“If a child has done something wrong, you can discipline her in so many ways. You can approach the parents and give her a hiding, but to take a child to the police for such a minor crime is just not right,” she said.

Her little daughter said she had stopped working for Van der Berg.

“I have never been to school and I want to go to school if I can get the money,” she said.

Her family is too poor to afford the fees.

Attempts to contact Van der Berg were unsuccessful.
'Soapie' election campaign washes down well in the Swartland

A SOAP POWDER election campaign washed down well with residents of the tiny hamlet of Riebeek-Kasteel in the Swartland when farmworkers went to the polls.

As part of a voter education programme, a perfectly simulated election campaign was mounted with household washing powders as "candidates".

The more than 400 farmworkers were given a taste of what they could expect in South Africa's forthcoming non-racial elections when they chose a new leader from the likes of deter-gents' Omo, Bingo and Good and Clean and Fresh.

To familiarise the workers with the ins and outs of electioneering, programme organisers allocated a political campaigner to each of the candidates to lobby for their particular brand.

"Arrested"

One of the workers was "arrested" in the simulation when he tried to vote twice and another was "arrested" for intimidation — all in a bid to illustrate in a practical manner the mechanics of what is involved.

Department of Internal Affairs officials set up a voting booth in the town, with all the paraphernalia attached, and the workers then voted for their candidate.

To illustrate what was and what was not democracy, local dominee Dirk Coetsee, who was acting as an election official, tried to announce that the candidate with the least number of votes had won the election.

Mrs Ansie Vlok, the chairman of the area's Community Development Association, an affiliate of the Rural Foundation, and the programme organiser, Dr Johan Saayman, said the response to the campaign had been overwhelming.

Farmworker Karoels Pietersen, who attended the demonstration, said he would definitely be at the polling booths in the coming elections, and that the programme had taught him a lot about voting procedures in a practical way.

For the record, Mr Pietersen's wife Sanna won Coldwater Omo the elections — Sapa
School, what IS school?

By MOSES MAMAILA

CHILDREN as young as nine years old are toiling on farms at Hei Poort in the far West Rand – for as little as R30 a week.

A City Press investigation revealed that some of the children never had the slightest chance of seeing the inside of a classroom.

A nine-year-old girl who was packing tobacco leaves in a dark room filled with smoke said she had never been to school and could not remember when she started working on the farm – though she said it was a long time ago.

She said she worked from 7 am until 5.30 pm five days a week.

The girl said the money she earned was not enough. All she wanted was a R5 increase.

"It is too hot here and the place is filled with smoke, but it is better than on the farms where we get rid of the weeds," she said, describing the appalling conditions in which she works.

"Even if it is raining, we work outside on the farm," said the girl, echoing the sentiments of dozens of other children employed on the farm.

There were about 20 people in the small building packing tobacco leaves, but most of them were children.

The owner of the farm, Jan van der Berg, refused to talk to City Press, instead evicting reporters from his farm and threatening to dismiss workers who spoke to the press.

Adults employed on the farm said they earned R120 a month, but added that their employer preferred children because they were easy to manipulate.

Some parents worked with their children and earned the same amount.

Asked why he allowed his child to leave school to come and work on the farm, a middle-aged man said he had no money to take the child to school.

The employees said they were trapped with nowhere else to go. If they complained about the low wages, the farmer accused them of theft and took them to the police station where "the baas never lies".

BLEAK HOUSE ... Children labour on this farm for slave wages.

PICT: TLADI KHUELE
ANC in talks with farmers

JOHANNESBURG: African National Congress president Mr. Nelson Mandela met with two agricultural unions yesterday to discuss economic policies.

Meeting with the South African Agricultural Union, Mr. Mandela discussed policies and the ANC's relationship with the South African Communist Party.

He also met the National African Farmers' Union to address the problems of black farmers. — SapaCT2013/93
Legal bodies support ANC call on judges

PRETORIA — Legal authorities yesterday supported the ANC's call for more black judges but stressed the dangers of an affirmative action programme which ignored essential qualifications and experience.

The ANC, this week condemned the present system of appointments to the bench as "racist, sexist, illegitimate and non-representative".

Johannesburg Bar Council chairman Wim Trengrove said the council was encouraging blacks to obtain the needed qualifications to join the ranks of advocates as a background for possible appointment to the bench.

He said the number of blacks in the law profession had not kept pace with the substantial black student component at law schools.

Association of Law Societies (ALS) director-general Andre van Vuuren said part of the solution lay in granting attorneys the right of audience in the Supreme Court.

FINANCIAL RESULTS for the year ended 31 December 1992

Consolidated balance sheet

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<td>Number of shares issued (COO)</td>
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SAP reassigned manpower to aid operations

PRETORIA — Police would strengthen their operational manpower by transferring personnel from purely administrative duties to the operations division, police commissioner Gen Johan van der Merwe said yesterday.

He said the basis of a plan to use manpower more efficiently was to achieve a clear division between operational and administrative activities.

Operational division members engaged in purely administrative work would be transferred back to the operational division.

Civilians would take their place. The programme also applied to retired members re-employed as temporary workers. They were given the opportunity of transferring to civilian posts.
Labour ruling expected today

Pretoria  31/3/92

GERALD REILLY

As legislation now stands, the Basic Conditions of Employment Act will grant farm workers the right to strike.

The SAAU says strikes could cause chaos during critical farming periods, while Cosatu says farm workers are entitled to the same rights as others.

Cosatu and the SAAU were given until today to reach a consensus on the content of the Act.
Cosatu anger as farm labour law ruling is delayed

SHARON SOROUR
Labour Reporter and Sapa

TENSION over extending the contentious labour law to the country's 1.2 million farm workers was heightened when the Cabinet failed to make a decision on when to apply the Basic Conditions of Employment Act to agriculture.

Manpower Minister Mr Leon Wessels was obliged to present the Cabinet with a progress report on the labour legislation at its weekly meeting yesterday, even though interested parties had not reached consensus.

There were indications last week that the Cabinet would make a decision at the meeting on the content of the Act as well as how and when it would be applied.

But in a statement yesterday Mr Wessels said no decision was taken by the Cabinet on extending labour legislation to agriculture.

"The extension of the legislation to agriculture will receive the Cabinet's special attention next week," Mr Wessels said.

Cosatu was expecting the government to honour an agreement made with the federation to extend the law to farmworkers by April 1.

The federation is to contact Mr Wessels immediately for an "explanation" as to why a decision was not made yesterday.

"The fact that the Cabinet did not regard this as of sufficient urgency to make a decision is disturbing," Cosatu spokesman Mr Neil Coleman said.

"We understood that April 1 was the deadline."

Last-minute talks between the powerful farmers' union, the SA Agricultural Union, and Cosatu to reach consensus on the issue and settle long-standing differences last week ended in "irreversible" deadlock.

Cosatu is expecting the Labour Relations Act and the Wage Act to be extended to agriculture by the end of the parliamentary session.
Farm labour law delay surprises Cosatu

CAPE TOWN — The Cabinet's move to defer its decision on labour laws for farm workers came as a surprise to Cosatu, which expected the Basic Conditions of Employment Act to be implemented by today, Cosatu spokesman Neil Coleman said yesterday.

He was reacting to Manpower Minister Leon Wessels's statement that the Cabinet had not decided on the issue yesterday. Wessels said the extension of the legislation to agriculture would receive Cabinet attention next week.

In terms of Cosatu's agreement with Wessels on November 8, the Act would be extended to farm workers by April 1 and the Labour Relations and Wages Acts by the end of the parliamentary session. Coleman said: "The fact that the Cabinet did not regard this as of sufficient urgency to make a decision is extremely disturbing." — Sapa.
**NEWS IN BRIEF**

Miners resume work

NORMAL underground work has resumed at Gemmell's Beatrix Gold Mine. All workers, except for 400 Zulu speakers whom management moved to the St Helena Hostel after they clashed with Pondos, reported for duty on Tuesday. Gengold spokesman Albert de Beer, said a peacekeeping committee of workers and management would monitor the hostels and mine main entrance.

Film subsidies returned

THE Home Affairs Department said in Pretoria yesterday that the film companies which misappropriated government subsidies had paid back more than R10 million. Some companies, however, still face criminal charges.

'Last post' sounds

THE SA Defence Force's first retreatment parade took place at Cape Town Castle yesterday, when about 400 Western Province Command members bid farewell to the strains of Auld Lang Syne. Nearly 6000 SADF personnel have been retrained recently. The SADF budget has been slashed by more than a third in the past five years.

'Call up jobless only'

THE unemployed should be called up for national service to combat crime and violence and encourage those who instigated labour unrest should be held criminally responsible, SA iron and Steel Union manager Nic Colliers said yesterday. The suggestions are part of a security and commerce plan the AWB and the union want to discuss with President F W de Klerk.

Employment Act

WE REPORTED incorrectly yesterday that "as legislation now stands, the Basic Conditions of Employment Act will grant to farmworkers the right to strike." The Act does not deal with strikes. Business Day regrets the error.

**AHI wants ceiling on wages, prices**

TIM MANSLAND

THE Afrikaanse Handelsinstituut (AHI) has asked its members to hold wages and prices increases to 5% or lower for the next two years in line with the declining trend in money supply growth and inflation.

AHI chief economist Nick Barnard said yesterday his organisation had taken the decision in line with its support of Reserve Bank policies to combat inflation.

The decision was also aimed at trying to prevent further declines in business volumes.

"The AHI general management accepted a motion at its six-monthly meeting to encourage members to hold price and wage increases to below 5%. The message of discipline should be communicated to members of the broader business sector," he said.

Inflation would peak close to 11% as a result of the VAT, fuel price and other increases included in the Budget, Barnard said.

However, he saw it falling sharply after that, possibly to 5% in 1994. He said any temptation to raise interest rates to protect the balance of payments should be resisted in light of the decline in inflation and money supply growth as well as the deepening recession.

The pressure on the balance of payments should rather be managed by mainly continuing the fluid exchange rate policy and the "overall laudable monetary policy flexibility" of the past six months.

In the current recession, a moderate real depreciation of the rand would have a minimal negative effect on inflation, but would actively encourage exports.

He said the AHI continued to support the Reserve Bank's focus on disciplined monetary expansion, which implied that interest and exchange rates were largely determined by the market.

Once the balance of payments stabilised, he expected a further cut in interest rates in response to low credit demands.

This would partially offset negative effects in the hike in VAT and other taxes which would have on the business cycle and helped prevent a deepening of the recession, he said.

**Talk of VW layoffs 'premature'**

ERICA JANKOWITZ

VW SA said yesterday it was too early to say it would be retrenching more than 2000 workers this year.

But up to 1000 workers were in danger of being laid off in the near future. VW human resources director Brian Smith said 500-1000 jobs at the Uitenhage plant were "currently under review" because of a sharp drop in exports and a declining local market.

Numsa national organiser Gavin Hartford said on Tuesday the car manufacturer had proposed rationalising 2 270 of its workforce this year.

VW said talks of staff reduction was "premature" and dependent on the impact of the recent Budget on the local market, the outcome of various export orders currently under discussion and the success of the new Golf and Jetta range.

Smith stressed the company would try to "achieve reductions through voluntary packages offered to all employees, early retirements, outsourcing and natural attrition".

He said VW SA was renegotiating a contract to supply Jettas to China. The future of workers involved with exports to China would depend on the outcome of the negotiations and on local market conditions.

**Putco, Sabta pledge not to raise fares**

THEO RAWANA

PUTCO and the SA Black Taxi Association (Sabta) fares will not increase when fuel prices go up tomorrow.

Putco MD Jack Visser said yesterday the bus company would absorb the increase of 13c/1 litre diesel for three months. Sabta also said it would not increase its fares and was negotiating with the Mineral and Energy Affairs Department for a "special consideration" for taxis.

Visser refused to say how much it would cost Putco to absorb the increase. "We are so close to our annual increases on July 1 that we did not feel it necessary to raise fares now."

Sabta public affairs manager Cyril Lebese said the organisation had given Mineral and Energy Affairs "a few options". The taxi organisation expected a reply today.

Postal tariffs and suburban train fares went up at midnight last night and petrol will cost 15c/l more at the coast, and 16c/l more in the interior.

Postal tariffs will cost an average of 30% more. A stamp for a standard letter will cost 45c from today.

Suburban train fares will cost an average of 9,75% more, but the SA Rail Commuter Corporation has assured its customers that there will be no further fare increases this year.

Sapa reports that cheaper dialling times for overseas telephone calls will be introduced today.

Telkom said the standard rate to more than 100 countries would drop by about 7% and the new off-peak rate would be up to 20% cheaper than the standard rate. But VAT on calls would increase to 14% on April 7.
Anger over farm labour laws delay

CAPE TOWN — The Cabinet's decision to defer its decision on farm labour laws for farmworkers came as a bolt from the blue for Cosatu, which expected the Basic Conditions of Employment Act to be implemented by today, Cosatu spokesman Nell Coleman said yesterday.

He was reacting to Manpower Minister Leon Wessels's statement that the Cabinet had not decided on the issue at its regular meeting yesterday.

He said the extension of the legislation to agriculture would receive special Cabinet attention next week.

In terms of Cosatu's agreement with Wessels on November 6, the Act would be extended to farmworkers by April 1 and the Labour Relations and Wage Acts by the end of the parliamentary session, he said.

"The fact that the Cabinet did not regard this of sufficient urgency to make a decision is extremely disturbing," he said.
Cosatu surprised by delay on farms law

The cabinet's decision to defer its decision on labour laws for farmworkers came as a "bolt out of the blue" for Cosatu, which expected the Basic Conditions of Employment Act to be implemented by today, Cosatu spokesman Mr Neil Coleman said yesterday.

He was reacting to Employment Minister Mr Leon Wessels's statement that the cabinet had not decided on the issue at its regular meeting yesterday.

Mr Wessels said agriculture legislation would receive special cabinet attention next week.

Mr Coleman said Cosatu would contact Mr Wessels immediately for an explanation.

Cosatu's weekend campaigns conference had resolved to campaign for farmworkers' rights. If an agreement ended in deadlock or was broken, action would follow if talking did not work, he said. — Sapa
No progress on farm law

MANPOWER-Minister Leon

Wessels failed to break a deadlock over the extension of legislation for farmworkers this week.

Last week he told the Congress of South African Trade Unions and the South African Agricultural Union that he would have to end the logjam in their two-year talks by Wednesday, October 24—1973.

But the cabinet did not have time to debate the issue this week. It will give "special attention" to the issue next week.
MI agents infiltrated IFP — MP

Agents were used against the ANC:

By Ismail Lagardien
Political Correspondent

GOVERNMENT was still using Military Intelligence to infiltrate its political opponents and had placed agents provocateurs in the administrations of homelands that were friendly with the ANC, Parliament has heard.

The DP MP for Umhlanga, Mr Kobus Jordan, told Parliament on Wednesday that the covert operation had started during the '80s when it had relative success.

The programme was still active, he said.

Jordan said he had anonymously received a “package of information” detailing the placement of certain people, notably Mr Rowan Cronjé of Bophuthatswana and Mr Walter Fellgate of the Inkatha Freedom Party, in homelands that were hostile to Pretoria.

Cronjé was first placed in Ciskei, after which he was “sent” to Bophuthatswana where he was an “absolute success”. Success was also achieved in KwaZulu, where, it is alleged, Fellgate, a member of the IFP’s central committee, had managed to bring Chief Mangosuthu Buthelezi back from closer co-operation with the ANC and towards Pretoria.

Jordan named General Tienie Groenewald, former secretary of the State Security Council, as the person behind the strategy.

Jordan said the State had also paid Professor Albert Blaustein, an American constitutional expert, to write constitutional proposals for Mr John Gqiyiya’s Federal Independent Democratic Association. He spoke during the Budget Debate and defended a question he had put to President FW de Klerk last month on the placement of agents in opposition parties.

De Klerk was kept informed of developments, he added.

Cosatu warns of walkout

Laws for farm workers cause rift:

THE Congress of South African Trade Unions has threatened to review its participation in negotiation forums with the Government following the Cabinet’s decision to defer the promulgation of labour laws for farm workers.

“Cosatu is extremely disappointed and angered by the turn of events. This move makes a mockery of the entire negotiations process,” the union said yesterday.

The congress was reacting to Minster of Manpower Leon Wessels’ statement that the Cabinet had not decided on the issue of basic rights for farm workers at its regular meeting on Wednesday. Wessels gave the assurance, however, that the extension of legislation to agriculture would receive special attention at a Cabinet meeting next week.

Cosatu said in terms of an accord signed by Wessels and Cosatu general-secretary Jay Naidoo on November 6, the Basic Conditions of Employment Act for farm workers would be promulgated by April 1.
Cosatu warning on farm workers

JOHANNESBURG — Cosatu has threatened to pull out of negotiations with the government following a cabinet decision on Tuesday to delay promulgation of labour laws for farm workers.

"Cosatu is extremely disappointed and angered by the turn of events. This move makes a mockery of the entire negotiations process," the congress said in a statement yesterday.

It was reacting to Manpower Minister Mr Leon Wessels's statement that the cabinet had not decided on the issue of basic rights for farm workers at its regular meeting on Wednesday.

Mr Wessels said the extension of legislation to agriculture would receive special attention at the cabinet meeting next week.

Cosatu said that in terms of an accord signed by Mr Wessels and Cosatu general-secretary Mr Jay Naidoo on November 6, the Basic Conditions of Employment Act for farm workers would be promulgated by April 1.

"The agreement to extend basic rights to farm workers was in fact made in the Laboeia Minute, signed in September 1990. Three years later farm workers are still denied basic rights such as sick leave, paid leave and limitations on working hours." Cosatu said it had a written undertaking from the Department of Manpower's director-general that recent discussions between Cosatu and the South African Agricultural Union would in no way jeopardise the promulgation of the BCEA on April 1.

"If nothing came of next week's cabinet meeting it would be necessary to conclude that any agreements reached in talks with the government could receive the same treatment."

"The national office-bearers will thus be forced to recommend to our executive committee that it reviews Cosatu's participation in the various negotiation forums where we are present."

— Sapa
Farm strike rights 'explosive'

PRETORIA. — The Transval Agricultural Union (TAU) has warned that the government will risk an explosive situation if it gives in to Cosatu by incorporating the right to strike in labour legislation.

The president of the TAU, Mr Dries Bruwer, was reacting to a meeting between Manpower Minister Mr Leon Wessels and the South African Agricultural Union (SAAU). At its meeting last week the cabinet was to have decided on the application to agriculture of the Basic Conditions of Employment Act as well as the Labour Relations Act and the Wage Act. Nothing was decided and Friday's meeting with the SAAU was "final background" for a decision expected on Wednesday.

Mr Bruwer said farmers would not stand by idly if farmworkers were given the right to strike. He claimed Cosatu represented less than 1% of the country's 1.2 million farmworkers and therefore had no right to organise on farms.

He criticised the SAAU for submitting an alternative proposal to the government that acknowledged the right to strike.

Mr Bruwer warned the government that the overwhelming majority of white farmers opposed the right to strike.
Farm labour law decision likely today

SHARON SOROUR
Labour Reporter

THE government is expected to make a crucial decision on extending contentious labour legislation to farmworkers at its weekly meeting today, after it overstepped a deadline last week in terms of an agreement with Cosatu.

At its meeting last Wednesday the Cabinet failed to decide on when and how to apply the Basic Conditions of Employment Act to the country's 1.2 million farmworkers.

Cosatu has warned that if nothing comes of the meeting today, it will be forced to conclude that any agreements reached in bilateral or multilateral forums with the government could receive the same treatment.

The federation said it was "extremely disappointed and angered by the turn of events", saying the move "made a mockery of the entire negotiation process".

Manpower Minister Mr Leon Wessels signed an accord with Cosatu general secretary Mr Jay Naidoo last November in which Mr Wessels committed himself to promulgating the Basic Conditions of Employment Act to farmworkers by April 1.

Cosatu said it was "inconceivable that at this late stage, after the accord was signed last year, that the Cabinet has not yet approved this agreement".

"If the government can't stick to its accord with Cosatu, where and when else will they not carry out their commitments?" the federation asked.

Cosatu also threatened to review its participation in negotiation forums.

"The agreement to extend basic rights to farmworkers was in fact made in the Labouria Minute, signed in September 1990. Three years later farmworkers are still denied basic rights, including sick leave, paid leave and limitations on working hours."

Cosatu said all "democratically minded South Africans" wanted to see basic rights granted to farmworkers and it was only the powerful white farmers' union, the SA Agricultural Union, which opposed this.

The two parties have been at loggerheads over extending legislation to farmworkers and last-minute talks held recently to resolve longstanding disputes over the laws ended in "irreversible" deadlock.

Cosatu said it had a written undertaking from the director-general of the Department of Manpower that its recent discussions with the SA Agricultural Union would in "no way" jeopardise the promulgation of the Act on April 1.
Act to set work hours, holidays

Govt opts to extend labour law to farms

PRETORIA — The Cabinet had decided to extend the Basic Conditions of Employment Act to the agricultural industry, Manpower Minister Leon Wessels announced yesterday.

The Act, with certain amendments, will be promulgated immediately and implemented from May 1. It will provide for maximum daily and weekly working hours, lunch hours and payment for Sunday work, as well as leave and sick pay.

To take account of the seasonal nature of the industry, legislation would permit the normal 48-hour week to be extended to 52 hours at peak times in the farming cycle such as planting and harvesting.

Wessels indicated that, in addition, administrative exemptions could be granted to the working hours law.

Wessels said it was hoped the door would now be opened for further discussions on the Wage Act and the Labour Relations Act and on the possibility of one consolidated labour Act for agriculture.

He said it was important for farm labour legislation that guidelines be created which took cognisance of the specific conditions in the industry.

Cosatu spokesman Neil Coleman said the measure would give farm workers rights as workers for the first time — and opposed to the "serf-like existence in what was a feudal system".

However, farm workers still did not enjoy organisational rights to ensure their rights were enforced in legislation.

Coleman said the acid test would come when the Labour Relations Act and the Wage Act were extended to them. He expected this to happen before the end of the current parliamentary session.

SAAU president Boel Fourie said his organisation would accept Cabinet's invitation to negotiate further on one consolidated Act for agriculture, including the issues of wage specifications and the right to strike. The union was disappointed that fluctuating working hours were not incorporated in the Act but Wessels' offer to regulate variations in working hours through exemptions had possibilities.

Annual leave has been fixed at 14 days and sick leave at 16 days over a three-year cycle.

Wessels stressed that the implementation of the Basic Conditions of Employment Act would not affect the SAAU's negotiations on a consolidated Labour Relations Act.

The amendments to the Basic Conditions of Employment Act were also aimed at a clearer definition of temporary and casual workers, simplifying regulations on Sun-

Farm workers

day work; and regulating inspections by the Manpower Department.

Wessels said working documents on the Wage Act and the Labour Relations Act had been published in December last year. Reactions to the documents would be discussed with the main role players and it was hoped to introduce the legislation in Parliament during the current session.

Wessels stated attempts to reach consensus among the important role players (the SAAU and Cosatu) had ended in deadlock, although positions had narrowed.

An SAAU spokesman said a minimum wage would be determined only once the content of the Wage Act as it pertained to agriculture had finally been agreed. The industry did not expect the minimum wage provision to be applied for at least two years, he said.

Coleman said Cosatu called on farm workers to organise and ensure their new rights were implemented. He also called on the SAAU to play a constructive role in implementing the law.

Fourie welcomed the amendment to the Basic Conditions of Employment Act but said it should have been done before the Act was extended to agriculture.

He said the Wage Act and Cosatu were obsolete. Agriculture's wage account was now greater than interest costs and the largest factor in farm production.

He said the right to strike was unacceptable as it could have a serious impact on food production.
1,2 m farmworkers to get labour rights

SHARON SOROUR
Labour Reporter

HISTORIC reform will dramatically alter the working lives of South Africa’s 1,2 million farmworkers when a far-reaching labour law is applied in May, following a major Cabinet decision on employment practices in agriculture.

Manpower Minister Mr Leon Wessels announced yesterday that the first of three labour laws, the Basic Conditions of Employment Act, would be promulgated immediately and implemented on May 1.

Mr Wessels emphasised in a statement that the decision to implement the Act was made after extensive “deliberations and consultation”.

The Act provides for maximum daily and weekly working hours, payment for work on Sundays as well as leave and sick leave.

The Cabinet decision has been hailed as a breakthrough by the Congress of South African Trade Unions (Cosatu), but has had a mixed reaction from the white farmers’ union, the SA Agricultural Union (SAAU).

Mr Wessels hoped the implementation of the Act would “open the door” for further deliberations on the Wage Act and the Labour Relations Act or one consolidated Labour Act for Agriculture.

Noting the SAAU’s concern about their bargaining position regarding the Wage and Labour Relations Acts – as well as one consolidated Labour Act – being affected when the Act was implemented, he said: “The Cabinet has made its position clear that the implementation of the Basic Conditions of Employment Act will not affect the SAAU’s further deliberations with the government on wage agreements, the right to strike as well as one consolidated Labour Act.”

Reacting to the announcement, SAAU president Mr Boet Fourie said the union hoped that “further handling of the matter would result in a single labour law for agriculture”, and the SAAU would take up the Cabinet’s invitation to negotiate further for one consolidated law for agriculture, wage specifications and the right to strike.

Mr Fourie said the union was disappointed that “the fluctuation of working hours” had not been incorporated in the Act, and that further amendments had not been made before the Act’s implementation.

However, Cosatu welcomed the “long-overdue” legislation as an “important breakthrough in recognising farmworkers as full industrial citizens, as workers with rights, rather than semi-feudal serfs, as in the past”.

“It sends an important signal to the hundreds of thousands of farmworkers and their families that the days of ‘baasskap’ on the farms are drawing to an end.”

Cosatu said that for the first time, farmworkers would be protected, but the ability to fully implement and defend these rights would be secured only once organisational rights, contained in the Labour Relations Act (LRA), were extended to farmworkers.

Mr Wessels said the Cabinet had amended the Act to simplify regulations on Sunday work, to regulate inspections by the Department of Manpower and to further define the definition of temporary and casual workers.

Mr Wessels said the Department of Manpower would hold seminars in different regions, write to each employer and hold discussions on local and regional level with farmers.

Any inquiries could be made to Dr Kobus van Zyl on (021) 461 8909 or (021) 439 1794.
Farmworkers to be covered soon

THE Basic Conditions of Employment Act will be extended to farmworkers on May 1, Minister of Manpower Mr Leon Wessels said yesterday.

The Cabinet decision to implement the Act ends more than two years of wrangling and eventual deadlock between the South African Agricultural Union and Congress of South African Trade Unions.

Wessels said the implementation of the Act would not affect the SAAU’s approaches to the Government over wage agreements, strikes rights and a consolidated labour Act for the country’s 1.2 million farm workers.

The decision to promulgate the Act immediately was taken at a Cabinet meeting yesterday.

Wessels said the Cabinet had reaffirmed the importance of labour legislation for agriculture with a view to creating practical guidelines that took into account the specific conditions of the sector.

Commentary on the application of the Wage and Labour Relations Acts to farm workers would be discussed between the main role players. It was hoped that maximum support could be achieved for practical guidelines to be introduced in the current Parliamentary session.

In terms of the Act, farmworkers will have legally set maximum working and lunch hours, payment for work on Sundays and sick and holiday leave for the first time.

Farmers would also be advised how to apply for exemptions during critical periods. — Sapa.
New SABC board: Procedure approved

THE government announced last night that agreement had been reached on procedures to appoint a new SABC board.

A panel of four judges and four senior lawyers would appoint the new board, the Minister of Home Affairs, Mr Danie Schutte, said.

President FW de Klerk had invited Justices Schabors and Mahomed, ex-Justices Trengrove and Viljoen, Mr Louis Skeiweyie SC, Mr SK Ndlouv, Mr N Erasmus and Ms Lilian Baqwa to be the panel. — Political Staff, Sapa

PROTECTION FOR FARMWORKERS

By ANTHONY JOHNSON
Political Correspondent

FARMWORKERS will be protected by labour legislation for the first time from May 1 — Workers' Day.

The cabinet decided yesterday to extend the Basic Conditions of Employment Act to South Africa's 1.5 million farmworkers.

‘Top government sources said the same legislation would be extended to the country's 800 000 domestic workers — the last group not protected by labour legislation — during the current session of Parliament.

The act makes provision for worker rights, which include minimum daily and weekly working hours, lunch hours, payment for work on Sundays, as well as leave and sick leave.

However, issues such as the right to strike and minimum wages will fall under the Labour Relations Act and the Wages Act — both of which are still being negotiated with Cosatu and the SA Agricultural Union (SAAU).

The breakthrough in workers' rights comes after a year of intense haggling between the government, SAAU and Cosatu. The major stakeholders did not reach consensus on the rights to be extended to workers but the government decided that the process could be delayed no longer.

Cosatu yesterday hailed the extension of the act to farmworkers, saying it was a long overdue step, reports Sapa. "However, the ability to fully implement and defend these rights will only be secured once organizational rights contained in the Labour Relations Act, are extended to farmworkers," it said. — CT 8/4/93
Better deal for farm workers

By Kaizer Nyatsumba
Political Correspondent

In a major move for South African farm workers, the Government yesterday decided to extend the Basic Conditions of Employment Act (BCEA) to people employed in the agricultural sector on May 1, Manpower Minister Leon Wessels announced yesterday.

In a statement released by his office, Wessels said the Act — which was hotly opposed by the South African Agricultural Union (SAAU) after it was debated and passed by Parliament last year — was a result of "long-continued deliberations and consultation".

He said all the major parties had the opportunity to present evidence to the relevant public committee which evaluated the Act in detail before submitting it to Parliament.

The implementation of the Act, which ends more than two years of wrangling and eventual deadlock between the SAAU and the Congress of South African Trade Unions, makes provision for maximum daily and weekly working hours for farm workers, their payment for work done on Sundays, and for annual leave and sick leave.
About 1.5-million farm workers better off

ABOUT 1.5-million farm workers would benefit from government's extension of the Basic Conditions of Employment Act to the agricultural sector, announced last week.

Farm workers would now work a 48-hour week and be entitled to sick leave and paid holidays, among other benefits.

The announcement did not resolve the deadlock between Cosatu and the SA Agricultural Union regarding a minimum wage for farm workers and the right to strike, which are governed by the Wage Act and the Labour Relations Act respectively.

A Centre for Rural Legal Studies statement said the granting of these basic rights was a "historic breakthrough" and an important step towards "meeting international standards in recognition of worker and human rights".

However, it also called on government to honour its commitment to implement the Wage Act and the Labour Relations Act in this year's parliamentary session.

The Farmworkers Research and Resource Project welcomed the decision, but it was concerned about "threatening remarks" made by some farmers after the announcement.

The Manpower Department should "give urgent consideration to the question of enforcement of the new conditions", it said.
JOHANNESBURG. — Children from black homelands are being trucked to work for a pittance on white farms, where they are often abused, South African human rights and child welfare activists said yesterday.

In sprawling Soweto illegally employed children often turn to glue addiction as a palliative while shovelling and hauling bags of coal to people’s homes.

"Child labour must be outlawed," Ms Jackie Lofeile, of the Johannesburg Child Welfare Society, told a news conference. She said recent surveys by welfare groups in the Northern Transvaal region had shown that children from the homelands were working on farms under contract. "There are reports of brutal treatment," she said. Time magazine photographer and children's rights activist Mr Peter Magubane said both blacks and whites were exploiting children.

He said boys in Soweto coal yards earned about R30 a week and slept in broken-down vans and old baths. Existing laws bar the employment of children of 15 and under but contain too many loopholes, say activists. — Sapa-Reuters
Where they stand

Manpower Minister Leon Wessels finally took the bull by the horns last week, announcing that the Basic Conditions of Employment Act would apply to farm workers as from May 1 — international Labour Day.

According to Cosatu, this means that farm workers will for the first time have "some protection" in terms of working hours, overtime, leave (14 days a year), sick leave and against victimisation.

The decision, taken by Cabinet, followed many months of negotiation — not all futile, even if it failed to produce consensus — between Cosatu and the SA Agricultural Union, which had reached deadlock.

If organised farming was peoved, Cosatu saw it as a long overdue step — "an important breakthrough in the recognition of farm workers as full industrial citizens and work-

ers with rights, rather than semi-feudal serfs as in the past."

The SAAU hopes that further talks will result in a single labour law for agriculture. It intends taking up Cabinet's invitation to continue negotiating for "one consolidated law for agriculture, wages and the right to strike."

SAAU president Boet Fourie said his union was disappointed, however, that the fluctuation of farm working hours had not been included in the Act. This would have enabled "both the farmer and his workers to know exactly where they stand."

The new law will allow the normal 48-hour week to be extended to 52 during the harvest and planting seasons. But while Wessels' offer to further regulate fluctuating hours by means of administrative exemptions had possibilities, "there will have to be fixed arrangements for the approval and application procedures," said Fourie.

Aside from the right to strike (in terms of the Labour Relations Act, which does not yet cover farm workers), Fourie also rejects the idea of extending the Wage Act to farm labour because it "does not belong in a free market mechanism." Agriculture's wage bill (R3,2bn last year) had overtaken interest costs (R2,8bn estimated) as its largest cost factor and had implications for food inflation and lay-offs.

To Cosatu, of course, extension of the LRA and Wage Act is the "acid test."
Diplomatic row explodes

**COMPLAINT** Transkei accuses South Africa of breach of protocol in latest feud:

By Mzimasi Ngudie

A diplomatic row erupted between Transkei and South Africa yesterday after an alleged breach of protocol by South Africa.

Transkei leader Major-General Bantu Holomisa said the South African ambassador to Transkei, Mr Horace van Rensburg, had unilaterally issued a statement that South Africans should not visit Transkei. Holomisa claimed the statement said the situation in the homeland was tense. He denied this and quashed rumours that embassy staff had been expelled.

"The ambassador apparently does not understand the politics of this region. The sooner they replace him the better," Holomisa said.

Holomisa said Foreign Affairs Minister Pik Botha, with whom he lodged a protest yesterday, was the one competent to issue the statement.

Van Rensburg said it was his responsibility to warn South African citizens of potential dangers.

**Laws will cost jobs**

**Will result in increased mechanisation:**

PRESIDENT of the Western Cape Agricultural Union Mr Chris du Toit says the application of labour legislation in agriculture is short-sighted and will result in unemployment. Addressing the union's annual meeting at Pearl yesterday, he said the move was simply another means of winning the support of the workers.

It would have the effect of increasing mechanisation in agriculture, thus aggravating unemployment, he said. — Sopa.
Rights battle begins

CHRI$$ HANI'S DEATH

We mourn the tragic loss of Chris Hani who strived for Justice and righteousness. He was one of the greatest leaders of our South African nation.

The sinister and repugnant way of his death has shocked the South African society and leaves us so much poorer.

We extend our deepest sympathy and condolences to the Hani family, his friends and colleagues.

Furthermore we detest violence of any kind and from whatever source.

We support the process for peace and democracy in South Africa.
Union bid to scrap Wage Act

PRETORIA — The SA Agricultural Union (SAAU) is to press for abolition of the Wage Act in negotiations with Manpower Minister H. G. Wessels.

Cabinet decided earlier this month to extend the Basic Conditions of Employment Act to the farming industry from May. But the SAU is opposing a Cosatu drive to have the Wage Act and the Labour Relations Act applied to the industry to “protect” farm workers from exploitation.

The SAU’s negotiating committee will meet tomorrow to plan its strategy for the talks, which will include a plea for a single piece of legislation for agriculture.

SAU chief negotiator Kobus Kleynhans said the Wage Act was archaic and no longer had a place in modern SA labour legislation. The SAU’s main objection was to the imposition of a minimum wage for farm workers.

Kleynhans said that those pressing for the application of the Acts to the industry, including Cosatu, based their positions on an International Labour Organisation (ILO) minimum wage recommendation made in 1951.

“That was 42 years ago. The Act is obsolete and should be replaced with legislation more appropriate to today’s economic conditions,” he said.

Kleynhans said only one third of ILO member countries accepted the recommendation, which did not mean any of them were actually applying the principle.

Kleynhans said the SA farming industry with its huge debt load could not afford to have trade unions dictating unrealistic minimum wages to farmers who were struggling to survive the debt crisis.

As it was, he said, for the first time last year total farm wages — R3.1bn for nearly 1-million workers — exceeded interest payments (R2.8bn) as the biggest single cost factor in farming.

Sapa reports from Bloemfontein that the Free State and Transvaal agricultural unions will organise a farmers’ rally at Potchefstroom on May 8 to discuss labour legislation. Matters which include farm safety, land affairs and the financial position of farmers will also be discussed.

Free State Agricultural Union manpower and training officer Piet Moller said the rally had been organised to express dissatisfaction with the unilateral implementation of legislation affecting farming.
3 000 go back to work

Farm workers score victory as bosses agree to consider demands.

By Mzimasi Ngudle

More than 3,000 farm workers went back to work on Tuesday when their employers agreed to negotiate wage increases and the recognition of their union.

The two parties reached agreement after a one-day work stoppage at Schoeman Boerdery in the Northern Transvaal.

The workers demand wage increases, fair disciplinary procedures and the recognition of the National Union of Farmworkers, an affiliate of the National Council of Trade Unions. Nactu spokesman Mr Mudimba Malivhi said management agreed to include grievance and disciplinary procedures in the recognition agreement to be negotiated on May 11.
More labour than interest (4)

For the first time ever, farmworkers' wages exceeded interest payments as farmers' single biggest expense last year: they paid R3.8 billion in wages to one million farmworkers and paid out R2.83 billion in interest.

South African Agricultural Union chief negotiator Kobus Kleyhans said farmers would oppose plans to extend the Wage Act to farmworkers, calling it an "archaic" piece of legislation.

Farmers will protest against the legislation at a mass rally in Potchefstroom next week.
Police arrest Philippi farmer

PHILIPPI farmer Mr Godfrey Bock, who allegedly shot dead two alleged thieves and wounded two others in February, was arrested yesterday.

Mr Bock, 68, was arrested around 8am at his Sandvlei Farm in Varkensvlei and then taken to the Wynberg Magistrate's Court where he appeared briefly in connection with two charges of murder and two of attempted murder.

No charges were put to Mr Bock and he was not asked to plead.

The case was referred to the Supreme Court for trial on August 30.

At the time of the shooting on February 9, Mr Bock said that in the past two years thieves had stolen almost R300 000 worth of brass sprinklers from his property and hundreds of rands worth of vegetables had been pilfered.

The ANC demanded "a serious investigation into activities past and present of Mr Bock".

A spokesman for the attorney-general's office told the Cape Times Mr Bock would only be prosecuted at this stage in connection with the shootings in February.
LABOUR  The extension of the Basic Conditions of Employment Act will benefit farm workers

May Day joy over farm Act

TAKALANI MADIMA of the Centre for Applied Legal Studies, University of Witwatersrand, focuses on the minimum conditions of employment of agricultural workers now protected by law.

This year's Worker's Day is not only the day the ANC-led tripartite alliance launched its mother of all rolling mass action against the Nationalist Government and recalcitrant employers groups.

It is also the day agricultural workers' right to decency comes into being. The Basic Conditions of Employment Act will be extended to the agricultural industry from May 1.

The Basic Conditions of Employment Act makes specific provision for, among others, maximum daily and weekly hours, overtime, Sunday and public holiday work. These are working conditions that most of us take for granted but which were denied farm workers for a long time.

The Act prohibits employers from working employees more than 46 hours in any week. This prohibition will no doubt have to be adjusted by way of administrative exemptions to the working hours law in the agricultural sector in order to accommodate the seasonal nature of the industry.

Farm Workers will for the first time in South African labour history be able to be paid the legal rate for working on Sundays and public holidays. Overtime work-rate is fixed at not less than ordinary time plus a third an hour.

Meal intervals of farm workers will be legally protected as the Act makes provision for rest periods of not less than one hour in any five hours worked. This break has to be allowed to workers even where they are not partaking of a meal. Failure on the part of the employer to observe the provisions of the Act can result in a criminal prosecution.

Minimum wage

The Act does not, however, make provision for the enforcement of a minimum wage in the industry. Minimum wages are regulated by the Wages Act, which for now does not apply to farm workers, although the matter is still under discussion between the labour movement, the Government and the farmers organisations.

The Manpower Department is a Government arm that is charged with the responsibility of ensuring that the employer complies with the conditions of employment set out in the Basic Conditions of Employment Act.

Each local Manpower Department has its own designated inspectors who perform specific functions which include among others, the right to enter without previous notice, and at all reasonable times, any premises used by an employer and question any person therein on any matter which relates to any provision of the Basic Conditions of Employment Act.

The inspector may have to examine any books, in this case, pay and time sheets or any other documents and demand explanation on any entry on such documents.

If, in the opinion of the inspector, entries to documents indicate that an offence has been committed, he will seize such documents or books for use as evidence in a subsequent criminal trial of the employer.

Although the inspector has the right to make unannounced routine inspections, empirical research indicates that the majority of these cases are triggered off by complaints made to the Department of Manpower by the workers themselves.

From May 1 farm workers, who for example have not been paid their wages or overtime or leave pay will be able to approach their local Manpower Department and report the matter to the inspector.

The inspector will then demand an audience with the employer. Research again shows us that the majority of employers do not usually dispute the worker's claim. This will still have to be seen in the agricultural sector.

Where however the claim is disputed, the inspector will seek further clarification from the worker and investigate the issue further. This can include the actual summoning of the employer by the inspector and failure to comply has the effect of contempt, although a warrant for his arrest cannot be issued.

Directive

The failure, refusal or neglect to comply with the inspector's directive is a criminal offence which carries a fine of not more than R1 000 or imprisonment for a period not exceeding 12 months or both.

It is only after he is satisfied that the employer has a case to answer that he will be summoned via the industrial criminal prosecutor's office to appear in the industrial criminal court.

There will no doubt be problems at the beginning. One cannot help but doubt the efficacy of the implementation of some of the provisions of the Act in remote and conservative areas where the inspector attends weekly brassas with the local farmers.

Graft will also prevent the bringing to book of erring employers. There is however little doubt that the majority of farm workers will benefit from the expansion of the Act of their sector.
Drought after-effects still remain

DEEPENING drought would continue to affect SA's economy and people despite the recent good rains which saved this year's maize crop.

A National Consultative Forum on Drought March update report said the Border-Transkei and the Natal-KwaZulu regions in particularly were badly affected. Drought after-effects would continue to be severe in the northern and eastern Transvaal, and government declared a further 10 areas drought stricken last month.

Rural communities in the western Transvaal who relied on subsistence farming were suffering because of restricted access to water and a failure of subsistence crops. The problem was compounded by retrenchments in the mining areas, the report said.

A continued lack of sufficient rain and dam water reserves meant planting for the next season would be difficult and crops would suffer in the long term.

Citrus fruit farmers in the northern and eastern Transvaal, who produced a good crop this season because of irrigation water from the Fanie Botha dam, now faced water restrictions and worsening prospects for next year's crop.

Employment opportunities on coffeee, tea and fruit plantations in the areas were also affected.

The report said unemployment might worsen as funding for emergency job creation schemes such as soil conservation projects ended in March.

Natal's grazing was only about 29% to 30% of normal and some northern and coastal areas were experiencing high livestock deaths. Although Natal's crops were better than last year, results were still poor compared with an average season. Cane growers were especially affected.

About a third of livestock in the Free State was in poor condition. Wheat farmers harvested only 35% of their crops. Although cotton and potato harvests were good, lucerne was deteriorating because of the cold weather, the report said.
Farmers to test generals’ plan

By Paul Bell

Today’s meeting of white farmers at Potchefstroom will be the first major test for the initiative by the Committee of Generals, led by former SADF chief General Constand Viljoen, to unify and mobilise right-wing opinion around the drive for a volksstaat.

Farmers are also expected to tell the Government they will defy the extension of the Basic Conditions of Employment Act to farmworkers, and to deliver ultimatums to the Government and the ANC over attacks on white farms.

Up to 10,000 farmers are expected to converge on the A H Potgieter banqueting hall in Potchefstroom from where — if numbers require — they will march to the Olien Park rugby stadium and convene under the banner of the Transvaal and Free State agricultural unions.

Viljoen, a cattle farmer in the Ohrigstad valley, has been asked to summarise, and draw conclusions on, the discussions on farm security which are expected to dominate this morning’s proceedings.

Transvaal Agricultural Union president Dries Bruwer, who is also CP MP for Lydenburg, said he expected farmers to declare “open season” on ANC Youth League president Peter Mokaba, whose “kill the Boer” chants at rallies after Chris Hani’s assassination had inflamed farmer opinion.

Other issues on the agenda are the worsening financial predicament of farmers and the question of land use, over which farmers expect to face increasing pressure for redistribution from a new government.

The participation of Viljoen is regarded as especially significant because of his role in the Committee of Generals, which has established a subcommittee to consider strategies for the mobilisation of Afrikaners in pursuit of a volksstaat.

The generals will hold a secret meeting tomorrow.

Meanwhile, in Cape Town, Justice and Defence Minister Kobie Coetsee has also said he is unable to attend the meeting. His decision, writes Chris Whitefield, means that the four Cabinet Ministers who received invitations have turned them down and it is now unlikely there will be any senior Government representation.

Government sources have, however, rejected suggestions that it had deliberately snubbed the meeting and said the Ministers all had valid reasons for not attending. Other Ministers invited were Hermus Kriel (Law and Order), Leon Wessels (Manpower) and Dr Kraai van Niekerk (Agriculture).

Interview with former intelligence chief — Page 13
Rainbow plunges deep into the red

From MARCIA KLEIN

JOHANNESBURG: Rainbow Chicken, suffering the effects of oversupply in the poultry industry, low selling prices and high feed costs, plunged into the red in the year to end-March.

The group, SA’s largest chicken producer, reported an attributable loss of R76.7m from a profit of R48.5m in the previous year and an R18.3m loss at the September 1992 interim stage.

In January, Rainbow warned shareholders it would report a significant loss for the year, and announced that 40.3% shareholder Hunt Letchars & Hepburn (HL & H) would assume management control. Former MD John Geoghegan now heads production and processing operations.

HL & H CE Neil Morris, who is managing the group until a new MD is appointed, said the year began with overstocking and low red meat prices. Although Rainbow, reduced production by about 11% over the year and embarked on exports to alleviate the oversupply situation, certain producers increased their production and took a percentage of market share. Rainbow currently holds 43% of the market.

In addition, the declining economy and dumped imported chicken led to continued oversupply. Selling prices of chicken were severely discounted and net realisations were well below production costs.

Rainbow’s sales volumes decreased by 5% and sales prices rose by only 4%, while Epol’s turnover growth was marginally below inflation. Group turnover rose by just 2.3% to R1.50bn from R1.51bn.

Morris said feed costs, which accounted for more than 50% of total costs, rose at a rate above inflation on the back of a 24% rise in the basic price of maize. The marginal rise in sales prices could not cover cost increases, and this resulted in an operating loss of R33.1m from operating profit of R76.3m in the previous year.

Cash outflows — arising from the operating loss — and capex were largely responsible for the 46% rise in the interest bill to R30.7m (R27.2m). No provision for tax was necessary due to the losses.

Epol traded at a loss on the back of lower margins and bad debt write-offs.

The group reported a loss of 20.6c (earnings of 13.6c) a share, and did not declare a dividend.

Morris said HL & H had taken significant steps to ensure that the group returned to profitability. Rainbow was in a profit situation and expected to be in a profitable position at the end of financial 1994, albeit at a low level.
Defiant Farmers Say No to ANC

Farmers reject ANC rule

Threat of secession at defiant meeting of white rightwingers
Mass of seething khaki gives lonely Deputy Minister hell

By Paul Bell

The loneliest man at yesterday’s “boere saamtrek” in Potchefstroom was Deputy Agriculture Minister Tobie Meyer; the farmers thanked him for coming — and then gave him hell.

He left there a worried man, the jeers and threats of 6 000 angry farmers still ringing in his ears. Today he must return to Cape Town with a message for the Government that the remaining restraints on a now dangerously militant white Right in the Free State and Transvaal may be slipping away.

To the demand by former SANDF chief General Constant Viljoen — who received a rousing reception from these increasingly embattled people — that the Government halt negotiations to force the Patriotic Front to control its armies, he could only reply that this was impossible.

To the farmers’ howling criticism of the Government’s agricultural relief programmes, he could only say that he had listened carefully and would convey their distress to the Government.

No one would have been bold enough to say publicly what he claimed in an aside later: that spokesman for the farmers had misrepresented the situation. Indeed, there was little that he was allowed to say publicly anyway. He was barely allowed to speak, and even then, the farmers soon booed him back to his seat — after he had stood for several minutes in the teeth of a barracking that would have defied a tank.

And to their angry defiance of a future under ANC rule, not to mention their threats of death to any person foolish enough to try to occupy a white school in the platteland, Meyer could only listen, wince and impassive, and stare unseeing at the mass of seething khaki in the grandstand of the Olen Park stadium.

Dignity demanded that he not react to the taunts of the crowd; but at the end of it all he was clearly drained. He conceded, when asked, that it was “all very difficult”.

These, after all, were his people — or had been. He might have been forgiven for wondering how in God’s name it had come to this.

On the other hand, as Viljoen said of the murder of farmers, there was nothing here that was new to the history of Afrikanerdom. Rebellion, schism, death, secession: all have had their place.
LABOUR

By FERIAL HAFFAJEE
A "FAIRTRADE mark" will soon compete with the bouquet and the vintage of South African wines on European shelves.

It will be a stamp of approval to tell politically correct tipplers that their bottle is from a wine estate where workers enjoy "an income and working conditions which at least meet minimum acceptable standards".

The Fairtrade Foundation designed the plan in an effort to harness the waning commitment of anti-apartheid activists who have held sanctions in place in the United Kingdom and Europe.

The scheme will be a "useful tool" to supplement labour negotiations on farms which are likely to get underway with increasing frequency.

The Basic Conditions of Employment Act for farmworkers was passed last Saturday, but farmworkers' unions are understaffed and new to negotiations. Their work can be helped if "international buyers start raising the issue (of working conditions)" in deals with South African wine farmers, says the foundation.

The organisation also points out that farmers' arms can be gently twisted "in meeting (minimum) criteria if it boosted, or gave, access to the European market".

The Fairtrade mark will not punish or set unattainable standards. Instead, these will be "low enough to be realistically attainable... to act as an effective catalyst".

They are likely to mirror conditions of the most well-kept workers and be attainable by the next layer of producers. It is pinned to "guarantee a better deal for Third World producers".

The foundation would identify (with the help of South African organisations) estates or co-operatives with working conditions which comply with existing legislation and then license that estate or co-op to use the logo.

The logo will be "boring" so as not to interfere with the marketing of the wine and will be printed on labels. (If the vintage has already been bottled, a sticker will be used.)

The Fairtrade mark is not for South African products alone — it will appear on common exports from the Third World like tea and coffee.

It is unlikely that it can be used on any other South African export except wine, though wrapped dried fruit may be another target product.

According to its designers, there is something in it for everybody: work-

ers get better working conditions, producers are assured a good price and new markets to enable them to pay their workers better, consumers get "to do something constructive for the Third World" and companies who buy the wine (or other products) can credit it to their social responsibility portfolio.

Oxfam, which is researching the project, points out that 80 percent of South African wines are sold as own labels in UK supermarkets and chainstores and that "the market for fine estate wines is tiny".

The challenge facing the plan is to find a British or European buyer for the marked wine by keeping the price as low as possible while ensuring that the product still benefits those who produce it.
New law will mean lay-offs

PIG farmer Geoff Mohr runs his operation on a tight budget. His 6,500 pigs have to be fed every day and he says he cannot afford to pay his workers double wages for Sunday work.

Many of his staff of 170 work a seven-day week, but he says they only work a "couple of hours" over the weekends.

"Sixty percent are pigsty boys and the rest are casual labour.

"The new laws won't affect the pig farmers as much as the vegetable and diary farmers, who work much longer hours," he said.

"A lot of farmers are already struggling. We get R3 to R4 a kilo for our pigs.

"Recently I got a cheque with a zero figure on it for carrots I sold to the market. I have to pay workers to pick the carrots, wash them and drive them to the market. Then they were dumped because there were too many carrots."

Hard

The cheque is pinned on Mr Mohr's office wall, a sardonic reminder of the gamble of farming.

"Vegetable farmers are not happy about this. We'll have to push our workers to do more in the hours they are allowed to work," he predicted.

His workers start at 7.30am, have an hour off for lunch from 12.30pm and knock off at 5.30pm. He's been sharply criticised in the past about their living and working conditions, but this has served only to harden his attitude.

"If I have to pay my workers R150 a week, I'll get rid of half my staff. I only keep some of them in my employ because they need the jobs," he said.

"The bad ones will go first. For the moment, the old workers can stay here. We have one old man of 80 who is half-blind and walks into things, but he has a pension job here. I can't throw them out. Where would they go?"

His labourers are paid between R70 and R80 a week. Mr Mohr also supplies them with meat, vegetables and two litres of wine a week each, and lends them his bakkie to go to church on Sunday.

"They spend all their money on wine, then they feed their families on the vegetables from the market that have been thrown out for the pigs, and sub-standard bread discarded by bakeries."

Mr Mohr's own family has first pick of the surplus fruit and vegetables.

He said that if the living conditions of his workforce were bad, it was at least partly their own fault.

"They damage the buildings they live in and don't keep them clean. I can't put windows in because they break them every weekend."

Mr Mohr's family started a farm school five years ago, but closed it down because of lack of co-operation from teachers, who, they said, commandeered food meant for the children.

He has no system of leave for his workers, with the exception of "the better ones" — like his drivers.

"Certain workers do specific jobs, so I would have to train someone else to do the work while the regulars are on leave.

He said some of his workers returned to the Transkei for two or three months each year — "and I just have to accept it."

"I can work around the two weeks leave the law says farm-workers are entitled to. If they are genuinely sick and can bring a sick certificate, that's okay, but usually it's on Mondays they get sick.

"If they are given the right to strike, what happens to the pigs?"
A TALE OF TWO FARMS

Workers wouldn’t be anywhere else.

Lucky

 teens at Wood Street Middle School.

The students, like their classmates around the country, are facing a

years ahead.

But their future is in doubt.

The students, like their classmates around the country, are facing a

The students, like their classmates around the country, are facing a
Labour laws expected to be passed

PRETORIA — Parliament is expected to pass amendments to the Basic Conditions of Employment Act suggested by the SA Agricultural Union before the session ends in late June. (LW)

The Act lays down, among others, working hours, and annual and sick leave provisions for farm workers.

The amendments considered vital by the SAAU are clear definitions of "casual workers" and "seasonal workers". An SAAU spokesman pointed out that 40% of farm workers were employed seasonally.

Another amendment is for a simpler and clearer definition of Sunday work.

Organised agriculture, it is understood, is likely to accept the legislation provided the amendments go through.

Meanwhile, discussions between the SAAU and Manpower Minister Leon Wessels are continuing on the application of the Wage Act and the Labour Relations Act to the farming industry.

The SAAU remains adamantly opposed to the Wage Act and the strike provisions embodied in the Labour Relations Act, and is still pressing for a separate piece of legislation for agriculture.

Government is being tugged in two directions on the issue by organised agriculture, which fears trade unions could abuse both pieces of legislation, and by Cosatu, which is demanding that farm workers should have the same rights as workers in other industries.
Planting the seeds for peace on farms

STARK choice confronts South African farmers: a future ridden with conflict and insecurity, or one where a system is in place which regulates disputes arising with their farmworkers. This was the strongest message to emerge from the country's first-ever farm labour law conference in Stellenbosch last week. Convened by the Centre for Rural Legal Studies (CRLS) it came days after the extension of the Basic Conditions of Employment Act to 1.5-million farmworkers.

The conference's message was not directed at those farmers who gathered at Poitchefstroom recently to bay their defiance of the Act, or any attempts to extend labour legislation to farmworkers. Rather, it was aimed at those farmers who are able to change.

The two days of presentations and debate carried messages for other players in the agricultural arena too. "Chief of these was directed at trade unions, industrial relations experts... and labour lawyers: put simply, it was that the nature of farms... producing highly perishable products and dependent on inconstant factors such as the weather and biological processes,... called for a different approach to that used in industry. Strategies that worked for trade unions on the shop floor could not be applied wholesale to farms, while industrial relations specialists and labour lawyers would have to develop new skills to meet the complexities of the agricultural scenario."

As Johan Hamman, of the CRLS, put it, farms could not be seen as "factories in fields" that could be switched on and off.

This in no way detracted from the need for collective bargaining on farms, Hamman said. But instead of a rigid labour relations model, agricultural production demanded levels of flexibility to cope with changing market and production conditions.

As Hamman pointed out, it was "a simple demographic reality" that, once all South Africans had the vote, the majority of rural voters would be farmworkers.

"Unresolved grievances... will constitute fertile ground for political mobilisation. Not only will this take labour relations into the political arena, political differences will have an impact on labour-management relations," he said.

For farmers, the message was that labour legislation was neither intended nor constructed to be used against them — but rather to set a framework for the regulation and resolution of conflict according to conditions prevailing on specific farms, and which would work to the benefit of both the farmer and his workers.

In some sectors, farmers are ahead of the law-makers. The deciduous fruit industry supports the extension of labour legislation — which, Unifrusco representative David Gant told delegates, would largely formalise practices already in place.

In an industry where labour was the largest single production input, economic performance depended heavily on the skills of its estimated 500 000 employees — hence the development of an industry code of conduct adopted a decade ago and expanding corporate social responsibility programmes, Gant said.

The Labour Relations Act — which unions want extended to farmworkers while farmers' would rather see a separate act — does not stipulate details of an employment relationship. Instead it provides for structures to deal with conflict. Discussion should focus on making the Act work, rather than whether it should apply to agriculture, Hamman said in his paper.

But making labour legislation work on farms presents the biggest challenge of all. Congress of South African Trade Unions general secretary Jay Naidoo's claim that the federation had organised 150 000 farmworkers was rebutted by Stellenbosch lawyer Dawie Bosch: "They may be signed up, but are not effectively part of a union which protects and informs them."

Labour legislation could not be extended or enforced without farmers' participation, Bosch said, and while the Department of Manpower was not fulfilling its monitoring role "even in the cities", the state could not be expected to achieve what farmers and their workers could not.

Keynote speaker Baldeem Velasquez, a former migrant worker who founded the Farm Labour Organising Committee (FLOC) which changed the face of farm labour relations in the American Midwest, offered a way forward.

Battle to win basic rights for migrant workers excluded from US labour law, FLOC took the creative step of focusing not on the farmers, but the multi-national companies who bought their crop. At the bargaining table, tri-partite agreements between farmers, the companies and workers were hammered out.

It took 25 years of organising, strikes and stand-offs — but migrant workers not only won security but a solid alliance arose between them and farmers, who found their bargaining power with the food companies significantly boosted by the agreements.

This new co-operation, coupled with incentive clauses, has seen productivity soar. "Unless people are made citizens and empowered around and within the economic institutions that affect their lives, no significant changes of lasting value will occur." South African agriculture would do well to take his seeds and plant and nurture them.
Labour laws give farmers a headache

SHARON SOROUR
Weekend Argus Labour Reporter

WESTERN Cape farmers are battling to apply a new labour law extended to the agricultural sector, but are open to the historical reform it has introduced to the sector.

According to Mr Johann Hamman of the Centre for Rural Legal Studies in Stellenbosch there is a lot of confusion among farmers, but there is no resistance to applying the Basic Conditions of Employment Amendment Act.

Mr Hamman said: "In the past week I have spoken to about 500 farmers, mostly from Paarl, Wellington and Stellenbosch, and generally, they are quite open to change and are not resisting implementing the Act."

However, Mr Hamman said the Act was often complex and confusing, especially around formalities like the keeping of records.

"The administration of the Act is part of the problem and some of the provisions seem to be impractical, such as, for example women farm-workers now considered permanent workers, where previously they were seen by farmers as casual workers," he said.

Other problems were being experienced by dairy and poultry farmers, who found that the time constraints of working hours set out in the Act were not suited to their sectors.

Limitations on Sunday working hours or spreadovers were problematic.
Help close at hand!

Book cuts away confusion over farm workers' rights.

Help is at hand for farmers who are anxious about applying the new agricultural labour law amid still ongoing confusion over farm workers' rights.

At the recent annual meeting of the Canadian Federation of Agriculture, a general insurance insurance agent, Jack Smith, said: "Farmers are concerned about the new law and its impact on their operations. It's important to have an insurance policy in place to protect against any potential risks."
Treated like slaves on farms

By DAN DHLAMINI

WHEN an employee at Lichtenburg's Heinwil Chicken Farm in the western Transvaal did not report for duty on July 3, he was allegedly later assaulted.

George Motladilele Dithabe was kicked and jumped on until he lay limp and was later removed by his fiance.

Dithabe never recovered from the assault. He died six days later in Thusong Hospital of his injuries.

Western Transvaal police spokesman Capt Petrus Ramatsoe said a white farmer had been arrested in connection with Dithabe's death. He said the farmer had been released on R200 bail and would appear before a Lichtenburg magistrate on Tuesday.

This is the third incident in three weeks where employees in the rural areas have allegedly been assaulted.

A similar incident occurred at another chicken farm near Potchefstroom where a white foreman is alleged to have stabbed a labourer in the chest with a knife.

John Maloganye claims he was stabbed during an argument after arriving at work late.

Maloganye, wounded on the left side of his chest, considers himself to be very lucky. Had the knife gone a bit deeper it could have pierced his heart.

Another farm labourer, 21-year-old Klaas Mofati of Bloemhof, may lose the use of his leg after he was shot.

Mofati, who was employed as a mealie reaper at R120 a month, told City Press that an argument developed when he and his five colleagues, who worked like slaves, wanted to rest. He was shot in the leg.

Mofati is in Tshepang Hospital where he is receiving treatment.

Police told City Press that the man accused of shooting Mofati had claimed the shooting was accidental. He said he had been shooting birds when he stumbled and fell and the gun went off, hitting Mofati.

The police said the man would be charged with the illegal discharging of a firearm.

The western Transvaal regional office of Lawyers for Human Rights condemned the slave-like treatment of farm labourers in the area.

ANC's western Transvaal region spokesman, Ranko Molefe, said his organisation condemned in the strongest terms the barbaric manner in which some farmers behave towards their employees.
Cape villagers fish for a better deal

Cape fishing communities, increasingly marginalised by the power of the commercial fishing sector, are beginning to organise themselves in an attempt to regain control over their livelihoods. UCT Environmental Advisory Unit's FARIEDA KHAN reports.

Cape fishermen... want to see more than just a labour resource for commercial fishing concerns

The Western Cape Unions of Fishermen (WCU), or the West Coast Fishermen's Union, represents the interests of fishermen involved in the pelagic sector. The WCU feels that fishermen and large fishing companies have been allowed to exploit fishermen and factory workers and to neglect their responsibilities towards them.

In last year's strike by crayfishermen, the WCU, together with the African National Congress, played a crucial role in bringing about a successful resolution of the strike.

The WCU has recently been involved in discussions with Oceana, the industry's largest employer, which has been locked in a dispute with striking fishermen and fish processing workers in Lambert's Bay for the past two months. Despite the efforts of the WU, Oceana has forced the fishermen to accept new contracts on the company's terms and, in addition, is planning to close its fish processing factory in Lambert Bay and relocate it to Sandy Point, south of St Helena Bay. The outcome of the strike is a victory for the crayfishermen's strike, which successfully resolved the contract issue, while Oceana undertakes to employ all the crayfishermen as full-time employees.

The unsuccessful resolution of the strike at Lambert's Bay underlines the political and economic vulnerability of fishing communities and the extent to which their lives continue to be controlled by the commercial sector. It also exposes the weaknesses of adopting a fragmented strategy of bargaining, in preference to a united strategy by unions representing all sectors of the industry.

While the WCU and the WCU are active among fishing communities, trade unions are not the organizational norm. Many fishing communities, while very closely knit, have not formed organizations to represent their interests. Increasingly, however, the necessity for such organizations is being realized, and small communities are fighting for their very survival through their associations.

Two such examples are the fisherman's associations in Eerstebrasie, on the estuary of the Olifants River on the west coast, and in Hout Bay, not far from Hermanus on the south coast. Both associations have applied for the support of their communities in the formulation of legislation affecting their livelihoods. Although these communities have successfully engaged the Department of Environmental Affairs and the Department of Environmental Affairs (DEA) at the University of Cape Town, they have only begun the process of highlighting community concerns at broader decision-making levels.

The DEA is also assisting the Hout Bay community in bringing to hearing of A commercial line fishing permit to the attention of the authorities. The system is widely perceived to be unfair and biased in favour of white, many of whom are recreational fishermen, and not dependent on fishing for their livelihood.

Fishing communities are being given a voice by the Fishing Forum, which was launched in May this year. The Forum, which hopes to address problems in the industry as well as contribute to the formulation of new policies, is a network of representatives from the ANC, the Foundation for Peace and Justice, the Department of Sea Fisheries, boat owners, established companies, the WCU and fishermen's associations.

The Forum is a logical extension of the workshops held last year by Johnny Basal of the ANC's development department. The workshops, which formed a part of the ANC's study of the fishing industry, were held in order to give the fishing communities an opportunity to discuss their concerns.

These initiatives, in addition to various discussions held with officials in the Department of Environmental Affairs and the Department of Sea Fisheries, have already begun to bear fruit. The extension of the quota system is one example. Social security benefits have already begun to be paid. The extension of the quota system to include community trusts in the white fish sector of the industry in March this year has gone some way to addressing resentment against the exclusion of the ordinary fishermen.

However, the extension of the community quota system to other sectors, such as the lobster industry, remains a formality. The problem is that only the Kalk Bay lobster fishing community has a community quota.

The Hout Bay community is involved in the fact that west coast quota holds, unable to fulfill their crayfish quotas last year, were allowed to do so in the waters around Hout Bay. They query why local fishermen, already hard-pressed, cannot be granted a community quota.

Judging by the work being undertaken by the fishing associations, and the concerns being voiced by the fishing communities themselves, it is clear that such factors as the continuing dominance of the commercial sector, the widespread poverty and political powerlessness of the fisherfolk, combined with the lack of broad-based involvement as decision-making levels, continue to be significant obstacles in the struggle of fishing communities to regain control of their livelihoods.
Dark Days in Donkerhoek

By Elias Maluleke

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Workers get a bum deal

BY FRED KHUMALO

WOMEN workers at a Natal poultry farm do not wear panties on the chicken breeding premises— and that's by official decree.

The stark naked truth came to light following the dismissal of about 400 workers when they demanded they be allowed to wear panties.

To check that rules are not broken, workers say male supervisors feel the women's bottoms daily.

National Chick Farms managing director Mike Walne said rules requiring workers to change clothes were standard throughout the poultry industry as clothing could be a possible source of germs.

Unusual

Walne found it surprising that workers were now questioning the unusual dress rule, which had been in operation for 12 years.

The Food and Allied Workers' Union confirmed the union had intervened and was demanding the unconditional reinstatement of the workers.

But the workers have refused to go back until the company agrees to scrap the unusual dress code.

On entering the breeding premises, the women take off their clothes— panties and shoes included— and get into specially designed short pants.

The Fawu official said the company rule was that supervisors were entitled to examine the women's private parts to ascertain the absence of the essential underwear.
A s the farmworker whets his scythe to reap the fruits of the new labour law, an irate farmer vows to bulk at the gains secured by trade unions. May 1 saw the extension of basic rights to farmworkers by the introduction of the Basic Conditions of Employment Amendment Act (BCEAA). Thousands of farmworkers employed by more than 60 000 farmers countrywide are now entitled to rights like paid sick, maternity and annual leave, maximum working hours and so on.

The Act makes no provisions for minimum wages or the right to strike. While trade unions heralded the Act as the first positive step towards the extension of labour rights to farmworkers, strong opposition from the farmers has since emerged.

Eight farmworkers in Zuurust have been dismissed for attempting to enforce their new rights. The president of the Transvaal Agricultural Union, Mr Dries Bruwer, has stated that his constituency will not implement the Act.

The South African Agricultural Union (SAAU) is now busy negotiating with the Government for a unique labour legislation that would cater specifically for farmworkers. “We decided that we would in future negotiate only on a basis of a single, amended act on labour legislation for farmworkers,” SAAU president Dr Boet Fourie said. He argues that present labour legislation is not suited to meet the needs of the farming industry.

Neil Coleman, spokesman for the Congress of South African Trade Unions (Cosatu), says: “There is no principled objection to a labour legislation designed to cater specifically for farmworkers.” Provided, Coleman says, the farmworkers are not deprived of the rights enjoyed by other workers.

It may be that such legislation is indeed desirable to meet the exigencies of the farming industry. However, the history of South Africa’s labour legislation does not tally with this view. It was only after the recommendations of the Wiehahn Commission that a black worker was statutorily recognised as an employee.

Even then farmworkers were left out in the cold with no statutory protection against abuses. Widespread exploitation and racism, often resulting in deaths, occurred in various parts of the country. It is not so much the contending interests of capitalism and trade unionism that instigate concern.

It is the farmers’ reluctance to part with years of cheap or free black labour which earned them huge profits. Farmers profitably exploited loopholes opened by the denial of rights now extended to farmworkers. The Act itself is still in its infancy and therefore too early to assess its pros and cons.

Nonetheless, it transpires that the noblest of intentions (if any) it was meant to serve are being stifled by the prejudice and intransigence of the conservative agricultural community. To imagine an equitable labour regime specifically suited to the farming industry in the face of entrenched interests of farming capital is extremely difficult.

It appears that the Government, in keeping with its transitional politics, has tried hard to assure trade union demands in pursuance of its broad objective of exciting credibility. There is an urgent need to ensure that farmers comply with the imperative provisions of the Act.

Mr Kebus Kleynhans, another SAAU spokesman, said many farmers viewed “unions negatively as a group of people having no regard for the economy of the country. As a result we are reluctant to allow trade unions to organise workers on farms although we recognised their right to do so.”

Another flaw is that, unlike the LRA, collective bargaining is not regulated by the new Act. Dispute resolution mechanisms like conciliation boards and industrial councils will thus not be available to farmworkers.

Coleman pointed out that this represented a backlog in the extension of labour rights to farmworkers.

It is cold comfort for a worker to secure rights which he cannot exercise. A right is a right precisely because it is exigible. Moreover, the Act affects the farm workers adversely in that specific clauses, enacted specifically to cater for farm workers, prescribe more maximum working hours compared to office and factory workers. One assumes that the legislature, by adding more hours for farm workers, tried to provide for that “uniqueness” to meet farmers’ demand for special legislation for farming industry.

What kind of legislation the farmers are looking forward to is still unclear. Coleman says the Act is not in line with international standards. The National Union of Farm Workers, an affiliate of the National Council of Trade Unions (Nactu), says the Act is inadequate.

Coleman says the Act is acceptable as a first step towards a comprehensive package that will ultimately see the Labour Relations Act and the Wage Act applicable to farmworkers as Cosatu agreed with Manpower Minister Leon Wessels.
Union denies PAC charge over workers

PRETORIA. — The South African Agricultural Union has dismissed as unfounded the allegation by Pan Africanist Congress president Clarence Makwetu that farmers abused their workers.

SAAU’s deputy director of general services, Kobus Kleyphans, addressed a press conference here yesterday.

Mr Makwetu on Monday accused “white farmers of age-old abuses on farm labourers and rural blacks”, which he claimed had aggravated the pain of “land dispossession suffered by black people in general.”

SAAU president Boet Fourie said his organisation was aware of media reports that the PAC was prepared to hold talks with organised agriculture to find a solution to attacks on farmers.

But the SAUU would react only after an official PAC invitation, he said. — Sapa.
A life of hard labour when child's play is out of reach

By MONWABISI NOMADOLO

CHILDREN as young as nine years old are being employed on potato farms in the congestive town of Bethal, in the eastern Transvaal.

They earn a wage of R40 to R50 each month.

After a thorough investigation City Press learned that some of the children had been "forced out of school by their employers" while some work permanently on the farms.

Those fortunate enough to attend the local farm school return to the farms to do manual work after class.

During the week, children work from 1 pm until 5 pm while on Saturdays they work from 8 am until 1 pm.

Child labour in SA is prohibited by law.

But one of the most concerning notes-

the farms included picking up potatoes and filling 10 kg bags or digging up potatoes left in the ground by the tractor during harvesting.

Slabber, who claims to have played with black children in his childhood days, said: "It is not unreasonable to employ the children from nearby."

He pointed out that people in the area were poverty-stricken.

"They are very poor. The children are helping their parents and thereby bring in more money."

Mkhalele countered that Slabber was cutting costs as extra accommodation would be needed to house and feed an adult workforce.

Slabber, who is fluent in the local Ndebele language, said he treated his labourers "well."

"Life on the farm unlike unemployed..."
A life of hard labour when child’s play is out of reach

BY MONWABISI KOMADOLO

Children as young as nine years old are being employed on potato farms in the conservative town of Boshal, in eastern Transvaal.

They earn a meagre R40 to R50 each month.

After a thorough investigation, City Press learned that some of the children had been “forced out of school by their employers” while some work permanently on the farms.

Those fortunate enough to attend the local farm school return to the farms to do manual work after class.

During the week, children work from 8 am until 5 pm while on Saturdays they work from 8 am until 1 pm.

Child labour in SA is prohibited by law.

But one of the most prosperous potato farmers in the area, Gert Slabber, confirmed he employed children on his farm, adding that “it was a light job done on a part-time basis.”

Slabber, faced by local blacks even on surrounding farms, said he was forced to employ the children because of “pressure from the children and their parents”.

He said he had tried to explain that child labour was illegal, but the children were persistent.

The illegal practice has been going on for the past three years, an informant told City Press.

Slabber, known by locals as “Mamandile”, is the owner of seven farms in Dikontle, which occupy many acres of land. He employs 150 labourers.

Unreasonable

Slabber claimed the children came of their own free will to his farms. However, it was alleged that Slabber frequently went to the local farm school to openly invited children to come to his farms.

He denied the allegations.

According to a spokesman for the Rural and Farm Association, Meshack Mkhathini, several teachers were allegedly intimidated by Slabber for withholding children and have subsequently contacted their lawyers for advice.

Mkhathini said Slabber was “exploiting the children because he contributed towards the school’s building costs”.

Slabber said children worked on the farm so that they could also earn some money to buy school uniforms.

“They help in the store room. In fact, it’s play for them, you know!”

On the contrary, children interviewed by City Press said their work on the farms included picking up potatoes and filling 10 kg bags or digging up potatoes left in the ground by the tractor during harvesting.

Slabber, who claims to have played with black children in his childhood days, said: “It is not unreasonable to employ the children from nearby.”

He pointed out that people in the area were poverty-stricken.

“They are very poor. The children are helping their parents and thereby bringing in more money.”

Mkhathini countered that Slabber was cutting costs as extra accommodation would be needed to house and feed an adult workforce.

Slabber, who is fluent in the local Sotho language, said he treated his labourers “well.”

“Here on the farm, unlike you people in Johannesburg, we live like a family. Colour is not important. When someone has died, we cry and pray together as a family.”

“Sometimes I promise to pay my workers R10, I give them R10 and not R9,95. But they must work for that R10,” a finger-wagging Slabber said.

Slabber alleged that he had been threatened by the local branch of the PAC.

When City Press visited his farm, Slabber and his wife, his two sons and a daughter-law were armed with sticks to the teeth with hand guns and hunting rifles.

While Slabber confirmed the abject poverty of the people in his area, he and his family live a life of luxury.

Boshal potato farms rose to notoriety in the 70s when appalling working conditions were exposed by the late doyen of black journalism, Henry Nxumalo, whose report in Drum magazine was later confirmed in an official inquiry.


She said her organisation was against child labour.

However, the matter would be referred to the Black Lawyer’s Association, she said.

She added that the farmer was breaking the law.

The society is also against the agricultural sector’s minimum age suggestion of 12 years old.

Loftell advised concerned adults in the area to report child labour cases to the Ministry Department.
Farmer’s dogs still terrorise populace

By MONWABISI NOMADLO

A BULKY farmer and seven other white men who allegedly assaulted a black woman and set a pack of dogs on her on May 8 have still not been arrested.

However, an East Rand police spokesman said police had already taken “wartime statements” from the farmer and his son regarding the incident.

Concerning the other six suspects, the spokesman said investigations were continuing.

She said the dockets would be sent to a senior State prosecutor who would decide whether to prosecute or not.

City Press has established that since last year three other people have been attacked by the dogs.

The farmer would not say how many dogs he owns, but he counted at least 15 when we visited the smallholding near Heidelberg.

A Vosloorus mother of five, Lush Gumede, was savaged by four of Henkie Groenewald’s dogs while riding home from work on her bicycle.

She claimed the attack was unprovoked and racist.

Groenewald, known as "Stibhogs" (fin) because he is a renowned puncher — spoke to City Press this week from his farm outside Vosloorus.

Groenewald said he had warned Gumede on numerous occasions not to trespass on his farm.

"I’ve even put a no entry sign on my farm, but that has been ignored," he said.

Groenewald denied Gumede’s claims that he assualted her with tennis and a slaambank and then set his dogs on her.

All he could say was that the area where Gumede was savaged by the dogs was his property and he did not want to be "prooked" on his property.

On an earlier visit to the farm accompanied by police — after spending 15 days in hospital — recovering from the attack — Gumede alleged that Groenewald refused to make a statement to the police and denied assaulting or even knowing her.

Gumede also said that Groenewald refused to accompany the police to the station police, allegedly telling them he was "too busy" to go and make a statement.

Groenewald did not respond when asked.

However, he did say he was prepared to appear before a magistrate who should decide on the matter.

Gumede denied that Groenewald had ever warned her.

She said the afternoon she was attacked was the first time she had ever seen Groenewald.

Betty Gumede, three other people have been savaged by the dogs described as “racist” by locals.

Mother-of-four Sophie Tuck, 56, said she was attacked by the dogs last year while working in the farm packing bottles.

"I was on duty that morning when the (unstalled) dogs suddenly attacked me," she said.

Tucked added that Groenewald was present when the attack took place but never said a word. Groenewald denied this.

"Groenewald accused me of provoking the dogs," she said, showing the scars still visible from the ordeal.

"How could I provoke the dogs after working there for 11 months and not being attacked before? He asked Uitenhage how I knew the dogs first. How dare I say that? They bit me!"

Tucked never reported the incident to the police.

She immediately stopped working for Groenewald, who was paying her R150 per month.

Asked about Tucks, Groenewald did not deny knowing her, but did not comment on why she was attacked by the dogs.

Another alleged victim was named as Yshonie Melrose of Vosloorus and Gumede’s co-worker at TPI’s Suikerbos Nature Reserve in Heidelberg.

According to Gumede, Melrose was attacked by the dogs last year while walking past Groenewald’s farm and later spent several days in hospital.

Another unsuspecting man, whose name we could not obtain, was rushing past the farm when attacked by the dogs last year.

According to informants, the runner’s left ear was ripped off.

Groenewald confirmed the incident but could not confirm that his ear was ripped off. He said he had just stood and watch while the dogs attacked. He rushed the man, he said.

On inspection, the path on which Gumede was attacked was not fenced.

Locals said they had been walking on the path, which Groenewald claimed was his property, for years.

“There was a police station here at first,” Gumede said, pointing at dilapidated buildings that once housed the police station.

“We used to walk here even when the police station was here, and they did not object.”

Groenewald’s farm has since been put up for sale. He did not disclose the reason.

“Tuck has R600,000, you can have it,” he said, his eyes hidden behind sunglasses.

Groenewald insisted he had a point to make and stressed: "This is my place and I don’t want to be disturbed."

He added that he had the right to allow or deny President De Klerk or Nelson Mandela to be on his farm.

"If I don’t want them here, I don’t want them here," he said.

Asked how many dogs he had, Groenewald answered: "Ninie hve, dier is merous as boids."

(Not many, there are more thieves than dogs).
No reward for ten years' hard labour

By DAN DHLAMINI

His reward for dedication, hard work, loyalty and long service was a near-fatal stab wound in the chest and dismissal.

This is what Jacob Maloganye, 46, a Potchefstroom chicken farm labourer for the past 10 years, realised this week.

To add insult to injury, when Maloganye reported the incident to Noric Poultry Farm manager Johnny Havenga, he was told that the director, John Fourie, had sanctioned his dismissal.

Maloganye, a father of six, who claims he was forced to work night shift for the past 10 years, miraculously escaped death when his white foreman, Cor Labuschagne, plunged a knife into his chest after an argument about being late for work.

Havenga told City Press that Maloganye was dismissed because "he did not listen to his white superiors".

Havenga said he had nothing to do with Labuschagne and Maloganye's problems.

Asked why he did not dismiss Maloganye before he was injured, Havenga said he was not a racist, but the labourer had "asked for it".

Lawyers for Human Rights' Abbey Dhavane confirmed Maloganye has sought help from them in regard to the alleged stabbing.

Maloganye said Labuschagne told him that he would not be arrested for killing a "kaffir".

Labuschagne confirmed having had a skirmish with Maloganye, but denied hurting him or making racist comments.

Western Transvaal police spokesman Lt J Degenaar confirmed the incident and said no arrest had been made and that police were investigating.
A shining example in Free State

By Musa Zondi

THE ORCULOUS OF THE Free State, a shining example of how workers and a farmer could relate:

It's not too late to change the system of farming as it was known at the time. He wanted the workers to make the changes. He wanted a system that provided "injunctions for contentment and keenness".

To give the workers a sense of belonging, he provided incentives that would encourage this. He built brick houses for the workers, each house had two bedrooms, a dining room, kitchen and a store. This is how it was intended, still today.

In his will he left money for the development of the farm. He left the farm to his children. He died in 1999. Today, his estate is still managed by his children.

For every Native employed with more than 15 years' service, the estate also received a bag of maize meal and a bag of rice and beans. For every Native employed with more than 15 years' service, the estate also received a bag of maize meal and a bag of rice and beans.

This is an example of how one person can make a difference. The estate is now managed by his children, but the legacy lives on.

**The Ssgen Foundation**

This space was made possible by the support of the Positive Development News Initiative, which seeks to document a unique development model that is evolving in South Africa where people from all walks of life — Business, Labour, Grassroots, Democratic Structures, Development Agencies and Civil Society organisations — are coming together in focused alliances, to play a powerful role in reconstruction and reconciliation to build a common future that will provide the foundation of a peaceful and prosperous inclusive society in this wonderful land of ours.

**Developers of this initiative are**

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**November 29, 1944, in the Farmer’s Weekly and is reprinted here with the kind permission of the author:**

You have a cow and you have a farm. You have a house and you have a home. You have a baby and you have a child. You have a wife and you have a partner. You have a car and you have a vehicle. You have a job and you have an income. You have a bank account and you have a savings. You have a salary and you have a wage. You have a credit card and you have a debt. You have a mortgage and you have a loan. You have a mortgage and you have a loan.

The problems which beset the farmer are created by the financial institutions that control his economy. He is forced to borrow money and pay interest on it. He is forced to sell his produce at a price lower than the market price. He is forced to buy his inputs at a price higher than the market price.

The farmer is forced to be a slave to the financial institutions. He is forced to be a slave to the economic systems. He is forced to be a slave to the government. He is forced to be a slave to the international forces. He is forced to be a slave to the war:

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More farm jobs a solution

ABOUT a quarter of the black labour force is without work, says the World Bank.

As a solution it calls for a shift to labour-intensive agriculture.

Its paper on the South African economy — prepared from informal studies — suggests a programme to transfer land to small-scale black farming. (14)

It also recommends a fundamental change in agricultural policies to eliminate distortions, such as subsidies on credit in the commercial-farm sector that are biased against small farmers.

Public works schemes would help job creation. So would encouraging the growth of small to medium-size firms (15).

The bank estimates that less than half of the black labour force holds a job in the formal sector (16).

Although subsistence agriculture in the homelands and the informal sector provide employment, about 25% of the labour force has no work.

The bank says informal-sector growth has only partly filled the widening gap between black labour supply and employment. "Unemployment has thus grown rapidly among blacks. In contrast, there was full employment among whites up to 1986, but since then white unemployment has grown significantly."

High investment between 1965 and 1991 failed to generate more jobs because of the corresponding increase in the economy's capital intensity. The work input among the unskilled has declined. Long travel distances of black workers is a possible reason for the decline. Another is the increase in mandays lost through strikes and industrial action.

By CHERILYN IRETON
Farmers need no longer plough labour law furrow

SHARON SOROUR
Labour Reporter

HELP is at hand for farmers struggling to comply with complex regulations arising from the extension to agriculture of labour laws governing unemployment insurance and basic working conditions.

In an attempt to ease confusion and assist farmers plough through intricate legal precepts, agricultural labour consultants Anton de Jager and Chandré Wild have developed a computer software package based on their recent book Farm Labour, a guide to basic labour law in the agricultural sector.

The extension of the laws — the Unemployment Insurance Amendment Act, and more recently, the Basic Conditions of Employment Amendment Act (BCEAA) — have forced farmers, workers and unions to familiarise themselves with contents and conditions.

"The administrative implications are vast and opportunity for error and contravention of the Acts is great, says Mr de Jager.

"When we wrote the book we realised it would be a problem for farmers to administer the law. For example, the definition of a wage in terms of the BCEAA, includes payment in kind (housing, food, clothing etc) and the farmer must, therefore, add 30 percent or R100, whichever is the greater, to the workers' cash remuneration."

He explained that the complications of unusual hours worked made administration difficult.

If farmers do not calculate wages correctly they are committing a crime in terms of the Act.

Mr De Jager said more than 25 percent of farmers were already computer literate and using hardware to help manage farms.

HELP FOR FARMERS: Labour consultant Anton de Jager, who has designed a computer software system to help farmers comply with complex labour laws extended to the agricultural sector early this year.

The software system, available in both languages, enabled farmers to create a database for their workforce by opening files on employees (with standard data like name, address, occupation, hours of work, cash remuneration, overtime, sunday time, meal intervals, Unemployment Insurance contributions, annual leave etc).

Data is fed into the system daily recording attendance, and automatically generating payslips. Queries about the workforce in general or individual employees and graphical analyses are also available.

"A farmer can, therefore, discover how much UIF has been paid, or is to be paid by himself and his workforce. If you had to calculate 0.9 percent of every wage for UIF it is complicated and time-consuming. The system streamlines the process."

"The graphical queries are useful because they give statistics which enable farmers to analyse overtime or Sunday wages. He can also call a graphic analysis to discover incidence of absence or sick leave abuse."

The BCEAA specified that farmers retained records for at least three years.

All administrative requirements in law were built into the system.

"The system assists farmers comply because it draws his attention to instances where he could be breaking the law," Mr de Jager said.

The book and the software system cost R699. The book is available separately at bookstores nationwide.
NEWS IN BRIEF

Cane farmers hit by crop losses

NATAL South Coast cane farmers were again facing heavy crop losses because of drought and pests, including Eldana borer infestation, it was reported yesterday. In the Umzimthu area the loss last year of R40m in cane-related income would almost certainly be repeated this year.

Award for Suzman

ANC president Nelson Mandela would deliver the keynote address at the national congress of the SA Jewish Board of Deputies in Johannesburg on August 21 when the Nahum Goldman Award would be presented to veteran politician Helen Suzman, a statement by the board said.

Concorde on safari

A CHARTERED British Airways Concorde will make the supersonic airline's first comprehensive trans-African journey to SA with a leisurely 17-day flight via Kenya, Tanzania, Zimbabwe and Botswana from October 23 to November 10. Ninety passengers, mostly Americans, will pay about R40 000 each for the trip, which encompasses some of the continent's most famous game reserves and ends with a Blue Train journey from Johannesburg to Cape Town.

Caption incorrect

A caption to a photograph depicting the handing over of a manuscript from the Seven Buildings Project to the National Housing Forum (NHF) in Business Day on Friday was incorrect in describing the people involved. Matthew Nell is the chairman of the Coordinating committee of the NHF and Saths Moodley is the senior co-ordinator of the NHF.


Tentative signs of recession's end

KELVIN BROWN

THE recession was showing some signs of bottoming out but the signs were still not strong enough to indicate a definite end to the downturn, economists said yesterday.

Various indicators had shown some improvement recently with real gross domestic product increasing in the first quarter. This was carried through as mining production, agricultural output and exports had all shown increases in data released over the past few months.

Standard Bank chief economist Nick Czypionka said the current improvement was more of a statistical nature due to the better gold price, the ending of the drought and the upturn in the economies of the US and the UK. However, he added: "We are not yet seeing it out on the street."

Other indicators that had shown some levelling out included motor car sales, manufacturing output and notes in circulation. Manufacturing production was up since the middle of last year and notes in circulation -- an early indicator of higher spending demand -- was also better.

Czypionka said a recovery would be visible only when the man in the street felt things were better, which would be reflected in an improvement in spending patterns. "This should occur when job security improves and people have more money in their pockets."

When SA gained greater access to overseas financial markets and the situation on the political front got better the economy should benefit even further, Czypionka said. "Until then the situation is unlikely to show definite signs of improving although there may be some bouncing back statistically."

UAL economist Dennis Dykes said although there were some signs of a turnaround it was difficult to tell if it was just a blip or a sustained increase. "The question is whether it will continue or be held to ransom by the political process."

The position of consumers was still not good as disposable income had been knocked by higher taxes and lower wage increases. He said the indicator to watch for was credit extension. "When consumer confidence picks up it affects demand for credit even before GDP."

Old Mutual economist Dave Mohr said the improvement in the primary sectors could suggest a flattening out in the recession later this year.

"In the past all sustainable recoveries in SA usually started with improvement in exports and the primary sectors."

Agricultural production was good but volatile as it was dependent on the weather while the mining sector was showing signs of improving. There were pockets of evidence that overseas demand was picking up.

Gold and platinum prices had improved, and this carried through to the steel and other markets.

The depreciation of the rand should also help improve exports in these and other areas.

The evidence indicated the economy could approach a turnaround this year with a slow improvement next year depending on what happened politically. However, there was little room for growth in the economy given current fiscal and monetary policies.

Farmers ‘must clear proposed labour laws’

ANY proposed labour legislation for agriculture would have to be cleared with farmers before implementation, Free State Agricultural Union president Piet Gous said yesterday.

"Government quickly talks to farmers, decides on its own what it wants to do and then calls it negotiation," he said.

At a congress Free State farmers had called for a referendum, or they would not accept new legislation, Gous said.

Chairman of the union’s manpower committee Japie Grobler said a forum had already been established to inform farmers about their legal rights and the changes they would have to make should comprehensive new legislation be adopted.

DIRK VAN EEDEN

The forum, with representatives of the Transvaal and Free State Agricultural unions, Nampo advisers, Bokop training centre and the Manpower Department, would also strive for better labour productivity.

Several information days were planned for farmers.

Gous said the Free State Agricultural Union opposed the planned legislation because it did not take into account the personal relationships between farmers and their workers, or the specific needs of agriculture.

He warned that many labourers would lose their jobs if a minimum wage was introduced. Farmers would not be able to pay higher wages and would rather mechanise.

The union was also opposed to legislation legalising strikes. A farm could be ruined if it was not worked for a week or two.

"A farm is not a factory that can be shut down. When it is planting season you must plant a plant, and a cow does not calve between eight and five either."

No other industry had provided housing and other social benefits for its workers to the same extent that farmers had.

Should strikes be legalised, farmers would have to allow unknown trade union workers on their farms.

Because they could not know all the trade union organisers, it would create a serious security risk.
Collective bargaining but no strikes

Deal struck on draft farm labour laws

Pretoria — The SA Agricultural Union and Cosatu have reached a breakthrough agreement on draft labour legislation for farm workers, making strikes illegal and arbitration of disputes compulsory, but allowing collective bargaining.

In a joint statement yesterday, the two organisations said manpower minister Leon Wessels would table the Agricultural Labour Act at the next session of Parliament. They expected the Act to reflect their agreement.

However, CP-linked Free State Agricultural Union president Piet Gous said last night the union suspected a government and Broederbond ploy aimed at appeasing the ANC before next year's election.

Until the regional agricultural unions had accepted the legislation at their congresses, due to take place over the next few weeks, it would not be enforceable. Gous also condemned the haste with which the SAAU was pushing the legislation.

"They say it is better to adopt the legislation before the ANC comes to power. But if the ANC is going to be a worthwhile government, its supporters, they will change it anyway." Gous.

SAAU deputy director Koos Kleyhans said talks had lasted about three years.

The proposed legislation would allow farm workers to participate in collective bargaining structures and provide legal protection — including protection from unfair dismissal. It would also facilitate the formation of trade unions.

However, no agreement had been reached on minimum wages. Strikes would be illegal and farmers would be able to fire striking workers.

Disputes would be subject to mandatory arbitration. Care had been taken in the drafting of the Act to ensure all arbitration could be heard as speedily as possible.

A special division of the Industrial Court would be set up to handle arbitrations. Divisions of this court, manned by chairmen who understood agriculture, would be based throughout the country and complemented by circuit courts.

Costs would be kept low and the courts would operate like Small Claims Courts in that no legal representation would be allowed. Parties bringing trivial cases to the courts would be penalised.

The proposed legislation was based on the Basic Conditions of Employment Act and the Labour Relations Act.

Kleyhans said Cosatu and the SAAU would try to reach agreement on the principle of a minimum wage.
Deal reached on farm labour draft law

Cape Town — The South African Agricultural Union (SAAU) and Congress of South African Trade Unions (Cosatu) have accepted a draft law that extends bargaining and union rights to farmworkers.

The agreement follows nearly three years of negotiation.

The draft legislation acceptable to both sides was handed yesterday to manpower Minister Leon Wessels, who said he would submit it to the Cabinet. He expected it to receive a sympathetic hearing.

Cosatu and the SAAU said the draft could be tabled in Parliament next month.

Lisa Seftel, campaign organiser for Cosatu, said: "We have agreed on an agricultural labour Act that extends the Labour Relations Act (LRA) to farmworkers, with additional provisions about special agricultural labour courts, plus more amendments to the Basic Conditions of Employment Act."

"Nothing, in our view, undermines workers’ rights. The SAAU and Cosatu also agreed to meet and negotiate on the National Manpower Commission (NMC)."

The NMC negotiations would include debate on the possible exclusion of agriculture from the definition of essential services in the LRA. They would also deal with union access to farms.

"We have agreed on certain limits on the right to strike," Seftel said. — Sapa.
New deal for farm workers

By Themba Molefe Political Correspondent

A HISTORIC agreement between employers in the farming sector and the Congress of South African Trade Unions was announced yesterday.

The agreement between Cosatu and the South African Agricultural Union is in the form of a draft Bill and provides for the Labour Relations Act to be extended to farm workers. To be called the Agricultural Labour Act of 1993, the new legislation would be tabled before Parliament in October.

In terms of the agreement, the SAAU and Cosatu will submit a joint request to the Minister of Manpower and the National Manpower Commission to establish a committee to investigate concerns of the agricultural sector and facilitate the implementation of the agreement.

A proposal to the Industrial Court will be forwarded for a special labour court to mediate between organised labour and employers in the sector.

The breakthrough was announced at a Press conference at the World Trade Centre by Cosatu labour law expert Mr Mike Mudlala, SAAU executive member, Mr Laurie Bosman and Mr Kobus Kleynhaans and Minister of Manpower, Mr Leon Wessels.

A culmination of three years of bargaining and involvement of the Independent Mediation Services of South Africa, the draft law proposes the extension of the Basic Conditions of Employment Act to farm workers.
COSATU said yesterday it saw the planned Agricultural Labour Act as an interim measure.

The trade union federation justified its acceptance of the new legislation by saying that it at least provided basic rights to workers.

Cosatu negotiator Mike Madala said the organisation did not have sufficient membership clout in the sector to push for greater rights. Cosatu has about 180 000 farm worker members in three unions — the Food and Allied Workers’ Union, the Southern African Clothing and Textile Workers’ Union and the Paper, Printing, Wood and Allied Workers’ Union.

However, plans were afoot to consolidate these into one farm labour union by June 1994 as Cosatu affiliates had agreed in principle to establish a single union. A co-ordinator would be appointed soon to facilitate this, Madala said.

He said the federation would push for a single statute covering all workers and one labour department dealing with both public and private sector employees. The integration of statutes was a priority for Cosatu.

He said the federation would also dispute the essential service definition given to the industry. Meanwhile Cosatu would continue recruiting in the sector as the SA Agricultural Union had agreed to clauses granting access.

DIRK VAN EEDEEN reports that the Centre for Rural Legal Studies said in a statement yesterday that the tag of unfair labour practices, which had hung around the neck of the agricultural sector, was now removed.

But it was now up to farmers and farm workers to make it a reality, said the group.

The provision that future changes to the Labour Relations Act and the Basic Conditions of Employment Act would apply to the Agricultural Labour Act was unfortunate as these Acts were outdated and would be amended in the next two years.

The ban on strikes might be lamented and opposed by farm worker unions, while farmers might find compulsory arbitration an intrusion into the employment relationship.
Tvl farmers set to defy labour act

Own Correspondent
PRETORIA. — Transvaal farmers were likely to reject the recently proposed Agricultural Labour Act at their annual congress this week, Transvaal Agricultural Union (TAU) president Mr Dries Bruwer said.

The TAU would probably adopt a resolution calling on members to defy the legislation, which would probably be passed by Parliament next month, he said.

Mr Bruwer said Transvaal farmers were on record as saying they did not want any labour legislation.

Agricultural observers agreed at the weekend the congress here on Wednesday would generate heated debate regarding labour legislation, farm security and land redistribution.

The farmers were also expected to reject SA Agricultural Union recommendations that no politicians be elected to the boards of provincial agricultural unions.
Farmers likely to reject new labour law

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Agricultural observers agreed at the weekend the congress in Pretoria on Wednesday would generate heated debate, particularly on the questions of labour legislation, farm security and land redistribution.

The farmers were also expected to reject SA Agricultural Union recommendations that no career politicians should be elected to the boards of provincial agricultural unions. Bruwer, a CP MP and senior Afrikaner Volksfront member, said he would be available for re-election.

At the Free State Agricultural Union's annual congress held in Bloemfontein this month, farmers resolved to resist an ANC government in the region, particularly on the grounds of the ANC's "communist land policy". Bruwer said Transvaal farmers were likely to follow suit.
UIF period of grace extended

PRETORIA. — The nine-month period of grace allowed for employers in the agricultural sector to register with the Unemployment Insurance Fund has been extended by two months until November 30. In a notice in Friday's Government Gazette, Manpower Minister Mr. Leon Wessels said interested parties were invited to make written submissions on the matter to the director-general of manpower before October 15.
New terms for farm labourers

By BARRY STREEK
Political Staff

OVERTIME pay, two weeks' annual leave and maximum hours of daily work for farm labourers are to be introduced for the first time in terms of a new bill, which was published yesterday.

The Agricultural Labour Bill will extend the provisions of the Labour Relations Act and the Basic Conditions of Employment Act to these workers, who until now were not protected by industrial law.

The Department of Manpower said in a memorandum, attached to the bill, that the measure was the result of talks between the South African Agricultural Union and Cosatu.

The extension of the Basic Conditions of Employment Act would also provide for meal intervals, payment for work done on Sundays and public holidays, certificates of service, the prohibition of victimisation, employment termination procedures and records to be kept by employers.

The extension of the Labour Relations Act meant the agricultural sector would be subject to investigations by the National Manpower Commission and that employers’ organisations, trade unions and industrial councils can be registered.

Provision has also been made for an agricultural labour court.
proposes leave for farmworkers • Two policemen in the d

Farm labour boost

DRAFT LEGISLATION TO EXTEND labour relations and employment conditions to include the agricultural sector was published yesterday.

The Agricultural Labour Bill provides for the Labour Relations Act, 1956 and the Basic Conditions of Employment Act, 1983 to apply, with some amendments, to agriculture.

This includes:
- Investigations and recommendations by the National Manpower Commission;
- Registration of employers’ organisations, trade unions and industrial councils;
- The industrial court and the labour appeal court will also be competent to decide matters regarding the agricultural sector;
- Conciliation boards will also be able to settle disputes between employers and employees in agriculture;
- Disputes can be finalised through arbitration or mediation;
- Industrial council agreements for the agricultural sector;
- Labour brokers;
- Lockouts and strikes in the agricultural sector, but subject to compulsory arbitration;
- Provision for an agricultural labour court to decide disputes regarding, among other matters, unfair dismissals;
- When the industrial court makes an order regarding reinstatement or the payment of compensation, it must take the specific farming situation into account;
- Inspectors and designated agents must give farmers prior notice of intended inspections;
- The determination of the maximum ordinary daily and weekly hours of work, and of the spread-over for: meal intervals, payment of overtime and for certain work performed on Sundays, payment for work on certain public holidays, 14 days’ annual leave, termination of employment contract, certificates of service, prohibition of victimisation, records to be kept by employers.

The Bill also provides for: defining “seasonal worker”, resulting in annual leave provisions not applying to such workers and that under certain circumstances a certificate of service may be issued to them, inspections by inspectors of the Department of Manpower after prior notice to the farmer.

According to an attached memorandum, the Bill is the product of numerous discussions between the SAAAU and Cosatu at which full consensus on its contents was reached. – Sapa.

Wits and Sasco deadlock

NEGOTIATIONS between University of the Winelands and South African Students’ Congress deadlocked yesterday morning with both sides digging their heels in on the issue of violence on campus.

The university authorities have demanded a public retraction of Sasco’s commitment to violence.

On Sunday, Sasco issued a statement threatening student action if its demands were not met. In the statement, Sasco said it did not condemn “student action” on campus.

Deputy vice-chancellor Professor June Sinclair said Sasco and the Students’ Representative Council refused to retract its commitment to violence.

The Sasco statement followed assurances last week that the organisation did not condone violence.

Nearly crushed

About 60 Congress of South African Students members yesterday covered the university’s concourse with rubbish in their “Operation Litter” campaign.

Moving along the corridors of Senate House, the students were nearly crushed as they panicked and ran towards exits when members of the Internal Stability Unit wielding batons entered the building.

Teargas was not used and no shots were fired by the ISU members, who arrested one student.

Earlier, Sasco members said they would continue with class boycotts, “Operation Littering” and “other forms of mass action never seen before at the university”.

The announcement followed a deadlock in negotiations between university authorities and Sasco on a list of student demands. – Sapa.
Breakthrough as farmers and Cosatu agree on union rights for workers

THE South African Agricultural Union and the Congress of South African Trade Unions have reached a breakthrough agreement in Cape Town on a draft law that extends bargaining and union rights to farm workers.

The agreement comes after nearly three years of interrupted negotiations.

The draft legislation acceptable to both sides was handed to Manpower Minister Leon Wessels yesterday.

"I am overjoyed that the SAAU and Cosatu have managed to achieve consensus on extending labour legislation, particularly the Labour Relations Act, to agriculture," Mr Wessels said.

He would submit the draft law to the cabinet as soon as possible and, said he expected it to get sympathetic treatment. Cosatu and SAAU spokesmen said the draft could be tabled for enactment in the short session of parliament in September.

SAAU's campaigns organiser Lisa Settel said intense mediation had culminated in the agreement.

"We have agreed on an agricultural labour Act that extends the Labour Relations Act to farm workers, with additional provisions about special agricultural labour courts, plus more amendments to the Basic Conditions of Employment Act," she said.

"Nothing, in our view, undermines workers' rights. The SAAU and Cosatu also agreed to meet and negotiate on the National Manpower Commission." The NMC negotiations would include possible exclusion of agriculture from the definition of essential services in the Labour Relations Act. They would also deal with union access to farms.

"We have agreed on certain limits on the right to strike, our major concession."

SAAU deputy director Robus Kleynhans said all six provincial farmers' unions and the National Wheat Producers' Organisation had approved the negotiated compromise.

"Neither party achieved precisely what they wanted, but have agreed to a package which can be taken back to their respective constituencies for approval.

"We thought we had hit an unbreachable deadlock late on Friday, thinking it was the end of the road.

"But one of the two facilitators, John Brand, remarked that no road has an end. That was our approach, never to accept a final obstacle." — Sapa.
Farmworkers' rights agreed

PRETORIA. — The South African Agricultural Union (SAAU) and Cosatu have reached agreement on draft legislation extending collective bargaining and other rights to farmworkers. Proposed legislation would make arbitration of disputes compulsory, rendering industrial action unlawful, but no agreement on a minimum wage was reached.

In a joint statement yesterday, the two organisations said Manpower Minister Mr Leon Wessels would table the Agricultural Labour Act at the next session of Parliament. The parties said they expected the minister to ensure the legislation be enacted as agreed.

However, Conservative Party-linked Free State Agricultural Union president Mr Piet Gous said that until the regional agricultural unions had accepted the legislation at their congresses, scheduled to take place over the next few weeks, it would not be enforceable.

SAPA reports that SAAU deputy director Mr Kobus Kleyhans said Cosatu and the SAAU would continue to meet and would try to come to an agreement on the principle of a minimum wage within 12 months after the act had been promulgated.
Farmers stall on draft labour law

BLOEMFONTEIN — Free State farmers refused to accept the draft Agricultural Labour Bill at their annual congress yesterday until they had studied it.

The Free State Agricultural Union had resolved at its two previous annual congresses not to support any form of farm labour legislation until it had been accepted by farmers in the province, union president Piet Gouws said yesterday.

Heated debate followed the introduction of the topic yesterday. Speaker after speaker made it clear they were opposed to any form of legislation, particularly under an ANC-led government.

However, Gouws said he was sure the farmers would accept it at a special "mini-congress" within the next two months.

In his introductory speech, Western Cape Agricultural Union president and chairman of the SA Agricultural Union's labour law negotiations team, Chris du Toit, said farmers did not want labour legislation. However, they had to accept that it or the more stringent Labour Relations Act and Basic Conditions of Employment Act would be made applicable to agriculture.

Farmers warned they would have to dismiss many of their workers should a minimum wage be introduced. Du Toit, however, said this would not happen as the Bill did not provide for a minimum wage.

Farmers also expressed concern about the possibility of illegal strikes and the financial implications this would have.

Du Toit said: "Farmers are not prepared to subject themselves to others' whims in the name of affirmative action."

Meanwhile, Bophuthatswana president Lucas Mangope said communism was the commercial farmer's worst enemy.

At the congress, he said unless South Africans were extremely careful, they faced a central government dominated by communists.

"It is a matter of record that the individuals who wield the real power in the ANC owe their first loyalty to the SACP."

"Free and fair elections could not be held in the current climate of violence and intolerance."

The April 27 date had been sold by the ANC and government on the basis that it would stem violence. The statistics proved the opposite had happened.

The violence SA experienced was not a natural phenomenon of change, but revolutionary chaos paving the way for total regional collapse and seizure of power by the masses.

Mangope said the present negotiations council had to determine boundaries and powers and write a final constitution.
New farm law: Something for everyone

After three years of tough negotiations, organised labour and agriculture have agreed on a statute to cover farmworkers, writes Ferial Haffajee

In a move that could put Kempton Park negotiators to shame, organised labour and agriculture have hammered out a labour statute that provides protection for the country's 1.3-million farmworkers.

Concluding three years of often arduous negotiations, the Congress of South African Trade Unions and the South African Agricultural Union announced that the Agricultural Labour Statute of 1969 will be tabled at the next parliamentary session.

It is a pinnacle of negotiation politics including something for everybody with no clear victors or vanquished. The farmers wanted a separate statute for agriculture: they got it. Cosatu said farmworkers were entitled to the same legal protection as other workers: they got it.

The statute, though separate, includes almost the entire Labour Relations Act (LRA) in its first chapter, while the Basic Conditions of Employment Act as extended to farmworkers in May this year makes up the second chapter of the statute. Both are amended for the peculiarities of farming operation like seasonal work, spreadovers (flexible working hours) and payment for Sunday work.

The major break with the LRA is the provision for compulsory arbitration and the establishment of a special labour court.

The new agreement is in some ways a policy climbdown for Cosatu which had, until last week, clung steadfastly to its principle of a single labour statute for the country.

But Mike Madlala, who heads Cosatu's farm labour negotiators, said the agreement was the only way to break the deadlock of two years. He pointed out that organising workers into trade unions will be made much easier by the provision in the draft law which guarantees union access to farms. "It is also important in the run-up to elections," he said.

Labour lawyer Paul Benjamin says the compulsory legislation clause is slightly unusual and means the sector is considered an essential service. This clause ensures that there will be no right to strike in the sector.

He adds: "It is far better to have a single Act with chapters for special areas. This creates real splinters."

Cosatu says the statute is only a deadlock-breaking mechanism and not a permanent measure. The federation remains committed to "one body of legislation", says general secretary Jay Naidoo.

For this reason, the parties have agreed that a committee be set up at the National Manpower Commission (NMC) to consider the special interests of the agricultural sector.

The vision of Cosatu and the NMC is a single statute with different chapters for special sectors like the public sector, farming and domestic work.

Naidoo: "Not a permanent measure"

And, in a separate development this week, the NMC proposed wide-ranging changes to the LRA in a draft Bill.

The Act could soon be stripped of the provisions which prevent trade unions and employer organisations from funding or affiliating to any political party.

If the Bill is passed, it could make the country's governing Labour Act more accessible.

The proposed changes go a long way to ironing out the anomalies and problems that have made the Act rather cumbersome and unwieldy.

If the LRA clause outlawing political funding by union and employer organisations is deleted, it will be replaced by a clause preventing the funds from closed shop agreements being used for party political ends.

Other changes to the LRA include the publication of a code of fair labour practices, a new section explaining how to determine an unfair labour practice as well as the introduction of a system of precedents in the industrial courts.

This will help "in the development of a consistent body of labour law", according to the NMC.
Farmers, workers say yes

RIGHT-WING farmers in the Transvaal and the Free State could still throw a spanner in the works when it comes to implementing the recently sealed agreement on farm labour by the South African Agricultural Union (SAAU) and Cosatu.

The agreement, after three years of negotiations between farmers' representatives and the trade union umbrella, lets farm workers make use of collective bargaining and other rights and is to be included in a Bill on agricultural labour to be introduced in next month's parliamentary session. This was announced by Minister of Manpower Leon Wessels this week.

Parts of the Basic Conditions of Employment Act and the Labour Relations Act are included in the new Bill.

Informed opinion is that the minister will go ahead with it, in spite of objections, on the grounds of sufficient consensus.

The agreement has been hailed as a landmark in negotiations between radicals of the right and the left—the farmers and the activist trade unionists.

It followed a conference on farm labour held recently at Stellenbosch at which representatives of Cosatu and the SAAU agreed to re-open talks and which stalled because there could be no agreement on collective bargaining and other rights for farm workers, historically the most overworked and underpaid in the country.

Negotiations were conducted by Independent Mediation Services of South Africa (IMSSA), with lawyer John Brand and Piet van der Merwe, former chief director of manpower, as brokers.

However, there was an apparent stalemate between the SAAU and its affiliated regional unions in the Free State and Transvaal.

Free State agricultural union president Piet Gouws said recently that until the regions had accepted the agreement at their congresses, it would be unenforceable.

This week the Free State union declined to endorse the agreement at its congress, resolving that individual farmers could decide for themselves.

And there are signals that the Transvaal Agricultural Union, which has strong links with the Conservative Party and other right-wing groups, could reject the agreement outright at its coming congress.

A landmark agreement between farmers and trade unionists is likely to become law in spite of objections from right-wingers.

JEAN LE MAY
Weekend Argus Reporter

However, the SAAU is at present showing a brave face.

"Even if the Transvaal congress rejects it, both unions are in fact bound by the agreement because they were represented at the negotiations," said SAAU deputy director Kobus Kleyhans.

"I don't feel the situation is as bad as it is made out to be. I am told by people on the ground that there is in fact a great deal of sympathy among farmers, both in the Free State and in the Transvaal, for the agreement."

"The other four regional unions affiliated to the SAAU have not objected."

However, the Centre for Rural Legal Studies in Stellenbosch has reservations.

"It is hoped that none of the central parties will backtrack, as has happened in the past," said a statement this week.

As for the agreement itself, Mr Kleyhans told Weekend Argus that the negotiations had been successful "because, in a way, both sides won."

"We succeeded in persuading Cosatu to yield on the strike issue and on a separate labour act for farm workers. They also agreed to delay a wage determination which would lay down a compulsory minimum wage. This alone takes off a lot of pressure."

"Cosatu succeeded in persuading us that farmworkers should have the right to collective bargaining in a trade union and to fair labour practices."

"Another step forward is that workers and employers will now have access to a new quick, cheap and accessible special labour court."

He confirmed that the agreement was largely an interim measure and that negotiations would continue.

The strike issue was avoided by agreeing to classify agricultural work as an essential industry, which means that workers and employers must go to compulsory arbitration instead of strikes and lock-outs in case of dispute.
Farmer fined for shooting schoolgirl

HENRIETTE GELDENHUIS
Weekend Argus Reporter

A VILLIERSDORP farmer who injured a 13-year-old schoolgirl when he fired a shot from his double-barrelled shotgun in the belief that he was hunting strawberry thieves, has been fined R1,500 (or four months' imprisonment) in Paarl Regional Court for the negligent use of a firearm.

The court found that a Standard 5 pupil at Kosie de Wet Primary School in Villiersdorp, her six-year-old sister and a five-year-old friend were running away from Ludwig Engelke, of Klein Lushof, when he fired the shot, hitting her behind the ear on October 4 last year.

Engelke, who owns five firearms, could keep his firearm licence, the court ruled.

Engelke said he was "standing guard" at his strawberry field when he heard a noise and started running towards it.

"When I saw a child's shoe in the road I started running and I loaded the gun. Then I saw the two young ones running and screaming and I fired a shot. I again heard someone screaming. Then it was dead quiet," he said.

Although Engelke denied having seen the injured girl, he admitted during cross-examination by prosecutor Ian Forbes that he had no control over the pellets he fired, that they were more powerful than buckshot and that they could have killed someone.

Engelke, who was also sentenced to six months' imprisonment suspended for five years, conceded that the children were not on his strawberry field at the time.

When he told the court he fired a warning shot to keep them away from his strawberries, the magistrate asked him why he did not think of shouting instead. He conceded that he should have aimed higher and had not considered the possibility of pellets ricocheting.

An ANC volunteer organiser in rural areas, Sandra Hayden, assisted the girl.

The magistrate called the girl to the Bench to show the scar she was left with after a failed attempt to remove a pellet from behind her ear.

She testified that she saw Engelke standing next to his bakkie with his shotgun in his hands and started running when she saw him coming towards them "because I thought he was going to shoot!"

She fell screaming when she was shot.

She had never stolen strawberries from his field and he did not warn her and her friends before firing at them.

"Afterwards I didn't feel well enough to go to school. My head was spinning and my eyes were watering."

She said she was shot on the last day of the October holidays.
Farmers defiant

TRANSGAAL Agricultural Union president Dries Bruwer said the organisation was likely to reject the draft Agricultural Labour Act agreed between Cosatu and the South African Agricultural Union earlier this month.

The union was likely to approve a resolution calling for members to openly defy the provisions of the legislation, he said.
After shooting, girl, 13, Farmer fined R1 500

Shot: Jololuke Patrick's 13-year-old daughter shot by a farmer who fired shots to disperse a group of 13-year-olds.

PHOTO: Vuisile Mokhele

By Bongani Mngomezulu

September 2 to September 7, 1993
Bill to protect farm labourers

CONTROVERSIAL draft legislation to extend labour relations and employment conditions provisions to the agricultural sector was published this week.

The Agricultural Labour Bill provides for the Labour Relations Act, 1996 (LRA) and the Basic Conditions of Employment Act, 1993 (BCEA) to apply, with some amendments, to agriculture.
Bills aim to reamend laws for farmers, domestics.
DE KREIT, Downplaying the Reality of Joint Control

and the key, the key,

We have downplayed the reality of joint control. The ANC's strategy was to downplay the significance of joint control in order to avoid a confrontational approach. However, we must recognize that joint control is a significant factor in the workers' struggle for rights and democracy.

We are facing new challenges in the workplace. The ANC's priorities have shifted from the struggle for liberation to the struggle for development. This has led to a decrease in the morale of workers and a lack of support from the ANC. The ANC must take action to address these issues and ensure that the workers' rights are protected.

The ANC has a responsibility to the workers to ensure that their rights are protected. The ANC should not downplay the reality of joint control, but rather recognize it as a significant factor in the workers' struggle for democracy and rights.

The ANC should take action to address the issues facing the workers and to ensure that their rights are protected. The ANC should also work with the workers to ensure that their voices are heard and that their concerns are addressed.

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Tawane did not pledge $10m to ANC

Farms not to protest in plan to withdraw

canvassing of workers

Farms told not to protest in plan to withdraw

canvassing of workers
The President of the Union, Mr. J.J. Ramotswa, has decided to introduce a Bill to the House of Assembly, which will be discussed on Wednesday. The Bill will deal with the issue of pensions for civil servants.

The Bill is expected to provide a framework for the payment of pensions to retired civil servants. The government will be responsible for the administration of the scheme, and the pensions will be paid from the State's Treasury.

The Bill will also address the issue of pensions for civil servants who have retired before the scheme was introduced. These pensions will be calculated based on the length of service and the salary earned during the period of employment.

The Bill is expected to be debated in Parliament on Wednesday, and the government hopes to have it adopted by the end of the week.
They keep a still tongue

LuLu Mokane was only one or two days old when her mother left her with her grandmother. She was not dumped because she was unwanted; her mother was not allowed to go on maternity leave.

Before she could learn to walk, her mother died, leaving Mokane and eight other siblings with their father at the western Transvaal Bushbuckridge rural settlement.

Mokane said her sisters had to drop out of school and look for work on Randfontein's vegetable farms to augment the family income. She joined them when she was 13, earning as little as R30 a month.

In her new job at a Randfontein farm, Mokane works nine hours seven days a week and earns R300 a month. She lives on the farm and gets only one day off a month.

Mokane is one of thousands of farmworkers countrywide who work under the severest of conditions but do not dare complain for fear of dismissal. Their stay on the farm depends on their employment.

Until recently, farmworkers were not protected by any law.

This is about to change with the tabling in Parliament this week of the Agricultural Labour Bill. When it becomes law, farmworkers will be guaranteed some rights like sick leave, maternity and annual leave; maximum working hours will be stipulated and the issue of overtime pay will be addressed.

THOUSANDS of farm labourers work under appalling conditions but dare not complain. A Bill being tabled this week will change this. Abdul Milazi reports

The Bill includes most of the provisions that are found in the Labour Relations Act and the Basic Conditions of Employment Act. These two laws have been amended in their application to farmworkers to accommodate the special circumstances of farming like seasonal work, flexible working hours (spreadevers) and payment for Sunday work.

One major difference between this new Bill and the Labour Relations Act is that, to discourage or stop strikes, there is compulsory arbitration in a case of a threatened farmworkers' strike and there is a special labour court for farming matters. The Bill makes it very difficult for agricultural workers to down tools.

The Bill follows a landmark agreement between Coasa and the South African Agricultural Union after three years of tough negotiations.

Coasa general secretary Jay Naidoo said his union had to trade off the farmworkers' right to strike to break the three-year deadlock.

Transvaal Agricultural Union spokesman Laurie Bosman said although farmers were initially opposed to the law because of issues like the minimum wage and the right to strike, the new Bill met the union's bottom-line requirements.

But, on the ground, has anything changed? Farmworkers — including Lulu Mokane — interviewed in Randfontein, Tarlton and Krugersdorp were not aware of the new law, but they said they were excited about the prospect of being able to join trade unions for the first time.

To them, unions meant better wages and an end to exploitation.

Solomon Molote (25) is another disgruntled worker who thought the new statute was a "blessing from above".

Every day at 7 am for the past year, Solomon is at his boss's stall selling vegetables and fruit to passing motorists, and he is still considered a "temp". He supports his two sisters and their six children on his R80 weekly wage.

Molote said: "I think the new legislation will help us a lot. There is a lot of exploitation on the farms."
Relief for farmhands

By Ismail Lagardien

The provisions of the Basic Conditions of Employment Act will be extended to domestic and farmworkers as soon as Parliament has passed the enabling legislation. The enabling legislation for farmworkers, the Agricultural Labour Bill, was tabled in Parliament yesterday. Domestic workers have been included in the jurisdiction of the Basic Conditions of Employment Act. They and domestic workers will, among other things, be protected from working long hours without compensation, work fixed daily and weekly hours, have regular meal times, receive annual leave and receive certificates of service and notice of termination of service.
Fowl play, claim poultry farm workers

By FRED KHUMALO

It all started with panties - but the row at a Natal poultry farm has escalated - the 400 workers who were fired in May are now staging strikes outside shops selling the panty-free chicken products.

The battle between female workers and their employer National Chick Farms started when the workers went on strike because they were forced to strip off their underwear when they entered the poultry farm premises.

National Chick Farms managing director Mike Walne has said that rules requiring workers to change clothes were standard throughout the poultry industry as clothing could be a possible source of germs.

The order that no panties be worn has sparked a huge legal battle, with Fawu (intia) on forcing management, through the courts, to reinstate the workers.

As the legal wrangles rage on, the union has now started a determined protest campaign aimed at bringing the chicken processing firm to its knees.

Since last week, hundreds of workers have been picketing outside Maritzburg supermarkets and butcher shops.

Fawu spokesman Mike Masondo said: "Fawu has been trying to re-open negotiations but the company is refusing to budge. Our strike committee will also launch a national campaign to picket firms in other towns which sell the company's products."

Angry strikers recall how they had to take off their panties and wear T-shirts and men's shorts, which had the pockets removed.

Ningi Shange, one of the dismissed workers, said she had not been allowed to wear underwear during the four years she had been with the company.

Walne said: "It is very necessary to keep poultry free from diseases."

He said he found it "surprising" that it was only now workers questioned a dress rule that had been in operation for the past 12 years.

Workers claim they were not allowed to wear panties even while menstruating.

The employers, they said, insisted that they had to somehow hold their sanitary pads between their thighs while they still had to suffer the indignity of having supervisors examine them to see whether they were wearing panties or not.
Advice centre to be liquidated

MORE than 200,000 people in the rural areas will be left in the lurch when the Rural Advice Centre is liquidated on Tuesday.

The cash-strapped, non-governmental organis-ation has applied for liquidation following unsuccessful attempts to raise funds.

Financial director Rob Lewis said the centre needed about R1.5 million for the remainder of the year.
Cosatu’s election pledge on farm and domestic workers

SHARON SOROUR
Labour Reporter

COSATU is to ensure that the plight of farmworkers and domestic workers will be high on the agenda of the alliance in the run-up to the elections, and when an interim government is in place.

Commenting on the tabling in parliament of legislation extending basic worker rights to farmworkers and domestic workers, Cosatu said although the rights were limited, if they were to be implemented effectively workers would need organisational protection.

The Department of Manpower should be restructured to ensure the “proper enforcement” of hard-won labour rights, Cosatu said.

The 1.2-million strong workers’ federation said the extension of the Basic Conditions of Employment Act (BCEA) to domestic workers would be an important step towards their full protection in law.

"While the provisions in the BCEA are very limited, they are important in that they provide for protection around working hours, overtime, annual leave, sick leave and public holidays, deductions, and use of child labour.

"The BCEA also prohibits employers from victimising workers for union membership or activity," Cosatu said in a statement.

Ultimately workers would be covered by the Wage Act, which provided for minimum wages, and the Labour Relations Act, which provided organisational rights.

The Agricultural Labour Bill, the product of negotiations between Cosatu and the SA Agricultural Union, extended labour rights to farmworkers in the form of the BCEA and the Labour Relations Act.

"While farmworkers will now be covered by compulsory arbitration in the event of disputes, Cosatu regards the definition of agriculture as an ‘essential service’ as an interim arrangement subject to further negotiations."

Key issues yet to be negotiated include:

- The details of trade union access to farms, which the SAU had agreed to in principle.
- The extension of the Wage Act to farm workers within a specified time frame.
- The setting up of a bargaining forum/forums in the agricultural sector.
- The harmonisation and consolidation of agricultural labour legislation and labour legislation in general.

Cosatu did not believe that a separate statute for the agricultural sector should become a permanent feature of labour legislation.

Cosatu was compiling a programme to ensure that farmworkers were fully informed of their rights.

"Formal recognition of these rights in itself will not have any impact unless farmworkers organise themselves to enforce these rights."
Shootings: Farmer sentenced

Supreme Court Reporter

PHILIPPI farmer Godfrey Bock who shot dead two potato thieves and wounded two others was sentenced to two years' house arrest by the Supreme Court yesterday.

The house arrest would be enforced from 5pm till 6am daily and in addition Bock, 68, was sentenced to two years' imprisonment conditionally suspended for five years.

Instruction

Bock must also render 24 hours of community service a month for 12 months at the Farm Patrol Office and must undergo instruction on when and in which circumstances one may use a firearm.

Bock may not leave his magisterial district without permission and may not be under the influence of alcohol or drugs in the two-year period of correctional supervision.

Passing sentence Mr Justice P H Tebbutt said an unfortunate set of circumstances, of which Bock had been victim, made the case exceptional.

Uncontested evidence was that farmers in the Philippi area had been victim to a crime wave of shocking proportions. Even SADF assistance had proved to be ineffective.

Bock had personally suffered severe losses which included the theft of sprinkler pipes worth R250 000 and about 3 000 pockets of potatoes. The night before the shooting he had lost about 100 bags of potatoes to thieves.

It was in the interest of society that people were not given the right to take the law into their own hands and likewise that people have the right to protect their property.

"I want to put it very clearly to prospective thieves and people in the Philippi area that the thefts must stop. A property owner can hurt or even kill an assailant if it is inevitable.

"At the same time, the right to kill a person in order to protect property must only apply in exceptional circumstances," Judge Tebbutt said.

"The court accepts you had come to the end of your tether ... and that you must have acted out of frustration."

The court further accepted that Bock was not a criminal and was held in high esteem in the farming community. The courts, however, regarded the taking of a human life seriously.

Unit

An SADF area defence unit which will be established shortly would probably help reduce thefts in the area, the judge said.

It was clear Bock had taken the law into his own hands but imprisonment was not an appropriate sentence, neither was a fine, he said.

Bock was not declared unfit to possess a firearm.

Mr P Vos and Dr G S Vianog were the assessors. Mr W Viljoen appeared for the state and Mr Jan Mares, instructed by Mr Neil Wood, of Inns Wood and Reubenheimer, appeared for Bock.
Slave wages on farms

By Mathatha Tsendu
Investigations Editor

Thousands of Zimbabwean nationals who entered South Africa illegally are being employed on farms along the Limpopo River, earning R91 a month.

This virtual slavery is legal, as the workers have been granted special permits by the Department of Home Affairs.

The permits entitle them to stay in South Africa while in the employ of the farmers concerned.

The workers, employed in the Weipo area, are given meagre wages and are housed in cramped conditions. They are also made to work long hours without breaks.

While some of them are elderly, the majority are youths, some about 12 years old.

During an investigation by Sowetan, we found that all girls are married, despite their ages.

"When a girl arrives, maybe the first night she can sleep alone, but by the following day, she will have a husband", one worker told us.

The workers cross the Limpopo into South Africa through high tension wires, or at gates of farms, where they bribe the guards with R10 or 10 Zimbabwean dollars. They are also able to use the same route to go back home.

Squalid conditions

They live in squalid conditions, in shacks made of plastic. Some have built small mud huts, while the only provision by the farmers are rows of eight houses on each farm.

The permits are renewable every six months, workers said. They said police sometimes raid the compounds during working hours, arresting letter writers.

The workers come mainly from Southern Zimbabwe, where drought and the decline in economy have ravaged the area.

Many said they had survived by hunting wild animals.

A spokesman for the department of Home Affairs, Mr Charles Theron, said the permits were issued in terms of section 41 (1) of the Aliens Control Act.

He said farmers in the area were faced with a shortage of local labour and have over many decades been making use of workers from across the Zimbabwe border.

"The position has in recent years been closely scrutinised and as a special concession to such farmers, a number of the illegal workers have been issued with temporary permits", he said.

He said the workers could not "change employment without permission from the department".

Asked why the Zimbabweans workers were given preferential treatment over the Mozambican refugees in the Eastern Transvaal, Theron said the Eastern Transvaal needed protection for its own locals for available jobs.

Responding to Theron's assertion about the lack of labour in the Northern Transvaal, the regional spokesman for the Azanian People's Organisation, Mr Kholefo Mashabela, pointed out that "about 15 000 unemployed people marched on government offices in Venda last week, demanding jobs.

"It is ridiculous to claim that in a country where over 7 million people are unemployed, there could be a shortage of labourers," Mashabela said.

Mashabela however said Azapo did not oppose the employment of Zimbabwean refugees. "They are our brothers. Their presence here is because of drought and also that the racist regime destabilised their country, forcing resources to be diverted from economic activity to security in both Zimbabwe and Mozambique.

"The Boers are employing them because they are slaves there," Mashabela said.

ANC regional media spokesman, Mr Ian Maddikot, said his organisation condemned the exploitation of the Zimbabweans.
Ruling on farmer raises fresh debate

Freed on warning after worker killed

ROGER FRIEDMAN
Staff Reporter

THE release on his own recognisances of a Northern Cape farmer arrested after the death of a farmworker has sparked off fresh debate on sentencing and bail.

Flip Langenhoven of De Hoek farm in the Saron district was released on a warning after appearing in the Porterville Magistrate’s Court last week.

He appeared after the death of Harry Horn, 25, from head injuries after allegedly being assaulted by Mr Langenhoven.

Attorney-General Frank Kahn refused to comment, saying it was a matter for the police. Police spokesman Captain John Sterrenberg said it was a "judicial matter".

Lawyers for Human Rights regional director Riaz Saloojee said he was not surprised at the court’s decision to free Mr Langenhoven on a warning to appear in the light of the "recent sentence handed down by Mr Justice Tebbutt in the Bock matter".

Philippi farmer Godfrey Bock was placed under house arrest but allowed to keep his firearm after being found guilty of culpable homicide following the deaths of two potato thieves on his property.

Ms Saloojee said Bock’s sentence allowed "farmers to believe they are a law unto themselves with carte blanche to deal with farmworkers as they see fit".

She said releasing Mr Langenhoven on his own recognisances "could be justified" as the award of bail was "to ensure an accused attends court when so summoned".

"No doubt the farmer will have no difficulty in attending court, trusting that the court’s sympathies and leniency will favour him.

"No society can make a claim to decency when it allows its workers to be chattels in the hands of farmers."

African National Congress (Western Cape) chairman Alan Boesak termed the alleged attack on Mr Horn "outrageous" and Mr Langenhoven’s release "horrifying".

"Urgent work needs to be done to protect the human rights of people who become victims of farmers. Some of these farmers, like feudal barons, appear to exercise absolute power over their employees."

"We demand an immediate explanation for this unacceptable decision by the court."

Mr Horn’s elderly mother Margriet Horn said her son had worked for Mr Langenhoven for four years and was completing a foreman’s course when he died.

Mrs Horn will now take responsibility for her four-year-old grandson David.

Lawyer for the family Kate Savage of Steilenbosch firm Chennells Albertyn said Mr Horn died of head injuries after falling on to a concrete block, allegedly in the course of being beaten by Mr Langenhoven.

"It’s just astounding that they could release someone on warning when he has been charged with murder," she said.
two million workers

Labour Rights for over

NEWS

NEWS

A breakthrough for workers

POLICEMEN still in
Laid down their lives for the common good

At the centre of the struggle at Zebela

Limited Rights

By Mahamad Reza

The Slave Who Rebelled

Soweto, 26/10/83
ANC may outlaw DOP system

Cape Times, Thursday, November 4, 1993

There is no doubt in ANC that the present system of co-operative governance is the best way forward for many years to come. The system has brought about much-needed economic growth and social development. The success of the system is evident in the growth of the economy and the decrease in poverty and unemployment. The ANC believes that the system is sustainable and can continue to deliver on its promise of development and progress.

The ANC has always been clear in its support for the system, and has worked hard to ensure its success. The ANC has also been committed to a free and fair election system, and has put in place measures to ensure that elections are conducted in a transparent and fair manner.

The ANC believes that the system is currently under threat, and has called for a way forward that will ensure its continued success. The ANC has called for a solution that will allow for a fair and free election system, while also ensuring that the current system is not dismantled.

The ANC has also called for a national dialogue on the future of the system, to ensure that all stakeholders are involved in the process. The ANC believes that this is the only way to ensure that the system is sustainable and can continue to deliver on its promise of development and progress.

The ANC has also called for a constitutional amendment that will allow for a new system of government, which will be based on the principles of democracy, equality, and justice. The ANC believes that this is the only way to ensure that the system is sustainable and can continue to deliver on its promise of development and progress.
Beaten labourer to get damages today

Staff Reporter

A FARM labourer from the Karoo town of Loxton is to receive a R15 000 cheque today after he won a damages claim against a former employer who had repeatedly whipped him with a nylon rope.

Mr Willem Voster, a former labourer from the farm Aswegenfontein near Loxton, was awarded the amount when his former employer, Mr Andries Wiese, was found guilty of assault by the Kimberley Supreme Court in March.

The court found Mr Voster was "wrongfully and unlawfully" assaulted by Mr Wiese, who repeatedly whipped Mr Voster with a nylon rope which had a knot tied at the end.

The assaults took place from early October in 1990 till Mr Voster, who now has difficulty walking, left the farm in January 1991.
Farmers return land to Labour tenants

SOUTH AFRICA

WEEKLY MAIL / 11 NOVEMBER 1970

Walter Sisulu's reports Paul Sabora

By continuing land to black farmers

The World Trade Centre take

for Applied Legal Studies: "While you're on..."
Man gets 18 years for farm killing

Sacked worker's revenge

A LABOURER who stabbed a farmer 26 times and crushed his face with hammer blows has been sentenced in the Supreme Court to 18 years in prison.

Martin Mentoor, 26, was found guilty of breaking into the house of Piketberg farmer Leon Schreiber, 65, in April, murdering him, robbing him of cash and household goods and illegally possessing a revolver he stole from the farm.

Evidence was that he worked for Mr Schreiber on the Hochland farm, but was told to leave.

He returned and attacked Mr Schreiber with a knife and hammer.

Mr Justice Brand said Mentoor had shown no remorse and, in fact, had tried to mislead the court by telling a story that he had killed the farmer in self-defence after he was threatened with a revolver.

The judge said the way in which he killed Mr Schreiber was gruesome and violent.

He sentenced him to 16 years in prison for the murder and two years for illegal possession of the revolver, robbery and theft charges.

The sentences will not run concurrently.

L Nortier appeared for the State and H Kotze for Mentoor.
New row looms over law for farm workers

Cosatu accuses government of stalling tactics

NEW wrangling erupted yesterday over the application of labour laws to farm workers, with the Congress of SA Trade Unions accusing the government of using technicalities to delay promulgation.

Failure to promulgate the Agricultural Labour Act urgently could jeopardise its labour rights agreement with the South African Agricultural Union, said Cosatu.

Reacting in a statement, Manpower Minister Leoa Wessels said he found Cosatu's allegations peculiar and unfounded.

Cosatu, expressing its alarm at the lack of progress in promulgating the Act and the Basic Conditions of Employment Act for domestic workers, said it would raise the issue at a National Manpower Commission meeting scheduled for next Wednesday.

It also criticized the National Council of Trade Unions for its late objections to the Agricultural Labour Act, claiming Nactu had left negotiations midstream without ever making its views known.

Besides clinching the Act as an interim, but significant, advance on the present situation in agriculture, Cosatu said it also had succeeded in getting the SAAU to agree on access to farms, extending the Wage Act to agriculture and setting up a bargaining forum for the sector.

"The Agricultural Labour Act itself was a transitional measure, precisely designed to extend basic rights to farm workers during the run-up to the elections. Further delays will undermine the spirit and letter of the agreement."

Meanwhile, Nactu general secretary Cunningham Ngokukana said he had met Mr Wessels yesterday to discuss Nactu's problems with the Act.

"The Act is not yet promulgated due to technicalities relating to regulations," he said.

According to Mr Ngokukana, Mr Wessels had agreed promulgation would not be delayed.

Nactu's reservations — hinging on a strike ban in agriculture and access restrictions to trade unions — would be dealt with by the National Manpower Commission and amendments taken to the Parliamentary sitting in February.

"It was agreed that a meeting with Cosatu, the SAAU and Saccola to deal with technicalities relating to promulgation be convened urgently."

Cosatu said government talk of alleged technical problems was "a thinly-veiled delaying tactic" to prevent farmworkers getting their rights.

It also alluded to lobbying by unspecified agricultural unions as contributing to the delay.

Mr Wessels said he was not aware of any lobbying and asked Cosatu for proof of this.

He said Cosatu knew of the government's intentions to extend the Basic Conditions of Employment Act to domestic workers with effect from January 1.

A Cosatu representative at the NMC was to have liaised with the SAAU on amendments to the Labour Relations Act being reflected in the Agricultural labour Act, but nothing had materialised.

Mr Wessels said the Industrial Court also had advised Cosatu and the SAAU that specific shortcomings in the Act had to be clarified before it could be implemented. — Sapa.
Dispute over Agricultural Labour Act

Cosatu, Govt cross swords over delays

BY PAUL BELL
LABOUR CORRESPONDENT

The Congress of South African Trade Unions and the Government yesterday crossed swords over delays in the promulgation of the Agricultural Labour Act (ALA), which was passed by Parliament in its September session.

Cosatu accused the Government of using "technical problems" as a "thinly veiled delaying tactic" while accepting further lobbying by "some of the agricultural unions".

Cosatu cited "dirty tricks in rural areas to prevent workers from voting for the parties of their choice, or having IDs".

It added: "The ALA was a transitional measure precisely designed to extend basic rights to farmworkers during the run-up to the election.

Further delay will undermine the spirit and letter of the agreement. Failure to promulgate (the ALA) as a matter of urgency will jeopardise the Cosatu-SA Agricultural Union (SAAU) agreement."

Manpower Minister Leon Wessels denied the allegation, saying he was not aware of any lobbying by agricultural unions. The National Manpower Commission had suggested that interim changes proposed to the Labour Relations Act also be reflected in the ALA, Wessels said.

Also, the Industrial Court had advised Cosatu and the SAAU of shortcomings in the ALA which should be clarified before implementation.

Cosatu had been asked to "declassify" with the SAAU on these issues. Both had agreed to meet, but "to date nothing has materialised," he said.
Pensioned former farm workers are having a tough time making ends meet at the Refengkotso squatter camp. Staff reporter Joshua Rabaroko visited the camp and spoke to some residents.

**Most families are often forced to split because the head cannot find employment**

Godfrey Kolokoto said: “Most families are often forced to split because the head cannot find employment.” He added that those who work do so far away from their homes and normally come home over weekends.

Ngcosane said he was never so lucky after he became semi-blind while working on a farm near Vereeniging. “I struggled to get my pension money.”

“I was evicted from the farm after my boss fired me. He did not need my services anymore because I was handicapped. I worked for him for 30 years.”

**Inconsiderate**

“He was inconsiderate and never gave me time to look for alternative accommodation. I pleaded with him to allow me to stay for another three months so that my children should finish their schooling, but he refused. “He told me he had healthy people who will work and stay in the house I occupied for 15 years.”

The same sentiments were expressed by Mr. Jun Motloung (73) who said that he worked as a herdsman on a farm in Heilbron in the Orange Free State. He earned R25 a month.

Motloung suffered a stroke and was forced to leave the farm because “the white farmer told me he could not keep idle people on his plot.”

**I am forced to squat here because I cannot afford to buy a new house. I have no money and I am jobless.”**
Farmers win UIF delay

ADRIAN HADLAND

PRETORIA — Farmers would have to register with the Unemployment Insurance Fund (UIF) only by April 1 next year, the SA Agricultural Union said yesterday.

A union spokesman said Manpower Minister Leon Wessels had agreed to the postponement after an appeal from the agricultural sector.

Farmers could now register any time before March 31 1984 but would not have to pay their premiums before April. Farmers could also opt to pay their premiums on a quarterly rather than a monthly basis.

"The union had insisted on the postponement as a result of pressure on the UIF as well as the recent tariff increase from 0.9% to 1%, the spokesman said.

Farm workers had not benefited from the fund, while no large-scale retrenchments had been experienced in the sector.

Sapa reported the union was investigating the feasibility of setting up a private security fund separate from UIF. This fund could also be used to pay out pension and other benefits, the union spokesman said."
Think for yourself!
Rote-learning SA’s downfall

Generations of South Africans have been educated via the “by heart” method — and if that doesn’t change so that students understand rather than simply absorb knowledge parrot-fashion, the country could be headed for a major decline.

DI CAELENS
Weekend Argus Reporter

SOUTH Africa is slipping fast in international competitiveness — and will slide out of the picture unless drastic changes are made in its education system.

This warning comes from experts in the field of cognitive education — a relatively new concept here — who are not simply talking about redressing educational inequality, but of a vital switch from “by-heart” teaching styles to much more understanding and analysis on the part of pupils and students.

They were reacting to news earlier this month that South Africa had slipped from eighth to 11th place in 1993 in a 15-state comparison of emerging industrial nations — being pipped at the post by Chile, Hong Kong and Singapore, among others — in the latest World Competitiveness report.

South Africa appeared at or near the bottom of the list in the categories of people, government, worker motivation and education. Commentators said people responsible for productivity were the country’s greatest asset and that South Africa would remain at the bottom of the international competitiveness scale until there was an improvement in literacy and education, and a stable government.

“The only way South Africa will become a winning nation is if we do something about educating our people and developing our human resources,” said Anita Worrall, a representative of the newly-formed International Association for Cognitive Education in South Africa.

“The ability to think for yourself, according to Dr Worrall, was not taught at all in South African schools where instead of being taught thinking skills, the art of comparison, solving problems and analytical perception, pupils were simply expected to regurgitate information.”

Farmers in workers’ fund row

SHARON SOROUR
Labour Reporter

DISGRUNTLED farmers, who were threatening to boycott obligatory payment of Unemployment Insurance Fund premiums, have obtained permission from the Manpower Ministry to postpone registering with the fund until April.

Compulsory registration was postponed in April after the SA Agricultural Union (SAAU) met Manpower Minister Leon Wessels, the union said.

This follows a row between farmers and UIF commissioner Koos van der Merwe after the Transvaal Agricultural Union (TAU), an SAAU affiliate, decided it was “irresponsible” to advise its members to contribute to the fund.

Mr Van der Merwe asked farmers to comply with their obligations to protect their workers. He said the decision of the TAU’s general council was “in conflict with agreements from organised agriculture.”
Crucial changes in farm labour law

Stefan Raubenheimer is a director of Lawyers for Human Rights' Western Cape rural office and the organisation's farmworkers project. Staff Reporter DAVID YUTAR spoke to him about the "private agreement" as a way of creating a mutually acceptable labour regime between farmers and workers.

Mr Raubenheimer says the best way to overcome this problem is for farmers and their workers to enter voluntarily into private agreements regulating their labour and social relations.

Lawyers For Human Rights recently helped a large fruit farmer in the Western Cape do just this.

The farm with 460 employees now has an "entirely privatized system of labour and social relations".

"Farms are really little villages with a complex set of social structures and private agreements are a viable alternative to the old system of paternalism and unilateralism whereby farmers had an unfettered power to determine the rights of their workers.

These negotiated agreements cover a range of vital issues starting with the basic contract of employment and extending to discipline and grievance proceedings as well as to the cardinal problem of dispute resolution.

The latter, says Mr Raubenheimer, is vital because it is a way of reducing the potential for violent strikes — something most farmers can do without.

Also it means that in settling disputes farmers and workers do not have to resort to expensive and bureaucratic state procedures but can rely instead on their own "home-baked" system of dispute resolution.
Farmworker tells of bosses' brutality

By Quentin Wilson

CHILLING evidence of alleged brutality by farmers has been the focal point of an ongoing trial at the regional magistrate's court in George last week.

A Knysna farmworker, Mr Simon Ndoni, has told the court of being tied to a tree in a remote part of the Knysna forest after being knocked unconscious by his employers.

Two days after being tied to the tree, Ndoni was found by a forestry employer, Mr Jors Smit, who cut him free and alerted the police.

The farmer, Mr Fourie Loock, and his two sons are accused of attempted murder.

Dr Laura Ebsdin, of the Knysna hospital, testified that she admitted Ndoni on the morning of April 8, 1992. According to her, he was dehydrated, cold, wet, confused, had a chest infection and numerous wounds and grazes on his face and shoulders.

All the wounds, she said, were older than 24 hours and some were septic. Ndoni was hospitalised until April 20.

Ndoni testified that on the morning of April 6 he was told by another farmworker that Loock wanted to "donner" him because he suspected Ndoni of stealing one of his sheep.

Ndoni testified that he was ordered into Loock's bakkie and driven away. In the car, Ndoni alleged he was punched and later had his wrists tied together.

Thereafter an unsuccessful attempt was made to tie Ndoni to the back of the bakkie and to drag him down the dirt road.

The rope had not been properly attached by the youngest son who had acted on his father's orders.

Before and after this failed attempt, Ndoni claimed he was kicked and trampled on by Loock who then threw him back onto the bakkie and drove to a nearby tree.

The farmer then hit Ndoni over the head twice, using a fence post. With the second blow, the fence post broke and Ndoni started to lose consciousness.

He then remembered Loock getting onto the back of the bakkie and tying the end of the rope around Ndoni's wrists to an overhanging branch.

The last he was able to recall was the sound of the bakkie pulling away from under kijn as his arms were jerked upwards.

He could not remember how he came to be tied to a tree in the forest some 80km from the farm.
Labourers victimised — ANC

THE ANC yesterday accused farmers of disrupting the free political association of their workers by preventing buses from taking them to the Robertson Farmworker's Forum.

Two busloads of workers failed to arrive at the ANC's forum following intimidation by farmers, complained ANC's Western Cape chairman Dr Allan Boesak who said he feared this type of victimisation would increase closer to the elections.

Mr Steve Tshwete said that farmers who victimised, assaulted or intimidated labourers in the run-up to elections would be charged if new legislation was passed in Parliament.

The forum was told more people would have attended, but many farmers had warned their workers not to turn up. (4) 1112

Mr Tshwete urged the meeting to expose these farmers, whom he said would be charged.

Dr Boesak said although farmworkers understood the new labour laws, farmers continued to treat them as they did under apartheid.

Dr Boesak said there were fears that a new region might enable the right-wing to "continue to persecute the poor and disadvantaged." — Staff Reporter, Sapa
Farmers beware, says ANC

FARMERS who victimise, assault or intimidate their labourers in the run-up to the April 27 election next year will be charged if new legislation is passed in Parliament, African National Congress executive committee member Mr Steve Tshwete said at the weekend.

Tshwete and other ANC national and regional leaders were answering questions from farm labourers at an ANC 'people's forum' at Robertson on Saturday.

A member of the audience told the panel more people would have attended, but many farmers in the region had warned their workers not to turn up. — Sapa.
R6.5m for Rural Foundation

Political Staff

A R6.5-million grant to the Rural Foundation was announced yesterday by the British government.

The Rural Foundation promotes better working conditions on farms and improved facilities in rural areas.

The grant is for the foundation's programmes for basic primary health care and training of lay health workers in the rural areas of Natal and the Eastern and Northern Cape.

It was announced last night by the Minister of Overseas Development, Baroness Lynda Chalker, at a function at the Bishopscourt residence of the British ambassador, Sir Anthony Reeve.

The health programmes would be implemented over a four-year period from 1993/4 to 1996/7 and would help to meet the basic health needs of approximately 31,000 farmworkers and their families on more than 400 farms.

It would also aid more than 400 health workers, said a statement from the foundation's media officer, Mr L Koch.

Mr Koch said the Rural Foundation expected to assist some 350,000 rural people.
TEC asked to suspend labour tenant evictions

THE National Land Committee yesterday asked the Transitional Executive Council (TEC) to place a moratorium on the eviction of labour tenants from farms in the eastern Transvaal and Natal Midlands until after the April 27 elections.

At a Johannesburg media briefing, Farmworkers' Research and Resource Project co-ordinator Abie Dithlaka said evictions had increased significantly during the past few weeks, compared to the past six months.

Recent evictions were conducted in an organised manner after farmers sought legal advice, he said.

They obtained court interdicts, which meant workers had no legal recourse and had to leave the land after a period of grace. Previously farmers had simply ordered tenants off their farms.

"Farmers have reportedly told the tenants that they are being evicted to prevent them from claiming the land in the future," Dithlaka said. (See page 40)

Sapa reports Dithlaka said forestry companies were also attempting to drive labour tenants off their land.

The World Bank, the ANC and the Land Affairs Department have identified such tenants as the primary beneficiaries of land reform programmes.

Transvaal Agricultural Union (TAU) president Dries Bruwer warned yesterday that "farm land should not be used as a political football". Farmers had the right to secure their land by evicting tenants.

An Eastern Transvaal Labour Tenant Committee member said farmers were confiscating tenants' livestock to force them off the land. Assaults by farmers in conjunction with police had also increased.

Tenants in the eastern Transvaal were no longer prepared to live under these conditions, and were prepared to die for their land, he said.

Marianne Merten, a media officer Neil Coleman said workers in the Free State, eastern Cape, eastern Transvaal and Natal Midlands had complained that their identity documents had been confiscated. The union federation's regional structures would monitor the situation.

The National Land Committee's request will be discussed by the TEC on Thursday.

A police constable was killed in a Natal Provincial Administration worker injured in a confrontation with squatters in the Dukuduku forest on Natal's north coast yesterday.

Police spokesman Maj Bala Naidoo said about 100 people living in the forest resisted a court order for their removal from the area, leading police to discharge teargas.

Maj Naidoo said the residents fired shots at the authorities, wounding an NPA worker, George Pearce, and a policeman, who died.

Ex-cadres fight crime

CAPE TOWN — Security company Trans-Slawa is employing returned Umkhonto we Sizwe exiles to combat truck hijackers.

The company, based near Soweto, offers to protect cargoes and vehicles in the PWV area, particularly in townships. It hopes to eventually offer third-party distribution countrywide.

"Obviously we have to develop in stages but we know we can offer a professional service that meets the needs of the market," says MD and former Umkhonto commander Steve Manjaro.

The firm has trained 32 security guards.

"Our members are all military-trained and are armed with assault rifles and Eastern bloc uniforms. We are selecting and training the very best for our transport protection units."

Former cadres who had been unemployed could now offer a valuable service to the community.

The initiative had the blessings of the ANC executive and Cosatu, Manjaro said.

Government killings

by Gavin Du Venage and Lloyd Coutts

The incident disgusting, and that of ANC 'people's courts'.

The ANC said the incident showed that to find solutions was limited, and need an all-inclusive settlement urgent.

An analyst said the incident did not herald a major offensive against blacks. Particularly savage, it was probably incident.

Another spokesman denied any involvement, as reported.

The Safrics that Inkatha Freedom Party for Jospe Hennie Bekker told yesterday the Randfontein could bring the country closer to bloodbath.

The debate on the Electoral Bill that contained the cold-blooded in the harshest terms.

It is opposed to any violence, if it has an ethnic or racial, Bekker said.

10 years' jail for murder

Susan Russell

A FORMER policeman who murdered his bedridden wife and mother-in-law on their Randfontein small-holding and fled to Namibia, was sentenced to 10 years' jail in the Rand Supreme Court yesterday.

Gideon St John Barnard, 34, shot his wife Myrna, 57, and her mother Maria Cherry, 84, on December 30 last year.

Barnard fled to Namibia where he spent three months completing a book on cycads.

Barnard admitted murdering the two women but said he had done so because he could no longer bear to watch them suffer. Barnard was unemployed and was caring for the two women.

Sentencing him yesterday Judge L Goldblatt rejected submissions that Barnard had killed the women as an act of mercy.

Goldblatt said the murders were premeditated.

TBVC residents will be able to vote in election

by Brian Deegan

CAPETOWN — There would be no obstacle to TBVC residents participating in the April 27 elections on SA territory, Home Affairs Minister Danie Schutte said yesterday.

Introducing the second reading debate on the Restauration and Extension of SA Citizenship Bill, he said TBVC residents would participate in the election as full SA citizens.

The Bill restores SA citizenship to TBVC residents who lost their citizenship when the four states became independent.

It also enables qualifying individuals, who had become citizens of the TBVC countries in terms of the 1910 to 1919, to become SA citizens.

The Bill takes effect from January 1.

Schutte said the loss of TBVC residents' SA citizenship had led to great anger and frustration.

CP MP Daan van der Merwe said the Bill drew a line through everything whites had achieved since 1910. The old NP had not only tried to ensure white self-determination, but had also freed black nations from colonial rule.

The Bill was a slap in the face for leaders such as Bophuthatswana President Lucas Mangope, he said.

He assured Mangope that Afrikaners in the CP were his friends and would not desert Bophuthatswana.

"Have you no shame for betraying your word to a black man?" he said.

CP deputy leader Willie S opaque said the Bill as the brainchild of communists and the final crossroad in SA's history.

The Afrikaner government has betrayed a black nation but the Boere Afrikaner will stand up and help him." — Sepa.
Plea to stop harassment

By Joshua Raboroko

SEVERAL organisations have asked the Transitional Executive Council to urgently declare a moratorium on evictions, assaults and harassment of 100,000 farm workers by white rightwing farmers in the Eastern Transvaal and Natal Midlands.

About 500 tenants have already been forcibly evicted and there are nearly 60 families who have received eviction notices in the past two months, a Press conference was told in Johannesburg yesterday.

In a statement, the National Land Committee, the Farmworkers Research and Resource Project and the Association for Rural Advancement, called on the TEC to urgently investigate an effective process of stabilising this situation.

Workers’ plight

The Congress of South African Trade Unions and the South African National Civic Organisations have supported the call by writing to the TEC regarding the farm workers plight.
Farmers accused of foul play

FARMERS were confiscating their labourers' identity books and refusing to return them unless they promised to vote for the National Party, Mr Jan van Eck (ANC, Claremont) said in Parliament on Wednesday.

He was prepared to disclose the names of these farmers, he said.

Mr Van Eck said farm labourers were one group of voters who would doubtless engage in protest action in the run-up to the election.

If the labourers could not get redress through formal channels, he said, they would give vent to their feelings "in another way".

Speaking in debate on the Regulation of Gatherings bill, Mr Van Eck said the bill would limit the role of the police to that of observers and controllers rather than referees of demonstrations.

He said it was important that policemen were well-informed about the legality of the protests.

At many demonstrations in the past, the attitude of the officer in charge was the direct cause of violence, Mr Van Eck said.

He added that the internal stability division should be kept far away from demonstrations.

Sapa
Farm workers get a representative

BEATRIX PAYNE

The Rural Foundation has elected its first farm worker representative to its board of directors as part of attempts to increase its role as a development body.

Aaron Maseko, a Transvaal schoolteacher who had been conducting literacy work on farms, was elected by farm worker representatives at the foundation's conference in September.

Maseko said the foundation — which had until recently limited its activities to meeting the needs of commercial farmers — needed to restructure to assist people in rural towns as well as on farms.

MD Ockie Bosman said in the foundation's annual report for 1992/93 that restructuring would involve broadening representation, focusing on rural target groups and meeting more regional needs.

He said the foundation's development projects were estimated to reach about 600,000 people in rural areas.

The foundation had broadened its target groups to include small-scale farmers, subsistence farmers, agriculture-related industry and other non-agricultural rural institutions.

Its main activities over the past year had focused on pre-school care, primary health care and adult education. Limited state funding for pre-school care, programmes and adult education meant these projects had been reliant on private sector funding, Bosman said.

Foundation members, predominantly commercial farmers, had spent R16m on housing, R2m on schooling, R4m on electricity provision and R83,000 on pre-school centres. Of the foundation's total income of R16,5m to March 1993, R11m had been donated by the IDT, drought relief programmes, R2,5m by the private sector, including international funders, and R1m by local authorities and regional services councils.
Violence threatens over farm evictions

By JAMES BRITTAINE

AFTER a lifetime of loyal work for little pay, farm labourer Eric Mkhwanazi and his wife, Monica, are facing eviction from their Eastern Transvaal home.

Mr Mkhwanazi has lived on a plot on Drieboek farm near Piet Retief for 49 years, but he may have to move at the end of December.

About 200 others who live on the farm are not sure why they are being moved. But they are determined to stay.

"My ancestors are buried here, it is our place and we will fight for it," Mr Mkhwanazi said.

The farmworkers of Drieboek are the latest victims in a recent surge of evictions around Piet Retief, according to the Eastern Transvaal Labour Tenants Committee.

The National Land Committee agrees, claiming this week that white farmers have threatened more workers with eviction in the Eastern Transvaal and Natal Midlands in the past few weeks than in the last six months.

Farmworkers Research and Resource Project labour tenant co-ordinator David Hugo echoed this view.

"There has been a marked increase in evictions," he said.

All three organisations say the evictions seriously threaten peace in the area near Piet Retief. On Tuesday, they called on the Transitional Executive Council to halt all evictions before April 27.

"If the evictions continue there will be great violence," said labour tenants committee member Josiah Thabete.

Mr Thabete and others claim the farmers want to get rid of workers before the elections. In a new dispensation, labour tenants may have rights to the land and the farmers want to prevent this.

But landowners around Piet Retief denied any rise in evictions.

Transvaal Agricultural Union representative Heinrich Hinze said evictions were a farming reality. Farmers sometimes moved people because they were not working on the farms and were living there in extended families.

He stressed land would not be given away after April 27.

"Giving away land is not economically viable. But I think most people are prepared to accept willing-seller, willing-buyer options," he said.

The lawyer acting for the owner of Drieboek, Mr Phillip du Toit, said his client was not evicting his workers. He had recently bought the farm and had offered them alternative accommodation.

"They did not want to go to a neighbouring farm, and there is a court case pending," Mr du Toit said.
Evictions as new SA is formed

POLITICALLY NAIVE Farmers kick out farmworkers before elections:

By Joshua Raboroko

About 15 families and their 200 dependents living on Driepan farm in the eastern Transvaal face eviction from the land they have occupied for generations.

The farmer, Mr Mighty Kurron, wants all the black residents on the farm to be evicted before a new government is installed. He bought the land two months ago.

A farmworkers’ representative, Mr Milton Neube, says the families, who have livestock, are trying to resist the eviction by engaging lawyers to seek a court order restraining the farmer from evicting them because “they simply have nowhere to go”.

“We are fighting and challenge the farmer’s recalcitrant attitude,” he said.

Fifteen other labour tenant families, who have been staying on the farm, Luneburg, north-western Natal Midlands, for a long time, are being forced to stop ploughing or reduce the size of their agricultural fields.

The family’s head, Mr Michael Sibiya, whose crime has been to seek employment elsewhere. He says: “I simply cannot afford to support my family on the inadequate wages I earn.”

A farmer has obtained a court order to evict Mrs Lena Nkosi and her family from her plot. She has since refused to leave. Her cattle have been sold as a result of the court order.

Nkosi says: “I am resisting the move because I have nowhere to go. Let him find alternative accommodation for me and my children.”

Most exploited

Women farmworkers are the most exploited of all rural workers.

Even the new rights extended to farmworkers under the Basic Conditions of Employment Act falls short of addressing their problem, according to Sandra Hill Lanz, coordinator of the Women on Farms Project.

The revelations were made at a press conference in Johannesburg where farmworkers from the Eastern Transvaal and Midlands of Natal explained their daily plight.

Farmworkers noted with concern that the evictions are meant to intimidate them from participating in the next elections, as some farmers have taken their Identity Documents without giving reasons.

The intensity of harassment by farmers is seen as an attempt to sabotage processes towards the democratisation of South Africa.

According to the National Land Committee’s (NLC) affiliates who work closely with tenants, the Farmworkers Research and Resource Project (FRRP) and the Association for Rural Advancement (ARA), there has been a dramatic increase in eviction in the past few weeks compared with the previous six months.

About 500 tenants have already been forcibly evicted, there are almost 60 families of labour tenants who have received eviction notices, and thousands others can be evicted in the future.

They are calling on the Transitional Executive Committee (TEC) to place a moratorium on evictions.

The scale of the problem constitutes a national crisis as farmworkers are desperately seeking help for themselves and their families.

Workers’ ability to challenge these evictions is limited by the fact that they are isolated from the social mainstream and political process that is taking place in urban areas.

Farmers have deliberately isolated workers from trade unions, through which they could fight for their rights. According to sources fewer than five percent of farmworkers belong to trade unions.

Without the support of the law and social organisations, farmworkers face an uphill battle against the 50 000 farmers who control the land and are highly-organised to protect their own interests.

Farmers are not the only hurdle facing farmworkers — they also have to struggle against a social structure which is hostile to them in a variety of ways.

Local government departments, police and the courts, are all places where farmworkers must endure an unfriendly reception when they complain of assault, harassment or intimidation.

Harder struggle

A lack of education makes the struggle even harder; schools are few and lack in resources, and teaching is of poor quality.

According to an article in Land Update, a publication of the NLC, the population of farmworkers is largely illiterate (55 percent by conservative Government figures) and politically naive.

A recent survey found that only 20 percent of farmworkers know what a union is or what it does.

Equally worrying is the fact that very few farmworkers know any political representatives other than ANC leader Nelson Mandela or President F W de Klerk, much less the political parties they represent.

Political representation is crucial at a time when the entire rural infrastructure is in crisis. Nowhere is apartheid’s cruel economic and social legacy more evident than on the farms.

FRRP coordinator Mr Abie Dithlake says recent evictions are conducted in an organised manner after farmers sought legal advice. They obtain court interdicts, which means workers have no legal recourse and have to leave the land after a period of grace.

Congress of South African Trade Union’s media officer Mr Neil Coleman says workers in the Orange Free State, Eastern Cape, Eastern Transvaal and Natal Midlands have complained that their IDs have been confiscated.

He adds: “Farmers are beginning to see that their rights are gradually dwindling as the country moves towards the April 27 elections. Some have decided to return to the brutal system of feudalism and they will not be successful.”
Farmers cash in on squatters

Mduduzi Ika Harvey

Despite crocodile tears and loud complaints over the drop in property values and rising crime rates brought by an influx of squatters, Nooitgedacht farmers are profiting from their presence and smiling all the way to the bank.

Squatters claim they are being milked by some farmers who are charging as much as R50 site rental for a single shack. "As there is no water in the squatter camp," says Solly Naobona, "we are forced to buy water from neighbouring farms at R2 for a 25 litre container."

The squatters started settling on the land in June this year and their occupation intensified in October. They left neighbouring Rietfontein in search of work on the farms, to little avail.

With no shops in the area, squatters are forced to buy essentials from a local farmer’s spaza shop at the edge of the camp. He is the only grocer in the area, and squatters charge that he has used unorthodox methods to maintain his trading monopoly.

Squatter Space Dube explains: "When some of the unemployed camp residents tried to sell their own liquor, he called in the police to stop them."

Nooitgedacht camp is a place of contradictions. Neither the squatters nor the landowners want it to stay, but nobody can agree on how to get rid of it. Squatters say they would leave tomorrow, if somebody would offer them an alternative site with better sanitation.

This is a squallid settlement consisting of about 100 dilapidated shacks scattered across an area the size of several football pitches on land owned by the Transvaal Provincial Administration. There is neither water, nor toilets, dumping areas nor schools. Local landowners fear the health hazards and declining property values associated with a shanty town.

This week, tensions were running high in the camp. Rumours abounded that the farmers had recruited Afrikaner Weerstands beweging squads to evict the squatters, who formed a neighbourhood watch to oppose forced removal. Farmers denied calling in the heavies, but expressed frustration at bureaucratic delays in dealing with the problem.

The conflict was temporarily defused by the TPA, when negotiations with landowners and squatters got underway on how to relocate the squatters.

Landowners and Residents’ Association chairman Peter Hewitt expressed frustration at the delay in getting negotiations going: "We have tried for the past six years to form an authority to solve these problems. Our attempts to create a structure responsible for regional planning and providing informal housing with proper facilities were rejected by the TPA."
AGRICULTURE - LABOUR

1994
AWB couple fined after farm death

The Argus Correspondent

JOHANNESBURG — Two Afrikaner Weerstandsbeweging members accused of beating to death a farm labourer whose "kaffir dog" mated with their Rhodesian ridgeback have been acquitted of culpable homicide by the Vereeniging Regional Court.

Instead, Ken Finlay, 48, and his wife Lynn, 47, were convicted of assault and fined R2 000 (or 20 months' imprisonment) and R200 (or two months) respectively. Mr Finlay was convicted of assault with intent and his wife of common assault.

The Finlays had been accused of killing Molatudi "Lawalk" Lebela after an altercation stemming from Mr Lebela's dog mating with the Finlays' pet at their Elandsfontein plot.

Magistrate C Kruger said he could not find that the Finlays were responsible for Mr Lebela's death. Evidence from a witness, Elizabeth Moghetli, who was in Mr Lebela's house when the Finlays entered, was not totally reliable. Evidence from two doctors who examined Mr Lebela did not rule out the possibility that he had been subjected to a second attack. — Sapa.
Law helps farm workers

By BARRY STREEK

MODERN labour legislation is to be extended to South Africa's farm workers for the first time, in 10 days' time.

The formal introduction of the Agricultural Labour Act, which was passed by Parliament earlier this year despite opposition from some farmers' organisations and the Conservative Party, will be on Monday, January 17.

Notice to this effect has been published in the Government Gazette by the Minister of Manpower, Mr Leon Wessels.

The new law, which will provide for overtime payment, leave contracts and a prohibition on victimisation, could transform labour relations on farms.

Although the number of farm workers declined by about 30% between 1968 and 1998, it is estimated that there are about 1.2 million farm workers, who until now have had no legal protection against abuses other than common law.

Until recently, industrial labour legislation was excluded from farm and domestic workers but this exemption has now been abolished.
FARM WORKER KILLED: A W P couple found

* Cape Times, Wednesday, January 5 1994
PRETORIA. — Transvaal attorney-general Dr Jan D'Oliveira confirmed yesterday that he would evaluate the Finlay case in which a right-wing couple were fined after the death of a labourer whose dog had mated with theirs.

Dr D'Oliveira said that because of public interest he had called for the court record but it was premature to say the case would be reviewed automatically.

The sentences imposed on the AWB couple on Monday have drawn criticism. Vereeniging Regional Court magistrate Mr C Kruger fined Ken Finlay and his wife Lyn R20,000 and R500, respectively, for assaulting Mr Matlukadi Lebena in December 1991 after his dog had mated with theirs. Mr Lebena died later.

The couple were acquitted of culpable homicide. Mr Kruger said he could not find beyond reasonable doubt that they were responsible for Mr Lebena's death. — Sapa
SA needs a super-scheme to uplift the rural poor

A potential solution to rural poverty may lie in the formation of a super NGO which encourages people to be responsible for their own development through domestic gardening, argues Carl Keyner

NOW is the time for all good men to weep for the rural poor. For unless the major players in rural development come up with a workable rural upliftment programme, touching every homestead, there is no guarantee that the impoverished rural masses will end up better off.

Consider the facts:

There is talk of the Development Bank of Southern Africa and the Independent Development Trust climbing into the same bed with the planned formation of a "development corridor" which would directly fund the new post-election government. With bilateral agreements in the offing, the European Commission and the World Bank look to be going the same route.

In this way, major players are unhooking a rural development course which will inevitably operate through the very government, parastatal and homestead structures which have become the principal agents, not of rural development, but of underdevelopment.

It makes no sense, for instance, to work through these agencies rather than the landless, homeless "orphans" who run them at a loss.

It makes just as little sense to create a monocultural plantation economy which employs fewer rural workers and plot holders than the subsistence households displaced to make way for it.

Nor is there any logic in destroying the existing infrastructure - the natural vegetation - which can provide a future agri-ecosystem necessary for restoring rural subsistence. Nor is the "betterment planning" approach of closer settlements, which breaks up the mutual self-help relationships between extended families and alienates them from their communal land.

These approaches, in spite of the work that is being done through existing government structures, are travesties to be avoided.

Also to be shunned are:

- Collective "maize schemes" which leave the majority of plot holders nobbled to rural credit schemes.
- "Win productivity efforts by government extension officers aimed at transforming a subsistence crop..."
- "The equallytpotential Development Bank-funded "farmer support programme" for a rural populace..."
- "The problem with all these development approaches is that they not only impoverish and confuse the locals..."
- "Indeed, the World Bank's answer to rural reconstruction promises to touch less than one percent..."
- "It makes little sense to create a monocultural plantation economy which employs fewer rural workers and plot holders..."

What happens to the other 95 percent who languish in object poverty? It is this 95 percent whose plight can be measured by an abysmally low per capita income on a per person basis, and by their reliance on polluted drinking water, if this is 95 percent of all 95 percent of all 95 percent.

In small amounts, it is the small change that cannot be maintained by the poor village communities they intend to serve. The NGO's poor development efforts and the relief efforts through urban-based civic associations and others have left less than a food basket's worth of financial support to the rural masses.

Neither the NGO's "95 percent solution", which expects impoverished villagers to contribute to their own water development, nor the highly politicised "food bundling" programmes of the Department of Health have achieved sustainable development aimed at the broad economic upliftment of the rural masses.

What is the answer? It may lie in a non-governmenal organisation, generously supported by both the private sector and the new government, which offers a comprehensive strategy aimed at boosting house husbanding, gardening and the production of local food, create the subsistence households displaced to make way for it.

The mechanics of such a permacultural approach to rural development is another story.

Carl Keyner was a founder of Kasupol in the 1960s and former editor of the Financial Mail. Involved in rural development through the Zimbabwe Children's Welfare Trust and the International Technical Small Industries Development Unit, he became director of the University of the Transvaal's Bureau of Development Research, from which he launched the Africa Initiative Development Trust.
Crop of SA farmers all set to ‘grow by a million’

JOHANNESBURG. — Up to a million new farmers may soon be added to the total of between 55,000 and 60,000 commercial farmers in the country, according to Technikon SA.

The Technikon was therefore investigating the introduction of “distance education agricultural training”, the technikon’s community and applied sciences vice-rector L A Moolman said today.

He said many newcomers would not have the skills to apply “integrated, sustainable farming systems and could endanger the economic viability of agriculture.

It was therefore “vital” that a comprehensive training programme emphasising financial and management skills be introduced “as a matter of urgency”, said Dr Moolman.

“The services offered by agricultural colleges are presently totally insufficient to contribute significantly to such a training programme.

“Proposals to these problems must be found urgently to ensure the success of the agricultural industry in the new South Africa.”

He said Technikon SA had joined forces with Eelsenburg Agricultural College to present a workshop on “Integrated Agricultural Training in Southern Africa” involving all the major players in agricultural training.

The workshop, aimed at analysing and evaluating present training, would be held at Eelsenburg College, Stellenbosch, from February 1 to 5, Dr Moolman said. — Sapa.
New courts to settle farm worker disputes

Cosatu hails ‘major victory’ over unfair dismissals

SHARON SOROUR
Labour Reporter

Farmers and their workers will be able to settle labour disputes in a special new court in terms of the historic Agricultural Labour Act promulgated this week.

The Act, which extends the provisions of the Labour Relations Act of 1956 to farming activities, was applied to agriculture's 1.2 million workers after protracted negotiations between government, trade union federation Cosatu and the SA Agricultural Union.

Manpower Minister Leon Wessels said in a statement the Act provided for the establishment of an Agricultural Labour Court to decide disputes over alleged unfair labour practices.

"To provide an effective and accessible service to persons and organisations in the agricultural sector, facilitators will be available at offices of the department of Manpower. These officers will assist employers and employees with the process of litigation in the Agricultural Labour Court."

Mr Wessels said Industrial Court president A A Landman and deputy president M A E Bulbulu would serve ex officio as president and deputy president, respectively, of the Agricultural Labour Court.

Mr C W van den Heever (012 323 7643) has been appointed registrar.

Cosatu hailed the promulgation of the Act as a "major victory for workers, Cosatu and Nactu."

Cosatu said farmers would no longer be able to "arbitrarily dismiss workers without any recourse."

"In the past thousands of farmworkers were dismissed and the unions did not have much leverage to defend them. The Agricultural Labour Act provides protection against unfair dismissals," Cosatu said.

The Act also enabled workers to join any trade union of their choice.

"In terms of the Act farmers will be obliged to engage with the union on issues such as union recognition, stop order facilities and access to farms by union officials," Cosatu said.

Cosatu wanted labour courts established throughout the country.

"These courts should be expeditious, cheaper and have simple procedures to make them accessible to farmworkers."

Cosatu said the Agricultural Labour Act was the product of a long and arduous "battle" with the SAAU and the government.

"This battle was partly won last year when... the Basic Conditions of Employment Act and the Unemployment Insurance Act were extended to workers."

"But Cosatu said the battle in the farming sector was not over. A crucial issue under discussion was the Trespassing Act, which farmers could use to prevent access to their property. This was receiving urgent attention and a strategy was being worked out to deal with it."
Agricultural court publishes guidelines

INTERIM guidelines for the Agricultural Labour Court, which came into being with the promulgation of the Agricultural Labour Act on Monday, were published by Industrial Court president Adolph Landman yesterday.

These guidelines, developed in consultation with Cosatu and the SA Agricultural Union, would remain in effect until permanent rules were passed and gazetted by Manpower Minister Leon Wessels.

Our Durban correspondent reports farm workers will now be covered by the Act, which was cautiously welcomed by organised labour and research organisations as important since it gave farm workers some organisational rights.

Landman and his deputy, Mohammed Bulbulia, were appointed to the same positions in the Agricultural Labour Court and more members would be appointed by the Minister as necessary, Landman said.

Initially the court would operate only in Pretoria, but there were plans to establish similar bodies throughout the country.

Manpower Department officials would act as facilitators in the process of litigation by advising the parties on procedures to contest an unfair labour practice dispute in court.

Before the dispute was heard in court, the presiding member would attempt to mediate the issue, unless it was decided no useful purpose would be served by this.

During a pre-trial conference, the presiding officer would try to narrow issues before the hearing.

Cosatu welcomed the passage of the Act as farmers would no longer be able to dismiss workers "arbitrarily" and without recourse. Farmworkers would be protected from unfair dismissal and given the right to join trade unions. Thereafter, farmers would be obliged to negotiate recognition, stop-order facilities and access to farms with trade unions.

Cosatu warned it expected wide-reaching changes to the agricultural sector under the ANC's reconstruction and development programme, which would promote farm labour training in the context of "efficient, labour-intensive and sustainable" farming methods.

Cosatu also expected the introduction of enforced improvements to farmworkers' living and working conditions once the programme was implemented.

National Council of Trade Unions general secretary Cunningham Ngenkana said the Act would give unions scope to use the Industrial Court to fight for the rights of farm workers. He said the composition of the Agricultural Labour Court should still be discussed so it could become more representative.

The Centre for Rural Legal Studies said that for the first time requirements for fair labour practices would apply to farmers and farm workers.

The centre recommended that the Act provide for a simple, cheap and accessible process for adjudicating disputes.
FM is seen to condone child labour

By Quauman Wilson

SOUTH 21/1-30/1/94
THE South African Agricultural Union has rejected a proposal by the media workers for the first time following the implementation of the Agricultural Labour Act, which came into force in January.

The union, which represents agricultural workers in the eight labour laws that were introduced by the government in August, said that the proposal was not viable and that the act was not conducive to the implementation of the country's labour laws.

The act, which was introduced to address the challenges faced by agricultural workers, was implemented in the context of a slowdown in the economy.

The union said that the act was not developed in a vacuum and that it had been developed in consultation with various stakeholders.

The union also said that the act was not developed in a manner that would ensure that agricultural workers would be represented fairly.

The union said that the act was not developed in a manner that would ensure that agricultural workers would be protected from exploitation.

The union said that the act was not developed in a manner that would ensure that agricultural workers would be treated with dignity and respect.

The union said that the act was not developed in a manner that would ensure that agricultural workers would be able to access affordable housing.

The union said that the act was not developed in a manner that would ensure that agricultural workers would be able to access affordable healthcare.

The union said that the act was not developed in a manner that would ensure that agricultural workers would be able to access affordable education.

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Fewer jobs on farms, but wage bills go up

THE agriculture sector was employing fewer people but spending more on cash wages, according to the Central Statistical Service's 1992 agricultural survey, released yesterday.

In 1992, the sector employed 6.4% fewer regular employees and 4.6% fewer casual workers than the previous year. However, total annual cash wages went up 16.6% and 20.2% for regular employees and casual workers respectively.

Farmworkers Research and Resource Project director Simon Norfolk said these statistics were "hiding a more complex picture". He said the fall in agricultural employment was not surprising because of the drought, but the cash wage increases had to be seen in the context of what had happened to wages in kind — such as food — over the same period.

The survey said payments in kind had increased in 1992 by R32m for regular workers and R10m for casual workers from the 1991 amounts of R618m and R31m respectively.

Norfolk said his organisation's research in the Western Transvaal last year showed that in addition to a fall in employment, farm workers were often receiving neither wages in kind nor annual bonuses.

He said the survey included agriculture's more profitable sectors — such as fruit farming, which had export markets — which helped explain the contradiction between his organisation's findings in the Western Transvaal and national statistics.

Norfolk added that rough calculations — using the survey figures — showed the average cash wages of regular farm workers in 1992 was R236 a month, compared with R237 in 1991. During 1992 the average inflation rate was 13.9%, which meant there was no average cash wage rise in real terms.

Furthermore, a study on wages as a percentage of total operating costs in the maize industry showed that cash wages never exceeded 15% of farmers' operating costs. Norfolk said this figure was as low as 8.01% in the Western Transvaal.

The survey also said gross farming income had risen 9.3% during the same period. Current expenditure was up 10.9% and capital expenditure 6.3%. There was also a 1.4% increase in farming debt during 1992.
Most farmers not badly in debt

MARIANNE MERTEN

The total debt was proportionally higher in the moderate- and high-risk groups. About 55% of farmers in these groups owed 31% of the debt compared to the two lower-risk groups where 44% of the farmers owed 70% of the debt.

Farmers in lower-risk groups produced about 75% of the agricultural income. Following the introduction of relief programmes, this changed to 84% of farmers producing 85% of agricultural income.

The survey said drought relief schemes had improved liquidity by reducing current liabilities. A subsidy on interest rates would improve repayment ability and relieve financial stress, it said.

Volkswag agricultural manager Chris Mostert said yesterday about 55% of farmers did not owe anything to banks.

Agricultural debt figures were skewed because a small number of very big farmers, who had often received a high media profile, were highly indebted.

The bank had noticed a substantial decrease in agricultural debt over the past few months. This had been caused by contributions of the drought relief schemes and a good farming income as a result of a better 1993 agricultural year.

GENERALISATIONS about the total agricultural debt figure do not accurately reflect the distribution of debt among farmers, the latest issue of Standard Bank’s AgriReview says.

While recent reports had said agricultural debt increased by 18.44% from R14.5bn in 1991 to R17.2bn in 1992, AgriReview quoted official Agriculture Department figures showing an increase of only 1.6% from R16.027bn to R17.2bn.

Standard Bank’s recent survey of about 1,000 farmers to assess the impact of drought and drought relief schemes showed the financial position of farmers was not as precarious as reported.

The four criteria used to assess agricultural debt were solvency, repayment ability, management capacity, and the ability to attract credit. According to the survey, 35% of farmers were not indebted and almost 80% had a healthy solvency ratio of 50% or less.

Agricultural subsidies have eased farmers’ ability to repay debt and it was “clear” that farmers have moved to a healthier financial position because of drought relief schemes.

The percentage of farmers falling into lower-risk categories had increased from 60% to 85% after the relief schemes were introduced.
Hei for my family, says Farmer.

Jean Le May

Facial feature detected.
Electoral body acts on farm ban

JOHANNESBURG. — The Independent Electoral Commission (IEC) is seeking an urgent meeting with the National Manpower Commission (NMC) about the Transvaal Agricultural Union (TAU) decision to prohibit political activity on members' farms.

In a statement yesterday, the IEC asserted its right under the Electoral Act to draft regulations granting political parties access to private property to campaign for the general election. The IEC would consult key constituencies that might be affected by the TAU's decision before drafting the regulations, the statement said.

The NMC includes representatives of all major employers, including the South African Agricultural Union, and the major trade union federations.

The SA Communist Party condemned the TAU decision yesterday as being against the principle of free political activity.

Its chairman, Mr Joe Slovo, said the matter should be taken up by the IEC and the Transitional Executive Council.

In a similar move the Free State Agricultural Union is to bar parties from establishing branches on farms. — Sapa
Transvaal farmers fear election activity on farms

THE Transvaal Agricultural Union said yesterday it would not allow political parties to canvass on its members' farms because they feared that the same kind of violence which had engulfed East Rand townships might spill on to their properties.

TAU president Dries Bruwer said farmers were prepared to contravene the Electoral Act, which laid down terms ensuring free and fair political activity, to keep the prevailing peace on their farms.

The Independent Electoral Commission said political parties intending to enter, private or public property for canvassing or voter education should give five days' written notice to the property owner.

In terms of the new requirements of the Electoral Act, party representatives and property owners, responsible officers or lawful occupants should agree on the time, place and conditions of the visit.

TAU president Dries Bruwer said his organisation met IEC chairman Johannes Krieger last Friday, when IEC members explained the Electoral Act's legislation on farms.

Bruwer said he told Krieger that there were ANC and Inkatha Freedom Party members on their farms and were concerned that canvassing would result in conflict.

"If we allow canvassing on our farms we would be allowing the blood-letting as is happening in the East Rand townships of Katlehong, Thokoza and Nokurazana," Bruwer said.

He said if their farm labourers wanted to conduct such activities they could do so outside farm gates and farmers would not stop them casting their ballots.

Report by J Ngobobo, TML, 11 Diagonal St, Jhb.
‘NP farmers trying to spoil workers’ votes’

UNION federation Cosatu is seeking an urgent meeting today with the Independent Electoral Committee to discuss allegations that farmers are denying their workers the right to attend voter education programmes.

Cosatu spokesman Neil Coleman said farmers are reported to be denying their workers access to the programmes and manipulating them to vote for the NP.

Coleman accused the NP of colluding with the farmers. He said an estimated four million farm workers could be affected.

He said farmers had been attempting to undermine voter education programmes by confiscating the ID documents of farm labourers.
Action on farm votes

Johannesburg: The Congress of South African Trade Unions would seek an urgent meeting with the Independent Electoral Commission (IEC) on behalf of farmworkers prohibited by conservative farmers from voting in the April election, Cosatu spokesman Mr Neil Coleman said at the weekend.

He challenged President F W de Klerk to use his influence to open farms to free political activity.

Mr Coleman was reacting to the Transvaal and Orange Free State agricultural unions' stated intention to prohibit political activity on members' farms.

The ban on farmworkers voting was an abuse of the farmers' position of power, he said, adding that as many as four million votes could be at stake.

"It is impossible to have free and fair elections under these circumstances."

Farmers were campaigning against the African National Congress, Mr Coleman said.

Cosatu had received numerous reports of farmers confiscating workers' identity documents, he claimed. — Sapu.
BLOEMFONTEIN. — Most farmers treated their workers with contempt and did not provide them with good living conditions, ANC president Nelson Mandela said yesterday.

Workers at 33 farms in the Tseespruit district in the northern Free State gave a lunch for Mr Mandela when he visited a farm there.

The farmer provided his farm as the venue for an ANC People's Forum.

Mr Mandela said the ANC demanded that farm workers be given the right to have trade unions and that land be restored to communities deprived of it under apartheid.

The president of the Free State Agricultural Union, Dr Piet Gous, said yesterday he favoured discussions with Mr Mandela about political activities on farms.

Mr Mandela abandoned a rally at the Thabong stadium, near Welkom, on Saturday as crowd-control collapsed with thousands of people surging in ankle-deep mud to see him.

Terrified children were passed over the heads of people near the front of the podium and hauled to safety by Mr Mandela's bodyguards.

Uniformed members of umkhonto weSizwe battled in vain to control the huge crowd in pouring rain.

"What happened here is a warning to regional leadership how to organise for such an occasion," a shocked Mr Mandela told the crowd.

The crowd whistled and jeered when Mr Mandela said he was cutting short his address, more out of frustration than anger. — Sapa
Indiscipline tops agenda

By Donald Pressly
Political Staff

The activities of armed formations in the run-up to the April election will dominate debate in the Transitional Executive Council sitting today.

KwaZulu police commissioner Lieutenant-General Roy Daring is finally expected to appear before the council, after the KwaZulu government had agreed in an out-of-court settlement at the weekend to allow him to be cross-examined on hit squads in his force.

The settlement averted yesterday’s planned TEC Supreme Court application for an order compelling Daring to appear before the council, said Mr Patrick Falcione, the KZP commissioner’s legal representative.

The council will also receive a report from the defence sub-council on indiscipline among the ranks of the Bloemfontein-based 4,000-strong National Peackeeping Force.

The sub-council meets this morning, ahead of the general TEC session this afternoon.

Former SA Defence Force chief Lieutenant-General Kat Liebenberg and Umkhonto we Sizwe commander Mr Joe Modise, both sub-council members, are expected to draw up an action plan to instil discipline among the potential peacekeepers drawn from the ranks of the SADF, MK and the various homeland armies.

Racial conflict is believed to be a problem which will be tackled. TEC sources indicate that the council may have to consider imposing the existing SADF military disciplinary code on the peacekeeping trainers.

Guard is guilty of murder

By Isaac Moleli

FORMER security guard Jacobus van Schalkwyk was yesterday found guilty in the Rand Supreme Court of murdering Turffontein student Miss Pinky Maringa last year.

Van Schalkwyk (29), of Rustenburg, was also found guilty of attempting to rape her.

Sentence will be passed today. Maringa was found dead on the premises of AECI at Modderfontein on New Year’s Day last year.

Mr Justice R Marais dismissed Van Schalkwyk’s evidence as lies and as inadequate. Although the judge, said it was difficult to prove that Van Schalkwyk had intentionally killed Maringa, he however should have known that hitting her on the head could lead to her death.

The judge said the State could also not prove beyond any reasonable doubt that Van Schalkwyk had raped Maringa, despite the fact that semen was found on her torn panties.

A doctor’s report earlier stated that there was no evidence of penetration in Maringa’s vagina.

Van Schalkwyk said that the semen was found on the panties because while Maringa lay injured after “falling from the bakkie”, he masturbated and tore off the panties to wipe off his penis.

Cosatu challenges defiant farmers

THE Congress of South African Trade Unions will seek an urgent meeting with the Independent Election Commission to discuss a ban imposed by farmers on free political activity.

Cosatu said it had received reports that farmers were “using dirty tricks to coerce workers into voting for the National Party”.

A Cosatu spokesman said farmers in the Free State, Eastern Cape and Transvaal had confiscated identity documents from farm workers because they suspected they would vote for the African National Congress.

“If the farmers are not stopped, they will effectively deny access by as many as four million voters to the voter education and views of political parties.”

“These actions by some farmers, supported by the agricultural unions, are a flagrant violation of the spirit and the letter in terms of which the IEC was established,” Cosatu said.

Cosatu also challenged State President FW de Klerk to urge the farmers to allow voter education agencies, political parties and trade unions unrestricted access to farm workers.
Plea for access to farmworkers

BY JOVIAL RANTAO
LABOUR CORRESPONDENT

Cosatu has challenged President de Klerk to speak to "his friends" in the agricultural unions to allow all reputable voter education agencies, political parties and trade unions unrestricted access to farmworkers.

Cosatu's challenge follows the Transvaal and Free State agricultural unions' decision to bar political activity on farms.

Cosatu will also be seeking an urgent meeting with the Independent Electoral Commission (IEC) to address the issue.

In a statement, Cosatu described the ban as a blatant abuse of the power which farmers had over people living on their farms.

"If farmers are allowed to embark on this course, they will effectively deny access by as many as 4 million voters to voter education and views of political parties," the statement said.

The IEC is to meet the National Manpower Commission to address the agricultural unions' concerns and draft regulations on the plight of farmworkers.

Cosatu noted that the ban on political activity was selective. "It's explicitly aimed at the ANC, while farmers continue to try to shore up the NP down the throats of farmworkers."

Cosatu said it had received reports from areas in the Free State, eastern Cape and eastern Transvaal of farmers forcing their workers to vote for the NP.

Free State Agricultural Union president Dr Piet Gous has said that allowing political parties to organise on farms would be a recipe for disaster. The Transvaal Agricultural Union supported the stance.

The NP said last night it believed in the principle that every political party should have the right to have free access to all voters and potential voters.

However, the NP also recognised the right of any property owner to refuse certain activities on his property.

The NP advised its members and political canvassers to arrange meetings with farmworkers at nearby public venues.
 Farms to be no-go areas – OFS union

BY KAIZER NYATSUMBA
POLITICAL CORRESPONDENT

The Free State Agricultural Union has pledged to allow farm workers to vote for parties of their choice in the April election, but said farms would remain no-go areas for all political parties.

In a statement yesterday, Free State Agricultural Union president Dr Piet Gouws said although his union would adopt "a neutral approach" when it came to farm workers' voting preferences and allowing off-duty workers to attend political meetings in public areas, it nevertheless had serious problems with political activity on farms.

There were three main problems, chiefly the difficulty to distinguish between bona fide party recruiters and criminals as well as inter-party conflict.

Gouws said it had to be remembered that there were numerous attacks on farmers in the Free State last year, and some of the attackers had even posed as policemen.

Farmers, alone on their farms "miles away from the comfort of neighbours or a police station", were therefore worried about their safety.

Inter-organisational rivalry would also be a problem and could result in open conflict.

Farmers did not want and could not afford to have their farms become battlefields of opposing political parties.

"Until the ANC and others have shown a willingness and an ability to control their supporters — which they have not been able to do so far — OFS farms are out," Gouws said.

Another problem, he said, was that supporters of some "white-controlled" parties allowed only branches of their parties on their farms. This, he said, created "an unbearable situation which is not only immoral but puts farmers as a group directly in the firing line of big party conflicts, threats, abuse and even strong-arm tactics where the innocent farmers will suffer".

(Report by K Nyatsumba, 47 Sauer St, Blo)
Farmer ‘held men on farm’

By YVETTE VAN BREDA

THIRTY-TWO Piketberg farm labourers brought an urgent interdict against their employer in the Supreme Court yesterday, claiming he was holding them on his farm against their will, assaulting, threatening and harassing them.

Mr Johannes van Wyk, Mr Oupa "Jacob" Tshibjani and 30 other temporary workers from Postmasberg working on the farm Uitvlugt brought the application against Mr GJ "Cowboy" Carstens.

The matter was adjourned to Wednesday after Mr Carstens' lawyer gave an unconditional undertaking that he would not assault, threaten, harass or intimidate the workers and would not order anyone to do so.

Mr Carstens also undertook to allow them to remain on the farm, retaining their basic terms of employment, not work more than 48 hours a week, not work on Sundays, not allow children under 15 to work and to give the workers full freedom of movement when not working.

In affidavits before the court the workers said they were recruited for seasonal work in Postmasberg, about 1,000km from the farm. They were promised R10 a day, accommodation, food, a "kannetjie wyn" (a jug of wine) and a "lekker lewe" (good life). On their arrival they discovered they had to work long hours, were fed badly, lived in terrible conditions and were assaulted frequently.

Watched

Shortly after their arrival the 32 workers tried to leave but Mr Carstens persuaded them to stay. However, the assaults continued and according to affidavits, the workers were watched to ensure that they do not escape at night. Two of them managed to leave after being assaulted, set upon by the farmer's dogs, and threatened with a firearm.

An attempt to free the other workers had to be aborted when shots were fired at a truck by which the men would escape.

Mr Justice J Traverso was on the bench. Mr Andrew Brown appeared for the workers and Mr Anton Pick for Mr Carstens.
PIETERSBURG — The Transvaal Agricultural Union (TAU) has withdrawn from personal discussions with South African Communist Party chairman Mr Joe Slovo on the union's decision to ban political parties from farms.

TAU president Mr Dries Bruwer said Mr Slovo was conducting "calculated political delaying tactics" after he had already postponed discussions with the TAU four times. "The SACP was deliberately avoiding the issue in order to gain maximum local and foreign publicity."

This put farmers in an unfavourable light. — Sapa
Farmer ‘will treat workers better’ 4 cr17/294

Supreme Court Reporter

A NORTHERN CAPE farmer alleged to have held 32 workers against their will, forced them to work long hours and fed them badly, agreed in the Supreme Court yesterday not to assault or threaten them.

By agreement between the parties, Mr Justice S Selikowitz ordered Mr G.J. “Cowboy” Carstens to pay the workers on his farm Uitvlugt a basic wage of R60 per week, pay them overtime, drive them home to Postmasburg at his expense on March 5 and house them.

Mr Carstens also agreed to give the workers breakfast and keep his dogs inside the fence surrounding his home. He undertook not to force the workers to work on Sundays.

Restraining

Should the farm workers be required to work on a Sunday they would be paid R10 for two hours and R20 for working anything from two hours to a maximum of four hours, the court ordered.

The settlement followed an urgent application last Friday for a restraining order against Mr Carstens.

In papers the workers said they were recruited for seasonal work in Postmasburg about 1,000km from the farm. They were promised R10 a day, accommodation, food, a “kannetjie wyn” (a jug of wine) and a “lêkker lewe” (good life).

On their arrival they discovered they had to work long hours, were fed badly, lived under terrible conditions and were assaulted frequently. They were kept under surveillance to ensure they did not escape.

Mr Andrew Brown, instructed by Carl Wessels of Lawyers for Human Rights, appeared for the workers and Mr Anton Fick appeared for Mr Carstens.
Farmer guilty of shooting

Staff Reporter

A BRACKENFELL farmer who shot dead a trespasser on his farm was convicted in the Supreme Court yesterday of shooting dead trespasser Mr Alistair Luyt in April 1992 and fined R5 000 (or 12 months).

Gary Smith, 25, was not found guilty of murder but convicted on the lesser charge of culpable homicide.

He was also sentenced to five years' imprisonment suspended for five years.

Mr Justice W Cooper declared him unfit to possess a firearm.

Smith was acquitted of attempting to murder Mr Willem Grootboom, pointing a firearm and discharging a shot in his direction.

The court heard that Mr Grootboom, Mr Luyt and Mr Frans Kiewiets had been reprimanded by Smith's mother when they climbed over the farm fence to take a shortcut and there had been a confrontation.

Smith said he had chased after them, fired a warning shot and then stumbled and fell, accidentally discharging another shot which killed Mr Luyt.

Passing judgment, Judge Cooper said although he was sceptical of Smith's version of events, "judicial scepticism" was not enough to disregard his evidence and the court had to find that there was a reasonable possibility that the second shot was fired accidentally.

The judge said Smith should reasonably have foreseen that he may stumble and fire the gun in the direction in which he was moving.

Sentencing Smith, he took into account that he was married, a father of two and a first offender.

He also believed the impression Smith created that he would "not see the inside of a court on a serious offence again."

Mr Mike Stowe prosecuted Mr F van Zyl appeared for Smith.
No text on this page.
Pretoria: Transvaal farmers remain adamant they will not allow political activity on their farms ahead of the elections.

Farmers had to choose between the provisions of the Electoral Act and law and order: they would choose the latter, the Transvaal Agricultural Union said this week.

In a letter to SACP leader Joe Slovo, Union president Dries Bruwer reaffirmed the Union's intention of preventing party canvassers or vote educators from visiting farmers or workers and to ban political activities on their land.

The letter said farmers believed in political self-determination and in a volkstaat. If these aims were not recognised, farmers would take whatever action was necessary.

Bruwer regretted the letter was sent to Slovo in lieu of a personal meeting that has been postponed on several occasions.

Slovo said yesterday he hoped a meeting would soon be arranged in which "some of the farmers' misconceptions" about the SACP could be cleared up.

The SACP would attempt to persuade the farmers that the alleged SACP policy document was a fake.

SAPA reports Agriculture Minister Kraai van Niekerk said yesterday the recent strong upswing in the economy was largely due to outstanding achievements in agriculture.

"This is further proof that any future government can not afford to neglect this important sector."

It was also a clear message to those making irresponsible statements about agriculture and the redistribution of land that interference in this sector would cause irreparable damage to the economy.

Call to protect farm voters.

JOHANNESBURG — The ANC has demanded urgent action by the Transitional Executive Council to protect the voting and electoral rights of farmworkers.

The ANC said yesterday that new threats had been made to farmworkers' rights by Transvaal Agricultural Union president Mr Bries Bruwer.

Oct 19, 94
Frans Esthrushe

South African Rugby manager

Boand cattle

Election Threeath

on Cape Farms

19/1/94

(4)
Farmer's dog bites off boy's testicle

By Shannon Neil

"Oubsas saw them what they chased me. I did was pick a table and sit on it and pretend they were adults in the world."

"My parents said they were adults because they were running towards the family."

"The dog was just chasing and I was sitting in a chair."

"I had to pick the child up again and start over."

"The child was treated for shock and his testicle was replaced."

"Mr. Banks told the police that the dog had jumped up and bit the child."

"Mrs. Banks told the police that she had been threatened with eviction."

"The dog had jumped up and bit the child."
No more ‘kill the farmer’?

ISSUES DISCUSSED

**Farmers, workers and union get together:**

By Joe Mdhlala

The slogan ‘kill the farmer, kill the boer’ is set to become redundant as farm workers and farmers together attempt to regulate working conditions in the farming sector.

This message comes across loud and clear in farmers, trade unions and so-called “farm hands” discuss issues relating to the industry in the Independent Development Trust’s programmes “People to be” and “On the Farm”.

Both sides amplify their frustrations, hopes and ideals.

Incidents of farmers killed, and subsequent retaliation, are described by all parties as commonplace. In the agitation that follows, there is an underlying desire to rise above these incidents and do something positive to improve the quality of life and working conditions for the farm workers.

Preceding this, the farmers often insist on their pound of flesh, with a varying degree of compassion. But, at the same time, there are farmers who demand their pound of flesh regardless of circumstances.

**Trade union targets**

The latter are farmers whom trade union target for their venom. Indeed, according to Western Cape trade union leader Thomas Chaskos: “The function of a union is to ensure relations between employer and worker are regulated to the satisfaction of both parties.”

So the desire by recalcitrant farmers to undermine the union will only intensify the need by workers to resist beatings and revert to the philosophy of “an eye for an eye, or teeth for a tooth”.

The case of murdered farmer Stefanus Goussagen seems to suggest that the more delay there is in regulating labour relations in the industry, the more killings and retaliation will become the order of the day.

Aggravated by the murder of his father, Goussagen’s son pursued the killer and gained him down. This killing and the retaliation reverberated throughout the country. It also received a fair amount of international coverage.

In the Cape, farm labourer Charlie Thompson was killed by a Stellenbosch farm manager for being absent from work. The killer used a pick-axe handle to inflict a fatal blow.

The killer spent six days in prison for the gruesome murder.

Up to July last year, at least 40 people had been killed in about 132 attacks on farms throughout the country.

Farmer Jean van Riet, perceived in many quarters as enlightened because of the humane way in which he treats his workers, says he often has to put up with complaints from his colleagues because he treats his “kaffirs” well.

Paying his workers an average of between R320 and R470, he says they earn this wage because of the hard work. His philosophy is based on the notion that workers should own the enterprise.

Van Riet, pursuing his reformist beliefs, has built houses for all his farm workers and their families.

In addition, he has formed a workers committee to discuss their problems.

But it is questionable whether this goes far enough to address adequately the grievances of workers as exposed by the trade union movement.

However, Van Riet recognises at least that workers have a right to express their views about working conditions.

Indeed, Van Riet claims that the trade union is often mistreated to disrupt productive enterprises. He believes this is not necessary, and more refined ways of resolving disputes should be established.

**No human dignity**

Lawyer André Du Toit says farmers often regard workers as mere “farm hands” with no human dignity.

A holistic approach towards tackling problems encountered by farm workers should be devised, says Rural Foundation official Octavio Ross.

“People — the workers themselves — should be involved in addressing their own problems,” he urges.

An enlightened programme devised by Vergleep, an Anglo-American project to promote civilised methods of dealing with farm workers, suggests the key to resolving workers’ problems lies in partnership.

It is when farmers, farm workers and farm committees come together and find solutions that improved working conditions will result.

Anything short of this is doomed to failure.

Also, legislation to regulate Labour Relations Act should be amended to ensure farmers abide by it.

Indeed, Steve DeBeek of Rural Foundation says farmers without trade unionism are “a threat to the past. The law must ensure that farmers allow farm labourers to form themselves into unions.

If that happens, there will be no need for slogans such as “kill the Boer.”
Mandela, Farmers talk on land issue

NEWS

ANC leader expresses concern over preference to other parties
Mandela tries to allay farmers' fears

THEO RAWANA

The role of farmers was important to the economy and an ANC government would do nothing detrimental to this sector when addressing land issues, ANC president Nelson Mandela said yesterday.

After meeting a delegation of the South African Agricultural Union (SAAU) in Johannesburg, he said that while the ANC was devising strategies to address the issue of landlessness, the role of farmers as key producers also had to be considered.

Mandela said he had asked for the meeting to allay farmers' fears after land claims were made at the Community Land Conference in Bloemfontein last month.

The land distribution proposals of the National Land Committee — an umbrella body for land and agriculture-related organisations — were not those of the ANC, although the organisation supported the conference. He said it was necessary for farmers “to come on board”.

Mandela said the meeting had been productive in resolving the issue of vocational education on farms. He gave no details.

SAAU president Boet Fourie said the SAAU would present its policies to the ANC next week and would hold more talks in an attempt to influence ANC policy.

He said the SAAU had told the ANC that its plans for land use were unrealistic and small farmers could never be established at the cost of commercial farmers. 'Property rights had to be protected at all costs, he said.
ANC ploughs strong furrow in farm

Watchdogs to hear of farmers who defy a

In spite of recent regulations aimed at allaying farmers' fears, disputes continue about access to farms by election officials.

FRANS ESTERHUYSE
Weekend Argus
Political Correspondent

FARMERS in the Western Cape have been accused by the African National Congress of refusing ANC election officials access to some of their farms in defiance of electoral laws and regulations.

In some cases, it is alleged, farmers have found ways of circumventing the regulations so as to prevent or hamper election work on their farms. Allegations were also made of ongoing intimidation of farm workers.

In the Robertson area a farm worker was allegedly assaulted by four people, including three whites, for having displayed ANC posters on a wall of his home. The victim had made a sworn statement about the attack and a charge had been laid against the alleged attackers.

Mr. Esau said the ANC had set up meetings with farmers in some areas to discuss election matters such as access to farms. The general response from farmers had been "favorable", but some farmers were still trying to "wriggle" out of provisions of the Electoral Act.

Mr. John Schuurman, ANC organiser in the Ceres area, said many farmers were not adhering to the law and were still denying election workers access to their farms. The farmers concerned were using "loopholes" in the law to prevent ANC election workers from gaining access.

One method used was to offer to provide transport for taking farm workers to voting stations in nearby towns, for example, so that election workers could speak to them.

However, the ANC argued that this was not good enough because many farm workers were semi-literate or illiterate and needed to be seen individually in their homes so that voting procedures could be explained to them.

Mr. Esau said farm workers had received misleading information from farmers. The transport offers appeared to be "a smokescreen to prevent us from getting on to farms."

The ANC's Western Cape leader and candidate for prime minister, Dr. Allan Boesak, said some farmers had chased people from their farms after meetings. Farm workers had to be made aware of their rights.

The Electoral Act makes it a punishable offence to impede any party representative or official engaged in voter education, or to prevent their entry into any area, whether public or private, for election activities.

Hustlers EC banned

HUSTLERS, an entertainment club, third issue, produced by Jıp Publishing, Dookfontein, has been banned for distribution.

Announcing this yesterday, the Directorate of Publications said that although it was the only publication found to be undesirable during the past week, eight titles had been rejected.

They are: Dampkraal's Dreaming about Dick; Fear of a Black Hat; Herma Personalities; Starbirds Vol 1, 2 and 3; "Leather, Lace and Longhair" and Tobe Hopper's Night Terrors (TV version) — Sapa.
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ANC TEAM: Election officials of the African National Congress who are dealing with the thorny issue of access to Western Cape farms for electioneering. They are, from left, Ebrahim Rassool, election co-ordinator, Essa Moosa, regional election agent, Cameron Dugmore, head of the ANC's organising department in the Western Cape and John Schuur-


Picture: LEON MULLER, Weekend Argus.

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Lingerie"; and Tobe Hooper's Night
Terrors (TV version). — Sapa.
Farmers hinder ANC canvassers

They also expressed concern that the Department of Home Affairs was "not efficient" in issuing temporary voting cards.

Three ANC members said they saw the party's posters being torn off by several people, including a traffic officer known only as Lukas.

Another ANC member described how young children were allegedly hired to remove ANC posters.

ANC regional organiser Cameron Dugmore said a window of the organisation's Ocean View office was stoned and the movement's posters were torn off by NP supporters.

Mr Dugmore also claimed a Piketberg farmer denied an ANC field worker access to his farm on the grounds that his workers were harvesting.

The farmer had claimed the workers were not interested in the election.

"When asked about Sunday, the farmer responded that Sundays were reserved for worship."

Another farmer in Piketberg refused to allow the ANC members access because he did not allow political parties on his farm.

In Worcester farm employee Gawie Martius was allegedly fired for being in possession of an ANC flag.

In Fraaeschhoek a farmer is apparently withholding the identity documents of his workers.

Earlier ANC regional premier candidate Allan Boesak said initially the ANC did not want to run to the IEC each time there was a transgression.
Anglo sets terms for canvassing

By JESSICA BEZUIDENTHOUT

Anglo American has introduced strict conditions to which political parties have to agree before they will be allowed to canvass on farms belonging to the company.

Anglo American Farms Limited owns two main farms in the Western Cape, one in Somerset West and another in the Franschhoek valley, as well as several others in the rest of the country.

But the ANC’s Farm-workers Task Group has criticised some of the conditions.

A spokesman said the organisation had been advised by its legal representative that some of the conditions were in contravention of the Electoral Act.

A number of conditions preventing demonstrations and singing, as well as the display of placards and banners outside an agreed venue, which Anglo has defined as either a community hall or a vacant shed, were in contravention of free political canvassing and campaigning, an ANC spokesman said.

Another condition, which the ANC says is “unreasonable”, stipulates that any political party wishing to campaign on an Anglo farm must first supply the company with proof that they have a minimum of R5 million public liability insurance.

“This could mean no canvassing work will be allowed on Anglo American’s farms,” a spokesman for the Farm-workers Task Group said.

The Democratic Party, although critical of the fact that Anglo was attempting to limit the number of people allowed at the meetings, considered the rest of the conditions “quite reasonable”, said DP National Executive Director, Mr James Seife.

One of the conditions stating that the party will not allow more people than the capacity of the venue, was an unfirable condition, he said.

Mr Seife said the R5 million public liability insurance condition was “fairly reasonable” in view of Anglo’s right to protect its property.

Agreement

Anglo American Farms Limited spokesman, Mr Don Tooth, said the National Party has already entered into agreement on the conditions. The NP was not available for comment.

“The conditions are open for discussion and political parties are welcome to respond,” Mr Tooth said.

He said the conditions were drawn up to protect the company’s workers on farms as well as its property.

He said “the draft conditions, drawn up in line with the Electoral Act” were sent out earlier this week, but that no response had been received from political parties.
Farmer accused of attack on farm woman

By JESSICA BEZUIDENHOUT

STELLENBOSCH police are investigating charges of assault, theft and pointing of a firearm against a local farmer after a complaint was laid by a farm Labourer's wife.

The woman's decision to lay the charges has been heralded as a major breakthrough by the farmworkers' support group in the area.

"Some farmers have been getting away with victimising workers for much too long," said Mr Desmond Petersen, spokesman for the Farmworkers' Rural Support Group.

The farmer, Mr H Zetler, refused to comment and threatened to sue Cape Metro if a report was published.

Asked about the claims, Mr Zetler said: "I'm not denying anything — she's lucky she's still alive!"

Mr Petersen said Ms Evi Booyzen sought help after she was allegedly attacked by Mr Zetler on his farm Brackendal.

She claims Mr Zetler accused her of being drunk, "kicked and punched her in the face", pointed a firearm at her and fired into the air.

Ms Booyzen had been living on the farm with her common-law husband, Mr Geït Visagie, since 1992.
NEWS Urgent need for informal soc.

Man dismissed over AWB abuse

By Joshua Raboroko

A FARMWORKER was dismissed by his white rightwing employer because he tried to intervene when his brother was brutally assaulted by alleged members of the Afrikaner Weerstandsbeweging.

Mr David Seane of 120 Segapelo Street, Tshing Township, near Venterdorp, said he was threatened with assault by his employer when he questioned his brother's assailants.

The brother, Mr Sonnyboy Seane, who suffered brain and dog bite injuries, was yesterday admitted to the Leratong Hospital near Krugersdorp where his condition is said to be improving.

Without notice

David was forced to leave Wheatlands farm near Randfontein immediately, without notice, monthly pay or other allowances.

He said: “My employer told me to demand my salary from Mandela. I replied that he (Mandela) had not employed me. He threatened to assault me if I asked further questions.”

He worked for the farmer for about 10 years earning R100 a month.

Sonnyboy (40) was allegedly savaged by dogs and sjambokked by white rightwingers on the farm where he was visiting David on March 13.

After the assault Sonnyboy was put on the back of a bakkie and dumped in the veld between Randfontein and Soweto. He spent seven days bleeding and in a coma.

Pule Seane told Sowetan yesterday that Sonnyboy’s speech was slurred, apparently as a result of the alleged assault. The family took turns helping him to eat and walk.

The family was instructed to report the matter to the Koksoek police station near Randfontein, but because of his speech problems no charges have been laid.
didn't know what to do after the death of two women's deaths. The first woman was found in the freezer, and the second was found in a nearby room. The police believe the deaths were linked, but no motive has been determined yet.

The first woman, identified as Jennifer Zeller, was found in the freezer. She had been strangled, and her body was concealed in a bag. The police are still investigating the circumstances of her death.

The second woman, identified as Sarah Brown, was found in a nearby room. She had been shot multiple times. The police believe she was killed by the same person who killed Jennifer Zeller.

The police are still searching for the suspect and are urging anyone with information to come forward. The community is on high alert, and the police are working around the clock to solve the case.

By Shannon Neil

FEARFUL OF BRUTAL ASSAULT
Pregnant woman accuses
'I was kicked, strangled, locked in the freezer.'

South 2613-26114

March 31, 1994

NEWS SOUTH 3

Stellenbosch
Farmers want ANC to spell out land policy

PRETORIA - Organised agriculture will make a strong plea for realism in the ANC’s land redistribution policy when an SA Agricultural Union (SAAU) delegation meets an ANC task group on March 25.

Farmers want the ANC to spell out their land policy. Allocating productive land to inexperienced farmers could be disastrous for food production in SA.

They warn the ANC that claims should be dated back to 1652.

Small farmers should only be set up on an economically viable basis, and not at the expense of commercial farmers. Land for small farmers should be acquired through better use of underutilised state-owned land, said the SAAU.

Miners agree to return to work

THE NUM strike at Gengold’s Buffelsfontein mine was expected to end yesterday with nightshift workers having agreed to report for duty last night.

NUM president James Motlati yesterday said he was confident workers on today’s morning shift would also report for work. Motlati said mine management had agreed to most of the union’s demands, including the reinstatement of six workers dismissed last year.

A mandate received from workers at a weekend meeting was in favour of returning to work “provided management acted swiftly in meeting demands”, he said.

The strike, which involved 6 000 workers, entered its fifth day yesterday.

In addition to the reinstatement of the six workers, the strikers were demanding the “removal” of a newly appointed mine manager accused of harassing union members, mass meeting facilities, and better catering and housing conditions.

Motlati also said the union wanted an investigation into the deaths of four workers and several injured during clashes with mine security last week.

Gengold spokesman Andrew Davidson confirmed the NUM’s regional Klerksdorp office had informed management that workers would be returning to work today.

Davidson could not confirm what extent management had acceded to union demands but said full production would commence today.

Gengold said 35kg of gold was lost per day in the strike. At average gold prices this resulted in production losses of about R100m. Production costs, which have risen sharply in the first quarter, would also be adversely affected.
Call to focus on rural poor

By ANTHONY JOHNSON
Political Correspondent

THE transformation of the lives of people living in the rural areas should be the major focus of any reconstruction and development programme after this month's election, the Social Change Assistance Trust (Scat) said yesterday.

A report on the impact of Scat rural advice offices across the country also urges foreign funders not to downscale support for rural development projects as the majority of South Africans still live in the rural areas and that those in the homelands remain the poorest of the poor.

"They don't have clean water, they don't have electricity, they don't have waterborne sewerage and they usually don't have adequate housing.

"These rural people bore the brunt of the apartheid system by being subject to oppressive bantustan governments and by being denied resources for development," the report notes.

Scat noted that its 33 rural advice offices were the only rural agencies which had the infrastructure to take up the issues of local communities.

The report said that a study of the operation of rural advice offices had found them to have had a significant impact in three main areas:
- Standing up for justice
- Calling local authorities to account, and
- Gaining improved facilities.

JOHANNESBURG — Land redistribution without compensation was confiscation, which is unacceptable, African Christian Democratic Party leader the Rev. Kenneth Meshoe said at a party conference yesterday.

Redistributing land should be regulated through proper legal processes, he said. — Sapa
The African National Congress (ANC) was formed in 1912, and it has been a driving force in South African politics ever since. The ANC is a non-racial and non-sectarian political movement that seeks to achieve a democratic and non-racial society in South Africa. The ANC has been involved in various political struggles, including the struggle against apartheid and the struggle for the transition to democracy in South Africa.
'Struggle' not over for rural people

DALE KNEEN
Weekend Argus Reporter

PEOPLE living in country areas believe their struggle against oppression is not over, according to a study of rural advice offices funded by the Social Change Assistance Trust (Scat).

And, having borne the brunt of the apartheid system, they know how to fight, not only for human rights, but also for funds to provide their communities with water, electricity, roads, schools and clinics.

The Scat study, which was released this week, showed advice offices had had a tremendous developmental impact as they were the only organisations in rural communities with the necessary infrastructure.

Scat director Mpho Ndebele said advice offices were launched during the states of emergency in the mid-1980s as highly politicised community resistance organisations.

Advice offices' running costs and staff salaries are paid by either Oxfam, the Kagiso Trust, which derives its income from the European Community, or from Scat, which is funded by the Church of Norway.

Scat funds about 50 advice offices in the Cape along with about 30 other organisations, most of which operate service projects like health and education programmes in rural areas.

"In 1990, we did an internal evaluation and decided the winds of change were blowing in terms of legislation, but that, in real terms, the status quo for rural people would remain the same," said Ms Ndebele.

Some foreign funders no longer saw advice offices as "trendy" organisations to support, but Scat believed they were still giving a concrete lead for development in rural areas."
Farm court hears case

CAPE TOWN — A Stellenbosch wine farm worker made industrial relations history yesterday when his alleged unfair dismissal was brought before the first sitting of the Agricultural Labour Court. Industrial Court president Prof Adolph Landman presided over the hearing at the court's Cape Town Centre for Rural-Legal Studies, said researcher Dawie Bosch.

The Agricultural Labour Court was set up in terms of the Agricultural Labour Act, which came into effect on January 17 after nearly four years of protracted negotiations on the National Manpower Commission.

Cape Town University labour law unit representative Sarah Christie described the specialised court as an important industrial relations development.

"For the first time, the parties in agriculture are being seen as part of the general system of workplace justice," she said. — Sapa.
Farmers lay down the law

By Isaac Moledi

LAWYERS for Human Rights have questioned whether the right of ownership of land by white farmers was greater than the right of farmworkers to choose a government.

This follows allegations that hundreds of farmworkers in Bophuthatswana and the surrounding areas were ordered to vote for President FW de Klerk in the coming election or face dismissal from their jobs.

LHR Mafikeng regional director Mr Tshapiso Ramphela said white farmers were abusing their right to ownership of farms to exploit the ignorance of their workers.

He said his organisation was dealing with cases of dismissal of workers on a daily basis.

Ramphela said farmers were now dismissing them, saying they should go and work for Mandela.

The organisation's regional organiser in the area, Mr Bailey Mohlokoneng, said about 10 clothing company workers and four at the PC Dairy were retrenched on Wednesday after an official told them to go to Mandela to give them the employment he promised them.

Mohlokoneng said LHR heard cases where farmers would ask their workers who they would vote for.

"If they say they would vote for the ANC, then those workers are dismissed," he said.

He said a foreman and other workers in Koster were dismissed for refusing to take part in voter education which was meant to campaign for the National Party.
R20m fund to aid small farmers

By: MARGO SOGNOT

SMALL-scale farmers seeking to buy their farms or set up new ones would soon be able to draw support from a R20m fund run by the newly launched Small Farmers' Development Corporation (SFDC), chairman Louis Kriel said.

The corporation — set up with private-sector cash — aimed to establish at least 10,000 new commercial farm businesses by the year 2000, Kriel said yesterday.

It had so far raised R10m from the private sector, sufficient to launch the corporation and ensure its financial independence. It had further commitments from business that would take it close to the R20m target.

Major agricultural concerns and institutions were set to back the project, he said, and it was also drawing support from the Independent Development Trust, the World Bank, the Industrial Development Corporation, the Development Bank of SA, and Farm Africa.

The corporation would consist of three divisions: technical and marketing, social empowerment and financing and funding services.
Farm labourer wins back job

A STELLENBOSCH wine farm labourer fired after a drunken Christmas Day brawl has been reinstated by the Agricultural Labour Court in a landmark judgment handed down in the city this week.

In its first judgment, the court warned of the destructive heritage of the "dop system" when ordering the reinstatement of Helderberg farm employee Mr. Esau Booyzen.

Court president Professor Adolf Landman presided over the unfair dismissal application brought by the Stellenbosch Advice Office. He found Mr Booyzen's January 20 dismissal had been procedurally unfair and his punishment did not fit the misdemeanor.

Although his employers had 10 years ago taken the lead in scrapping the "dop system" — controlling labour by encouraging alcohol dependency — the effects of this malignant system would trouble agriculture for years to come, he said.

Landmark judgment after brawl

Alcohol-related labour problems had to be dealt with appropriately, taking into account the commercial interests of farmers, the relationship between farmers and labourers and rehabilitation.

Mr Booyzen, when drunk, allegedly fought with a man who tampered with his television set. He also hit his wife and daughter when they tried to restrain him, as well as a boy.

Professor Landman ordered Mr Booyzen to apologise to the boy, Carlo Sikes, and the farm's liaison committee for his behaviour. He ordered Mr Booyzen be reinstated with retrospective effect on February 28, but not be paid any wages from then until April 13. — Sapa
Bullying by farmers alleged

REPORTS of farmers intimidating farmworkers and confiscating their identity documents are being investigated by the Organisation of African Unity (OAU) observer mission and the Independent Electoral Commission (IEC).

OAU Nigerian representative Sam Iboke said the organisation was investigating reports of Venterdorp farmers refusing to allow their farmworkers to vote.

Iboke said the OAU was also looking into rumours of water poisoning in the Witbank area. "We have received a number of claims of intimidation which we are taking seriously. We are very concerned about the information we have received."

The Farmworkers Research and Resource Project reported to the IEC that farmworkers in the Piet Retief district in the southeastern Transvaal had been forced to attend an Inkatha Freedom Party rally on Friday.

Project co-ordinator Able Dithake said farmworkers were forced to attend the rally whether they were Inkatha supporters or not. Some were not even told they were being taken to a rally.

Dithake said the communities with whom the project worked had voiced concerns that they would be forced by farmers to vote for a particular party.

Orange Free State Rural Committee land rights co-ordinator Philemon Tese said farmworkers had reported that farmers were telling them to vote for the NP.

Some workers had reportedly been told they would not be paid if they did not vote for the NP. Tese also said some farmers were refusing to allow voter education groups onto their farms.

Cosatu spokesman Marlene Powel said the intimidation campaign seemed to have been stepped up at the weekend, with reports from Bethel of farmworkers being forced at gunpoint to hand over identity documents.

Powel said farmworkers in the Stander-
Looking to the future ... Gaatherd Jakob Swartbooi will vote in Kuboes in the Northern Cape — if someone comes to fetch him from the veld.

PICTURE: PAUL WEINBERG.

Getting ready, far from the hubbub

BY CHRISTINA STUCKY

Deep in the lunar landscape of the Northern Cape’s Richtersveld lives the 150-year-old community of Kuboes. At the entrance to the town, Nelson Mandela and F W de Klerk smile from faded posters-swaying in the brisk breeze. From behind a window in one of the town’s several shopcum-esteries Zach de Beer’s eyes follow passersby.

This week, the town’s 500 eligible voters will cast their ballots in the new church hall, far from the flashing lights of photographers in South Africa’s big centres.

Jakob Swartbooi will be among the Kuboes voters. On a recent IEC voter education visit to the area, Swartbooi was handing goats to the watering hole just outside Kuboes when the IEC car arrived carrying seven white people and one black.

Swartbooi spends virtually the entire year in the veld, living in a makeshift, igloo-like hut. Townpeople bring him food and every three months he comes into town for a weekend. White people are a rare sight in his life.

The shy Nama man clearly is unaccustomed to this much attention. Yes, he says, yes he will vote but only if someone comes to fetch him. No, he says, no he doesn’t know how to vote. His answers become monosyllabic when the SABC focuses a camera on him. He glances sideways at the microphone.

Confuse

Thabo Manyoni, national officer for IEC voter education, shows him a ballot paper and explains that he does not have to be “master” in order to vote.

In Kuboes, residents know only the ANC, the NP and the DP.

“The other, smaller parties confuse them,” Manyoni explains, adding that only these parties have come to canvass here. Everyone in Kuboes knows the town’s one DP and three NP supporters by name.

Despite their isolation, geographically and politically, it would be a mis-take to call the townpeople naive or completely uninformed. One of the town’s leaders, statusque Paul de Klerk, tells of a visit by ANC representatives.

The people, he says, laughed at the campaigners when they were told the townpeople would not have to pay for water and electricity if they voted ANC. Besides, the community is used to casting votes, he says. Every few years they elect their “captain”.

People like Swartbooi, unsure of the voting process and of what their vote will do, are not unusual. He, at least, is not afraid of intimidation; as are some voters in more troubled areas. But Manyoni is confident “the majority of the people have been briefed”.

Gaps remain, particularly among the elderly and in rural areas, but, Manyoni confirms, the voter education programme will be busy until the last moment to fill them.

(47 Sauer Street, Johannesburg).
IEC won't stop farmers busing labourers back to homelands

Staff Reporter and Sapa

THE Independent Electoral Commission said today it would not bar farmers in the Grabouw-Villiersdorp-Caledon area from busing contract workers back to Transkei and Ciskei during the election.

The African National Congress protested to the IEC last week after hearing that farmers were sending 15 buses carrying about 60 workers each back to the homelands. (4)

The farmers said the workers were returning home at the end of the harvest.

The IEC said today that during investigations, including mediation sessions, into claims by the ANC that farmers were acting in bad faith by terminating employment contracts, IEC investigators found no legal basis for the issuing of a prohibitory interdict.

This conclusion was discussed with the ANC's regional publicity head, Bulelani Ngcuka, who agreed there was no legal basis for an interdict, the IEC said.

The IEC has asked the ANC to report urgently any additional information that might constitute evidence of a contravention of the Electoral Act.

An ANC spokesman said today busing workers back to the Transkei and the Ciskei was "outrageous and manipulative". Workers should be allowed to vote where they choose.

"But it's too late to do anything about it now."

(News by J Viljoen, 125 St George's Mall, Cape Town)
Boost for farmers

PROSPECTIVE black farmers are likely to benefit from a newly launched programme to assist small commercial farmers.  

The Small Farmers Development Corporation is a private sector initiative aimed at producing about 10 000 small commercial farmers by the year 2000.

So far R10 million has been raised within the private sector to set the programme rolling.

The chairman of the SFDC committee, Mr Louis Kriel, says the project is backed by all the stakeholders in the agricultural industry.
The decision to move forward with Yoko Ono’s ongoing "for the N Gape brown Our Voice in the Workroom" project is a significant step in the ongoing dialogue around contemporary art. The project, which involves the collaboration between Ono and a group of artists, seeks to explore the intersection of art and activism, particularly in the context of mental health and wellness.

Yoko Ono, known for her experimental and socially engaged art, has long been at the forefront of avant-garde practices. Her work often challenges traditional notions of art and performance, and she has been a vocal advocate for peace and social justice.

For the N Gape brown Our Voice in the Workroom is a participatory project that invites collaboration and participation from a diverse range of artists and community members. The project’s goal is to create a space for dialogue and reflection, where individuals can share their experiences and perspectives around mental health and wellness.

The project is currently in its early stages, with workshops and events scheduled over the next several months. Participants will have the opportunity to engage in various activities, including workshops, discussions, and creative exercises, all aimed at fostering a sense of community and support.

For more information about the project and how to get involved, please visit the official website at Yoko Ono's website.
Hopedfield couple deny mistreatment, shipyard amid claims of slavery

John Witten and Margaret

The Arizona Republic, May 4, 1994
Domestics overlooked

ERICA JANKOWITZ

NEITHER the Agricultural Labour Act nor the Basic Conditions of Employment Act covered domestic workers on farms, probably because of an oversight on the part of those who drafted the legislation, Industrial Court president Adolph Landman has said.

"Landman said the Basic Conditions of Employment Act, specifically excluded domestic workers on farms."

"Although the Agricultural Labour Act extended the Labour Relations Act to cover farm workers, it also excluded domestic workers."

"It seems that unintentionally, perhaps, domestic workers on farms have been left out in the cold. Common law and its inadequate provisions continues to govern their conditions of employment."

Landman also noted that workers would be prohibited from striking and farmers from locking out workers even if they opted out of the compulsory arbitration clause."
ANC leaders in rural areas areexplodeited leaders

DISCREDITED LEADERS

ANC govt will give

A FUTURE ANC-led government will give grants to rural people.
Northwest farmers alarmed

FARMERS in the Northwest region feared their farms might be confiscated without compensation by the ANC-led government, the Transvaal Agricultural Union said yesterday.

This follows a warning by the region's agriculture minister, Rocky Malebane-Metsing, that his administration would not hesitate to confiscate land without compensation from farmers who allowed AWB activities on their farms.

Wilco Beukes, union chairman in the former western Transvaal, said farmers feared being hoodwinked into selling their farms via confiscation threats and being refused compensation once their land was confiscated under a land claims court.

Attempts by the ANC to link white farmers in the area to the AWB were also very disconcerting. "Farmers in this area have no links with the AWB," he said, adding that the sole concern white farmers had was "holding onto their property".

Beukes said he and the agricultural minister met yesterday to discuss these fears and other grievances, adding that many more meetings between the two parties were scheduled for the future.

"We understood each other," said Beukes, adding that he believed the ANC would soon realise white farmers in the Northwest were not all linked to the AWB, especially not those affiliated to the agricultural union.

Malebane-Metsing yesterday said "drums of war are being beaten by reactionary forces" wanting to destabilise the government of national unity.

"My administration will not hesitate to confiscate land from those farmers who allow secret activities to be held on their farms. We will not permit this," he said.

Reiterating a statement made at a meeting in Bapong near Brits over the weekend, Malebane-Metsing said the Northwest regional government would not allow farm land to be used by the AWB or other groupings for storing weapons or training private armies.

"We will not hesitate in taking land away from these people and we will not compensate them," he said.

Malebane-Metsing, however, refused to comment on whether any investigations into such activities were being conducted in the Northwest region.
Farmworker union signs historic deal

By JOVIAL RANTAO
LABOUR CORRESPONDENT

The National Union of Farmworkers (NUF) last week won a historic right to negotiate on behalf of a group of previously unorganised farmworkers, when they signed an agreement with Schoeman Boerdery Company, owned by former Transport Minister Hendrik Schoeman.

According to the NUF, an affiliate of the National Council of Trade Unions (Nactu), the 2,119 farmworkers on the Schoeman Boerdery would be paid a minimum wage of R220 in the lowest category and R557 in the highest. Temporary workers, would, according to the agreement, be paid minimums of R220 and R280.

Employees would be entitled to take four days' paid compassionate leave in the event of the death of an employee's wife, husband, mother or children. However, the farmworkers must provide the company with a death certificate when they return from leave.

As part of the agreement, the NUF decided to withdraw its proposals for an annual bonus, paternity leave and long-service award. A provident fund, agreed upon in the negotiations, would be implemented on March 1 next year.

The dismissal of five shop stewards at a farm in Hekpoort in the Rustenburg area, has led to a wildcat strike by farmworkers there, Nactu reported.

Modini Malvha, Nactu's publicity secretary, said the five shop stewards were fired when they went to present grievances from workers on the farm of Ellie van Wyk.

Nactu, Malvha said, planned to approach the Department of Manpower to highlight these and other grievances of farmworkers.
Workers still face problems on farms

Workers are still facing problems on farms. The Agricultural Workers Research and Development Project (AWRDP) says workers are often denied their basic rights, such as the right to fair wages and a safe working environment. The project has been working with farmers to improve conditions for workers.

The ARC, a government body, has also been active in improving farm workers' rights. They have been holding workshops to educate farmers on their responsibilities towards workers. The ARC has also been working with workers to help them improve their bargaining power.

However, the biggest problem remains the low wages and long hours. The workers are often paid less than the minimum wage and forced to work long hours without any breaks. This has been a major issue for the workers and they have been demanding better conditions.

The situation has improved in recent years, but workers still face many challenges. The government has been making efforts to improve their conditions, but more needs to be done to ensure workers' rights are protected.
PORT ELIZABETH — The white agricultural co-operative movement's insecurity over deregulation and the emergence of black commercial farmers dominated its 1994 congress this week.

SA Agricultural Union (SAAU) president Breet Fourie, who closed the congress in Port Elizabeth yesterday, encouraged co-operatives to reassess their membership and accommodate developing farmers, who were strategically badly placed in terms of product marketing. "Co-ops should help him market, either directly or by adding value to his product through processing or packaging."

The union tentatively agreed on the need for co-operatives to address the emerging sector but did not state what assistance would be rendered.

Natal co-op chairman Hennie de Villiers mooted training developing farmers. HLF Vercueil, seconding the proposal, said co-operatives should not be expected to carry the financial burden of development. "We can play a big role in distributing funds... but someone must pay for it."

Black Farmers' Union (BFU) development manager Thabo Mokone, who sat in on the congress as an observer, said his 25,000-strong organisation would work for unity with the SAAU and the Co-Operative Council. Established co-operatives should see developing co-operatives as partners, not clients.

Congress delegates expressed relief over the ANC's consultative approach and asked the Co-Operative Council to begin negotiations to secure producer interests.

Fears were expressed that tensions might arise between commercial and smallscale farmers over formulation and implementation of government policy. — Sapa

1994
PRETORIA — An amount of R50,000 has been donated by the Independent Development Trust for the training needs of black farmers' associations in the Eastern Cape.

IDT consultant Bonile Jack said yesterday the money would be made available over a period of three years.

The Progressive Farmers' Union of SA would be the budget holder.

Jack said every association would receive an amount of R500 for training needs identified by the associations themselves.

Jack stressed that the R500 amount was strictly for training. Each farming association would be accountable to the union whose bank account would be audited annually. The union would report to the IDT. — Sapa.
Farm takeover by Boland labourers

Private deals between the Sarons Farmers Association (SFA) — a body comprising members of the all-coloured community — and white farmers who "want out" are on the brink of being finalised.

If the deal was accepted by the government, more than 10,000 hectares of farming land in the area — where many of these people once worked as labourers — would be managed by Atulco chairman of the SFA, Mr. Evan Matthews, said this week.

Funding for the project was being considered by the government and the go-ahead was expected during the next three weeks, he said.

The sizes of the farms, all of which border Sarons, vary from 150 ha to 4,000 ha.

"Government sources have already indicated their support and it is just a matter of cutting through red tape," Mr. Matthews said.

He would not elaborate on the prices that would be paid for the 15 farms, but said all the purchases would be at market value.

"Good deals have been struck with white farmers who want to sell," he said.

At least three of the farms are owned by absentee landlords who rented them to other farmers.

One farmer, who asked not to be named and to sell his property in the heart of the Rodeenland mountain range, said he was happy as he would be getting a "good price."

He said most of those who were to sell their properties felt the same way.

The people's project, as one of the local residents referred to it, was initiated by a group of residents of Sarons.

"It sprang from the enormous demand for land in the area," Mr. Matthews said.

"Recent land reform initiatives in the boundaries of this small town simply cannot accommodate the demand from the 10,000-strong population in Sarons," he said.

More than 120 men from the town have undergone training in all aspects of agriculture with the help of the Rooiplaag Training Centre in Ceres since the programme began in November last year. A further 100 people are currently being trained.

Training co-ordinator at Rooiplaag, Mr. Donald Creighton, said 30 of the trainees had also completed an extensive agricultural programme, covering various aspects of farming.

He said the project was a major breakthrough for the people of Sarones, who had always cultivated their own fruit and vegetables in their backyards.

"The big task is to ensure that their farms will make a fair contribution towards the economy of the country," he said.

Harbour for North Cape?

The Northern Cape provincial legislature is looking at the feasibility of building a deep-sea harbour on the North Cape coast.

Speaking in civil service and business people at Port Nolloth (Regional Premier Manie Wilsen said...
This land is my land

June 21 to June 28 1984
Bitter lot for sugar workers

BY SPIRO KHUMALO

Chiniwe was forced to come to her native country when the sugar workers were taken home from the sugar cane farms. She was forced to join a union because the workers had stopped the strike. She was forced to come to her native country. She was forced to take her daughter and child out of the country. She was forced to leave her job. She was forced to leave her country.
Workers kicked off farms in the new SA

TENSION is mounting in the Eastern Transvaal and areas of the Free State as the ANC offices are inundated with calls from people with complaints ranging from evictions and dismissals to cases where they are allegedly shot at by farmers.

City Press this week visited the Eastern Transvaal following an alarm by the ANC's sub-region in the township of Eikwalkini. When we arrived at their offices there were dozens of farmers workers who complained of dismissals, threats by the farmers to reduce their livestock and being given notice to evacuate premises which had been their family homes for almost a century.

ANC chairman Desmond Sonoeng said that this appeared to be a systemic tendency in the area by farmers who before asking their "tenants" to leave, he demanded that they reduce their number of cattle to a certain figure. Forty-four-year-old Stephan Zulu of the Glen Valley Estates told City Press that he has been working at the farm for over 20 years. He has a wife and nine school-going children and when the farmer told him that he should reduce the number of his 23 cattle to five he flatter refused. The farmer has worked on the farm for only R50 and a bag of maize meal each month and was accumulated the cattle one by one over the years. His neighbour William Malaza has 26 cattle and stays with his mother Martha, wife Anna and four children. "Where do these people expect us to go from here? This is our home," asked Malaza. Mozuku Yster Mashinini (76) arrived at Vaklop farm 51 years ago where he built himself a house and also ABE conservative white farmers who are trying to fight change taking out their anger on black farm employees? MANGOSI MAKHADO in the Eastern Transvaal and DAK DHLAMINI in the Free State report worked there as a farm hand. "Now that I am old and unable to work for them I am told to leave. I know because he told me," one of the workers said. When we arrived at the farm the general manager of the 4680 hectare Grand Valley Estates near Rietplaat in the Eastern Transvaal has confirmed that the farm labourers were given until the end of the month to vacate the premises.

Speaking from Swaziland where the company has strings of farms and meat factories, Willie Roux told City Press that they had to get rid of the Zulu and Malaza families following their refusal to reduce their cattle to the proposed five a family.

"When we bought the farm three months ago the idea was to utilise it to the fullest and we realised that it was overgrazed as the families had too many cattle. It was only fair for them to reduce the number of cattle because in the end they were also going to suffer," he said. Herman Steyn denied that he at any stage told Thabethe to pay R230 for his cattle to stay at his Alexandria farm. "We have always paid Isaac for services rendered on the farm until recently when things came to a head and we called him to explain our financial position," he said.

Lawyers acting on behalf of Adventur Jacob van Zyl, who owns the farms where 76-year-old Mashinini lives, confirmed they had given him until the end of May to leave the farm with his 30 cattle.

According to Khumsi Leshete, an ANC spokesman in Bothaville in the Free State, the large-scale dismissal of lowly paid workers by white farmers was aimed at undermining the ANC-led government's Reconstruction and Development Programme. He claimed farmers hoped lack of jobs and accommodation could turn the jobless and homeless peasants against the government.

Petrus Mashoeng, a farmer of seven, said he had worked for Jackie de Beer of the Wolgelu farm near Bothaville for six years. He said he was paid R230 a month but he only took home R150 because his boss took the other R100 for safe-keeping. He said at the end of the month his boss gave him the money and told him that it was his bonus.

"When I told him that the R1 200 he gave me at the end of the year was 100 times my own money and not a bonus from him, he became angry and said to go."

Franz Matengwa, who claims he worked for farmer Robie van Vlaeren for 10 years earning R300 plus 50kg maize meal rations a month, was fired along with other staff members for asking for more money.
Striking Kenyan doctors defy government threats

NAIROBI — Kenyan doctors, in the second week of a strike called to press for a union and improved salaries and housing, yesterday defied a government threat to sack them if they continued their action.

Strike leader Dr Gihan Ateka said the health ministry had threatened to sack the 3,000 striking doctors, but none had been dismissed so far.

"We have no intention of ending the strike until there is commitment on the part of the government to meet our demands. Doctors are not worried about losing their jobs. The pay is so ridiculous that it does not matter," said Dr Ateka. — Sapa-Reuters
Workers 'must have say on maize'

THE Cosatu-affiliated Food and Allied Workers' Union (Fawu) resolved at the weekend to call for worker representation in all discussions on the maize industry marketing scheme and on the maize committee.

Fawu general secretary Mandla Gxanyana said yesterday seasonal workers in the fishing industry were also discriminated against in terms of current policy, and the union objected to this.

After a national executive council meeting at the weekend, Gxanyana said the council rejected Agriculture Minister Klaas van Niekerk's non-transparent approach which excluded worker representatives.

"We do not feel this is in the spirit of reconciliation or ... democratic principles."

Gxanyana said Fawu believed workers were a major stakeholder in maize production and had been excluded from discussions because "the Minister is seeking a speedy resolution to the problem at the expense of finding the best solution."

Workers were affected by the maize price because many were poorly paid and depended on such staple foods.

Gxanyana said the council had also discussed the fishing industry and "vigorously objects to the position taken by the quota board with respect to the exclusion of fishing quotas for seasonal workers."

He said a new fisheries policy which complied with the requirements of the reconstruction and development programme should be devised and implemented immediately.

"Under the present circumstances, the union is prepared to take action until the situation affecting seasonal workers is resolved."
By DAN DLHAMINI

HOLDING a church service cost Viljoenskroon farm labourer Abel Lestatsi his job, accommodation and food.

Daring to ask for a pay increase got Frans Magongwana and his fellow farm workers fired. Magongwana had worked for Bothaville farmer Robbie van Vuuren for 10 years, earning R300 plus a 50kg meal allowance a month.

In both cases the farmhands were told to go to the nearest ANC office and ask President Nelson Mandela for better paying jobs and houses.

These incidents reflect the growing number of Free State farm labourers who claim they have been dismissed over petty issues since the new government took over.

Many see the dismissals as part of a right-wing campaign against the new political order.

The Free State seems to be the worst affected - but large-scale dismissals of farm workers have also been reported in the North West and Eastern Transvaal.

Lestatsi, a father of three and member of the Apostolic Church, said his former boss, Norman Payne of Koebberg farm, interrupted an evening service in Lestatsi's house and told him he did not like to hear "noises" on his farm.

Lestatsi and his congregation went ahead with the service. In the morning Payne told him he had been dismissed. Lestatsi said Payne even took his ration - half a bag of mealie meal.

Magongwana said his former boss, Van Vuuren, did not bother to ask how big a pay increase the workers would settle for. "He said he would never succomb to kaffirs' pressure," and fired the entire staff.

Farmer Van Vuuren is straightforward about his relations with farmhands: "I hire and fire them any time I feel like it. This is my land and I will not allow anybody to dictate terms to me."

- Farmer Robbie van Vuuren.

"I hire and fire them any time I feel like it. This is my land and I will not allow anybody to dictate terms to me."

Farmer Van Vuuren is straightforward about his relations with farmhands: "I hire and fire them any time I feel like it. This is my land and I will not allow anybody to dictate terms to me."

The Free State ANC office is full of desperate and destitute men and women. They walk in and out, not knowing what to do and where to go. Officials concede there is not much that they can do.

Boothville ANC spokesman Khumisit Letsooza said: "The aim of these farmers is to expel their employees in large numbers so as to increase the number of squatters and put more pressure on the government's efforts to alleviate the housing shortage."

"He said the farmers were hoping to turn the jobless and homeless masses against the government."

The Bothaville ANC office is getting frustrated by lack of support from the provincial government.

"I have tried to contact our region to help these people but in vain. I have also tried to contact our premier and MECs but there has been no response," said Letsooza.

He said they would hold a mass meeting today and would demand that their premier address their problems.

Dan Pholo, who runs the para-legal training office in Bothaville, said: "Although we know most of them have been unfairly dismissed, it is very difficult to prove this. Farmers will simply tell the Manpower office they were retrenched because of financial reasons."

Farmers De Beer, Van Vuuren and Payne and others denied allegations that they were trying to undermine the RDP.

They said one reason why they had dismissed workers was that they could not give them a raise because of the low price of maize.

De Beer said workers were being instigated against their employers and had become "very arrogant" since the April 27 elections.

A spokesman for the Free State premier's office, Neels van Rooyen, promised to bring the matter to the attention of the relevant authorities.
Tenant labourers seek government protection

COMMUNITIES living as traditional labour tenants on rural farmland could resort to violence if government did not act to protect them from evictions and harassment, National Land Committee spokesman Able Dithake said yesterday.

The system of tenant labour was a modern form of slavery, he said. Although outlawed in 1979, the system survived in the eastern Transvaal and Natal Midlands.

Most tenants lived and worked "for subsistence", often earning less than R20 a month. Contracts were based on verbal agreements passed down between farmers and tenants for generations.

Police in the Eastern Transvaal had failed to protect tenants from harassment by farmers, he said. Many farmers were also police reservists.

The committee — an umbrella body of groups servicing rural communities — called on national Land Affairs Minister Derek Hanekom to set up a farm inspection programme to enforce the Basic Labour Conditions Act.

Retaliation against farmers from tenants who had been evicted or assaulted was inevitable if government did not move to ensure the firm implementation of labour law on farms, said Dithake.

Labour tenants would march to the Piet Retief Magistrate's Court on July 20, and to Wakkerstroom police station on July 21.

Provincial premier Matthew Phosa had been asked to address the march.

Their demands included a review of their rights, the rebuilding of houses destroyed by farmers or police, an investigation into crimes committed against tenant activists and the establishment of a minimum wage scale.

If government failed to act, tenants would not be deterred from discovering the whereabouts of activist Simon Vilakazi, who was abducted from a Grootegelooi farm in November last year. Another tenant, Bhekani Mianga, had been beaten to death by a farmer in Swazimvume last year.

Grievances had been revived by reports that police detained a Klipspruit woman who attempted to prevent a farmer from impounding her cattle, and reports that a group of Dirksensdorp police and farmers attacked a local tenant group organiser.

"Tensions are running high on both sides and the situation could erupt into violence if the government does not step in as a matter of urgency," said Dithake.

Police harassment had risen on an unprecedented scale since the election, as concern grew among farmers that tenants could benefit from future land reform.
Fired farm workers face homelessness winter

By Shannon Mill

South Feature

July 22 to July 29, 1994
Labour tenants lose all after evictions

Labour tenants are fighting back after a wave of evictions. Reports Vuyo Mnyoko

MULAWA Mav residues faces a terrible dilemma — either he lose his home or all the wealth he has accumulated in his 39 years: 27 cows and 98 sheep.

Mav residues, a "farm boy" since birth, is a labour tenant in the Pretoria area. He had worked at Tshwane Beef Farm in Pretoria for 10 years when the farmer, a certain Greyling, dismissed him. He was paid two of his best cattle and impounded his livestock until he moved.

In addition to the loss of his livestock, valued at R122000, Mav residues has to pay a R45000 fine for his animals on Greyling's land. He raised the money by selling two of his best cattle and five steers and he says this is not enough.

He was one of seven thousand labour tenants and black residents of Pretoria and its surroundings who marched through the Eastern Transvaal from this week to protest against evictions from local farms. The impounding of livestock and assaults on farm labourers.

The march was in reaction to a crackdown on Eastern Transvaal labour tenants by farmers, apparently caused by farmers who occupied under the government’s land reforms. According to the National Land Committee (NLC), 500 tenants and their families face eviction before the elections, and rural unrest organizations are now receiving pleas for help on a weekly basis. They have noted evictions, harassment, assaults and the impounding of cattle on 45 farms around Pretoria.

Tenants are running high, according to NLC spokesman Sue White, who warned that unless the provincial government stepped in, violence could erupt.

Tenancy contracts, generally based on verbal agreements between farmers and tenants passed down through generations, allow tenants to use a piece of a farmer’s land in return for labour. Many, according to the NLC, earn less than R100 a month.

When the Mail & Guardian visited the area on the morning of the march, workers were patiently waiting in remote locations to be picked up by taxi companies. Groups affiliated to NLC. Some waited from 7:00am until noon.

At a pre-march rally in a local stadium, Mav residues nervously displayed his receipts for his impounded animals, as well as his notice from Greyling to vacate the land.

The march was more than a gesture of defiance directed at local white. The protesters were hoping to bring their plight to the attention of the provincial government.

Premier Matthew Phosa was expected to address them but failed to turn up. Phosa’s spokesman later apologised, saying there had been a "misunderstanding" on the part of his administration.

The marchers vowed to launch further action.

During a visit to another farm in the area, the Mail & Guardian gained further insight into the plight of labour tenants.

There, Benson Mngeni told how he lost his job as farm foreman after he failed to track down chicken thieves. Describing the farmer’s order that he leave the farm, he turned his energies to helping farmworkers fight for their rights.

One night in September last year, a group of armed men came looking for him. Mngeni was not at home, but his neighbour, Bheki Sibiya, was.

Mngeni’s mother, Lynda, said the men accused Sibiya of hiding his uncle and beat him. After being treated at a local hospital, Sibiya — in a critical condition — was transferred to Soweto’s Baragwanath Hospital, about 300km away. Two months later, Lynda Mngeni travelled to Johannesburg to meet her son who was found, only to find he had been certified dead on arrival.

These days, workers on the farm refer to their employer as "Mamaduwe" in derogatory name for a mentally deficient person. They claim he hired members of the Street police to assault workers after they treated a local civic leader to address them.

Benson Mngeni told how he had personally rescued a woman from the farm when the farmer was allegedly threatening to kill her after she complained about his behaviour. Workers claimed the farmer had also kicked a pregnant woman in the stomach after accusing her of theft.

Local police leader Josua Thabatsane said charges of murder and assault had been laid with police against the farmer, but not yet for the police who had "done nothing".

White says the role of the police is a major grievance among labour tenants. They say they cannot rely on police for protection, since they are in collaboration with the farmers — a situation which is made worse by the fact that police reservists are made up mainly of farm workers.
W Cape farm housing unacceptable — Kriel

By BARRY STREEK
Political Staff

The condition of housing for farmworkers and their families on many farms in the Western Cape has not yet achieved acceptable modern standards, Western Cape Premier Mr Henaus Kriel said yesterday. "We must actually admit this," he said in the city at the annual congress of the Western Cape Agricultural Union.

Mr Kriel said the provincial government did not want to shift the problem to farmers alone.
Angry farm tenants take to the trenches

Tenant farming communities are being ignored in the land-reform process. This could prove disastrous for the government, warns Dave Husy of the Farmworkers' Research and Resource Project.

RECENTLY 7 000 farm tenants and workers downed tools and took to the streets of traditionally ultra-conservative Piet Retief, marching through the town to present a memorandum of demands to the provincial premier. It was the first time that farm tenants in the district mobilised, in spite of pressure from white farmers, to express their frustrations.

The farm tenants, who supply labour to farmers in return for the use of a portion of farm land, directed their anger at white farmers and the government. Both, they maintain, have scant regard for their rights: the former because farmers have projected their fears of impending land reform into violent actions against tenant communities living on their farms; the latter, ironically, for failing to have a land-reform policy which deals adequately with their status and concerns.

The demands contained in their memorandum reflect a broad range of issues related to the political environment of rural areas. Key demands were:

- An end to the eviction of tenant communities.
- A moratorium on the sale of farm land until their situation is resolved.
- The immediate return of all impounded livestock.
- The rebuilding of tenant houses destroyed by farmers or police.
- An end to the use of police reservists on farms.
- An immediate investigation into the abduction of a local tenant, Simon Vilakazi, by a farmer and the murder of another tenant, Bhekis Ngxuli.

Other demands reflected the need for a review of the ecological impact of the forestry industry, an end to the practice of subcontracting, and stopping the expulsion of tenant children from farms.

The memorandum also demanded that the clauses in the constitution relating to property rights and the proposed Restitution Bill be reviewed and changed. For farm tenants, these two documents represent an end to their battle to retain access to land in "white" South Africa.

The documents, they say, entrench white farmers' power over the land and their power over the communities who live on it. And in agreeing to the documents, the ANC has forfeited any notion of widespread land reform, particularly in relation to black farm communities.

Central to the frustration of the farm tenants is the failure of the government to recognise their status. The Ministry of Land Affairs does not recognise them as a separate constituency from waged farm workers, and thus does not view them as communities with claims to land under the land-reform proposals.

Instead, they are regarded as a constituency within a much broader land-redistribution process which does not recognise rights to land, but rather forces communities in need of land to enter into a market-driven land-redistribution process.

This distinction is crucial. The proposed Restitution Bill recognises claimants who have lost a right to land because of a discriminatory law. Communities which fall within the ambit of the Bill will be granted land or just compensation without cost by the Land Claims Court; for those which fall outside the Bill’s ambit, a broader land-redistribution process involving purchase of land from the market will apply.

Though communities attempting to buy land will be assisted by various government grant schemes, the cost involved will place land ownership beyond the reach of many.

The labour-tenancy system has been in existence for so long that most tenant communities have come to consider the portion of farm land they use as their own. Birthright, historical occupation and use, and years of maintaining and working this land have all contributed to the notion of the right of tenants to the land.

But tenant communities are now losing this right as a result of evictions by white farmers. The farmers are exercising a right afforded them by legislation developed out of apartheid policy: they are using the Trespass Act and the Prevention of Illegal Squatting Act to evict tenant communities from land they have occupied for generations.

The government’s failure to address this situation stems not only from a lack of policy in regard to the tenants’ status, but also from a lack of political will to confront white farmers. Traditionally the white farming sector has been an enormously powerful political lobby and the new government appears to want to avoid challenging the power wielded by this sector.

But government inertia on these issues could prove disastrous. It is not inconceivable that angry tenant communities will take their battle for land on to the farms themselves, as they have already indicated they will do. And if this happens, the ANC-dominated government may well end up defending white farmers’ rights against those of its own constituency — the stated beneficiaries of the ANC’s land-reform proposals.

Labour tenants are, and have always been, the nucleus of the country’s small black farming sector. It is this sector that the land-reform process is claiming to promote. To ignore it would not only frustrate the aims of a just land-reform process, but would increase the potential for violence and conflict in areas where tenant communities exist.

Addressing the situation requires recognition of the labour tenants’ right to land, and the urgent and effective application of a just land-reform process built on the notion of this right.

Dave Husy is director of the Farmworkers' Research and Resource Project, an affiliate of the National Land Committee.
Union acts on workers gripes

By Mathatha Tsedu
Political Editor

The South African Agricultural Union has set up a committee to look into complaints of farm labourers arising mainly from evictions and assaults.

Eastern Transvaal Agricultural Union chairman Mr. Boet van Rensburg said, however, that the complaints were being blown out of proportion by organizations bent on fomenting trouble on farms.

Van Rensburg, who is also an executive committee member of the Transvaal Agricultural Union and the SAAU, said allegations by the Eastern Transvaal Labour Tenant Committee were isolated incidents.

He said a committee comprising himself, Naval Agricultural Union president Mr. William McLean and Mr. Yolos Xhosa would meet Land Affairs Minister Mr. Derek Hanekom tomorrow to discuss the matter.

"But we have investigated some of the allegations. Among others, we found that a man said to have just disappeared for no apparent reason and was in good health."

"With regard to a man who is said to have been killed by a farmer, police investigations are on."

"Our position is that these are few incidents that should not be allowed to cause a whole escalation of problems."

"We need to look for solutions, but there are essentially issues affecting a farmer and his workers and should be solved without interference," he said.

Asked why the evictions and assaults seemed to have escalated since the elections, Van Rensburg said this was not so.

"There are organizations involved here. This problem of evictions has been going on for some time," he said.

He said allowing labourers to keep cattle and family on farms was based on an old law and practice.

"Due to reproduction, you sometimes reach a stage where the carrying capacity of a farm is threatened as the numbers grow.

"If you do not sell some of the cattle, you farm the place out of business."

"The solution to all this is talks between the affected parties, and that is why we feel the government should also listen to our views," he said.

"Our position is that there are few incidents that should not be allowed to cause a whole escalation of problems."

"We need to look for solutions, but these are essentially issues affecting a farmer and his workers without interference."
Eviction for

family. He had also allegedly told them the house that was built by the Mokwena family and which was the only home Mrs Mokwena had would be demolished today.

The eviction this morning will coincide with a meeting between leaders of the Transvaal Agricultural Union and Land Affairs Minister Derek Hanekom to discuss concerns over the evictions.

Makupa said he had exhausted all legal channels to try to stop the eviction, which was to have been carried out at the beginning of May. He said he had also written to the province's premier, Mr Matthew Phosa, in June requesting assistance with the Mokwena's case, but had not received any response.

Phosa said he had five other cases of pending evictions he was dealing with.

"Unfortunately, in terms of the property clauses of the interim constitution, there is not much that can be done against the evictions until the constitution is changed," he said.

Phosa told Sowetan last week that there was "massive abuse of farm labourers and their families in the province. There are assaults, impounding of stock and evictions taking place on a large scale. Consequently, we have asked the Agricultural Union and the police to look into the cases and report back to us soon."

The ANC in Witbank, which has been inundated with calls for assistance by farmworkers, said the problem was widespread with farmers seemingly reacting to its election victory by expelling workers.

Many of those evicted have been told to go to President Nelson Mandela to get houses, they said.

The Mokwena family are neighbours of Mkhuelwa Mahlangu, whose case was highlighted in Sowetan yesterday. Mahlangu has been told to sell two of his three head of cattle or face eviction, he told us.

By Mathatha Tsedu
Political Editor

79-YEAR-OLD GRANDMOTHER is to be evicted from a Bronkhorstspruit farm this morning in the ongoing removal of blacks from white-owned farms in the Eastern Transvaal.

Mrs Johanna Mokwena of No 14 Spitskop Farm has lived there for 31 years. Her husband, who worked on the farm, died in 1980.

A lawyer for the family, appointed by the Black Lawyers Association, yesterday said the farmer, Mr JG Venter, had cut off Mokwena's water supply since Sunday in an effort to get her off the land. Last year he had also demolished a school on the farm.

"The police went to the family yesterday and made the old woman sign an acknowledgment of the eviction notice which gives her until midnight Wednesday (last night) to be off the farm," a lawyer, Mr Felix Makupa, said.

Venter's lawyer, Mr AJ von Berg, said a final eviction notice had been issued. He said Venter felt that Mokwena was "unco-operative and unfriendly", and that this had prompted the eviction.

He described Mokwena as an "illegal occupant" who paid neither rent nor water charges. He said the water supply was cut as Venter paid for it. He said police would be called in to witness the receipt of the notice to ensure that there was no confusion.

He said Venter was "not the AWB type. He is reasonable and had asked a relative of the woman to work on the farm but he had refused, saying he earned more money in town".

Mokwena's son, Musa, said Venter had started to chop down peach trees planted by the family. He had also allegedly told them the house that was built by the Mokwena family and which was the only home Mrs Mokwena had would be demolished today.

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Tenants are ‘insecure’

By Mathatha Tseu
Political Editor

THE Eastern Transvaal Labour Tenant Committee and the Farmworkers Research and Resource Centre have called on the Government to amend the constitution to ensure security for farmworkers.

The two organisations say the present property clauses give “an inordinate amount of power to white farmers to the detriment of farm tenants’ rights”.

In a memorandum sent to Eastern Transvaal premier Mr Matthew Phosa, the two organisations ask him to convey their concerns to President Nelson Mandela and to ensure a process to review the clauses is initiated.

“Labour tenants feel the Government is not doing much to address their plight as they bear the brunt of frustrations generated by the new constitution. White farmers are venting their anger on tenants living on their farms because there are still no mechanisms to monitor developments on the farms,” the organisations says in the memorandum.

The property clauses state:

“Every person shall have the right to acquire rights in property and, to the extent that the nature of the rights permits, to dispose of such rights.

The organisations also called for:

• An immediate end to evictions and impounding of stock;
• The return of evicted tenants and impounded stock;
• An end to the expulsion of farm workers’ children;
• The firm implementation of labour law on farms;
• A minimum wage level in line with the set living wage;
• The rebuilding of destroyed houses; and
• An end to alleged police harassment of farm workers and alleged police collaboration with white farmers.”
Fury in the Prysztayi

Born to a dog's life on farms...
Farmers' Revenge

by Mimiwal Nudge

The ANC's victory in elections:

Farmers call for a spade a spade

News Feature: Farm labourers demand ammendments

Minister calls for a spade a spade
Meeting to ease Eastern Transvaal farm tensions

LABOUR relations in agriculture could be heading for a showdown in the coming months if efforts to reduce tensions on Eastern Transvaal farms fail.

Eastern Transvaal premier Mathews Phosa said he held a meeting yesterday with Cosatu representatives, the Eastern Transvaal District Union's Boet van Rensburg and Eastern Transvaal agriculture MEC Lucas Nel to discuss problems of harassment and evictions of farm workers. It was agreed that a forum would be established to represent Cosatu, farmers and government to explain government's standpoint on tenure. Cosatu and the district union will meet again next month.

The meeting followed complaints about evictions. Phosa said a possible solution would be for his administration to buy empty farms to accommodate evicted farm workers.

Cosatu spokesman Dickson Motha said in Johannesburg at the weekend a single union for farm workers would be launched in February.

The union would represent cotton farm workers - currently represented by the SA Clothing and Textile Union - forestry workers represented by the Paper, Print, Wood and Allied Workers' Union and other farm workers currently represented by the Food and Allied Workers' Union.

Two independent unions - the Karoo Farm Workers' Union and the Farm and Rural Workers' Union - were expected to join the new union. It could have about 1.3 million members.

Cosatu would campaign for minimum wages, improved living and health conditions and farm workers' right to strike, Motha said.

Reuter reports that Motha said the union's constitution would be adopted at the launch in February, when delegates would vote for a name for the union.

A steering committee of workers from the Eastern Cape, KwaZulu/Natal, Western Cape, Eastern and Northern Transvaal provinces was elected at the weekend.

The farming sector has for years opposed unionisation, saying the agricultural sector could not afford unrealistic labour laws which did not take factors such as climatic conditions into account.
Police open fire on 3 000 striking forest workers

POLICE yesterday opened fire on 3 000 striking forest workers in the Eastern Transvaal, leaving 20 injured, a police spokesman said.

The incident took place at Iswepe near Piet Retief when the workers blocked the main road between Ermelo and Piet Retief.

Capt Daandre van Vuuren said police shot strikers with birdshot and rubber bullets, later admitting that at least one policeman used live ammunition after shots were fired from within the crowd.

Another policeman, W/O Timothy Radebe, alleged that farmers were firing at the strikers.

Van Vuuren said the crowd repeatedly removed razor wire placed by police to cordon off the area. Police used teargas and birdshot to disperse the crowd. He said shots were then fired at the police.

Paper manufacturing company Mondi confirmed at least 800 of its workers were on strike.

Two demonstrators, one of whom was carrying a petrol bomb, were arrested.

Van Vuuren said allegations of intimidation were being investigated following claims by truck drivers that they had been forced to transport workers to Iswepe.
'Don’t pay us chicken feed'

By KHANGALE MAKHADO

A STRIKE by about 600 members of the National Union of Farmworkers in the Northern Transvaal over a wage dispute enters its 15th day today without management accusing the union of disruptions costing R350 000.

Systems manager of the parastatal Lebowa Agricultural Corporation (LAC), Percy Mongalo, conceded there was a wage deadlock but accused the union of disrupting the normal running of the affected poultry farms.

They are Mashashane Poultry West of Pietersburg and Quality Chick and Broiler Farm in Lebowakgomo.

"Union members have barricaded roads leading to the businesses and this prevented management from gaining access to feed and taking care of the sick fowls," Mongalo said.

He said this was contrary to assurances by union officials.

"The interference from labour and damage to the infrastructure has caused the corporation to lose R850 000 and we call on the union to put its house in order."

However, National Council of Trade Unions regional co-ordinator in the Northern Transvaal Moses Mphahlele denied workers had set up barricades or stopped management from attending to the fowls. He said the workers went on strike after the LAC rejected their demand for a R218 across-the-board increase.

"Instead, the corporation is offering an unbelievable three percent and forgets it has been paying workers a monthly minimum wage of R237."
Slave trade on SA farms

- They live in squalid conditions – between 12 and 20 people have to share a small room with no windows;
- They are given six days a year leave in December but often find it difficult to return home during this period as the distance is too far;
- They usually are fed only pap and raw onions – meat is only given to them when a sheep dies or on Christmas Day when a cow is slaughtered for them;
- They are forbidden to go to town to buy food or clothing – as their employers fear that they will be arrested and deported;
- Money is deducted for medical attention for injuries incurred in their work and;
- Those who become seriously ill or suffer serious injuries are sent back to Zimbabwe.

Yesterday Northern Transvaal police announced they had arrested 2,000 Zimbabweans in a sweep on illegal immigrants in Thohoyandou in Venda, and said they would be deported. But these people are believed to be illegal traders who bring goods to sell and then return – not farm workers.
As darkness enveloped Iswepe, farm labourers were taken home by trucks, tractors and bakkies.

PIC: SELLO MOTESEPE

Working for mahala

By Musa Zondi

Working for mahala

DARK AGES

Eastern Transvaal workers

shot after slaving three months without pay:

Timothy Hadebe... Life in Iswepe is akin to living in the Dark Ages.

Given what they call a tikkietjie, which is basically a one-way ticket out of the farm.

But the tale of abuse goes even deeper, with allegations that young children, some as young as 12 years, are forced to work on the farms and never get the chance to go to school.

"There is one school every 10 to 20 kilometre.

This means that some children are forced to walk that distance to get to school. After walking that long, how can children learn effectively?" asked Hadebe.

But perhaps the worst kind of abuse, said Hadebe, was the denigration of graven as farms put up timber plantations. "They even take the tombstones to use as stumps," he said.

The law is not on their side either, the workers say. For instance, two weeks ago a man riding a horse was shot by a farmer and when the matter was reported to police nothing was done about it.

On several occasions farmers confiscated people's cattle, and police did nothing to rectify the situation.

In one instance, 25 cattle were allegedly taken from Penson Mhlanga by a white man. When Mhlanga went to lodge a complaint with the police, he was sent to the Cattle Theft Branch where he reported the matter.

Whenever he went to check on the progress of the investigation he was told that the dossier was with the prosecutor.

He eventually went to the place where the herd was being kept and the white man demanded that he pay R5 000 for the release of the cattle. He did not have the money and the cattle are still there.

Elias Balule, who works for "Basso Eicksen," said that some people who worked for the farmer for up to 20 years were fired once they became too old to work and chased from the farms.

Samuel Mhlanga has also not been paid for three months. All that he has received during that period is a sack of mealie meal. He is in his fourth month without pay. "My children cannot eat mealie meal only." he said.

The problems are endless.

At the golden hours of the sun filtered through the tall gum trees, the large crowd was taken home by bakkies, tractors and trucks. Some walked.

Police removed the barbed wire. A Citizen Van Wyk, who was on the scene, refused to comment on what had happened.

Darkness enveloped the area and, for these people, it is perpetual darkness.
Brought from their homes on farms, many teenage girls are being forced to work like slaves in Cape Town households.

Miss Francis Skippers, 16, of Tybehagh, sought help from the South African Domestic Workers Union (Sadwu) last week.

She described her working day:

"I would get up before 7am to clean the house. Then, the madam would take me to the shop to hand tops for Muslim people.

"At five they would take me to the supermarket where I would work till eight.

"I worked like this for three months and they haven't paid me a cent," said Miss Skippers.

"Her nightmare started when a woman from Rylands arrived at the farm where she lived.

"She asked my sister if she knew anybody who would work for her in Cape Town. I didn't want to go at first. I told my sister I wasn't ready to work in the city," Miss Skippers said.

"But the woman promised she would take good care of me. So I went with her."

She shared a bedroom with her employer's daughter and another domestic worker.

"We were lucky. Three boys from the farm had to sleep on the kitchen floor," she said.

"We had to wash outside in the cold every morning. If I got a chance, I could wash inside on a Sunday."

Her weekends were spent working at the shop, the takeaways and the supermarket.

"On Sundays we were also allowed to take chocolates and chips from the shop. But they wrote it up because they planned to deduct it from our salaries," she said.

"I'm so scared. I don't know how much I owe them."

Sadwu official, Mrs Shaleda Wagled, said Miss Skippers could not possibly owe more than she should have earned in three months.

"While there is no legal minimum wage, we recommend that domestic workers are paid R600 a month," Mrs Wagled said.

"Francis has worked more that 46 hours a week. They owe her overtime too."

Mrs Wagled said Sadwu would like the government to change the Labour Act which says people over the age of 15 are employable.

"We think these children should be encouraged to stay in
Orange pickers' action knocks estate

Photo: Max McKennon

EXPERIMENT QUANTUM: Crates of oranges covering hundreds of hectares of the Zebedeeus Centra Estate may be wasted if the strike continues.

Workers

We speak for the workers. We are members of the Orange Agricultural Workers' Association (OAFAW) and we are employed by the estate. We are against the influx of foreign workers into the farm. We are here to support the workers' strike. If you support the workers, you support the farm.
Farmers warn unions on recruiting

PIETERSBURG.—Uncontrolled recruiting of farm workers by labour unions could lead to serious conflict between organised agriculture and the unions, and was jeopardising the good relationship between worker and employer, Transvaal Agricultural Union president Dries Bruwer said.

He warned canvassing trade unionists to make appointments with farmers before setting foot on private land.

He was reacting to reports that a union had gained thousands of rand illegally from farmers fearing outrageous demands from unions.

"Farm workers are better off when compared to labourers in any other sector when it comes to housing, medical services, financing and the provision of food. But the unions are trying to disrupt this harmonious coexistence. This could lead to serious conflict," he said.

Sapa.
Strikers warn of possible violence

By Khathu Mamaila

TENSION between dismissed employees and newly recruited temporary workers at the Lebowa Agricultural Corporation could lead to a bloody conflict, a trade union official warned yesterday.

National Council of Trade Union regional co-ordinator Mr Moss Mphahlele said the 600 workers — all members of the National Union of Farmworkers dismissed on September 5 after going on a strike for higher pay — had warned that they would act against the temporary workers who were "undermining their strike".

Mphahlele said there was a possibility of a bloody conflict between the two factions if the matter was not urgently attended to.

Approached for comment, LAC human resources manager Mr Percy Mongalo said the workers at the three projects — Mashashane Hatchery, Broiler Farms and Quality Chick — were dismissed because they were on an illegal strike.

"We had to close all the three projects because we were incurring a loss of more than R1 million a week. We have so far lost more than R4 million," said Mongalo.
AT HOME: These children would rather live hungry in the bush than be forced to work for their parents’ employers.

BY SABATA NGCAI

AFTER escaping three years ago from alleged forced labour on Philippi farms, a group of children still have nowhere to go, and are sleeping under bushes in Mitchells Plain.

The 10 children, aged between eight and 15 years, were born on the Philippi farms where their parents work.

They claim the farmers forced them to work — and beat them when they refused to do so.

They ran away and became street children, saying life is better in the bush near Woodlands than on the farms.

Some of them stayed briefly in street children’s shelters run by the Child Welfare Society, but decided to return to the bush.

Sean Adams (not his real name), 12, left school while he was in standard 2 because of ill-treatment at the farm.

“The life at the farm was hell — it was better to stay in the bush,” he said.

“The farmer used to beat me and my mother couldn’t complain because she is employed there.

“The only option was to leave the place and settle somewhere else.

“I started by playing games in the shops and ended up staying in the bush.

“I hope we can find a better place where we can stay in peace and go to school.”

Sean said he has been to three street children’s shelters, but did not enjoy living there.

He feeds himself by begging in the streets of Mitchells Plain and from nearby shops.

When it rains the children make

continued on page 2

continued from page 1

plastic shelters to protect themselves. When it is cold they make long-lasting fires by burning tyres.

Margaret’s House Mobile Outreach Programme, run by the Child Welfare Society, gives them soup and bread once a week and attends to their medical needs.

The manager of Child Welfare’s street children department, Mrs Lindi Molefe, said their shelters provided rehabilitation programmes for the children.

She said she knew the children came from the farms, but could not confirm whether they had been ill-treated there.

“Children who have never been to school are introduced to informal learning programmes. After a while the children are assessed, and if counsellors think they will cope they are sent to mainstream schools,” said Mrs Molefe.

Mrs Molefe said some of the children were a problem, but the Child Welfare Society was doing all it could to help them.

“Sometimes a child who has been on the street for three to four years can be difficult,” she said.

“In the street there are no norms and values.

“When the child gets into a situation where he has to behave according to certain standards, he usually finds it difficult to cope.”
Farms 'like small businesses'  

A MINISTERIAL task team charged with redrafting labour legislation should take into account the "small business" character of 98% of SA farmers who employ fewer than 50 workers on each farm, according to Centre for Rural Legal Studies researcher Dawie Bosch.

In a recent briefing, Bosch said half of all commercial farmers employed a permanent workforce of five or fewer workers. He predicted that industry or sector-wide industrial councils would be favoured in the new legislation and membership of these councils may be made automatic.

Works councils would in all likelihood be introduced at plant or farm level to set conditions of employment. "The councils will have elected representatives of workers and management representatives," Bosch warned.

Bosch warned that traditional collective bargaining mechanisms were inappropriate to agriculture. In a memorandum to the task team, he suggested that works councils should be able to address terms and conditions of employment where no industrial council with jurisdiction existed.

He called for government-funded training and resources to help establish works councils and effective means of ensuring members were not victimised "or put under undue pressure by employers".

Bosch proposed that the Labour Department convene regional or district agricultural training and productivity forums which should be voluntary, but with strong incentives for participation.

"The forums should promote co-operation between farmers and farm workers and their organisations, which are beyond the cost-effective scope of works councils," he said.

"The councils should promote the right to strike, the national constitution may compel extension of this right to agriculture."

Although striking or locking out workers would be largely ineffectual, Bosch suggested the parties which declared the dispute should be given the right to elect to arbitrate.

"The law should protect employees against withdrawal of housing and associated rights while they engage in a legal strike."
‘Unfair evictions off farms must stop’

Farmers ‘part of solution to land issues’

JENNY VIALL
Staff Reporter

UNFAIR evictions from farms must stop and farmers must be seen to be part of the solution to land issues in South Africa, says Land Affairs Minister Derek Hanekom.

Speaking at the 90th annual congress of the South African Agricultural Union (SAAU), held in Cape Town, Mr Hanekom appealed to farmers not to evict people who had nowhere to go as this aggravated problems of homelessness.

Land was a particularly sensitive issue, he said, and land redistribution and reform were necessary.

“Our challenge is to deal with it properly. We know it’s not going to be easy.”

Reform would not be based on dispossession.

“If people remain landless, they will demand drastic action. The best way to prevent that is to have a land reform programme.”

There was no blueprint for land reform and different solutions were needed in different areas of South Africa, Mr Hanekom said.

If land reform had a negative impact on agriculture, it would be not only the 60,000 white farmers in South Africa that would be affected.

“We would then also have to deal with all the people in South Africa who have no food,” he said.

SAAU delegates discussed recognition and protection of their private property rights at length and expressed concern that laws against trespassing no longer seemed to apply on farms.

Police were reluctant to remove people and farmers were faced with an influx of illegal immigrants.

Some farmers had left their farms and in some areas prime land had not been farmed because of squatters.

Some farmers no longer felt safe on their farms.

Mr Hanekom said private property rights would not be tampered with.

“Teachers property rights were not respected, and people were removed from land they owned. Now it is our chance to respect it. Redistribution must be done by working with farmers, through negotiation.”

Mr Hanekom said the government had to address the pressure for land as soon as possible, in the interests of farmers as well as landless people.
Plan for agricultural villages to be probed

VUYO BAVUMA
Political Staff

THE government is investigating the establishment of agricultural villages to improve farm labourers' living conditions, says Housing Minister Joe Slovo.

Replying in the debate on his budget in the Senate yesterday, Mr Slovo said the housing problem needed a multi-dimensional approach.

The reality of the South African situation was that 15 percent of the population did not have to worry because they had "bottoms in the butter" and could easily afford houses.

A further 20 percent of the people, most of whom were black middle-class, earned between R1 500 and R3 500 and could afford a four-bedroomed house. But 65 percent did not earn enough or nothing at all to qualify for a bank loan.

Mr Slovo said it would be "counter-revolutionary" to cater for the black middle-class and ignore the poorest of the poor.

The government was committed to help the poor, not with a "wicked abomination" of sites and service schemes but with starter houses.

Referring to an agreement between housing authorities and merchant banks on the financing of low-cost housing, Mr Slovo said the banks were investigating a fixed-installment mechanism.

Responding to Tembeka Gwamdzana (ANC) of Tokoza, who said hostels should not be upgraded because they were a source of violence, Mr Slovo indicated that hostels were an issue that could trigger conflict and lead to further bloodshed.

The government had undertaken to spend R400 million to upgrade the hostels.
7,000 farm schools face the chop

By DIRK VAN EEDEN

UP TO four million rural children could be left without schooling if the Transvaal Agricultural Union carries out its threat to close farm schools.

The education and culture committee of the TAU this week sent an ultimatum to the Ministry of Education: "If you change the Model C school system, we will close 7,000 farm schools," its chairman Nico Killian said.

The closure of the schools would drastically increase the already heavy burden on the Department of Education to provide enough schools.

The threat is in the committee's comment on the White Paper on education.

Said Mr Killian: "It's not a vain threat. Afrikaans farmers will go that far if the ethos of their schools deteriorates."

He said it was of particular importance to farmers that their children should continue to attend schools where they could receive instruction in their mother tongue and where their cultural and religious values were instilled.
Workers become part owners of farm

CAPE TOWN — A milestone in SA agriculture will be reached this week when farmworkers on a Grabouw farm become one-third part owners of Whitehall Farm.

The consensus between farm owner Henry Hall and the Whitehall Workers' Committee will enable farm workers to obtain part-ownership of profitable agricultural venues and is one of the proposed models for land reform.

The Development Bank of Southern Africa and the committee will later sign a Whitehall equity participation loan of R3.6m and a further concessionary loan of R3.3m will be signed with the Independent Development Trust (IDT). The Standard Bank has extended, on commercial terms, a loan of R4.8m, to be signed later.

The development bank said on Friday participating permanent workers would, with its share of R10.7m, acquire part-ownership of the R30m farm enterprise through a workers' trust. Workers would elect trustees annually to represent their interests.

Bank Southern region general manager Johan Kruger said the project was an example of how the private sector, the community and development agencies could work together to make the reconstruction and development programme work without straining government's fiscal resources.

The IDT had provided financial support to the workers' trust for the appointment of an external chartered accountant who would ensure a transfer of skills to the trustees so they could manage the trust.

Workers' committee chairman Johannes Muller said on Friday the fact that a third of the shares of the enterprise — not merely a section of the farm — had been sold to them made the project interesting.

Muller said as many as 300 workers were employed on the farm during harvesting and 165 would have a one-third controlling interest.

The Whitehall farm has for the second year in succession won a National Productivity Institute award for being the most productive farm in Western Cape. — Sapa.
Land Rights Bill
gets divided vote

Political Staff

A BILL to restore land to those dispossessed by racial laws in the past was passed without consensus in the government yesterday.

The Inkatha Freedom Party and the Freedom Front voted against the legislation.

It marked the first occasion that the national assembly has divided for a vote — with 212 in favour and 28 votes against — since the April election.

The Restitution of Land Rights Bill will set up a commission, with regional offices, to consider claims as well as a land claims court to grant compensation where the land can't be returned.

Land Affairs Minister Mr Derek Hanekom said it provided "a fair and effective" redress for those dispossessed by apartheid.

While the National Party expressed concern at the haste in which the ANC had "pushed through" the legislation, former Land Affairs Minister Mr Andre Fourie said it protected the vested rights of existing land owners. It also catered for the rights of those deprived, he said.

Inkatha spokesman Prof Harriet Ngubane emphasised that her party did not oppose the principle of land restitution, but said the bill did not make provision for those dispossessed before 1913 and those who had lost land through expropriation.

She objected to the fact that the bill arose out of deliberations at Kempton Park when Inkatha had been absent.

A Freedom Front spokesman said there had not been sufficient consultation with organised agriculture concerning the implications of the bill.
Joy as workers are made part owners of Grabouw farm

NORMAN JOSEPH
Staff Reporter

There was jubilation at Whitehall farm near Grabouw when workers and farmer Henry Hall signed an historic agreement giving workers part-ownership of the 270-hectare farm.

The deal also involved a finance package of R10.7 million, backed by the Development Bank of Southern Africa (DBSA), the Independent Development Trust (IDT) and Standard Bank.

The Whitehall Workers’ Committee and Mr Hall signed the agreement at a ceremony last night which allowed the workers to buy a third of the shares in the R30 million farm.

The DBSA and the workers’ committee will later sign the Whitehall Equity Participation loan of R3.6 million.

A further loan of R2.3 million will be granted by the IDT and Standard Bank will lend the workers R4.3 million.

DBSA general manager Johan Kruger said the agreement could lay the foundation for future reconstruction and development programmes in the farming industry without straining government resources.

“The agreement is a milestone in South African agriculture as it serves to empower farmworkers to obtain part ownership of profitable agricultural ventures,” he said.

For the past two years the farm had won the productivity award presented by the National Productivity Institute.

“Key factors which led to the signing were that workers had access to information, financial resources and capacity building support.

“It is a clear example of how South Africa’s human resources can be developed.

“There are already signs on the farm of improved productivity and quality of life,” Mr Kruger said.
Strikers block national roads

EAST LONDON. Tension ran high yesterday as thousands of agricultural workers blocked national roads here with farming machinery and equipment, forcing factories and businesses to close for the day.

The blockade formed part of the strike action launched by members of the Food and Allied Workers Union at Magwa Tea and the Transkei Agricultural Corporation.

They went on strike, saying salary increases promised to them by the Department of Agriculture had not been paid.
Police, striking workers clash

UMTATA—Fifty-five people were arrested and several others injured when police clashed with protesting agricultural workers who blocked the N2 to Durban here yesterday morning.

The blockade, part of a strike at the former Transkei homeland's biggest agricultural corporation, Traco, and Magwa Tea, was the second in two days.

Police said officials from the Food and Allied Workers' Union later negotiated the release of those arrested.

—SAPA
New deal for black farmers

MICHAEL MORRIS  
Political Correspondent

THE first 26-plot scheme in the Western Cape’s far-reaching initiative to get black farmers onto the land has been approved by the provincial cabinet.

The R4.3 million small farms project on Sandkraal farm near Tembaletlu township at George, approval of which follows extensive negotiations with the community, was announced yesterday by provincial Agriculture Minister Lampie Fick.

Sandkraal was originally expropriated by the provincial housing authorities for residential development.

However, prompted by the keenness of aspirant farmers in Tembaletlu who had begun agricultural training under the parastatal Boskop training centre, Mr Fick’s department saw Sandkraal as an ideal site for a small farmer settlement.

The 355 hectare farm will be subdivided into plots ranging in size from three to nine hectares, some suitable for grazing and others for vegetable farming.

A proper survey and the installation of irrigation, fencing, farm roads, electricity and a domestic water supply will probably begin in the new year.

Negotiations are still expected between the agriculture and housing departments on the purchase price of the land, which is estimated to be about R2 million.

Farmer training will begin in February.

Applicants for the 26 plots will be judged according to their aptitude and level of training. The successful applicants may buy (or lease, with the option to buy) their farms with loans from an agricultural credit board to be set up in terms of legislation due before the provincial parliament soon.

Finance would be made available on the basis of the productive value of the land.

“There are no handouts involved here. These farms will run as economically viable units,” Mr Fick said.

Farming of the plots is expected to begin within about 18 months.

Mr Fick said he envisaged a “contractor culture” developing in the community, “so that you will have a man with a tractor setting up a business to do the ploughing and someone else setting up a transport company to take the vegetables to the market”.

Ultimately the community would be in a position to set up its own dairy.
R115m for SA farm housing

A HOUSING grant of R115 million for South African farm labourers has been agreed to by the German government, it was announced yesterday.

The SA Ministries of Housing and Land Affairs and the Minister in the Office of the President have agreed to formulate a detailed application for the aid to the German government. A Finance Department committee will oversee the application of the grant, which will include several pilot projects to house farm labourers. — Sapa
Extend permits for Zim labourers, say farmers

PIETERSBURG. — The Transvaal Agricultural Union (TAU) wants Home Affairs Minister Chief Mangosuthu Buthelezi to extend permits for farmers employing Zimbabwean migrant workers.

TAU president Mr Dries Bruwer said yesterday an urgent meeting had been requested with Chief Buthelezi after an appeal last month to extend the concession beyond December 31 received no response.

About 280 farmers in the Limpopo valley and former Venda homeland employ 8,000 Zimbabweans. Farmers needed labour in peak season. Efforts to recruit locally did not succeed. — Sapa
Rainbow Chicken to reinstate workers after talks with union

RAINBOW Chicken employees fired from the group's Hammarsdale plant in Natal would be reinstated today after an agreement was reached with the Food and Allied Workers' Union (Fawu), the company said yesterday.

Workers were fired on Monday after ignoring a weekend ultimatum to return to work following a week of sporadic illegal strikes in protest against a 10% pay rise.

In terms of yesterday's agreement, the 10% across-the-board wage increase and minimum wage levels agreed to by management and the union last week would be implemented.

However, if employees failed to return to work today the group would implement a Supreme Court order obtained yesterday, group spokesman Steve Pattinson said.

BEATRIX PAYNE

He said the group held a day-long meeting with Fawu yesterday after the union had requested an urgent meeting to resolve the conflict.

Fawu had on Monday distanced itself from "unlawful acts" at Rainbow Chicken farms in the Hammarsdale area — where most of the dismissed workers had been employed — had been affected by violence and damage to property after Monday's dismissals.

Pattinson said the situation at the Hammarsdale processing plant was calm.

Dismissed workers had camped outside the plant but were allowing deliveries to and from the plant, he said, while production of the group's operations around the country had returned to normal.
Eviction of Farm

Picture: Debbie Vazquez

A piece of land on a farm they had been renting since 1987.

Eviction nightmare . . . steel and Elizabeth Mabtiag were shocked to receive an eviction order to leave.

Tenants increases

By Sonykine Mabtiag
Management dismisses contamination claim

Wine estate workers complain about dam water

From: Miriam Ouma

DA management yesterday announced that the problem with the dam water had been resolved.

The management had received a complaint from one of the workers who claimed that the dam water was contaminated.

Management assured the workers that the water was safe for consumption.

The workers were told that a team of experts had conducted tests on the water and the results were within the acceptable limits.

The workers were also told that the management would continue to monitor the water to ensure its safety.

The management also reminded the workers of the importance of hygiene and water safety practices.

The workers were advised to report any concerns or issues to the management immediately.

The workers welcomed the management's assurance and were assured that their concerns would be taken seriously.

The management reiterated its commitment to the health and wellbeing of its workers.
Billions required to house all farm workers

IT WILL cost R100m to provide houses for just 9 000 farm workers at R11 000 a house under government’s proposed subsidy scheme, the SA Institute of Race Relations has estimated. Therefore, the cost of housing all of the approximately 1.5-million people employed on farms will run into billions of rands.

Farm-worker housing is being discussed by a joint technical committee of the National Housing Forum. The forum says there should be security of residential tenure for people working on farms.

The institute says the use of housing to tie farm workers to employment on a farm should be combated.

Housing is one of farm workers’ most important demands. Since the mid-1960s, when labour tenancy was outlawed and gradually replaced by full-time paid labour, farmers had been responsible for providing housing for their workers.

Housing has, therefore, become an indirect part of farm workers’ wage packets and is tied to their employment. Taking dependants into account, about 6-million people rely on farms for their survival.

Very little research has been carried out on the size of the housing shortage for workers on farms.

Farm worker organisations are concerned that government’s national housing programme will focus only on Gauteng and urban areas.

They have suggested that farmworkers and other rural dwellers should qualify for the same shelter/basic needs subsidy as urban dwellers, that farmworkers should have the choice of investing the subsidy on or off the farm where they work; that farmers should continue providing seasonal workers with accommodation on their farms; and that farmers should receive tax incentives to invest in social infrastructure on their farms.

On the other hand, the SA Agricultural Union believes that housing is the joint responsibility of farmers and government and that the current system of employment-linked housing for farm workers should continue.

The Agriculture Department has proposed that farmers should receive a subsidy of up to R9 500 a family.
AGRICULTURE - LABOUR

1995
10 000 farm workers lose jobs due to drought

WORSENING drought in the Northern Transvaal threatens the jobs of about 30 000 farm workers, Letaba District Agricultural Union chairman Mr Edward Vorster said yesterday.

"In some instances, farm employees work for only two or three days a week and are being paid pro rata," he said.

Vorster said it was incomprehensible that millions of rand were being spent to create "a few hundred" jobs in terms of the government's Reconstruction and Development Programme while thousands of established farming jobs were at risk. He said farmers had applied to the province for financial aid last year, but had eventually been compelled to dismiss about 10 000 workers.

Farming in Vorster's area has come to a standstill as the Letaba River has not flowed this season for the first time in recorded history.

"We need millions of rand to provide more than one-and-a-half-million people with household water," said Provincial water engineer, Louis Theron.

"The South African National Defence Force is still delivering water to the worst-hit areas, but all funds granted for emergency water projects are depleted."

The situation in the former Venda homeland is particularly serious. The Vhondo Dam that provides two-thirds of the population with water is at five percent of capacity.

Theron said underground water levels are also falling at an alarming rate.

"We are not heading for a disaster, we are in the midst of it. The province is on the verge of becoming a desert."

Sapa.
Drought threatens 30,000 jobs

PIETERSBURG. — Worsening drought in the Northern Transvaal threatens the jobs of about 30,000 farmworkers. Letaba District Agricultural Union chairman Mr Edward Vorster said yesterday.

"In some instances farm employees work for only two or three days a week and are being paid pro rata," he said.

Mr Vorster said it was "incomprehensible" that millions of rand are being spent to create "a few hundred" jobs in the government's Reconstruction and Development Programme while thousands of established farming jobs were at risk.

He said farmers had applied to the province for financial aid last year, but eventually had to dismiss about 10,000 workers.

Farming in the area has come to a standstill as the Letaba River has not flowed this season, for the first time in recorded history.

Provincial water engineer Mr Louis Theron said established water sources were drying up and the desert was encroaching rapidly in the province.

"We need millions of rand to provide more than 1.5 million people with household water. "We are not heading for a disaster, we are in the midst of it. The province is on the verge of becoming a desert," Mr Theron said. — Sapa
Pay cuts: Workers to sue farmer

Labour Reporter
A GROUP of Montagu farm workers are to take their employer to the Industrial Court for reducing their wages from R70 a week to R50 a week after the alleged theft of livestock.

The workers, some of whom have worked on Vrugtegeur farm for up to 20 years, had their wages docked in September after 15 sheep went missing, Montagu pastor Lesley Winegraard said.

After “fruitless” negotiations with their employer, J S Roussouw, the workers withheld their labour.

Mr Winegraard said after receiving just R50 a week for a couple of months the workers approached the Department of Manpower in Worcester but the farmer told the department the workers had agreed to reduced wages until he had been fully compensated for the sheep.

“The workers say they cannot negotiate with the farmer,” Mr Winegraard said.

On Monday, after a festive season, the workers told Mr Roussouw they wanted to resume work.

But he sent them home saying he had already arranged for 20 new labourers.

Mr Winegraard said if the farmer appointed new labourers, his present staff had nowhere to go. Some of them were born on the farm.

They tried approaching neighbouring farmers for work with no success.

They did not know what to do. So they have decided to take the matter to the Industrial Court.

Mr Roussouw said he preferred not to comment.
Thousands face drought disaster on citrus farms

TZANEEN. — The Letaba district of Northern Transvaal faces citrus export losses of R180 million this year and the jobs 8 000 to 10 000 farmworkers are in jeopardy, Edward Vorster, Letaba Agricultural Union chairman, said.

Tzaneen Dam, the main irrigation water supply dam, and others were dry and there were severe water restrictions.

Mr Vorster said about 600 000 citrus trees had died over the past two seasons and that citrus farmers had already lost R250 million in foreign earnings over the past three seasons.

Citrus farmers were being urged to try to retain their workers, many of whom had lived on the farms for years, by employing them for a few days a week to keep them going.

Losses of litchi, mango and banana crops had been proportionally as bad.

“Litchi and mango tree losses have been heavy,” he said.

“We are most concerned about the future of the total workforce of about 30 000 people of the northern lowveld.”

Organised agriculture had already approached the Northern Transvaal legislature for assistance for the farmworkers in the form of rations out of the funds of the reconstruction and development programme.

“We believe they are working on it,” he said.

The huge loss of income of the farmers was having a ripple effect on industries and businesses throughout the region because agriculture was the base of the economy.

Mr Vorster said that, given the time it took for citrus trees to reach production, a proper recovery could start only in about eight years.

The National Department of Agriculture said in a statement yesterday subsidies were to be made available to farmers in the Letaba district to overcome a drinking water crisis.

The subsidies are for the transport of drinking water, sinking boreholes and the erection of emergency pipelines. — Sapa.
Farm Evictions

EASTERN Transvaal premier Matthews Phosa has asked farmers to stop evicting farmworkers, his office said yesterday. Mr Phosa said he had heard of evictions in the Emelo and Pretoria areas.

He said his meetings with the Eastern Transvaal Agricultural Union had established a basis for cooperation between farmers and farmworkers. He said it was in the interests of labour stability and an attractive investment climate that organised agriculture and farmworkers' representatives "iron out this potentially explosive issue in a constructive and peaceful manner as soon as possible". 26/11/95
Donor countries 'must spread southern African aid evenly'

LILONGWE. — The 11-nation Southern African Development Community has urged donor countries to invest equally in the region to counter the exodus of skills to South Africa.

Lengo Momyake, the regional grouping's deputy head, said a concentration of foreign investment in South Africa would speed up the drain of skilled labour from poorer nations to the region's economic powerhouse.

Mr Momyake was speaking ahead of a review of SADC programmes to prepare for an annual conference with donors scheduled in the Malawi capital next Friday.

"If they focus only on South Africa there will be a mass migration from other countries into South Africa, depriving the region of necessary labour for their development," he said.

"What we are hoping is that the international community will recognise the fact that the region has to develop together, and evenly, in a balanced manner, otherwise countries in the region will have labour problems."

Mr Momyake said if this happened South Africa would struggle to support a population swollen by an army of foreign workers while seeking to redress apartheid imbalances.

Estimates of the number of illegal aliens already in South Africa range from three million to 12 million, with most from Mozambique, Zimbabwe and other southern African states.

A theme document circulated among SADC members ahead of the donor meeting urged southern African countries to pursue their economic reforms to improve conditions for skilled workforces.

"The policy dilemma which the region faces is whether or not to discourage the movement of skilled manpower within the region... In any case, any active discouragement of labour, even if it was achievable, would be contrary to the spirit and substance of regional integration," it added.

"The solution is to train more people to increase the overall stock of available manpower and to create conditions for economic growth in the whole region." — Reuters.

Farmers warned on illegal workers.

PIETERSBURG. — "Harsh" steps are to be taken against farmers employing illegal aliens, Department of Home Affairs Northern Transvaal director Danny Adendorff has said here.

"Farmers would be prosecuted mercilessly and those found guilty would face five years' imprisonment or a R30 000 fine, or both." — Sapa.
Team to investigate farmworker abuse

Land Affairs Minister Derek Hanekom has instructed a working group to investigate ways to outlaw abuse of labour tenants and farmworkers by unscrupulous landowners.

In some areas, labour tenants and farmworkers were living in semi-feudal conditions, he said in a statement released in Pretoria yesterday. — Sapa.
94-year-old man evicted

By LUNGA MASUKU

A NINETY-FOUR-YEAR-OLD man, Mnozuka Mashinini, lived and worked on Vaalkop farm near Badplaas for 50 years of his life.

Then four weeks ago, he was evicted because he was reportedly too old to continue working.

Mashinini and his family have since been forced to live out in the open veld, next to the road that leads to Badplaas.

ANC Badplaas spokesman Desmond Shongwe said Mashinini, his aged wife and 10 children had been living on the roadside for the last month.

"Six of Mashinini's grandchildren have since also stopped going to school," added Shongwe.

Mashinini and his family were evicted in terms of an order delivered by the sheriff of the Ermelo court on January 10.

The Ermelo District Commissioner, Colonel Japie van Wyk, confirmed that the farm owner, Adriaan Jacobus Van Zyl, had a court order empowering him to evict the family.

Van Wyk did not say why the court order had been issued.

Adding to Mashinini's plight, 25 of his cattle went missing during the confusion of the eviction. He reported the case to the Badplaas Stock Theft Unit which is investigating.

Regional ANC spokesman Sunnyboy Maphanga believes that the eviction is part of a trend sparked by white farmers' fear of possible land claims under the Land Act.

The private secretary of the MEC for Local Government, Eddie Morgan, has expressed shock at the eviction of the old man.

Debonair Park residents launch rates boycott

By BLESSING MAMASOBO

ONE of the first residential areas to go "grey" under the Group Areas Act, has gone on a rates boycott.

Residents of Debonair Park in De Deur, south of Johannesburg, decided to stop paying their rates at a special meeting held in the area last week.

The boycott is the result of years of complaints by residents of being overcharged for services which "are not even rendered".

A spokesman for the residents' newly-formed action committee, Mac Njuze, said the last straw came with the establishment of the Vaal Metropolitan Sub-structure (MSS) from which residents' representatives were excluded.

The residents were simply told they would be represented by an official from De Deur, while the same official was previously accused of spearheading a racist campaign to keep blacks out of the suburb.

In a strongly worded statement, the action committee said it was clear from the outset that the "unreasonable" high bills charged on residents each month were meant to keep blacks out of the area, which now has a majority black population.

Njuze showed reporters copies of his monthly bills for November and December, which were R821 and R611 respectively. These excluded the bond repayments on the house.

"Before we moved in here, the residents paid no more than R200 - because they were white."

Another member of the action committee, Charles Matjokana, said it was unacceptable for residents to continue to pay high rates while repeated requests to get a proper sewerage drainage system (instead of septic tanks), proper roads, pavements and facilities such as schools were being ignored.

In recent years, the residents' elected representatives complained bitterly to the then Pretoria-based Local Government Affairs Council that they were not being taken seriously, "because we are black."

They quoted as an example the sale of a vast strip of land adjacent to the suburb, in which they were not consulted. Instead, the Civic Association of Evaton, which is near the suburb, stood to benefit by R2.3m if the deal went ahead.

Speedy action by the residents' committee scuttled the deal and the would-be developer, Nic Daniels, undertook, instead, to plough the R2.3m into the suburb.

The committee warned Pretoria officials that the iron-fisted approach to defaulters who struggled to pay the high rates, could lead to "disaster" in the area.

The hastily convened residents' meeting last week decided there was no moral justification for the residents to continue paying while their grievances were being ignored and while they were forced to fall under the leadership of "racists who threw us out in the first place."
The "dop" system is still widely in operation although it is illegal, a UWC academic has found.

UWC lecturer at the Institute for Social Development, Mr Wynand Louw, who has just completed a report on farm labour, said some farm labourers were given their first tot, as early as 7am, followed by another one at 11am, lunchtime, 4pm and when they finished in the evening. Over the weekend they are given a jug of wine each.

He said the practice was still prevalent among wine and wheat farms in Malmesbury, Moorreesburg, Porterville, Picketberg, the Karoo, and pockets of the Boland. He said it has been illegal since the 1960s for anyone to receive alcohol as part of his or her remuneration.

"The current widespread abuse of alcohol among farm labourers, with its devastating socioeconomic consequences for the worker and his family, cannot be divorced from the legacy of the dop system," he said.

"Rural Foundation's head of public relations, Mr. Herman Bailey, said the foundation was doing a lot of work to educate both the farmer and his labour force to get rid of the system."
Closed shop unions get two-year grace

MINING unions which operated closed shops had been given two years in which to drum up membership and so prevent mining houses from withdrawing their recognition agreements, sources said recently.

Mining houses had agreed to a grace period — the so-called “sunset clause” — in which the affected unions could recruit members to ensure their survival.

Two closed shop arrangements exist: one covering the Mining Surface Officials’ Association, the Underground Officials’ Association of SA and the SA Technical Officials’ Association and the other with the Council for Mining Unions which deals with technical staff.

In terms of the draft Labour Relations Bill, released last week, closed shops had been deemed unconstitutional. Closed-shop agreements compel all workers in specified categories to join a particular union.

This meant closed-shop unions did not have to recruit members, but had a captive market. Now, they would have to prove their importance or face extinction.

Federation of SA Labour Unions general secretary Danhauser van der Merwe said Fedmal's two affected affiliates, the Mining Surface Officials’ Association and the Underground Officials’ Association of SA, were “open-minded” about the clause as they did not expect an exodus of members once the agreement ended.

This sentiment was echoed by the all-white Mine Workers' Union (MWU) which said it had grown in industries in which no such agreements existed and expected to maintain support in the mining industry.

However, an industry source said several lower category officials — especially nurses — held dual membership in officials' organisations and in the National Union of Mineworkers (NUM).

The NUM has been fighting for the abolition of the closed shop, citing its violation of freedom of association. Also, workers transferred out of unskilled categories are no longer covered by the NUM, but wish to retain their membership and have the NUM negotiate on their behalf.

The NUM and the MWU both proposed a multi-union closed shop arrangement in which all workers would be compelled to join the union of their choice. But employers were opposed to this, saying it was not very different from the current situation.

Industry sources said there was considerable debate about what membership level the closed-shop unions would have to prove after their two-year grace period expired. Anglovaal and Gold Fields had stipulated the system requiring 56% plus one member in a bargaining unit, but others believed in recognising unions with a “significant membership”. An acceptable membership would depend on the strategic significance of workers.
Union 'overdue'

A FARMWORKERS union was long overdue, Land Affairs Min-
ister Derek Hanekom (right) said yesterday. He was ad-
ressing delegates at Crown Mines, Johannesburg, at the
launch by the Congress of South African Trade
Union of a farmworkers union.

Hanekom said one in five South Africans lived on
white-owned farms and on average they received
less than one-third of a living wage. COSATU presi-
dent John Gomomo told delegates that Land Bank
loans, subsidies and even drought relief should be
conditional on farmers adhering closely to labour
legislation and to the training and education of
their workers. — Sapa.
High-time for union – Hanekom

A FARMWORKERS' union was long overdue, Land Affairs Minister Derek Hanekom said on Friday.

He was addressing delegates at Crown Mines, west of Johannesburg, at the launch by the Congress of South African Trade Unions of a farmworker's union.

Hanekom said one in five South Africans lived on white-owned farms and on average they received less than one-third of a living wage.

Only one in 20 of these workers were unionised and unions struggled to serve members because of the distance involved.

(4) CP 12/12/95

Reports by Own Correspondents, Sapa, Eben.
New ground broken for farm reform

By KEVIN DAVIE

A NEW look farming policy for the country is being pioneered by Deputy Agriculture Minister Thoko Msane.

Ms Msane led a delegation to Kenya, Rome and Washington last month to study successful small-scale farming and meet leading international agricultural agencies.

Ms Msane's delegation included the UN Food and Agricultural Organisation and International Fund for Agricultural Development, both in Rome, and the Washington-based World Bank and USDA, a government body responsible for the development of agriculture.

The World Bank has arranged grant finance of R25-million to fund the design of the rural restructuring programme, says Ms Msane.

She is "hopeful and convinced" that the World Bank will become a substantial funder of farming reform but says this is a decision "for the country".

Kenya's land reform programme, based on the "willing buyer/willing seller" principle with active farmer support designed to assist with finance and technology, could be a useful model for South Africa, says Ms Msane.

She says rather than produce low-value products, the Kenyan programme encourages the production of higher-value products such as dairy, vegetables and cut flowers, the latter being a successful earner of foreign exchange.

South Africa stands to gain from developing relationships with bodies such as the FAO which has expertise in areas such as combating desertification and drought.

IFAD offers specialist experience in assisting resource-poor farmers.

USDA, signatory to a cooperation agreement with South Africa, has invited South Africans to be trained in specialist agricultural programmes in the US.

But Ms Msane believes the relationship with these bodies will "not be one-way" as South Africa has considerable expertise in agricultural research and is prepared to share this with foreigners.

Although born on a farm, Ms Msane had given farming little thought until President Nelson Mandela announced her appointment.

But when she thought about her new job it was soon clear that without agriculture there is no food. If there is enough to eat people can sell the surplus, get money and jobs.

"There's a lot of spin-off. Food knows no politics."

THOKO MSANE... Deputy Minister of Agriculture
Farm workers' union launched

The draft Labour Relations Bill must be scrutinised to ensure it meets the needs of farm workers, Cosatu President John Gomomo said at this weekend's launch of the Cosatu-aligned SA Agricultural, Plantation and Allied Workers' Union.

The launching congress at Crown Mines in Johannesburg was attended by 140 delegates from three Cosatu affiliates and independent unions from seven regions.

General secretary Dickson Mota said the priorities of the union would be consolidating membership from the various affiliates and independent, improving employment conditions of farm workers and developing an organising strategy.

Gomomo said Cosatu expected resistance from farmers and the SA Agricultural Union over new labour legislation. However, he said: "There can be no increase in productivity and growth within the agricultural sector unless working and living conditions and labour relations are improved."

Land Affairs Minister Derek Hanekom said government faced major challenges in addressing the plight of farm workers and rural people who earned on average less than a third of the minimum living level.

Rural workers' organisations were essential for facilitating government assistance in training, building up the union and ensuring rural people were not left behind in the reconstruction and development programme. Such organisations would facilitate access to services such as housing, education, health and welfare.

The lack of effective and legitimate local government structures was adversely affecting implementation of the RDP, he said.

SA Communist Party general secretary Charles Ngakula urged farm workers to register to vote in the October local government elections.

Cosatu membership would be increased further with the affiliation of the 30,000 members of the Farm Workers Union.

The union resolved to push for extension of the Wage Act to cover farm workers and to have the Basic Conditions of Employment Act amended further; to lobby government to abolish child labour; and to fine farmers who use child labour; to demand funds to build more schools on farms; to try to resolve the problem of migrant workers and illegal aliens and to demand a minimum wage of R750 for farm workers.

The union's other office holders include Anderson Maphekula (president), Sam Mashabathakga (treasurer), Selomma Maseko (first vice president) and Joseph Benjamin (second vice president).
Union to aid farm labour

JOHANNESBURG - The newly launched South African Agricultural, Plantation and Allied Workers' Union (Saapawu) said yesterday it would campaign for the improvement of basic conditions for farm and rural workers and a minimum wage of R750.

Speaking after a weekend conference attended by 147 delegates here, Saapawu general secretary Mr Dickson Motha said the union, which has about 30,000 members, would also concentrate on educating workers about local government elections.
Drought: N Tvl farmers are ‘living in squalor’

PIETERSBURG. — Northern Transvaal farmers and farm workers were living in “squalid” conditions, Koedoesrand district agricultural union chairman Mr Gert Ehlers said yesterday.

The union will survey farmers to discover how many faced food shortages because of the drought. He hoped R32 million earmarked for drought relief would be used to set up farm rehabilitation schemes as well as emergency projects. — Sapa
Farmworkers call for minimum wage

THE new South African Agricultural, Plantation and Allied Workers Union (Saapawu) yesterday called for a minimum wage of R750 for all farm and rural workers.

Speaking at a Press conference in Crown Mines, Johannesburg, Saapawu general secretary Mr Dickson Motha said the union — which was launched on Friday — will campaign for the improvement of the Wage Act.

Congress of South African Trade Unions spokesman Mr Neil Coleman confirmed the granting of affiliation to the new union, which claimed a membership of 30,000 from seven provinces.

He said Cosatu would release about 10,000 farmworkers organised by one of its affiliates to join Saapawu.

Addressing delegates on Friday, Land Affairs Minister Mr Derek Hanekom said a farmworkers' union was long overdue.

He said one in five South Africans lived on white-owned farms and on average received less than one-third of a living wage.

Only one in 20 of these workers were unionised and unions struggled to serve members because of the distances involved.

Hanekom said land reforms should ensure that farmworkers were not left behind. He said the Government had made strides in land restitution and were now working on land redistribution.

He said farmworkers should benefit from the national housing scheme, adding that farmers would not have a right to evict farmworkers from houses built by the State.

Cosatu president Mr John Gumomo told delegates they had to ensure the draft Labour Relations Bill gave farmworkers the right to organise and bargain collectively.

Gumomo said there could be no increase in productivity and growth unless living conditions and labour relations improved.

Land Bank loans, subsidies and even drought relief should be conditional to farmers adhering to labour legislation, he said. — Sapa.
Farm strike after suicide

JOHANNESBURG.—Members of the National Union of Farmworkers (NUF) embarked on a strike at Schoeman Boerdery yesterday, a day after farm owner Mr. Hendrik Schoeman apparently committed suicide.

Mr. Schoeman, a former NP cabinet minister, was found dead on Sunday morning in his car in a meale field on his Delmas, Eastern Transvaal, farm.

Police believed the gunshot wound to his head was self-inflicted.

NUF national organiser Mr. Tumediso Modise said the workers had embarked on the strike after a colleague was unfairly dismissed last week.

The strike was confirmed by Schoeman Boerdery.—Sapa.
Farmer ‘hit by labourers’

By YVETTE VAN BREDA

A WEALTHY Karoo farmer who allegedly hit one of his labourers repeatedly in the face pleaded not guilty yesterday in the Victoria West Magistrate’s Court.

Mr Andries Wiese, 33, of Loxtom, pleaded not guilty to assaulting Mr Marthinus Nuwegeld and denied a charge of assault with the intent to grievously bodily harm to Mr Willem Malan.

Yesterday Mr Nuwegeld testified that on Sunday August 7, he and his common-law wife Ms Martha Wessels were leaving the farm on their donkey cart, as they no longer wanted to work for Mr Wiese.

They saw Mr Wiese, and Mr Nuwegeld approached his bakkie. The latter picked up a metal rod, afraid Mr Wiese would assault him, he said Mr Wiese grabbed him and hit him, then pinned him down and hit him in the face repeatedly.

Ms Wessels pleaded with Mr Wiese to stop, but Mr Nuwegeld sustained several injuries to his face and nose, the court heard.

As they were leaving the farm, Mr Wiese met them along the road accompanied by the police, and insisted that Mr Nuwegeld off-load the feeding sacks from his cart, remove an old number plate and climb onto the back of his bakkie.

Mr Nuwegeld refused and drove away.

The hearing continues today.

*The magistrate was Mr Deon Minnaar. Ms Karlene Victor prosecuted. Mr George Galloway instructed by Kompan and Kompan appeared for Mr Wiese.*
workers hostage. It was not a racial issue.

Schoeman farm strike

MEMBERS of the National Union of Farmworkers were on strike at Schoeman Boerdery, Delmas, yesterday, a day after farm owner and former NP cabinet minister Hendrik Schoeman apparently committed suicide.

Union organiser Tumelo Moide said the workers began the strike after a colleague was unfairly dismissed last week.

'Boere' fail to appear

ALLEGED Boere Mafia leader Johnny Wechselaumer, 34, failed to appear in the Johannesburg Regional Court yesterday, where he faced charges on 49 counts of fraud involving the cashing of falsified cheques.

His alleged deputy, Jan Daniel Pretorius of Sasolburg, also failed to appear in court. Warrants were issued for the arrest of both men.

Police said it was feared Wechselaumer had fled the country. He had also failed to appear in a Cape Town court in January. His Kensington home was empty yesterday.

REPORTS: Business Day Reporter, Cape.

Nafcoc left out of new forum

AROWhas broken out between the National Federation of Consumer Co-operatives (Nafcoc) and Business SA (BSA) over Nafcoc’s exclusion from the business component of the National Economic Development and Labour Council (Nedlac).

The list of representatives submitted by BSA last week to Nedlac — which will be launched officially on Saturday to replace the National Economic Forum and the National Manpower Commission — had no names from Nafcoc.

BSA president Dave Brink said yesterday Nafcoc had been excluded because the organisation withdrew its membership last year.

However, the two organisations were discussing Nafcoc’s rejoining, he said.

Nafcoc president Joe Hlongwane said the parties met on Friday to work on bringing the organisation back into the fold.

Concern over Katz’s capping proposal

CAPE TOWN — The Katz commission’s proposal of a cap on employer and employee contributions would eventually result in a loss in expected tax revenues to the fiscus, Old Mutual employee benefits GM Chris Newell said yesterday.

He said the R105bn tax-take improvement expected through the cap was likely to have the reverse affect over the medium to long term.

The cap would result in a move towards “fiscally privileged” defined contribution provident funds, which would result in a loss in expected tax revenues, he said.

If the funds did not convert employers would have to finance pension fund deficits with after-tax money, which was likely to result in scaled-down benefits as employers attempted to capture some tax relief. 

"Why should they utilise after-tax money when they can simply reduce benefits and pay employees more?" Newell said this would significantly affect individual provision because any increase in salary was likely to go towards consumption expenditure. Capping pension fund contributions would also limit the scope for any future benefit improvements.

The commission had perpetuated, even worsened, the extent of discrimination which already existed between private sector employees and public servants.

Public servant lump sum benefits were entirely tax free, as opposed to being capped in the private sector. 

"If the proposals are legislated as they stand, they will result in massive upheaval as funds scurry to avoid the additional tax burden." Newell said a new body should be constituted — to include retirement industry experts — and be mandated to develop holistic proposals with the long-term interests of retirement fund members, pensioners and state in mind.

Opening our hearts
Agricultural and workers' unions sign labour pact

THE Transvaal Agricultural Union (TAU) signed an agreement with the Agricultural Workers' Union (AWU) yesterday to co-operate on labour issues.

TAU president Dutch Brewer dismissed but said farmers needed support in a changed labour environment.

The two organisations agreed to provide farmers with legal support in labour disputes and to canvass members for the AWU.

AWU chairman Werner Weber said the TAU would concentrate on labour policy issues, while the AWU would train workers and provide a legal service for farmers.
Wage deal sealed

A MINIMUM wage of R900 a month has been agreed to between the National Union of Farmworkers and Plantopia, a division of Rentokil. They have also agreed on a guaranteed annual bonus equivalent to one month's salary, five days' compassionate and paternity leave, the formation of a provident fund and long service awards.

REPORTED: Business Day Western, 1005.
New union formed for farm hands

A new farm workers' union hopes to end the exploitation of South African farm labour.

ROGER FRIEDMAN
Weekend Argus Reporter

THE newly launched South African Agricultural Plantation and Allied Workers Union's (Saapawu) campaign to increase minimum wages in the sector to R750 a month may seem a moderate goal.

Most other unions have campaigned for minimum wages of between R900 and R1,200 over the past year — public service unions want R1,500 — and are threatening to strike to demand it.

But with some farm labourers earning nothing but the right to live on the land, and others earning as little as R40 a month, R750 could be an impossible dream.

At Saapawu's launch in Johannesburg, Land Affairs Minister Derek Hanekom said one in five South Africans lived on white-owned farms — and were paid, on average, less than a third of a minimum wage.

The formation of the union was long overdue, Mr Hanekom said. Saapawu was established last weekend with an already-paid-up membership of about 30,000.

The majority of the membership belonged to three other Cosatu affiliated unions — the Food and Allied Workers Union, the Paper Printing Wood and Allied Workers Union and the SA Clothing and Textile Workers Union.

Others were members of independent unions including the Karoo Farmworkers Union and the Farm Rural Inhabitants Association based on the East Rand.

According to general-secretary Dickson Motha, a further 10,000 members had signed up but had not paid-up due to stop-order and other problems.

The union's five-person executive committee was selected to represent as many of the country's regions as possible.

Mr Motha said issues the union planned to start addressing immediately were the improvement of labour legislation governing the sector, child labour, migrant labour and "illegal immigrants who are being used at the expense of the local workers".

The initial response from farmers to the formation of the union had not been too positive, he said.

Mr Motha said problems the union would have to overcome included access to isolated farms, farmworkers' dependence on their employers for a place to live and the "payment-in-kind" or "dop" system.

Incidentally, the union would not campaign to abolish the dop system, Mr Motha said.

"Members might say they like the system because they are used to it. Some see it as a perk. We are not saying it should be abolished, but it should be formally structured."

On the subject of the new draft Labour Relations Bill, Mr Motha said, on the whole, it was a victory for the workers, but there were a few issues which concerned Saapawu.

Of major concern was the provision in the draft Bill that workplace forums be established at businesses employing more than 100 workers.

This excluded most farmers.

The government was considering legislation to prevent the arbitrary or forcible eviction of farm workers by land owners, Mr Hanekom said earlier this month.
Coming to the rescue of farmworkers in SA

At 81, Mary Meola is far too old for the fields, so she tends 13 grandchildren in a four-roomed, tin-roofed brick shell provided by a white farmer that once worked for her. While she过渡到 democracy, her main issues for farmworkers are poor education, work injury and forced labor. She has lived in South Africa all her life and has seen the struggle for workers' rights. "Farmers think they own farmworkers," she said. "They treat them with respect and listen to their demands."

Apartheid laws made it almost impossible for blacks to own land, forcing them to remain laborers for life. And they had little legal protection from the whims of white farmers — perhaps the most controversial group in South Africa.

Farmworkers were shot or beaten to death for displeasing their employers, who were often punished lightly, if at all. In 1993, unions helped negotiate farm labor laws meant to put workers on a better footing.

The laws, the first extension of industrial labor provisions to the farm, took effect last year.

They set standards for holidays and working hours, outlawed dismissal and eviction without cause, and declared that farmworkers could join unions.

Suspected violations

An agricultural labor court was established to review suspected violations. But it acts only when workers bring grievances, a step that requires a sophistication and courage many laborers may lack.

"People are not free but they still think the farmer is the boss and that's that," said Motshwari Dickson Meola, the union organizer.

He leashed through a sheaf of pamphlets in which various organizations detailed the new laws as a service to farmworkers.

"How do people who are illiterate read this?" he asked.

Shareen Singh, spokeswoman for the Department of Labour, said in the period since the agricultural labor courts began work in mid-1994, only 47 cases were filed and 30 heard.

"We recognize there is no point in granting workers rights if they don't know what those rights are," she said. Singh's department hopes to put together a campaign to educate workers.

Stronger labor laws affecting rural and urban workers will also be proposed this year.

Basic labor rights

Provisions of new laws giving South African farmworkers basic labor rights for the first time:

- Farmers must explain dismissals and give workers a chance to answer charges;
- No worker can be evicted without a court order and a chance to state his case;
- Work week is 48 hours. Overtime must be paid beyond that; double time for work on Sundays or holidays;
- Workers must be paid regularly and given pay slips;
- No minimum wage;
- Workers entitled to two weeks paid vacation and 12 holidays each year; and
- Workers may join unions. — Sapa-AFP.
MINIMUM wage for farmworkers could not be considered without an increase in productivity, Agricultural Minister Dr Klaas van Niekerk said yesterday.

He distanced himself from a flat rate for farmworkers at a briefing in the city. — Sapa
Labourer (72) run off farm

By MONO BADELA

TEN months after first democratic general elections that swept President Nelson Mandela into power the new South Africa has not yet dawned for many. The plight of farm workers and labour tenants, especially in the Eastern Transvaal, remains the same.

For as long as he can remember, 72-year-old grandfather Joseph Mbulawa Mavimbela has been living on a Piet Retief farm as a labour tenant.

On Tuesday this week he was woken up at sunrise by the farmer, who was accompanied by many other farmers and policemen.

"We are taking your livestock," the farmer told him.

There were two trucks waiting outside and his 31 cattle and 51 goats were impounded and loaded onto the trucks.

That was not all. The farmer helped by the others set his house alight and razed it to the ground.

The next thing he was handcuffed and bundled into a police van together with his wife.

His daughter was also bundled into another police van and they were driven first to Wakkerstroom police station near Piet Retief. Then after being driven for about four hours they were dumped along the road outside Groblersdal. They have been there since Tuesday.

Fight

The matter is now in the hands of the Farmworkers Research Project (FRRP) and the Legal Resources Centre in Johannesburg.

In an interview Mavimbela said since Tuesday they had been sleeping in the veld: "We know nobody here. I only understand that we are somewhere in KwaNdebele."

He vowed he would fight his way back to Wakkerstroom. He would sleep in the veld until Tuesday when he would attempt to go back to his house. He hopes to take legal action against the farmer to retrieve his livestock.

Mavimbela, a "farm boy" since birth, had worked at Jantjesheuck in the Wakkerstroom district for 10 years when the farmer dismissed him, ordering him to leave the farm. This was on August 6 last year. In addition Mavimbela had to pay a R1,600 fine for grazing his animals on the farmer's land. He raised the money by selling two of his best cattle. The notice to vacate the farm was dated July 6 and Mavimbela was given three months to go.

Mavimbela is one of thousands of labour tenants and farm workers who recently marched to Piet Retief's magistrate's office to protest against evictions, victimisation, harassment, the impounding of livestock and assaults on farm labourers.
Black farmers' union ducks deregulation

By CIARAN RYAN

"We tried to get Nafu to support our position on voluntary levies, but it appears the SAAU got to them first," says Nils Dittmer of the Sunnyside Group, a vocal supporter of agricultural deregulation.

This surely compromises their credibility as a group claiming to represent the best interests of their members. They are hardly likely to support voluntary levies when they are the recipient of compulsory levies from the SAAU. I also question whether Nafu represents a fraction of the members it claims. Unless you have voluntary paid-up members, it is hard to determine.

Sancu has also come out in favour of compulsory levies, provided "all interested parties" have a hand in determining the need for and the size of levies. It wants to see the spoils shared among consumer bodies, producers and other interested parties.

Compulsory levies lie at the heart of the agricultural deregulation debate. Without them, producer bodies will have to seek voluntary paid-up memberships and there is a fear that farmers who have been forced to pay compulsory levies for decades will opt out of the system.

Mr Dittmer says these levies benefit neither the producer nor the consumer, only the middle men.
The law, but are they moral?

Farm evictions that abide by
A FARMWORKERS union organiser claimed yesterday that a white farmer assaulted him after he had accompanied a worker to the farm to settle a labour dispute.

Mr Meshack Mbokaza, an organiser for the newly formed South African Agricultural Plantation and Allied Workers Union, told Sowetan he had accompanied Mr Abel Mofokolo to the farm after the latter was dismissed without reason after having completed 25 years of service.

He said Mofokolo had earlier approached the union after being dismissed from Braakfontein farm by owner Mr van der Walt.

"When we reached the farmer's office, he started to abuse the old man and said his farm was not Mandela's place," Mbokaza said.

The farmer made them speak in either Afrikaans, Zulu or Sotho, because he did not want to be addressed in English.

"Out of the blue the farmer walked over to where I was standing and gave me a stinging slap on the side of the face," Mbokaza said.

He reported the matter at the Delmas police station where an assault case was opened.
The National Enquirer

By Howard Marks

Of Eviction

The hearthrob

NG Bildungsteam
Policy problems halt rural housing project

THE building of accommodation for farm workers had come to a halt and R50m in state subsidies would have to remain untouched until the Agriculture and Housing departments had thrashed out a new policy, sources said yesterday.

Agriculture Department financial assistance director Koos Smit said farmers’ applications for housing subsidies could not be processed because new guidelines on ownership and responsibility for managing the subsidy scheme had to be finalised. The subsidy scheme was given R50m for the 1995/96 financial year — down from R72m last year.

Talks between the two departments, the Rural Foundation and agricultural unions had led to a recommendation that the Housing Ministry take over running the subsidy scheme from the Agriculture Department. The department was awaiting a final decision.

It had also been suggested that ownership of the newly built houses on farms should go to farm workers instead of farmers. However, farmers were unlikely to agree to this.

Smit said a more realistic solution would be for farmers and workers to draw up leases to ensure security for workers.

Meanwhile, the Northern Cape Agriculture Union has called for the scheme to be upgraded. Union GM Johan van Rensburg

Rural housing

said the union rejected proposals that workers should own the dwellings because it was impractical. The union would make recommendations to the National Housing Forum about adjustments to the housing scheme, he said.

The co-ordinator of the joint technical committee of the Housing Department and the National Housing Forum, Diet von Broemse, said a rural housing scheme was still being developed. The question was who really benefited from state subsidies when farmers built on and improved their properties.

The subsidy scheme had to be restructured to benefit the worker. Restructuring the National Housing Forum had delayed the process.
Housing subsidies for
77 000 approved to date

STAFF REPORTER

The Gauteng Housing Board has approved 77,000 applications for subsidised housing, amounting to R818 million, Gauteng Housing MEC Dan Mofokeng said yesterday.

Speaking at an Allied Bank/Smart Centre housing function in Johannesburg, he said: "The national Minister of Housing, Sankie Nxondo, recently disclosed in the Senate that SA's urban housing backlog is close to 1.5 million units, with the worst backlog being 260,000 in the Gauteng province."

"In order to redress this problem, the RDP policy intends to provide 1 million housing units over the next five years."

Mofokeng stressed, however, that the housing industry would have to make a contribution towards the massive housing backlog and job creation through labour-intensive projects with low import content.

There should also be a visible redistribution of income and community stabilisation, which implied a drastic reduction of crime.

Mofokeng said the commercial sectors of the economy must be harnessed through several key strategies.

These included the stabilisation of the housing environment through a national and provincial campaign aimed at resumption of payment for goods and services.

Boost for small farmers

The Vulamehlo Project, an initiative aimed at educating and training small farmers, was launched at the Rand Easter Show yesterday.

About 2,000 farmers were bused in from around the country to see exhibits at the Vulamehlo (eye-opener) project, an initiative of the Witwatersrand Agricultural Society.

The project places an emphasis on assisting farmers in increasing productivity and the quality of their products for greater profits.

A visitor at the launch was King Goodwill Zwelithini who had six of his cattle on display.

"Vulamehlo is about learning to work together in the interest of agriculture and our country," said Dr Stroebel Hofmeyr, chief director of farming development in the Department of Agriculture. — Staff Reporters.
BLOEMFONTEIN — Up to 14,000 farm workers in the Free State could lose their jobs if the worsening financial position of maize farmers, caused largely by successive droughts, forced them into bankruptcy, an economist has warned.

National Maize Producers’ Organisation economist Andre Ferreira said yesterday hundreds of farmers in the province were facing bankruptcy and did not qualify for further financial aid from co-operatives.

He predicted Free State maize farmers would incur income losses of R375m this year, mainly because of the drought.

The gross income of maize farmers, estimated at R533m, would be far exceeded by their expenses of R1.1bn, Ferreira said. Fifteen percent of farmers could be forced to quit agriculture altogether.

Hundreds of farms would then be put up for sale, land prices would plunge and the solvency of the remaining farmers adversely affected. If this were to happen, about 14,000 farm workers and their dependants would be without income.

Ferreira warned that the maize industry had become a high-risk venture, which might force farmers to diversify into other crops and make SA an importer of its own staple food.

— Sapa.
Poll registration in rural areas appalling - farmworkers' group

VOTER registration in rural areas is abysmal, says the Farmworkers' Support Forum.

Spokesman Terence Fife said reports highlighting the progress in the Cape metropolitan area had skewed the picture of what was happening in the province and nationally.

Figures released by the provinces showed that on April 5, only 10.7 percent of rural people had registered in the Eastern Cape. In Natal the rural figure was 2.5 percent, and in Gauteng it was 4.05 percent.

About 1.2 million farmworkers lived on farms in rural areas. With their families, they accounted for about six-million rural dwellers.

This made them prime candidates for the reconstruction and development programme, with local government acting as the conduit.

"If farmworkers are to play a role in government, they must be seen as a meaningful constituency, irrespective of whether local government has an entirely different meaning for farmworkers, since the farmer is usually the sole provider of services to farmworkers and their families," the forum said.
Wine farm workers are exploited, says ANC

Political Correspondent

The glossy image of the Western Cape's lucrative Winelands — the reserve of "whites and foreigners" — belies the "feudal" labour conditions of the poor, exploited and disease-prone farmworkers.

This is the opinion of African National Congress legislator in the provincial parliament, Russell McGregor, who slammed the treatment of Winelands workers, and the absence of opportunities in the Wine Route tourism industry for people other than South African whites and white foreigners.

Mr McGregor also said visitors to the Winelands were subjected to a "sanitised" version of history, riddled with inaccuracies and glaring omissions.

The Winelands tourism industry reflected the ideological bias and control of a socio-economic and political elite.

Mr McGregor delivered his attack on one of the key pillars of the province's tourism industry in yesterday's tourism debate... to howls of protest from the Nationalist benches in the provincial parliament in Wale Street.

Mr McGregor said that he enjoyed Cape wines very much, but said that "behind the seductive images that advertise fine Cape wines, feudal conditions still remain among the wine farm labourers".

The wine industry, he said, "certainly has no reason for maintaining such conditions as it is an extremely lucrative industry".

The Winelands was characterised and monopolised by South African whites or white foreigners who occupied the skilled levels of the industry, and all the beautiful wine farms, Mr McGregor said.

Socio-economic patterns were grossly unequal and farm workers were subject to the effects of apartheid education, poverty, alcoholism, casualisation of labour, lack of unionisation, malnutrition, child labour practices and lack of security of tenure.

With this background and in the absence of opportunities to upgrade their skills — they could not hope to compete for better positions in the wine tourism industry, Mr McGregor said.
Farm workers ‘could run in local government elections’

MOHODZIKU HARVEY

FARM workers could assert themselves by running in the local government elections, if they mustered enough support, the Centre for Rural Legal Studies said.

The centre indicated that in this way farm dwellers had a chance to represent their own interests, if they could get enough signatures of people backing them.

All the process entailed was for farmers, farm workers or anyone over 18, who did not owe service fees, to pay a fee of R100 to the returning officer of the Regional Services Council, Joint Services Board or a municipality where the farm was situated.

Candidates would have to prove that they had local support and that their supporters were on the voters’ roll.

“If the more than 1.2-million workers and their 5-million dependents are to benefit from the reconstruction and development programme, they should ensure that their voices are heard loudly in the local corridors of power,” the centre said.

National Land Committee rural local government task group co-ordinator Tebogo Makgobola called on government to spell out how farm workers would be accommodated within the envisaged local government structures to finalise the rural local government models and to clarify the relationship between elected representatives and traditional leaders.
TV programme for farmers

Co by Louise Cook

GOVERNMENT yesterday launched a new TV programme aimed at training farmers.

The Agriculture Department said it would produce Farmer's Indiana for screening on NTV on Thursdays.

The programme, which would debut in June, would focus on a variety of farming issues, including marketing information to help farmers who were now operating in a more competitive environment.

Agriculture Deputy Minister Thoko Mashele said the programme would be critical in government's attempts to create effective information systems.

The aim is not to teach only specific skills, but also to get feedback from farmers, he said.

The programme would put new issues forward. For example, viewers would be made aware of the importance of early drought warning systems, rather than focusing on drought assistance. Instead of concentrating on the cost of maize, free market and international trade opportunities in the industry would take preference.

The focus of Farmer's Indiana would be educational, but would not avoid actuality issues.

Chief producer Jan de Beer said the programme would be accessible to millions of small farmers after October if SABC proposals to the IBA were implemented.

Medicine trade bound by pact

By Beatrix Payne

NATIONAL Association of Pharmaceutical Wholesalers' members had signed an agreement binding them to purchase medicines directly from manufacturers or authorised agents, association executive director Trevor Phillips said at the weekend.

The association represents about 80% of private sector medicines sales. "The only way to stamp out the grey market in the distribution area is to regulate the supply chain," he said. Members breaking the agreement face heavy penalties including expulsion from the association.

Grey market medicines came from two sources, he said. First, through dispensing doctors selling cheap medicines to wholesalers after buying stock from manufacturers at a considerable discount.

The second source was medicines stolen from manufacturers or state warehouses "re-entering the market by devious means and being sold to the trade at temptingly low prices". Transferring the functions and responsibilities of a pharmaceutical wholesaler to a sole distributorship controlled by a group of manufacturers was unlikely to cut end-user medicine prices, Phillips said.

"It will cost (the group) just as much to operate the warehouses, vehicle and staff and merely transfers responsibilities to a new organisation charged with a similar job description," he said.

It was misleading to claim that a sole distributorship would reduce medicine costs as it cut out the wholesaler or middleman, as similar operational costs were charged to the manufacturers sharing in the sole distributorship.

"Inevitably this would be reflected in the medicine prices," he said.

A single source for a range of medicines introduced a "stranglehold" on the end-user's access.

If sole distributorships continued to grow they would inhibit the end-user's freedom of supply choice and extend monopsonistic practices that this development had introduced which were not in the interest of the community pharmacist or the patient, he said.

International Healthcare Distributors, the sole distributor for pharmaceutical manufacturers Sandoz, Bayer, Boehringer-Ingehelm, Roche and Ciba-Geigy, could not be reached for comment yesterday.
Black farmers take issue

By Isaac Moledi

The National African Farmers Union has called on the Government to address the problems facing black farmers.

Formed in 1991 to champion black farmers' aspirations and lobby for Government support, the union also reacted strongly to attempts by established white organisations and unions to split the organisation.

NFU general manager Mr Stephen Mokoene says the Government is responsible for assisting black farmers regain their lands for farming.

Mokoene says NFU has been negotiating with the Government to start a process of resettling black farmers on disused farm lands currently under the control of the Department of Agriculture.

"We have been meeting with Land Affairs Minister Mr Derek Hanekom and an agreement was reached to form a task team to look into state lands currently under a trust, so that decisions can be reached as to what steps can be followed to settle black farmers in those lands," says Mokoene.

He also rejects allegations that NFU is opposed to the idea of having one national body or single provincial organisation representing all farmers.

"NFU is not opposed to a single provincial organisation representing all farmers. There are many factors that have to do with empowerment of black farmers that are militating against this idea at the moment," he says.

It is therefore not feasible that after amalgamating black and white unions that these factors or issues will be pursued with the same vigour, Mokoene adds.

For any merger to succeed, he argues, organisations or farmers should go in as equals.

"Black farmers and their organisations are marginalised and still discriminated against. Their capacity is also limited and the clandestine efforts to have them assimilated into powerful, well connected structures can only result in farmers compromising their own interests," stresses Mokoene.

Derek Hanekom ... black farmers want him to resettle them on unoccupied state lands.

He says it is only when the playing field has been levelled and many of the problems facing black farmers have been addressed that single organisations at both provincial and national level will succeed.
Wage call 'negotiable'

THE SA Agriculture, Plantation and Allied Workers' Union call for a R570 a month minimum wage for farm workers was open to negotiation, union general secretary Dickson Moti said at a conference in Bethaville yesterday.

The union would reconsider the amount if farmers convinced him they could not afford it.
MORE than a year after South Africa's first democratic elections farm labourers along the Olifants River still work for appalling wages, live in squalor and operate on the long-abolished "tot system", where farmers pay part of their wages in wine.

The largely wine-farming area from Klawer to the mouth of the river was this week described as the Western Cape rural area's vrookol (rotten spot).

A preliminary report from Stellenbosch's Centre for Rural Legal Studies found that the majority of farmers in the area provided workers with alcohol on a daily basis. Those who had done away with the tot system, had difficulty finding labour.

The study revealed that after several generations of farm workers had grown up under the tot system, alcoholism constituted the single biggest problem on Western Cape farms.

Although outlawed some 30 years ago, the tot system was widespread and some farmers have also taken to selling alcohol to farm workers, recouping a substantial amount of wages paid to them, according to the report.

It also shows that the average weekly wages for men in the area is R87, R58 for women, and R61 for seasonal workers.

Vredendal Magistrate's Court prosecutor Pieter Burger, who has interviewed farmers and labourers over the past two years, confirmed that the tot system was still rife.

Of some 600 farms in the area only about 20 of them did not use the system, Mr Burger said.

A spokesman for the local Agricultural Ministry and the regional Department of Agriculture, Willem van Huysesteen, condemned the use of this "outdated management tool".

"We cannot condone the use of the tot system — it's illegal and although we are not aware of any specific farmers remunerating their workers in alcohol, we are extremely disappointed to hear they are using these poor management skills."

Mr Burger said farmers paid their workers an average of R80 a week and supplemented their pay with up to three bottles of wine a day, which the farmers bought for as little as 57 cents a litre.

The fines for using the tot system were minimal — around R1 000 and "a mere R20 if they pay admission of guilt fines", he said.

Labour law author Dawie Bosch, who presides in the Agricultural Labour Court, pointed out that the Western Cape farmworkers were better off than those in the rest of the country — but were still only paid 42 percent of the minimum living wage.

Johan Visser, of the Western Cape Union of Agriculture, stressed that farmers were trying to improve the situation in the area.

In the Citrusdal district further along the Olifants River, where the tot system had been phased out years ago, the situation was very different and this showed that "it is not hopeless".
Govt promises 'can't be kept'

SOUTH Africa has not budgeted for the unemployment insurance and conciliation rights promised to farm and domestic workers, the Afrikaanse Handelsinstituut (AHI) told members of Parliament yesterday.

AHI delegation leader Mr Theo Pegel told the parliamentary committee on labour that the Commission on Conciliation, Mediation and Arbitration proposed in the Labour Relations Bill would cost five times the budgeted amount if it covered farm and domestic workers.

He said the AHI was also concerned that the Unemployment Insurance Fund (UIF), which is already under extreme pressure, would not be able to carry the proposed extension of its cover to include farm and domestic workers.

"These rights have to be extended. But if you promise something, the cash has to be there. I think it is irresponsible to take on a commitment that you cannot serve," he said.

Sanlam delegate Mr Gerrit Botha said the AHI had calculated that the inclusion of farm and domestic workers under the provisions of the proposed commission would push the cost from the budgeted amount of R30 million to about R150m a year.

ANC committee members said in response that, while accepting the criticisms of the fund itself, they would like to see a crackdown on businesses that failed to pay their UIF contributions. — Reuters
Demand is negotiable

The SA Agricultural Plantation and Allied Workers' Union launched in February said yesterday its RT50 a month minimum wage demand was open to negotiation if individual farmers put forward "convincing arguments".
The cabinet yesterday approved a draft bill to give labour tenants security of tenure on farms where they have worked in exchange for the right to farm or run cattle, cabinet secretary Professors Jakes Gerwel said yesterday.

Prof Gerwel said the bill would be tabled in parliament this week for debate. "This is participation in post-apartheid, one could almost say post-feudal land reform," he said.

University research indicates that about 400,000 people still live within the labour tenancy system but generally have no protection against eviction." — Reuters
Land deal mooted for labour tenants

Tim Cohen

CAPE TOWN — The Land Affairs Department yesterday published proposed legislation which would allow up to 40,000 labour tenants to buy the land they occupied with government assistance — with or without the agreement of the landowner.

The proposals effectively implement a moratorium against the eviction of labour tenants by giving tenants a right to reclaim their land.

Land Affairs Minister Derek Hanekom said the Cabinet had approved the draft legislation for comment to provide an opportunity for the matter to be fully debated. It was government's intention to put an end to evictions of the labour tenants to an end in an orderly manner and ultimately to do away with the "archaic system".

The legislation gives second-generation existing labour tenants the right to acquire ownership of the land they have historically used. The right to acquisition is subject to the payment of compensation to the owner according to the compensation formula in the constitution. Hanekom said that according to rough estimates, the programme would cost no more than R200m.

"Pragmatic and negotiated solutions" are encouraged, giving the landowner the opportunity to put forward alternative proposals on the location of the land to be acquired and providing for mediation.

A background document distributed by the land affairs department said from the early 1990s farmers began to evict labour tenants in certain areas on an unprecedented scale. The reason for this was the expectation that the new government would introduce legislation to protect the rights of labour tenants. Therefore, the situation had been marked by murder, strikes, expensive legal battles, cattle theft, arson and violence.

Although moratoriums had been declared in some provinces, they were impossible to enforce as individual farmers remained legally entitled to evict. This had necessitated new legislation.
Labour tenants get right to buy

DRAFT legislation giving about 20,000 labour tenants the right to buy farmland they have historically occupied and used will be gazetted today.

Land Affairs Minister Mr Derek Hanekom said the Land Reform (Labour Tenants) Bill would also protect tenants who could not immediately afford to buy land by placing a moratorium on evictions.

In a bid to prevent mass evictions before the bill was passed, the sections protecting tenants would apply from publication in today's Government Gazette rather than the date of enactment.

Inherent problems

Mr Hanekom said the bill addressed particular problems inherent in the labour tenancy system in parts of KwaZulu-Natal and the South-Eastern Transvaal and would not apply to all farmworkers.

It aimed to protect tenants from arbitrary and unfair evictions, while also providing independent land rights to resolve historical claims.

A farmer might not evict a tenant unless the latter had breached the labour tenancy contract, was guilty of misconduct, or the farmer had specific needs for the land.

Evicted tenants would have to be compensated for houses they had built and for crops not reaped.

Tenants' right to acquire land would be subject to compensation for the landowner. —Sapa
Evictions 'most difficult issue'.

THE eviction of labourers from farms had been one of the most difficult and pressing issues he had faced in his year in office, Land Affairs' Minister Mr Derek Hanekom said yesterday.

The lack of a clear legal framework had led to conflict and violence between landowners and labour tenants and had blurred the differences between fair and unfair evictions, he said.

Eviction had left labour tenants and their families without alternative accommodation, without any effective means of making a living, and often without recourse to the law.

The government intended to bring an end to evictions in an orderly manner and ultimately to do away with the country's archaic labour tenancy system.

Mr Hanekom called on all interested parties, particularly members of the farming community — both landowners and tenants — to comment on the proposed Land Reform (Labour Tenants) Bill before July. — Sapa
Workers get special protection

Draft Land Bill limits evictions

**BY JO-ANNE COLLINGE**

Farm workers will have immediate protection from eviction while draft legislation on land reforms goes through the parliamentary process.

The draft Bill puts strict limits on the circumstances in which labour tenants can be evicted from the farms on which they are tenants.

The unusual move has been made effective from the moment of publication for comment in today's Government Gazette.

In the major reform, the draft Land Reform (Labour Tenants) Bill also provides for the forced sale of privately owned farmland to tenants in parts of KwaZulu-Natal and the south-eastern Transvaal.

Minister of Land Affairs Derek Hanekom described the eviction of labour tenants yesterday as "one of the most difficult and pressing issues" he had faced.

"These evictions have left labour tenants and their families without alternative accommodation, without any effective means of making a living, and often without recourse to the law."

The lack of a clear legal framework and mechanisms to resolve disputes had given rise to conflict and violence, he added. The Bill was intended to fill this vacuum and enable government to act decisively.

The majority of farm workers and owners will not be affected by this first clear move by the government beyond the realms of land restitution and into the territory of redistribution.

The Bill only covers a narrow category of farmworkers and landowners who are locked into the outmoded labour tenancy practice.

It proposes that a labour tenant will have the right to "acquire ownership or another right in the land which he or she and his or her family use as a dwelling ... habitually use for cultivating produce and ... for grazing."

It provides for this purchase to take place voluntarily and stipulates that the landowner should be paid "just and equitable compensation."

Only when tenant and owner cannot agree on the sale and on the price will the Land Claims Court come into the picture.

Drafters of the Bill expect that purchases will proceed slowly and that the availability of state subsidies for tenant-purchasers will be central to the workability of the scheme.

For this reason, and in order to stem conflict arising from the evictions, the Bill also attempts to provide stability in the tenancy situation by stipulating procedures to be followed before an eviction may take place.

**Landing a fair deal**

- Page 11
The Land Reform (Labour Tenants) Bill is publis today. Jo-Anne Collinge reflects on the wrongs the critical legislation sets out to right.

Landing a fair deal for

On June 18 1919 Lord Balfour signed the Balfours Land Act and, as people's historian Sol Plaatje's booknotes, made it "criminal for anyone to have black tenants and to have black servants". Hundreds of thousands of black people were driven off farms and forced into vagabonding to other parts. Independent tenant farmers, who had paid their rent in cash or by sharing their crops with the registered law officers, feared the same lawful "currency" left in their possession. It was a way to preserve some measure of independence from the newly created "labour tenants," explains Andrie van Schalkwyk and Pieter van Zyl of the Witwatersrand University Centre for Applied Legal Studies, who were closely involved in the Land Tenure and Land Reform (Labour Tenants) Bill.

In terms of the old system, labour tenants had to provide the white owner of the land with free labour for half of the year.

Servitude

Today, nearly 92 years on, the publication of the new Bill finally offers an alternative to the forced removals of the feudal system of land tenure. The law defines an "indemnity" for the "labour tenant" who is unable to pay a certain amount of rent. The law states that the tenant is entitled to fair compensation if the amount of land exceeds the value of the land.

Whether the situation is voluntary or forced, the tenant is entitled to fair compensation. The Bill also recognizes the relationship between owner and tenant in a contract to purchase the land. The contract should be executed in writing, and all of its terms and conditions should be specified in the agreement.

labour tenants can claim for the value of stock and livestock kept by them. The Bill also recognizes the right to possess the land as long as the tenant is able to prove that he has a right to possess the land.

Deep fears

In Weenen, the largest area of labour tenancy, tenants were forced to work on the farms for free, while their cattle were starved. The Ministry of Land Affairs hopes that the new law will ensure that the labour tenants are treated fairly and that their rights are protected.

The Ministry of Land Affairs also hopes that the new law will ensure that the labour tenants are treated fairly and that their rights are protected. The Ministry of Land Affairs also hopes that the new law will ensure that the labour tenants are treated fairly and that their rights are protected.

Subsides

The efficacy of alternative envisaged will depend, however, on the Government's willingness to support the farmers and to make sure that the land is used efficiently. Unless labour tenants are able to get subsides similar to those on offer for housing in urban areas, the legal premise of land will be empty. How the affected farmers and organized agriculture will react to the Bill is hard to predict. Over the years, the South African Agricultural Union lobbied the National Party government for the recognition of labour tenancy, arguing that it was a "backward" form of tenure which should make way for more modern and productive approaches. As Claassen points out, some of the large forestry companies that have already co-opted large tracts of land into sale arrangements with labour tenants on their vast plantations, even if given a portion of the land as an outright gift.

How many other landowners will be equally attracted by the idea that a land settlement will buy the precious condition of security remains to be seen. One thing is certain, there is unlikely to be any easy route, no lands to be gained through mass editions. The Bill presents this to the special provision which makes it effective from today — the day of publication — and cut from the days of landlessness and poverty that so many of us have lived through.
Labour Tenants: Bill is published
review reflects on the wrongs this station sets out to right.

deal for workers

Land for labour... a feudal remnant. A new law is about to change this system.

unlike to be any escape route, no luxury, through mass existence. The Bill prevents this by a special provision which makes it effective from today — the day of publication — and not from the date of enactment.

Some opposition to the Bill is surely inevitable. But it is equally well to recall that in 1918 as Sal Piney wandered about with the workers, he was prepared to defy

the Land Act because "the good Lord, who has always blessed us, will turn His face away from us if people are unsettled and sent away from the farm in a discontented mood."

He recalled that Mr. V, the owner of Dashfontein, told his workers he was prepared to defy
or step towards land reform

Curb placed on evictions

By Ismail Lagardien
Political Correspondent

Labour tenants will from today have legal protection from eviction and the Government will provide opportunities for such tenants to buy the land they live on — if they want to.

A bill was published yesterday providing protective tenancy which, in terms of the legislation, means that "labour tenants cannot be unfairly evicted by the farmer, but that the farmer has remedies if the labour tenant is guilty of misconduct."

The memorandum to the bill explains: "The current situation has been marked by murders of tenants and farmers, strikes, marches, evictions and boycotts as well as long, bitter and expensive legal battles, fence cutting, cattle theft, arson, violence and threats of violence."

Introducing the Land Reform (Labour Tenants) Bill yesterday, Minister of Land Affairs Mr Derek Henekom said the bill would hopefully, bring an end to the archaic semi-feudal system that has existed for decades, stop evictions and bring to an end the violence that has characterised the relationship between labour tenants and farm owners.

Henekom said the Government's work did not end at providing legal rights to labour tenants, but that they could, eventually, access Government assistance in the form of subsidies and support.

His deputy, Mr Tobie Meyer, also said yesterday that it was not inconceivable that the present labour tenant could buy the entire farm upon which they live.

"That would make a wonderful contribution towards land reform in this country," Meyer said.

There are an estimated 30 to 40 000 labour tenant families in the country. These people work on farms for no cash remuneration, but for the right to use a section of the farm, mostly for subsistence farming.

Labour tenancy is widespread in the South Eastern Transvaal and in parts of KwaZulu-Natal and since the early 1990s farmers have been evicting labour tenants on an unprecedented scale.

The bill will be effective tomorrow in the form that it will be passed by Parliament at the last date. This means that as from today no labour tenants can be evicted — even before the bill has been passed into law.
Hansekom's Bill to Buy South Africa
Reform Bill 'confiscating land'

JOHANNESBURG.—The South African Agricultural Union (SAAU) says the proposed Land Reform Bill makes a mockery of property rights and "practically amounts to the confiscation of land in favour of farm workers".

SAAU president Boet Fourie said Land Affairs Minister Derek Hanekom had "failed to give any consideration to the interests of land owners" in the proposed legislation, which places a moratorium on the eviction of labour tenants — people who exchange work for the right to farm a small piece of land.

Mr Hanekom announced the R200 million scheme to give labour tenants security of tenure and help them to acquire ownership of the land they farm.

Mr Hanekom told reporters that the scheme could help to turn 30,000 to 40,000 labour tenants in the Eastern Transvaal and the north of KwaZulu-Natal into successful farmers.

"Why doesn't the minister also place a moratorium on the violation of the property rights of the affected farmers?" Mr Fourie asked. "As so often in the past, the minister has chosen to ignore these problems."

The bill, which was published for discussion yesterday, proposes to give labour tenants the right to security of tenure and, if they wish, to buy land they currently farm.

"It's land the tenants are farming now, land the farmer does not use," Mr Hanekom said. "The tenants have probably paid for the land over and over again through the generations with their work." — Sapa.
State to protect tenants

By RAY HARTLEY
Parliamentary Correspondent

LAND Affairs Minister Derek Hanekom has cleared the way for some 40,000 labour tenants in KwaZulu Natal and the Eastern Transvaal to acquire the land they have been farming, often for generations.

Draft legislation published for comment this weekend will make it illegal for farmers to evict labour tenants from the land they occupy and "rent" from farmers by exchanging their labour, putting an end to a long conflict on farms in these areas.

The Bill provides for "protective tenancy", which means that "tenants cannot be evicted simply because the owner decides to give them notice, but only when the tenants have breached the contract or are guilty of misconduct, or the owner has very specific needs for the land," a Land Affairs document says.

The Bill entitles labour tenants to "purchase the portion of land occupied from the farmer with the assistance of a state subsidy," the document says.
`THERE are certain natives ... who absolutely refuse to be servants. They are fairly well to do, and they want a portion of the farm to sow on shared. They have their youngsters to look after their stock, and they are themselves free to go about and do what they like ... When the boy has his whole piece of ground to sow and is given a half of the crops, he is not a servant but a partner - a master.' - A Ficksburg farmer, quoted in *The Right To Land*, David Philip, Cape Town.

**END OF SLAVERY**

PROFESSOR Jakes Gerwel, Cabinet secretary, put it like this: "This is part of our post-apartheid - one could almost say post-feudal - land reform."

Apartheid South Africa's unique system of labour tenancy was structured from the 1913 Land Act - which introduced a programme whereby black people were given access to land by working for the white farmer.

The system did not involve an exchange of cash. The farmer did not pay wages. Terms of payment were negotiated around the size of lands workers could plough and the number of cattle they could keep.

In other words, you exchanged your labour for land - and what it meant was that black people were only allowed to live legally on rural land in white areas if they were full-time labourers.

Between 1966 and 1980 this was replaced by a system of straight wage labour. This change in law resulted in over one million black people being evicted from their homes in white rural areas and shuttled off into distant homelands.

White farmers manoeuvred around the law in the 1970s by paying nominal wages of R10 to R20 a month to comply with legal requirements. They limited areas labour tenants could use for grazing and fields.

Labour tenants were left vulnerable by the law and farmers took advantage of this vulnerability. In its original form the tenant contract required the labour of one able-bodied person. Now farmers could demand - and they did - the labour of up to four members of the tenant family.

Labour tenancy has slotted the workers into a lifestyle only suited to farm labour. Because they never earned wages, all their worldly possessions are bound up in the homesteads on the farms. When evicted, the labour tenant loses all the assets the family built up and handed down over the generations.

Many labour tenant districts are experiencing conflict of some sort:
- Strikes are happening in Weenen, Estcourt and Piet Retief;
- Land invasions occurred in Cramond and Baynesfield;
- Legal battles are on in Vryheid, Cramond, Colenso and Baynesfield;
- Violent clashes took place in Piet Retief, Cramond, Colenso and Weenen.

"Farmers sometimes use brutal force to evict tenants. Bheki Mihlange, the nephew of a man who refused to vacate a farm, was beaten to death by white people searching for his uncle. In response to a lack of police action a two-day stayaway and a series of marches was held by labour tenants in the Piet Retief and Wakkerstroom districts on 20 and 21 July, 1994."

The Land Affairs Ministry highlights other similar incidents in the motivation for changing the Land Act. The new Bill aims at protecting existing rights of labour tenants - while giving labour tenants an opportunity to, if they were long-term occupants, acquire rights to land. It provides for protective tenure for labour tenants. It does not take away land which the landowner used before.

"The publication of this Bill will put into effect a moratorium on evictions," said Hanekom. "The legislation places at its centre the principles of human dignity, justice, equality and respect for the law."

The programme would enable labour tenants to become successful subsistence farm owners, he said.

A very rough estimate of the cost of the programme will place in terms of the programme is R200 million and it will affect 30 000 to 40 000 people.

Hanekom called upon all interested parties, especially farmers and tenants "to make their voices heard on the subject." They have until July 14 1995 to make representations.
Land tenant bill slammed

Louise Cooke 80 8/16 95

THE proposed Land Reform Labour Tenants Bill, released for comment by Land Affairs Minister Derek Hanekom last week, was slammed by agricultural organisations for infringing property owners' rights.

The Bill proposed to give some 40 000 labour tenants on farms in the Eastern Transvaal and KwaZulu/Natal the right to acquire property rights with government assistance — with or without the approval of the landowner.

Transvaal Agriculture Union vice-president Willie Lewies warned that, once passed, the "draconian" Act could be extended to apply to the whole country.

Lewies said it could affect land values and farmers' bank creditworthiness. SA Agriculture Union president Boet Fourie accused Hanekom of "not being prepared to consider the interests of land owners". Natal Agriculture Union president William Mullins said it could increase labour and landowner tensions and that the minister had failed to consult with unions.

Legal firm Du Toit and Associates MD Philip du Toit said it tried to "fix the evil of forced removals with the evil of forced dispossession". But Farm Worker Research and Recourse Project director Dave Husy said "it was a mechanism to restrict evictions". A Land Affairs spokesman said if passed it would come into effect this month.
Labour Tenants Bill welcomed

Louise Cook

THE National Land Committee yesterday welcomed the Land Reform Labour Tenants Bill but said it had failed to "sufficiently extend" the rights of labour tenants.

Committee land rights task group co-ordinator Japha Dada was concerned that the Bill proposed that labour, instead of an historic link, would entitle the labour tenant to live on the land. He also criticised the Bill for not applying to the 1960s and 1980s when most evictions had taken place.

Dada called on government to deal with these cases through the Restitution Act.

But he said the Bill would protect labour tenants, women and the aged against arbitrary evictions and enforce the Basic Conditions of Employment Act.

The Bill proposed to give 40 000 labour tenants on farms in the Eastern Transvaal and KwaZulu/Natal the right to acquire property rights with government assistance — with or without the approval of the land owner — and placed a moratorium on evictions.

Ingrid Salgado reports the Land and Agricultural Policy Centre said yesterday labour tenants in the Northwest were unprotected by the Bill and needed to be included in its scope.

The Bill's current form only protected tenants in particular magisterial districts in KwaZulu/Natal and the former southeastern Transvaal where they had "no security of tenure on the land they have been working for generations", the centre's land reform programme manager Theresia Piewman said.

Tenants excluded from the Bill's scheduled areas were vulnerable to farmers who could take "pre-emptive action" by changing their contractual relationships with tenants.

Piewman said Land Affairs Minister Derek Hanekom should expand the Bill's schedule to include the whole country before legislation was passed.

Most evictions had taken place in the Bill's listed areas, which tended to be politically conservative and where tenants were "quite active", she said.

But legislation could not exclude the possibility of evictions happening elsewhere.

The centre commended Hanekom for tabling the "far-reaching and controversial" Bill for comment. Comments were being sought urgently and would be received until July 15.

Listed areas in the Bill include Ermelo, Middelburg, Piet Retief, Amersfoort and Stander ton in the former southeastern Transvaal and Newcastle, Estcourt, Ladysmith and Weenen in KwaZulu/Natal.

The land affairs department had also issued a land reform policy framework document which would culminate in a debate on a land reform white paper in September, Piewman said.

Meanwhile the department said threats of violence associated with evictions were serious and the problem had not been "exaggerated", as alleged by the SA Agriculture Union (SAAU).

The SAU had said evictions of labour tenants were "merely half the problem".

The union had accused Hanekom of bias, slamming the Bill for not considering the interests of land owners, while the Transvaal Agricultural Union had said it would "refuse to accept" the Bill.

Land Affairs chief director Erik Buiten said although no record had been available to indicate the number of evictions, the threat and intensity of violence associated with the problem was serious.

Buiten said the Bill aimed to protect the interests of the land owner as well as the labour tenant.

Farm Workers Research Project director Dave Busy said the number of evictions on farms had started to slow down last year, but "thousands" of labour tenants had been evicted since 1990.
Land reform legislation to be considered

FAR-REACHING land reform legislation to introduce private land ownership for millions of rural South Africans is due to be considered by the cabinet today.

The legislation is part of a government drive to modernise the rural economy by phasing out the centuries-old tribal land system.

Land Affairs Minister Mr Derek Hanekom said yesterday "interim measures" would be introduced to provide security of tenure to millions living in the former homelands and who are at the mercy of tribal chiefs.

The legislation could run into opposition from traditional authorities and create a new area of disagreement between central government and kwaZulu/Natal.

It is aimed at reshaping tenure systems in the former homelands where people have lived for generations on tribal land but have no legal right to that land.
Row erupts over IFP’s rejection of new Bill

Louise Cook

A ROW erupted in Parliament yesterday when Land Affairs Minister Derek Hanekom challenged the IFP to give reasons for opposing the Land Reform (Labour Tenants) Bill released for comment recently.

Speaking in the Land Affairs Budget vote, Hanekom said he “tooth with disappointment” the IFP’s “unexpected and incomprehensible” rejection of the Bill.

The Bill proposed to give land ownership rights to labour tenants on farms in the Eastern Transvaal and KwaZulu/Natal — with or without the owner’s agreement.

But IFP Senator Geoffrey Bengu said labour tenancy was a system characteristic of Africa which “would not fade away overnight”. He said there were differences between land use and land rights that needed to be recognised.

Bengu said the IFP was “very concerned” with government’s drive to replace the labour tenant system with a freehold system.

He called for land reform to be handled by the regions. Hanekom warned that once passed the Land Reform (Labour Tenants) Act would apply retrospectively. This meant that farmers would be prosecuted for evicting labour tenants even before the Act was passed.

He told the House “urgent action” in areas of tenure reform was needed.

This applied particularly to cases in the former homelands, where the system of land allocation had broken down.

Hanekom said “fundamental steps” towards a more comprehensive land reform policy included a White Paper on land reform by the end of October, a final report by the Katz commission on land tax by end-November, draft legislation to protect informal rights and a new land-holding institution to hold land on behalf of members of a community.

Meanwhile, the IFP’s call for the regions to handle land reform was supported by the Freedom Front, which warned that war would break out over land reform.

Freedom Front Senator Dries Bruwer slammed Hanekom for “planning land reform from Pretoria” and called for regional committees to be established.

SAPA reports that Hanekom said government was not considering expropriating the properties of absentee land owners.

Well managed, productive farms on which workers were cared for, were a national asset.

Poll threatened by NP court action plan

Mdundzi ka Harvey

THE NP plans to take the Gauteng cabinet’s local election seat allocation formula to court, threatening a further delay to the election process.

NP local government chief in the Gauteng legislature, Johann Killian, said his party would ask Constitutional Affairs Minister Roelf Meyers and his deputy Vally Moosa to intervene. If they failed to break the deadlock, the matter would go to the Special Electoral Court.

On Wednesday the ANC-dominated provincial cabinet adopted a seat allocation formula in terms of which 10 councillors will represent every 100,000 potential voters in the province. The decision was taken by majority vote.

Killian said the cabinet standing committee had earlier negotiated and accepted a formula providing for 10 councillors to represent 50,000 potential voters. Local government MEC Dan Morokeng had reneged on this.

Morokeng’s spokesman Thabang Mamonyana said the new formula would meet fiscal discipline.
Moves to secure rural dwellers' land rights

POLITICAL STAFF

LAND AFFAIRS MINISTER Mr Derek Hanekom outlined radical moves yesterday to secure the land rights of millions of rural dwellers in the former homelands.

Mr Hanekom told the Senate during the land affairs policy review the government regarded "security of tenure as the cornerstone to freedom from economic servitude".

Apartheid laws had left many people without clear land rights and unable to provide any "clear legal proof of their right to land".

Pending legislation could undercut the stranglehold tribal chiefs had exercised over their subjects, Mr Hanekom said.

"This applies particularly to the former homelands where the system of land allocation and administration has broken down."

Mr Hanekom said legislation had also been submitted on a "new kind of land holding institution — a communal property association. "This association will hold land on behalf of community members, who will also control it."

Reclaim

- PAC president Mr Clarence Makwetu announced yesterday that his party had launched a Back to the Land campaign to help people reclaim rural and urban properties from which they were evicted under apartheid.

The campaign would involve demands for the return of the land or for proper compensation.

- A land tax of between two and four percent would mark the beginning of the end of commercial agriculture, Senator Errol Moorcroft (DP) said yesterday.

Speaking during debate on the Land Affairs budget vote, he said very few agricultural enterprises had more than a four percent return on invested capital.

He said Mr Hanekom would "regret" his call that drought relief be withheld from commercial farmers and accused him of "an apparent dislike of individual ownership".

- The Eastern Cape government would take action against all civil servants who "crossed the line", Premier Raymond Mhlaba warned yesterday.

But while proof of corruption in the former homelands had come as "no big surprise", this should be seen as an historical rather than a prevalent problem, he said.

Punished

"Civil servants who are proven to be dishonest will be punished."

Police are investigating cases against civil servants in the former Ciskei and Transkei. — Political Correspondent, Sapa
Moves to secure rural land rights

BY PATRICK BILGER
Cape Town — Land Affairs Minister Derek Hanekom has outlined radical moves to secure the land rights of millions of rural dwellers in the former homelands.

Hanekom told the Senate during the land affairs policy review yesterday that the Government regarded "security of tenure attaching to a land unit (as) the cornerstone to freedom from economic servitude for an individual or group".

Apartheid laws had left many people without clear land rights and unable to provide any clear legal proof of their right to land.

The pending legislation could effectively undercut the stranglehold tribal chiefs had exercised over their subjects by virtue of their control of tribal land.

Hanekom said legislation had also been submitted on a "new kind of land-holding institution, namely a communal property association.

"This association will hold land on behalf of the members of a community, which will also control it. It is a new tenure option which will be offered in cases where the Land Claims Court orders it, where it is the condition for a new land grant or where an existing community asks for it," he said.

Hanekom also outlined steps to introduce a range of other tenure options.
Hanekom defends his 'Land Act'

Lend Affairs Minister Derek Hanekom rejected reports that legislation he proposed to Cabinet this week was aimed at privatising tribal land rights, and said the draft Bill would instead provide legal security to millions of impoverished black rural South Africans living on tribal land in the former homelands.

Hanekom said the proposed Interim Protection of Informal Land Rights Act would protect informal rural land rights from the threat of unauthorised sales to developers and holiday-makers.

"These communities currently have no clear legal right to prevent individuals from selling off their grazing land to developers, or to holiday-makers... The Bill is intended to provide a defensive mechanism against such transactions," said Hanekom.

Hanekom said the Bill was not intended to prevent development or other transfers from taking place, but would ensure that people with informal rights were given their proper status as stakeholders in such transactions.

"It will protect people who occupy land as if they are owners, who have invested in the land on the basis of an assumption of permanent rights, but it will not apply to land tenants or temporary tenants," Hanekom said.

Without such legislation, the unlawful transactions now taking place would continue, with the people responsible only learning their actions were illegal years down the road after lengthy litigation, he added.

The proposed Bill is only an interim measure, intended to fill the legal vacuum left by the repeal of apartheid land legislation until proper consultation and research on an appropriate tenure reform system could be completed. This was a complicated process which could take years to complete, so temporary relief was needed to protect people from dispossession in the interim.

Hanekom said the Bill would have to be accompanied by Amendments to the Upgrading of Land Tenure Rights Act No 112 of 1991, which favoured privatisation of land rights over other means of upgrading tenure. "It is necessary to amend the Act in order for it to comply with a policy that security of tenure will be protected under a variety of tenure forms," he said.

It is understood Hanekom presented the proposed Amendments, as well as a Proposed Communal Property Association Act, to the Cabinet committee on social and administrative affairs on Wednesday.
JOHANNESBURG. — Farmers and organised agriculture groups plan to mobilise against the recently released Land Reform bill which gives property rights to labour tenants, the Agricultural Employers Organisation (AEO) said.

The AEO, claiming to represent over 6000 farmers, said it had invited President Nelson Mandela to its planned rally on July 6 in Newcastle to protest the bill.

AEO president Werner Weber said in a statement farmers would take "every possible legal step to fight this as farmers are not prepared to give away any part of their farms". — Reuter.
Angry farmers

FARMERS and organised agriculture groups plan to mobilise against the recently released Land Reform Bill, which proposes giving property rights to labour tenants, the Agricultural Employers Organisation (AEO) said.

The AEO, claiming to represent over 6,000 farmers, said it would take legal steps to fight the Bill, as it contravened constitutional guarantees of private ownership. 25/1/95
Land Bill set to draw fire

By RAY HARTLEY
Parliamentary Correspondent

FRESH controversy over land reform legislation is looming, with a measure aimed at strengthening individual land ownership in the homelands set to draw fire from KwaZulu Natal traditional leaders.

Land Affairs Minister Derek Hanekom was reported earlier this week to have described the measures as an effort to provide security of tenure for millions whose grasp on the land was at the mercy of tribal chiefs.

By the end of the week, Land Affairs officials appeared to have shifted their stance to diffuse a potentially damaging political battle with the Inkatha Freedom Party over what could be seen as another effort to undermine KwaZulu Natal chiefs.

Ministerial adviser Geoff Budlender said the planned Interim Protection of Informal Land Rights Bill was aimed at all people "on land on an informal basis with weak rights", and not specifically at those on tribal land.

The legislation would apply to people who were regarded as the owners of the land they occupied, where the land was not commonly or tribally held, he said.

He said a second measure, the Upgrading of Land Tenure Rights Amendment Bill, was intended to protect tribal or communal landholding systems until the people wanted to change them.

A third measure, the Communal Property Associations Bill, would allow those receiving land through the restitution process, or through other land reform measures, to hold the land on a communal basis.
Land reform

Continued from Page 1

Classens said there was a pattern of communal land being sold off without consultation with tenants, particularly in the Eastern Cape. She said that these sales were not legal transactions.

Of concern to the IFP is Hanekom's efforts to strengthen individual land ownership in the former homelands. No one will be allowed to sell communal land without consulting residents. Buthelezi conceded Inkatha had little chance of stopping the legislation in Cabinet or Parliament, but said the KwaZulu/Natal legislature "should do something".

Continued on Page 2

Interestingly, the IFP's 20-point plan to seize more federal powers in KwaZulu/Natal calls for the adoption of provincial legislation "which establishes that all matters related to land management and land use are a provincial competence".

It also proposes the establishment of a provincial department on land affairs with advisory powers to make recommendations to government's Commission on Land Affairs.

Classens said the proposed legislation was an interim step to bring clarity to the tenure issue, while government undertook a two-year inquiry into tenure reform involving all stakeholders starting in August.
Land loss ‘ usurps traditional chiefs’

MTUBATUBA: Establishing central control of land rights was a way of undermining the autonomy of traditional leaders, Home Affairs Minister and Inkatha Freedom Party leader Chief Mangosuthu Buthelezi said yesterday.

“The land of black people which remained in black hands after dispossession by colonial conquests...now belongs to the state as public property,” Chief Buthelezi told IFP members attending the party’s North Coastal regional elections here.

The government had the power to dole out land that rightfully belonged to blacks, a step that could convert public land into profitable private property, he said.

“The core of this forced plan...is the abolition of the indigenous land tenure system and the undermining of traditional leaders as administrators of land,” Evidence that this was occurring was the ANC’s plan to put traditional leaders on the central government’s payroll, Chief Buthelezi said.

This was a way to strangle traditional leaders’ autonomy and divide traditional communities.

Chief Buthelezi urged the government to abandon possible rights to more than a half-a-million hectares of land that belonged to Zulus in kwaZulu/Natal. This land had been held in trusts for years and might now risk becoming state property, he said.

He criticised the “sweetheart” relationship between the Congress of South African Trade Unions (Cosatu) and the government. Only 20% of the country was unionised, which allowed the IFP a perfect opportunity to create a strong alternative union, he said.

The IFP opposed the Truth Commission and favoured a judicial process, he said.

Autonomy

The ANC’s constitutional proposals presented a “totalitarian” vision as they would curb provincial powers and scrap the protection of free enterprise and property rights, Chief Buthelezi said.

The IFP would continue fighting for autonomy for kwaZulu/Natal, but its success in doing so would depend on its having grassroots support.

“The struggle we are going to face is in many ways tougher than the struggle we faced prior to the elections,” he said. — Sapa
Schoolkeeping: hopes alive, farmers happy

Not only a social conscience but also financial plans inform this project.
Land rights plan will ‘strangle’

traditional leaders – Buthelezi

Mtubatuba — Central control of land rights was a way to undermine the autonomy of traditional leaders, Home Affairs Minister and IFP leader Mangosuthu Buthelezi said yesterday.

“The land of black people which remained in black hands after dispossession by colonial conquests... now belongs to the State as public property,” he said in an address at the IFP’s North Coast regional elections at Mtubatuba in KwaZulu-Natal.

“The crux of this forced plan... is the abolition of the indigenous land tenure system and the undermining of traditional leaders as administrators of land.”

Proof of this was the ANC’s plan to put traditional leaders on the central government’s payroll which was a way to strangle their autonomy and divide traditional communities, he said.

The Government had the power to dole out land that rightfully belonged to blacks. This, he said, could lead to converting public land into profitable private property.

He urged the Government to abandon possible rights to more than half-a-million hectares of land that belonged to Zulus in KwaZulu-Natal, saying the land for years had been held in trusts but now faced the possibility of becoming State property.

Buthelezi also criticised the “sweatheart” relationship between Cosatu and the Government, adding that only 20% of the country’s labour force was unionised — a perfect opportunity for the IFP to create a strong alternative union.

He said the ANC had presented a “totalitarian” vision with its constitutional proposals, by cutting provincial powers, scrapping the protection of free enterprise and property rights.

The IFP would continue fighting for autonomy in KwaZulu-Natal but its success depended on people at grassroots level, in clashing winning the November elections, he said. — Sapa.
Controversial land measures for cabinet

Political Staff

THREE controversial land bills, described by Home Affairs Minister and Inkatha Freedom Party leader Mangosuthu Buthelezi as attacks on the traditional power of chiefs to allocate tribal land, will be put to the cabinet tomorrow.

Chief Buthelezi has railed against the central government's land reform programme, condemning it as a strategy to abolish indigenous land tenure and undermine the power of chiefs to administer land. But the measures now in the pipeline stop far short of this, although Press reports based on information leaked last week created quite a different impression.

The most controversial of the bills — the Interim Protection of Informal Land Rights Bill — merely provides for a temporary freeze on patterns of tenure in former homeland areas where the formal records of land holding are chaotic and do not reflect the actual pattern of occupation.

The idea is to prevent families being thrown off land which was allocated to them and which they have treated as their own simply because there is no formal record of this long-standing agreement.

The bill does not provide for any expropriation of land.

It merely buys the authorities time — until the end of 1996 — to investigate the problem of informal land tenure more fully, to consult adequately and to come up with suitable long-term measures.

The second measure to be considered by the cabinet, the Community Property Association's Bill, intends to make it easier for groups to hold land collectively.

The final measure is a technical amendment to the Upgrading of Land Tenure Act passed by the National Party government four years ago.
Land Bill to Freeze Tenure

Am to prevent families from being evicted

THE STAR / TUESDAY JUNE 27 1995
Unions fight land reform.

DURBAN: Three agricultural unions said yesterday they would unite for a mass meeting on Tuesday next week against the proposed Land Reform Bill.

"The Agricultural Employers Organisation (AEO), together with the Transvaal, Natal and Free State Agricultural Unions and related organisations have decided to join forces against the proposed Land Reform Bill," the AEO said in a statement.

The AEO claims to represent over 6,000 farmers.

The bill gives property rights to labour tenants.

"Farmers are not prepared to give away any part of their farms," AEO president Mr Werner Weber said.

The protest meeting will be held in Newcastle. — Reuters
Pretoria - Contended AIDS and Pretoria Province.Latest coloured copy.

AIDS, HIV Increases Threefold

...
CHIEFS TO BE PREVENTED FROM SELLING COMMUNAL LAND

New legislation to provide security of tenure to millions

LEGISLATION intended to protect people who were unable under apartheid legislation to own property from having the communal land they occupy sold under their feet, has been condemned by the IFP.

LAND AFFAIRS Minister Mr Derek Hanekom published three bills yesterday offering security to millions of blacks denied land ownership rights under apartheid.

Announcing the publication of the bills, Mr Hanekom said the "previous discriminatory laws and a breakdown in land administration systems in the former (homelands) undermined the capacity of black people to own and occupy land in a legally secure manner".

"Millions of people ... find the land on which they live is sold from under their feet or allocated to someone else," he said.

The package of bills approved by the cabinet yesterday will give tribal blacks some rights over land allocated to them by chiefs and will prevent chiefs from selling communal land to commercial developers.

Mr Hanekom said that particularly along the Eastern Cape's Wild Coast, tribal land was being sold without consultation to hotel and resort developers.

"Because (the occupants) do not have clear legal rights ... they are powerless to stop the process," he said.

The bills could trigger a new row with the IFP, which condemned the principle before the text was published, calling it a bid to shatter traditional lifestyles.

Mr Hanekom said IFP leader Chief Mangosuthu Buthelezi had not objected to the bills at yesterday's cabinet meeting, however.

He said one of the bills would recognise and secure the communal ownership of land allocated to tribal homelands under apartheid.

Another would give temporary security until the end of 1996 to any person who has occupied and used land for at least three years, but does not have documentary proof of ownership.

Meanwhile, in Johannesburg, representatives of labour tenants said yesterday they would take mass action if the Land Reform Bill granting them security of tenure was not made law.

The group said they wanted a clause in the interim constitution guaranteeing property rights to be scrapped and for strong action to be taken against farmers evicting tenants in protest against the bill.

Abolition

They also said labour-tenants should be considered in the restitution of land rights and the laws against trespass and squatting should be abolished.

Three agricultural unions and the Agricultural Employees' Organisation have opposed the bill, saying it would harm the economy, cause labour unrest, raise unemployment and create socio-economic problems. — Sapa-Reuter
Controversial land Bills approved by Cabinet

BY PATRICK BULGER and JO-ANNE COLLINGE

Cape Town — The Cabinet yesterday approved three land-related Bills, pending a thorough review of land tenure options over the next 18 months.

Land Affairs Minister Derek Hanekom told a media briefing the measures were adopted with the assent of IFP leader Chief Mangosuthu Buthelezi, who has alleged that the central Government could not exercise jurisdiction over provincial tribal land.

Hanekom said Buthelezi's silence in the Cabinet on the issue indicated that he now supported the measures.

Hanekom said he would send to Parliament, for its approval, the Interim Protection of Informal Land Rights Bill, the Communal Property Association Bill and a Bill to amend the Upgrading of Land Tenure Rights Act.

He said millions of people, "in particular the rural poor and women", were vulnerable.

Rural poor and women vulnerable... Derek Hanekom.

"They find that the land on which they live is simply sold from under their feet or allocated to someone else. Because they do not have clear legal rights to the land and cannot challenge the authority of the person or institution selling the land, they are powerless to stop the process.

"The Bill aims to provide effective protection to people who hold insecure tenure rights which exist on a de facto rather than on a clear legally recognised basis.

"The legislation will also serve as a brake on the privatisation of tribal land by preventing the selling off of portions to strangers for personal gain without the knowledge and consent of the occupants and members of the tribe," said Hanekom.

The National Land Committee - a network of non-governmental organisations working in rural areas - yesterday welcomed the proposed legislation as "an appropriate and long-overdue step".

In a statement read at a Johannesburg press conference, NLC spokesman Abie Dithole said the measures were necessitated by "the chaotic state of affairs of land administration, particularly the corruption and maladministration in the former homelands and rural areas".

The NLC appealed to chiefs who opposed the Interim Protection Bill to "reconsider their position in the interests of landless communities", and to offer constructive alternatives on how this critical area of land reform should be handled.

The NLC said it believed that chiefs who acted in consultation with communities and in the interests of their constituencies had nothing to fear from the Bill.

Silence on the issue... Mangosuthu Buthelezi.
Farm tenants threaten action

BY JO-ANNE COLLINGE

Labour tenants have warned that if Parliament fails to enact the Land Reform (Labour Tenants) Bill because of pressure from farm owners they will mount a campaign of land invasion and mass action.

This tough stance by labour tenants — whose representatives met at Paulpietersburg last weekend — is a reaction to the unit-and-fight-the-Bill position adopted by farmers under the banner of the Agricultural Employers Organisation.

The publication of the Bill on June 2 has aggravated relations between farm owners and labour tenants in the 16 districts of KwaZulu-Natal and the South-Eastern Transvaal where it applies.

According to labour tenants and organisations working in rural areas, there has since been a flare-up of evictions in flagrant defiance of the Bill. An unusual feature of the draft legislation is that those sections which impose stringent controls on eviction procedures come into operation from the day of its publication, not from the day of its enactment.

Labour tenants who participated in a press conference held by the National Land Committee in Johannesburg yesterday said it was about time that the Government began to enforce the new provisions.

Among the resolutions taken at their weekend meeting was one demanding that "Minister (of Land) Derek Hanekom must inform the Ministers of Justice and Safety and Security of the enforcement processes in the Bill".

Even more controversial than the restraint on evictions is the Bill's provision for certain categories of labour tenants to buy the portion of the farm which they and their forefathers occupied in terms of long-standing land-for-labour contracts.
Land tenure rights boosted.

By Vuyo Bavuma

The Cabinet yesterday approved three draft Bills which will strengthen the land tenure rights of millions of people, especially poor rural women.

The Bills are the Interim Protection of Informal Land Rights Bill, the Community Property Associations Bill, and the Upgrading of Land Tenure Rights Amendment Bill. They were passed without objection from the Inkatha Freedom Party.

Earlier the IFP had objected to the Bills because, it claimed, they would usurp the powers of traditional leaders.

Yesterday Land Affairs Minister Mr Derek Hanekom said the previous tenure laws and the breakdown of land administration in the former bantustans had undermined the capacity of the black people to own land.

As a result millions of poor people, particularly rural women, were in a vulnerable position. "They find the land on which they live is simply sold from under their feet or allocated to someone else."

"Because they they don't have clear legal rights to the land and cannot challenge the authority of the person or institution selling the land, they are powerless to stop the process."

Regarding the Interim Protection of Informal Land Bill Rights, the Government wanted to prevent arbitrary dispossession and stop privatisation of tribal land without the consent of the occupants and members of the tribe.

In the Eastern Cape there were reports that tribal land had been sold for personal gain by traditional chiefs to private developers without the approval of the people.

Hanekom said the Community Property Associations Bill provided a legal mechanism to people who wanted to own their land collectively.

Hanekom said the third Bill would facilitate the upgrading into individual ownership of land rights in township and urban areas.
Farm labourers to fight for land rights

Labour-tenants want Land Reform Bill to be made law by Government

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ABOUR TENANTS ON farms will take mass action if the Land Reform Bill granting tenure security of tenure is not made law, people claiming to represent 500,000 labour tenants around the country told a Press briefing in Johannesburg yesterday.

The briefing was called by the National Land Committee.

"There will be no peace on farms if the Government does not enforce the Bill," KwaZulu-Natal labour tenant Mr Ntony Mthethwa said.

He and his companions said in a statement labour-tenants wanted a clause in the interim constitution guaranteeing property rights to be scrapped.

They want to discuss their demand with President Nelson Mandela and Minister of Land Affairs Mr Derek Hanekom.

Labor-tenants from Eastern Transvaal labour-tenant representative Mr Daniel Ndlangaswana said they wanted government assistance to enter commercial farming.

Three agricultural unions and the Agricultural Employers' Organisation earlier this week said they opposed the Bill, particularly clauses intended to give property rights to labour-tenants on commercial farms.

They said the Bill, if enacted, would harm the economy, cause labour unrest, raise unemployment and create socioeconomic problems.

"The AEO said expropriation of agricultural land would contradict the letter and spirit of the constitution and go against repeated reassurances by the government, that farmer's properties were safe.

"We are heading for a serious fight," National Land Committee director Mr Brendan Pearce told yesterday's briefing.

"The National Land Committee and labour-tenant representatives from KwaZulu-Natal and Eastern Transvaal met last week to discuss the Bill.

Resolutions adopted by labour-tenants at the meeting included that strong action, possibly including expropriation, be taken against farmers evicting labour-tenants in protest against the Bill.

The National Land Committee said in a statement yesterday it supported the labour-tenants' resolutions and urged opposing traditional chiefs and other parties to review their positions.

The resolutions included that labour-tenants should be considered in the restitution of land rights, that they should not be relocated without consultation, that the laws against trespass and squatting should be abolished and that labour-tenants' status should not be impounded by farmers."
Family demands justice as Farmer gets off 3-year parole

**Esclaves Jail**

**Killer Farmer**
Court candidate: Money, not land for dispossessed

THE new Land Claims Court likely to restore any urban land to former owners, but will award financial compensation instead, leading lawyer shortlisted for court's presidency.

Johannesburg attorney Ndlova was motivating his candidacy in Town today at a hearing before the Judicial Services Commission to select the court's president. He was one of two additional judges to rule on claims by people deprived of land under apartheid law.

"It may be in urban areas that the court is able to do is make awards in compensation, rather than return the claimant's land itself," Mr. Ndlova said in response to questions from Justice Minister Dullah Omar, a member of the commission.

"There will be very few cases where urban land will have been changed between the time it was expropriated and today."

Mr. Omar and Mr. Ndlova agreed that the restitution of land rights by the Land Claims Court would form only part of a broader project of land redistribution.

"The court is not designed to deal with landlessness as such — land"
Lawyers slam Hugo's sentence

By Russel Molefe

The "lenient" sentence imposed on a white farmer who shot and killed a 10-year-old boy for starting a veld fire caused an outcry from lawyers' organisations yesterday.

The farmer, Alexander Hugo, was sentenced to four years' imprisonment by Mr Justice Goldblatt in the Vereeniging Circuit Court on Friday but will serve only 18 months before undergoing correctional supervision.

Hugo shot Vusi Nkolozi in the abdomen as he was pleading for mercy in Bloempark, Vanderbijlpark, on June 25 last year.

Lawyers for Human Rights described the sentence as "horrific". The LHR said although it was in favour of community service and financial compensation in certain cases, the sentence imposed on Hugo was inadequate.

"Sentences like this reinforce a long held belief that courts value lives of black people as cheap," the LHR said.

The Black Lawyers Association described the sentence as "appalling and racist".

BLA's Mrs Fency Tlakula said the sentence gave strong support to the need for a complete change of the present legal system.

"The sentence is appalling and racist and this is the reason why our people don't have confidence in courts," Tlakula said.

Poet Mzwakhe Mbuli said of the sentence: "If the farmer is not jailed, what is the point of having a Bill of Rights? What would have happened if the farmer was black and the child white?"

"The sentence does not augur well with the spirit of nation building," Mbuli said.

Hugo's sentence has evoked strong reaction from the public with some people calling for the imposition of the death sentence.

"It's disgusting that this man should get such a light sentence," said Mr Tony Wolmarans of Gauteng. "He should have received at least 20 years or be hung. I don't know who gave the Government the mandate to scrap the death penalty."
Govt faces storm over Land Bill

PRETORIA: The government is to face a storm of protest from farmers at today's mass meeting over the controversial Land Reform Bill.

The meeting, to be held at the Newcastle showgrounds in kwaZulu/Natal, is expected to draw a large crowd.

Political groups such as the Conservative Party and the Afrikaner Volksfront yesterday both came out in support of farmers' grievances against the proposed legislation, to be introduced later this year by Land Affairs Minister Mr Derek Hanekom.

It will allow tenants, mostly workers, to have land rights on the properties even though the farm is owned by the farmer.

The meeting has been organised by the Agricultural Employers' Organisation and is supported by the Natal, Transvaal and Free State agricultural unions.

The CP said the legislation was "a disguised attempt to rob farmers, the legitimate owners". — Special Correspondent
Bill raises union's ire

Louise Cook

The proposed Land Reform (Labour Tenants) Bill with powers to expropriate farmers' land was undemocratic and unreasonable, SA Agricultural Union land policy committee chairman Judge Apple Steenkamp said.

Steenkamp, who held talks with Land Affairs Minister Derek Hanekom on Monday, said the Bill proposed that the Land Claims Court would deal with disputes between landowners and labour tenants.

"But the Court has limited scope and duration. It was established specifically to deal with restitution cases, and there is no reason to curtail the jurisdiction of the ordinary courts."

Steenkamp said the most Draconian measure in the proposed Bill was giving the labour tenant the right to buy the land he occupied.

"The owner is at the mercy of the creditworthiness of the tenant due to the fact that the State will not guarantee the payment."

Land affairs department planner Jan Trust said a special workshop would be held on July 19 to resolve the differing views on the proposed Bill. There was a good chance that the Bill would change radically.

The National Land Committee, however, said the Bill did not go far enough. The Bill proposes to give labour tenants in the Eastern Transvaal and KwaZulu-Natal the right to buy land on farms with or without the owner's consent.
Bill raises union's ire
Louise Cook

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zling," Makhayise said, speaking on behalf of the KwaZulu-Natal ANC.

Makhayise said before Sithole died he asked his son — the only survivor — why the murderers were killing him when he was already an IFP member.

Makhayise said it was obvious the hit squad consisted of IFP members. "It must be observed that whenever the IFP holds a rally at Umlazi stadium it kills people," he claimed, asking that the IFP retract its accusation.

IFP spokesman Ed Tillett said the ANC was "stretching its information".

"I don't understand how the ANC could jump to such a conclusion," Tillett said.

"I think the murder was a deliberate act of the Sithole family) for ballistics testing," Makhayise said.

KwaZulu-Natal police spokesman Lt- Col Hamilton Ngidi rejected the accusations. "Police have been working around the clock on this investigation and I'm very surprised that people could come up with such allegations," he said.

One person had already been detained for questioning in connection with the Sithole murders.

Ngidi said ANC members who had evidence of such a cover-up or police collusion with the IFP should bring the proof forward. The ANC has called for people other than the police and the IFP to protect Sithole's surviving son. — Sapa.

Land court is a trail blazer
Edward West

CAPE TOWN — There was no legal precedent or case history for the Land Claims court to draw on and in time the court would have to establish its own guidelines on equity, said Durban-based property consultant Frank Sithole.

Sithole was among the nominees interviewed yesterday by the Judicial Services Commission for the two posts of Land Claims court judge. The commission is to recommend five names to President Nelson Mandela for the posts of claims court president and two claims judges.

Sithole, who has been in legal practice for more than 30 years, was described by commission member Dave Gordon as "probably the doyen of KwaZulu-Natal African legal practitioners."

Sithole said it was difficult to anticipate problems the court might encounter with the Constitution. The admission of hearsay evidence to the court was contrary to normal legal proceedings and may appear to be the dominant factor influencing claims court decisions.

The court would have to adjudicate "indefensible tenures", between existing landowners and land claimants. Mainly white landowners would be faced with traditional ideas on land ownership, which they would find hard to accept.

Sithole said the Property Deeds Registry Act would have to be amended because the Land Claims Court would be introducing elements such as the act's mission of custodianship — not found in Roman Dutch law.

"For example, we would have to create a bond, because we were unable to obtain a title deed. Financial institutions would be unwilling to provide finance on the land because there was no formal security on the land. This injustice had to be addressed," Sithole said.

Responding to a question from the commission if there was need for a special type of land title deed for cases of land restoration, Sithole said there appeared to be no prohibition in the envisaged powers of the Land Claims Court to restrict ownership to a nominal principal land owner.

White farmers call for negotiations
Farouk Chothia

DURBAN — About 4,000 white farmers decided at a mass meeting in Newcastle yesterday to negotiate with government over the Land Reform Bill, rather than adopt a confrontational approach.

Natal Agricultural Union executive member Theo van Rooyen said the atmosphere at the meeting was "amicable".

Van Rooyen said farmers feared the Bill would reduce their collateral, as banks would refuse to assist them once "10 people own land on our farms."

If talks failed, farmers would challenge the Bill in the "highest court of the land". Farmers believed the Bill impinged on property rights enshrined in the Constitution, and discriminated against them for living in rural areas. People in the backyards of their employers in urban areas would not have rights over the property, Van Rooyen said.

The farmers agreed that a delegation should seek a meeting with the National Agricultural Marketing Council (NAMC), Agriculture Minister Kraai van Niekerk and Hanekom.

Farmers had arrived from throughout the country. SA Agricultural Union president Piet Gous was among the speakers.

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Farmers' tax boycott threat

OWN CORRESPONDENT

DURBAN: Commercial farmers would refuse to pay taxes and other levies if the government did not withdraw the Land Reform (Labour Tenants) Bill which provided for forced sale of land to labour tenants, about 3,000 farmers resolved in Newcastle yesterday.

The meeting also resolved that organised agriculture meet with President Nelson Mandela to put forward their view that the bill was at odds with the constitution and offended common law principles, and that the enforced sale of property could affect overseas investor confidence in South Africa.

Institutions such as banks, which had a big stake in farmland, would be asked to impress upon the government the damaging effect which the transfer of productive land could have.

Speakers said the government had not learned from the rest of Africa that when skilled management left the land, the economy of the entire country suffered.

They described the bill as "racism at its worst".

The constitution provided that land could only be expropriated for public use, not for private use, as this bill would allow.
Farmers against forced sale of land

OWN CORRESPONDENT

Durban — Farmers vowed yesterday to refuse to pay taxes and other levies if the Government did not withdraw the Land Reform (Labour Tenants) Bill, which provides for the forced sale of land to labour tenants in two regions.

The decision was endorsed in Newcastle, KwaZulu-Natal, yesterday at a mass meeting attended by more than 3 000 farmers.

The meeting also resolved that organised agriculture representatives meet President Nelson Mandela to put forward farmers' grievances.

These included arguments that the Bill was at odds with the Constitution, offended common law principles and that the enforced sale of property could affect overseas investor confidence in SA.

The publication of the Bill on June 2 has aggravated relations between farm owners and their tenants in the districts of KwaZulu-Natal and the south-eastern Transvaal where it applies.

The Bill provides for certain categories of labour tenants to buy the portion of the farms which they and their forefathers occupied in terms of land-for-labour contracts.

Yesterday the presidents of the Natal, Transvaal and Free State Agricultural Unions and of the Agricultural Employers' Organisation (AEO) pledged support for the northern KwaZulu-Natal and Eastern Transvaal farmers who could face expropriation proceedings by labour tenants.

The meeting also resolved to create a fund to pay for court challenges to the Bill, AEO legal adviser Phil du Toit said.

Many speakers alleged that Land Affairs Minister Derek Hanekom had assumed draconian powers and that his Bill cut across the functions of other State departments.

"We give notice that we will hold Mr Hanekom responsible for damages that have flowed, and will flow, from the publication of this Bill," Du Toit said.
Farmer held over labourer’s death

Neepurit — A farmer from Ol-derberg in the Eastern Trans-vaal was arrested yesterday for allegedly beating a 25-year-old labourer to death for laziness.

A special investigation unit working under Eastern Trans-vaal Safety and Security MEC Steve Mabona arrested the farmer after eyewitness reports of the murder, African Eye News Service reported.

Mabona’s office ordered the arrest of the farmer after he tried to arrange the burial of Rogers Sambale without registering the death.

“We are viewing this murder as a test case because it contains a number of very important issues, such as the rights of farm labourers, intimidation of witnesses and the hiring of illegal Mozambican immigrants,” investigating officer John Nkuna told the news agency.

He said the problem of illegal Mozambican labourers was increasing in the Eastern Transvaal, which shares a small stretch of border with Mozambique and a much larger one with Swaziland.

Farmers often paid Mozambicans low wages and sometimes had them deported before their payments were due.

The farmer may not be named until he appears in court.

Sapa.
Hanekom defends his Land Reform Bill

Durban — Land Affairs Minister Derek Hanekom yesterday rejected a call by white farmers to scrap his Land Reform Bill.

"We will not withdraw this Bill. We are prepared to have a workshop and go through the Bill point by point."

About 3,000 farmers met in Newcastle, KwaZulu-Natal, on Tuesday to demand the withdrawal of the Bill, claiming it discriminated against them.

Hanekom's Bill provides for labour tenants to be given the right to security of tenure and, if they wished, to buy land they currently farm, with financial help from the Government.

"The farmers are creating an impression of double standards because the tenant farmers are being given rights they did not have under apartheid and the white commercial farmers seem opposed to these rights," Hanekom said. — Reuters.
The cover for the last year's comic set—***F***

4. *Secretary*

**We are also a special investigation unit.**

**Note Case**

A special investigation unit.

**We are also a special investigation unit.**

**Worker Killed**

**Lazy Farm**
FARMERS PROTEST AT ‘DISCRIMINATION’

Hanekom refuses to scrap land reform bill

DURBAN: Land Affairs Minister Mr Derek Hanekom yesterday denied claims by white farmers that his Land Reform Bill is a cheap land redistribution measure.

AND Affairs Minister Mr Derek Hanekom yesterday rejected a call by white farmers to scrap his Land Reform Bill.

“We will not withdraw this bill. We are prepared to have a workshop and go through the bill point by point, and we will consider changes if there are valid objections,” he said.

This follows a meeting in Newcastle on Tuesday with about 3 000 farmers who demanded the immediate withdrawal of the bill, claiming it discriminated against them.

Mr Hanekom’s bill provides for labour tenants to be given the right to security of tenure and, if they wish, to buy land they currently farm, with financial help from the government.

“The farmers are creating an impression of double standards because the tenant farmers are being given rights they did not have under apartheid, and the white commercial farmers seem to be opposed to these rights,” Mr Hanekom said.

“We have created measures beneficial to landless people and the farmers tend to take the position of opposition, which creates the impression that they are unwilling to change and explore viable options.”

Natal Agricultural Union spokesman Mr Theo van Rooyen said farmers saw the bill as a cheap way of redistributing land.

Wrong way

“The minister sees this as a cheap way of getting people on to the land and is going about it in the wrong way. There is more than enough existing government land for him to use,” he said.

But Mr Hanekom said: “We are not getting people on to the land — they are already there. Also, it will not be cheap for the government to assist the tenants to buy their farms.” — Reuters
'They’re taking law into their own hands'

ANC outraged by farmers’ cruel acts

BY HELEN GRANGE

The ANC has expressed “outrage” at the “developing trend of a tiny minority of white farmers who seem to be taking the law into their own hands” — following the arrest this week of an Eastern Transvaal farmer in connection with the murder of one of his farmworkers.

The farmer, from Onderstepoort, allegedly beat 28-year-old Rogers Sjabale to death for “laziness”. He then allegedly tried to arrange to have the labourer buried without registering the death with the police.

“Only this week, the media exposed an inadequate sentence meted out to a Vanderbijlpark farmer who had shot and killed a 10-year-old baby for allegedly starting a veld fire,” the ANC said in a statement.

The case would help undermine the confidence of people, particularly farmworkers, in the judiciary, it added.

Conditions of employment of farmworkers remained a matter of serious concern and had to be urgently addressed, it said.

In the past year, a number of abuses, including beatings for minor infringements, low pay, sexual harassment and dismissal without pay, have come to light.

In January, Koster farmer Stoffel Diederiks allegedly beat a 4-year-old boy to death for playing with a white child. The child’s mother was fired after her child’s death. Diederiks was released on R1,000 bail.

In December, Tzaneen farmer Jaap du Toit was charged with the murder of Edward Malepe, who was shot at the entrance to Du Toit’s cattle farm, Koeberg.

Last-minute scrutiny . . . Greater Johannesburg officials period ends today.

In November, a Northern Cape farmer was arrested in connection with the shooting of 11-year-old Henry Jule. He was released on his own recognisance.

In November, farmer Jan Geyer was fined R50 or one month imprisonment for assaulting farmworker Eshed Mhanguni, who later died at Baragwanath Hospital.

In November, an Eastern Transvaal farmer was charged with the murder of a 15-year-old pregnant girl, Khethiwe Nkosi, who worked as his domestic. Her limbless and decapitated body was found in a dam in July. The farmer was released on R500 bail.

In July last year, farmworker Aaron Mvule (60) was beaten and left for dead in an open field by a farmer. He is paralysed from the neck down. No arrest was made.

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Strike at Kruger Park resolved

CLYDE JOHNSON
LOWVELD BUREAU

Pretoria — Kruger National Park’s 10-day labour strike ended yesterday when workers agreed to a R500 minimum salary and a R120 across-the-board monthly increase.

Human resources manager Jan Smal said the increase would be backdated to April 1. Scores of part-time staff who had prevented the strike from crippling services in the reserve have been given notice.

Smal said they were employed on an hourly basis. He complimented the strikers who had strictly adhered to the rules.

The strike was initiated by SA Commercial Catering and Allied Workers Union members and initially confined to catering staff, cleaners and patrol attendants, but later spread to other areas.
The winning theme in promotion is one of them. The product, price, place, and promotion are the four Ps of marketing. In the context of this document, the theme is about promoting a product or service effectively. The phrase "the winds of change" suggests a shift or transformation that is underway, possibly related to agriculture or rural development. The mention of "farmer[s] are ready to sail" implies preparation or readiness for change. The document appears to discuss strategies for successfully navigating these changes.
The First Whiskey Cane from Ireland.

The smoothest still does.

Jameson: The Spirit of Ireland.
Farmer sets dogs on cops to 'evade arrest'

BY JUSTIN ARENSTEIN

June 24, 1995

A Tranwaal farmer charged with beating one of his labourers to death for being lazy allegedly 'evaded arrest' on Tuesday night by locking himself into his father's farmhouse.

Shaun Niemandt, 25, then reportedly set several large guard dogs on the police. Investigators said that they decided not to 'force' the issue and returned to Nelspruit.

Detective John Nkuna, special investigations unit chief, said Mr Niemandt's lawyer contacted them the next morning and it was agreed to meet at the Malelane magistrate's court.

Upon arriving at the court, Mr Niemandt was arrested and charged with the murder of Roberts Slamhale, 28, a Mozambican citizen. He appeared briefly before magistrate Christine Kruger before being released on his own recognisance.

Mr Niemandt, the son of a prominent Onderstepoort family which owns the Ritchiehoek citrus farm near the village of Viikbulu, allegedly also tried to arrange to have Mr Slamhale buried without notifying police of the death.

Mr Niemandt was ordered to appear again on July 19.

Police were considering laying additional charges of beating the ends of justice and of hiring illegal immigrants against Mr Niemandt.

Detective Nkuna said the investigation is being treated as a test case because the alleged murder includes several increasingly important issues, such as the rights of farm labourers and illegal immigrants and the intimidation of witnesses.

"We often find farmers in the Eastern Transvaal hiring illegal Mozambicans at incredibly low salaries. Then, because the Mozambicans are in the country illegally, the farmers treat them like dirt," he said.

Farmers often hired illegal immigrants and then phoned the police to deport them just before the end of the month, when they have to be paid, Detective Nkuna said.

Other common abuses include beatings for minor infringements, low pay, sexual harassment and dismissal without pay.

"We are afraid that this case may be an example of incidents which occur quite often. We have been told that sometimes Mozambican labourers simply disappear after particularly bad beatings."
Bam’s abiding interest

Mzimasi Ngudle outlines the views of ex-political prisoner Fikile Bam, the newly appointed first president of the Land Claims Court, whose concern about land issues goes back a long way.

"In many cases, the court will be compelled to make compensatory awards. There would be few instances where urban property, for example, would be restored. One only hopes that this is the beginning of a policy direction which will eventually lead to the restoration of land to those who were dispossessed during the past two centuries."

Precisely because of jurisdictional constraints, Bam foresaw possible difficulties which the court would not be able to address.

"In many cases, the court will be compelled to make compensatory awards. There would be few instances where urban property, for example, would be restored," he said.

"One only hopes that this is the beginning of a policy direction which will eventually lead to the restoration of land to those who were dispossessed during the past two centuries."

Bam will clearly be able to play a valuable role in this process.

Born in Tsolo, Transkei, in 1937, he holds a Bachelor of Arts degree in law from the University of Cape Town.

He completed his studies afterwards through correspondence, and also holds B Proc and LL B degrees from the University of South Africa. He was admitted as an advocate in 1985.

Bam became the first chairman of the prisoners’ adult education committee on Robben Island, where he spent 10 years after being convicted on a charge of conspiring to commit sabotage.

Bam is a partner at a Johannesburg firm, specializing in constitutional law.
Land reform test run set to take off

Gauteng has selected 80,000ha of state land north of Pretoria for a trial of its land reform programme, hoping to settle thousands of peasants and black farmers on their own land.

The Land Affairs Ministry has given the province R25-million for the land reform pilot project, one of the presidential lead projects in the RDP, project manager Kenny Fihla said yesterday.

The intention is to settle communities, farming stock and game, with nearby small agriculture-related businesses, schools, accessible water, amenities and infrastructure.

"We would like to see an ideal rural settlement, a viable society, emerging out of Rust de Winter that can contribute to economic development," Fihla said.

Planning stage

Among those likely to benefit are the about 10,000 Liko Ndwindza people who were removed from the area in the 1990s and have a restitution claim on their ancestral land.

Others to be settled are landless communities seeking security of tenure and farmworkers left behind by white farmers who moved from the area when it was bought by the previous government to incorporate into KwaNdebele.

The project is still in the planning stage, with land temporarily allocated to people while studies proceed on suitable forms of agriculture, water resources and business potential.

Fihla said the provincial government hoped to start developing and dividing up the area by mid-1996 and settling people permanently by the end of next year. As many as 30,000 people would be involved.

Land allocations would range from a few hectares for small farmers, to larger farms for cattle and game ranchers. Some white farmers were integrated with rural black communities and would stay on their land.

The Gauteng government also wants the private sector to combine with a community trust and resuscitate three dormant state chicken farms.

The province has set aside 1,700ha of the land for ecotourism, with nature conservation officials surveying a nature reserve and deciding how to integrate it with the project.

Some R10,2-million of the money from Land Affairs has been earmarked for new land acquisitions to supplement state land, and R18.7-million for a "homestead basic-needs grant" similar to urban housing subsidies.

Fihla said Gauteng's development planning, environment and works department wanted to give people access to credit and was negotiating with the Land Bank, the Agricultural Credit Board and the Development Bank for further finance.

Communities, which met fortnightly with government departments about the project, would have a large say in how the project evolved and how money was spent, he said.

The project would help Gauteng to develop policy on land distribution and land tenure reform, and on how to ensure rights to land without destroying its economic potential. — Sapa.
Bill will force you off land, farmers told

BY NORMAN CHANDLER
PRETORIA BUREAU

Farmers were given a hard-line message by the Transvaal Agricultural Union (TAU) yesterday: reduce the labour force and mechanise, or face being forced off the land.

They were told at platteland meetings this was the only way to stave off government plans which would allow black labourers to buy a portion of the farm on which they live and work.

TAU president Dries Bruwer said at Lichtenburg and Potchefstroom — and will repeat the message at Eastern Transvaal meetings today — that the Government was determined to break the power of white farmers in an attempt to hand over commercial farmlands to black farmers.

He said: “The present president (Nelson Mandela) will not take on agriculture without consulting the TAU.”

“If you think you can carry on with the numbers of black workers you employ, I say you are wrong,” he said at yesterday’s meetings.

Bruwer added: “The very presence of these workers will force you from the land.

“The Land Affairs Department has stated we should develop farms in the knowledge that we are going to hand them over to farmworkers. We are forced to reconsider how many black workers we can keep.”

Bruwer described Land Affairs Minister Derek Hanekom as: “an enemy of farmers and said farmers had to decide whether they wanted to work with Hanekom and his henchmen or with the Afrikaner farmer who has taken agriculture to its present state with initiative and work creation for millions of black people.”
Delays to land court

Hitch caused by absence of woman candidate for appointment as judge

By Mzimasi Ngudle

The absence of an affirmative action woman candidate for appointment as a Land Claims Court judge is one of the two hitches delaying the speedy establishment of the court, Sowetan learnt yesterday.

The other is the recommendation by the Judicial Services Commission that more than three judges be appointed to the court to ease the anticipated load of work after the Cabinet’s approval of legislation protecting the rights of tenants. The only woman candidate, Mrs Vuyiswa Ramphela, withdrew shortly before the interviews of nine candidates in the Cape early this month, after which the Judicial Services Commission recommended five nominees.

From these five men, President Nelson Mandela must select two to work with Land Claims Court president Mr Fikile Bam. The five men are former national executive director of the Black Lawyers Association Mr Jositee Moloto, a veteran KwaZulu-Natal lawyer Mr Frank Sithole, Mr Dimpholetse Moshidi, Alan Dodson, a human rights lawyer who helped victims of forced removals in the Cape, former chairman of the National Peace Secretariat and ex-Broederbond member Dr Antonie Gildenhuys. An informed source said that while there was no problem in selecting a white judge from the present five nominees, the absence of women candidates would impact negatively on perceptions regarding the legitimacy of the court.
Parties agree to amendment

New hope for consensus on land Bill

BY JO-ANNE COLLINGE

Minister of Land Affairs Derek Hanekom is confident that the hotly disputed Land Reform (Labour Tenants) Bill can be amended to make it acceptable to all stakeholders.

"He spent the last two days in Dundee, KwaZulu-Natal, thrashing out the draft legislation with representatives of organized agriculture and organizations serving labour tenants.

"And he returned to Pretoria declaring: "There is a real possibility that the impossible will have been achieved."

"He said the parties had agreed that amendments should be made to the draft Bill to distinguish labour tenants more clearly from other farmworkers and to provide more flexibility in the way that labour tenants would exercise their right to acquire land.

"The initial draft provided for the enforced sale of the portion of the farm occupied by the labour tenant, should the tenant make an offer to buy.

"At this week's meeting it was agreed that an amendment would provide for an arbitration process to decide whether the labour tenant would be entitled to buy the land on which he or she was living or whether he or she would get access to alternative land.

"The amended Bill will go to the Cabinet on August 2. At about the same time it will be made available to the SA Agricultural Union for presentation to its general council meeting.

Rural service organisations will simultaneously canvass labour tenants on the changes.

"Hanekom seemed hopeful that the meeting had led to rest the farmers' threats to withhold taxes, if the Bill became law and the labour tenants' threats to invade land if it did not.

"He conceded that the meeting had been emotional at times. But, he said, "people adhered to mutual respect for each other's views and that was the atmosphere throughout."

"The Bill only covers labour tenants — workers whose "pay" comprises mainly the right to occupy and cultivate for themselves a patch of the farmer's land. And it applies only in parts of KwaZulu-Natal and the Eastern Transvaal."
Kick out of Farmers

600 LABOURERS

By Abdul Medd

"We do not have lands to feed all the workers who want to work here."

"Workers are finding it difficult to get work in the fields."
Doomed to servitude

Farmworkers are owned by their masters and work forever, for virtually nothing.

Farms hire and fire them at their whim, reports Labour Reporter Abdul Milazi

Most farmers refused to speak to Sowetan. On four occasions — twice in Frankfort, once in Villiers and once in Oranjeville — we were driven off the farms at gunpoint and told not to "create trouble with my boys".

However, one farmer who spoke to us, Mr Friskie Potgieter, said farmers could not pay their workers well because they were in financial difficulties.

Potgieter said farmers were being forced into bankruptcy by drought and the fluctuating prices of farm produce. The problem was worsened by importing cheap produce from overseas.

"I have treated my boys well over the years. Some of them have been with me since 1943. They like me. They would not be here if I treated them badly."

"I would like to improve their living conditions, but I do not have the cash. Most farmers do not want unions, but I don't have a problem with unions. Farmers and unions have to work together for the survival of workers and the farms."

"We fought during the times of apartheid, now we must look forward to the future."

Farmers Research and Resources Project spokesman Mr Bethuel Maseraunule said rural workers were neglected by past regimes, and have suffered untold disadvantages.

He says there is a danger these workers will still be ignored, and continue to live in conditions reminiscent of the apartheid era.

Maseraunule says the draft Labour Relations Bill currently being contested by organised business and unions still makes poor provision for farmworkers.

"The clause stating that only union officials and fellow workers can represent a worker who challenges an unfair labour practice, discriminates against the 75 percent of farmworkers who were unorganised."

"There are many other ways in which the draft Bill discriminates against farmworkers. These include bargaining council provisions which require a level of representation unlikely to be achieved in agriculture in 50 years."

Unless the Government does something, farmworkers will be doomed to toil the soil and give birth to other slaves for masters and their children to prosper.
Heavy burden of the child labourers

By Khathu Mamalla

At the tender age of 14, Patrick Mabasa was forced to leave his Mhinga village home in the former Gazankulu homeland to become the family’s sole breadwinner.

The boy, who has never seen the inside of a classroom, said he decided to look for a job on a farm outside Pietersburg to support his mother and three young sisters. He said his father died a few years ago.

He obtained his first job, which paid him R150 a month, last year. However, he had to quit after a few months as the job was too demanding. "On that farm, I did everything," said Mabasa.

After quitting, his uncle helped him get another job on a vegetable farm, about 30km north of Pietersburg. His new employer offered him R100 a month.

"Every month I send all my money home. I depend on the rations of porridge and mushrooms. We only eat once a day. I do not keep a cent for myself because I know my mother and sisters will starve if I do not send them money," said the boy.

Asked what his ambitions were, Patrick said: "I am not educated. What can I aspire to except to be assured of a plate of food every day?"

Patrick is not the only boy forced to leave his home to work on the farm. There are dozens of others, some as young as 10 years, selling their labour to the farm owners.

A farm labourer on the same plot, Mr William Lebea, said there was a primary school for farmworkers’ children. "However, children can only go to school until they pass the highest class — Standard 2.

"They can then no longer continue with their education no matter how smart they are, as there is no higher primary school."

After passing Standard 2 or reaching the age of 14, the children are forced to work on the farm.

Meagre wage

Lebea, who has been working on the farm since 1963, has reached a ceiling and occupies the highest position ever to be attained by a farm worker — a foreman.

Although he earns a meagre wage of R12 a day, the figure is a huge difference from the R4-40 a month he used to get in the sixties. And for a man like him, who has two wives and four children, he can hardly survive with the money.

"I am not religious but I do not like the idea of extra-marital affairs. I have been forced to leave my wife and children at home. I only visit my wife once a month if I am lucky.

"Subsequently, I moved in with another woman."

Lebea said he believed a union could improve his working conditions. However, the farmer has allegedly fired dozens of workers who cooperated with union organisers.

"The employer has made it clear that if we want a union, we are in the wrong place. Associating with a union is tantamount to applying for a dismissal," said Lebea.

While a number of labourers wanted a union to operate on the farm he said their efforts were frustrated by Mozambican labourers who were prepared to work for "anything."

"He said most labourers on the farm were illegal immigrants from Mozambique and Zimbabwe, and added that it was difficult for the union to get a majority membership."

National Union of Farmworkers regional organiser Mr Kidox Mopale said the farmer was "very arrogant" because of his perceived support by illegal immigrants.

"The white farmer knows that immigrants are prepared to work for food, as they are desperate. He exploits the situation and makes it almost impossible for the union to organise labourers," said Mopale.

He said he has been chased off the farm several times and even threatened with death. But he has vowed to continue organising the labourers.

A Zimbabwean illegal immigrant, who requested anonymity, said he left his wife and four children in a desperate effort to get a job to support his family.

He said he has been working for five months, but has not saved enough money to send home: "I earn R5,45 a day. How much can I really save? I would not be surprised if I find that my wife is staying with another man when I return home. I have failed her."

"I cannot even complain to the employer because not only will he show me the gate of his farm, but he will also take me to the police and I will be deported."

He said he could not go to town to look for another job, as police would arrest him because he does not have a South African identity document.

The sad stories of these labourers made Mopale wonder whether the eyes of hope that was supposed to be shown in the new South Africa would also reach farms in Northern Province.

PICS: ABDUL MILAZI
The high price of failed demands

Work on the Farms

No hope of future

Focus on Farmworkers

BY ABDUL MABUZ

Report

After a lifetime of

Great

Focus on Farmworkers

No hope of future
Farmworkers should be entitled to strike

Renee Grawitzky

Farm labour legislation should be amended to give farmworkers the right to strike and they should not be regarded as an essential service, the Municipal, State, Food and Allied Workers' Union said yesterday.

The union's general secretary Richard Ramagaba was commenting on a spate of dismissals and evictions of farmworkers in the Free State after workers embarked on strike action.

"It is a pipe dream for farmworkers to have the right to strike as they currently have no channel to go on a legal strike."

"We are talking about workers who have never had the right to strike and who live in appalling conditions."

A spokesman for the SA Agricultural Union said prior to this year legislation had not allowed workers to embark on strike action, but a dispute had been subject to compulsory arbitration.

The legislation had changed to provide that by mutual agreement the parties could contract out of reverting to compulsory arbitration. If a dispute was not resolved the union could embark on industrial action.

Ramagaba said more than 600 workers had embarked on strike action in May at a number of farms after farmers had refused to recognize the union and grant improvements to wages and conditions of employment.

He said the lowest paid wage was R56 a month with an average minimum of R120 to R159. This excluded accommodation which was provided in some cases while some workers actually built their own homes.

National Land Committee (NLC) director Brendan Pearce said: "Government has to send a strong message to white farmers that they have to adapt to the new SA and that they cannot continue to operate as slave masters and be a law unto themselves."

He said people's security to the land was central. The NLC believed that the property rights clause should be scrapped, 'if the constitution protects private property this gives farmers rights as opposed to people who have no rights or security'.
Hannekom's Bill to Buy
Labour tenants Bill in sight

A BILL revolutionaryising the land rights of thousands of labour tenants is to be tabled in Parliament later this month, after Cabinet approved a redrafted version of the legislation yesterday.

Deputy Land Affairs Minister Toibe Meyer said the NP had given its backing to the Land Reform (Labour Tenants) Bill after the original draft had been amended to meet its concerns.

Published for comment on June 2, the Bill provoked angry protests by commercial farmers. Of particular concern was a provision empowering labour tenants to force the sale of farm land they occupy.

The draft legislation was unusual in that it gave tenants protection from pre-emptive eviction from the date of publication.

Meyer said the revised Bill met three major NP concerns:

- It defined labour tenants “less vaguely and widely”.
- It removed unconstitutional provisions relating to expropriation.
- It provided for arbitration of disputes between tenant and landowner.

The Bill also now ensured that subdivided land was viable and sustainable.

Land Affairs Minister Derek Hanekom said 170 written submissions had been received.

Continued on Page 2

Land Bill

Continued from Page 1

Hanekom said the Bill enabled landowners to make alternative proposals on the location of the land to be acquired by tenants. The revised version strengthened this by promoting negotiation between the parties. Deadlocks could be referred to an informal and fast-track arbitration mechanism via the president of the Land Claims Court.

Hanekom also stressed that the revised Bill defined labour tenants more narrowly, distinguishing them from farmworkers, and applied to the whole of SA. The original draft was confined to parts of the Eastern Transvaal and KwaZulu-Natal, where labour tenancy is widespread.

Louise Cook reports the board of the SA Agriculture Union (SAAU) yesterday called for a judicial commission to be appointed to probe the issue of labour tenants and their rights. SAAU president Boet Fourie slammed the proposed Act, saying a judicial commission needed to look at it before it was passed by Parliament.
Cabinet approves Land Reform Bill

BY MONDLI MAKHANYA
POLITICAL REPORTER

The Cabinet yesterday approved the Land Reform Bill, setting the Government of National Unity on a collision course with agricultural unions.

Also approved was the Labour Relations Act, which once divided the partners in the National Economic Development and Labour Council.

Trade and Industry Minister Trevor Manuel said after the Cabinet meeting that the Land Reform Bill had now been amended to cover the whole country, instead of just parts of KwaZulu-Natal and the Eastern Transvaal.

The Bill allows the country's 20,000 labour tenants the right to buy the land they occupy.

It also provides for State subsidies for tenants wishing to buy the land they live on.

The revised draft of the Bill provides farmers with the chance to suggest alternatives for the tenants to acquire land and for the mediation of such negotiations.

"It will promote more effective negotiation between the parties by making specific provision for alternatives to the land currently occupied and used by tenants.

"In the case of a failure to reach agreement, such a matter will be referred to an informal and fast-track arbitration mechanism via the President of the Land Claims Court," Land Affairs Minister Dene Hasekum said in a statement.

Manuel said the Government had conducted wide consultation with farmers' unions and farmworkers' organisations.

However, South African Agricultural Union president Boet Fourie immediately vowed that the farming sector would oppose the Bill in its "present form" and said it "would not accept the support and co-operation of farmers at ground level."

He said the SAAU wanted an urgent meeting with President Mandela and demanded a judicial inquiry into the matter.

Agricultural unions can still make representations to the Portfolio Committee on Land Affairs when the Bill comes before Parliament.

The Labour Relations Bill approved yesterday was agreed to by unions and big business a few weeks ago.

Next week, the Cabinet will make a decision on the outstanding issues of whether "scab labour" should be permitted and whether the SA Police Services should be covered by the legislation.
Reworked bill on land ready for Cabinet decision

BY JO-ANNE COLLINGE

As a thoroughly reworked draft of the Land Reform (Labour Tenants) Bill goes before the Cabinet today, stakeholders — including the South African Agricultural Union — will also be considering the new version.

Ministry of Land Affairs officials are hopeful that they have been able to strike an acceptable balance in the revised Bill: upholding the right of labour tenants to acquire land while providing safeguards to ensure that farmers are not unreasonably forced into selling it to them.

Representatives of organised agriculture and of organisations assisting labour tenants were closely involved in the redrafting. This came about as a result of a two-day workshop held in Dundee 10 days ago at which Minister of Land Affairs Derek Hanekom presided.

The new Bill differs from the earlier version in that:

- It defines labour tenants much more carefully, distinguishing them clearly from other farm workers.
- It applies throughout South Africa, not just in certain districts of the Eastern Transvaal and KwaZulu-Natal.
- It provides more flexibility about how a labour tenant may exercise his or her clearly recognised right to land and to state assistance in acquiring land.

While the original Bill provided that the labour tenant would have a virtually automatic right to acquire part of the farm on which he or she lived or worked, the new version provides for an arbitration process to establish whether an alternative piece of land would be appropriate.
Controversial bills on land go to parliament

CLIVE SAWYER
Political Correspondent

The Community Property Associations Bill will provide a legal mechanism for people to hold land collectively. It also aims to improve individual ownership of land rights in townships and cities.

A ministerial spokesman said this was a system of tenure which many people found the most familiar, but there was no legal framework for it. People had had to resort to trusts, companies and voluntary associations which did not suit their needs.

The new bodies will have to meet standards of non-discrimination, fairness and democracy. The department of land affairs will set up an office to register associations, help communities and handle complaints of abuse.

The Upgrading of Land Tenure Rights Act will offer protection for all tenure systems. This is a significant departure from previous government policy, which was to promote only individual freehold.

The Development Facilitation Bill aims to reverse apartheid in urban and regional planning.

A measure already gazetted, the Labour Reform (Labour Tenants) Bill, which has retrospective provisions banning eviction of labour tenants, has had agricultural associations up in arms.

Mr Hanekom's ministry is expected to produce a white paper on land reform by the end of October.
Farmer evicts striking workers

SPECIAL CORRESPONDENT

Johannesburg: A farmer at Ogies near Witbank in the Eastern Transvaal evicted about 80 labourers from his farm on Monday after they demanded better wages.

The labourers, who were fetched from the North West by Minaar Farm owner Mr Truter Pienaar about three months ago to harvest his maize fields, spent Monday night with no shelter.

An officer of the Witbank police station said one of the workers told him that a group of them had embarked on a strike at the farm complaining about poor working conditions.

"This man (worker) told me that this was what angered Pienaar, who then paid them R50 each for the work they had done this month. He then allegedly told the striking workers to leave his farm immediately," the officer said.

Mr Pienaar could not be reached for comment.
in drought crisis

33 000 lose jobs
R60m wanted for retrenched workers

NORTHERN Province needs R60m to assist farm labourers retrenched because of a drought which could result in the permanent work force on the province's farms being cut by half, according to provincial agriculture minister Tienie Burgers.

About 33,000 of the province's 113,000 farm workers had already lost their jobs because of the effects of the drought and another 32,000 could be laid off, he said.

His department had applied to the national agriculture department for R160m in drought relief, R60m of which would be directed to retrenched workers.

If forthcoming, the money would give already retrenched labourers R240 a month for eight months. For each farm worker retrenched, about three dependants would also find themselves without a source of income, he said.

The drought in the province had reached "critical" proportions with most of the 7,000 commercial farmers and 500,000 subsistence farmers being unable to plant or harvest crops.

However, the picture painted by the SA Agricultural Union about retrenchments on farms was not so gloomy. Natural resources director Kobus Visser said studies showed 10,328 permanent labourers were in danger of losing their jobs countrywide.

He could not explain the discrepancy between his figures and those of the Northern Province agriculture department.
Plight of R182-a-month workers

BY Thabo Lesilo

About 33 percent of South Africa's farmworkers and 18 percent of the country's domestic employees earn below R182 a month, an analysis of key collective-bargaining agreements by the National Labour and Economic Development Institute shows.

The figures, released by the Cosatu-founded but independent institute yesterday, indicate that domestic workers and farmworkers were paid 11.2 times less than the lowest-paid workers in the car industry, with a minimum average monthly salary of R1 867.

The statistics, given by researcher Rob Rees at a National Economic Development and Labour Council workshop in Johannesburg, show that the second lowest-paying jobs were in the forestry sector where workers in the lowest grades were paid between R570 and R600 a month.

This was followed by the mining sector where workers were paid between R520 and R1 650.

Rees said although the settlements broadly matched the inflation rate, the institute believed the official inflation figures supplied by the Central Statistical Service underrated inflation for people earning below R2 000.

He said the wages of many workers, especially in the services, construction, mines and farming sectors were still below the subsistence level.

Rees said collective-bargaining agreements showed a trend towards higher percentage increases at the bottom of the salary scales and lower increases for employees at the top, especially in the public sector. The lowest paid auto worker received an increase of 12.64 percent compared with 10 percent in the top grades while the lowest paid public servants received a pay hike of 22 percent compared with only 4 percent at the top.

However, this trend was unlikely to be sustained because of the negative effect on skilled workers, some of whom were even threatening to leave.

Adrian du Plessis, an industrial relations consultant at the Chamber of Mines, said some members of the chamber had banded their lowest job grades together, resulting in higher increases for the lowest paid employees.

However, the chamber thought that the issue of remuneration was best left to the annual collective-bargaining process.
Drought laid off more farmworkers than reported

FROM SAF

The actual number of farmworkers who lost their jobs because of financial problems caused by drought in the Northern Province is much higher than the official figure of 33,000, Dries Brummer, the president of the Transvaal Agricultural Union, said at the weekend.

The Pietensberg, Lelaba and Koedoesrand district agricultural unions report that in their districts alone there are more than 27,000 unemployed farmworkers.

Brummer said the financial crisis in the three districts affected more than 250,000 people. Conservative estimates are that each farmworker has five dependents.

The situation in other districts is no different.

He estimated nearly 500,000 people would be affected by unemployment in the agricultural sector in the province.

Even sufficient rain may not solve the problem entirely. The province has been affected by labour disputes and farmers are mechanizing.

Brummer said a survey conducted by Burrie van Eck, an agricultural economist, indicated 90 percent of farmers in the Pietensberg district could no longer afford to pay wages, while 40 percent could not even provide basic rations.
Conference
to discuss
land reform

eba

BY MONDLI MAKHANYA
POLITICAL REPORTER

Over 1,000 farmers, peasants, unionists and politicians gather at the World Trade Centre in Kempton Park today for a two-day conference that will lay the foundation for South Africa's land reform programme.

The National Land Policy conference, due to be opened by Land Affairs Minister Derek Hanekom, will help formulate the White Paper on Land.

Clashes are expected between agricultural unions and delegations from rural communities and trade unions over aspects of land reform. These include the granting of permanent tenure and access to land ownership to farm workers, and their right to strike.

Traditional leaders are expected to voice their opposition to the democratisation of rural local government and reform plans which take allocation powers away from them.

The National Land Committee, a rural coalition, will table its controversial Land Reform Proposals document, which proposes land expropriation and the scrapping of the property clause in the constitution.
FREE US FROM THIS FARMER'S HEIL'

By DON O'BARRIN

Account

Heathenism

Is a system of religious beliefs and practices that originated in ancient Greece, and later spread throughout the Mediterranean region. It is characterized by the worship of various gods and goddesses, as well as a focus on nature and natural forces. Heathenism is often associated with ancient polytheistic religions, but it has also evolved and adapted over time to include elements from other cultures.

In recent years, heathenism has gained popularity in Europe and North America, particularly among young people who are interested in alternative and non-mainstream religious practices. It is often practiced in small, local communities, and is characterized by a focus on personal connection with the divine, as well as a deep respect for nature and the natural world.

One of the key aspects of heathenism is its emphasis on community and shared practices. Many heathen communities hold regular gatherings, such as rune circles, or celebrate specific seasonal events, such as Yule or Beltane. These events often include traditional rituals, such as offerings to the gods, storytelling, and the sharing of food and drink.

Heathenism is also known for its lack of a single, authoritative religious text. Instead, it emphasizes personal interpretation and understanding of the gods and their relationships with humanity. This allows for a flexibility that allows heathenism to adapt and evolve over time.

Despite its growing popularity, heathenism remains a relatively small and niche religious tradition. However, it continues to attract new followers and to influence the way people think about religious tradition and personal spirituality.

(Continued on page 14)
Grave dispute stirs the land pot

Simmering tensions over land rights have boiled over after a dispute about the burial of a teenager, reports Eddie Koch

There is a war of the graves taking place in the Badplaas district that shows, in a sad and tragic way, how everyday lives of farmers and their labour tenants are being shattered by this selective black on black struggle over land reform in parts of the Mpumalanga province.

It all began four years ago, when Josiah Nkosi collected some cash from his friends and went down to Mashiko’s Funeral Undertaker to buy the cheapest coffin they had for his 19-year-old daughter, Sibongile, who had died after ‘coughing for a long time’.

With the money that was left over, the Nkosi family hired a taxi and prepared to take their precious cargo home. They invited other labour tenants on their farm to see what they had done, before they buried her in a maashilfu cemetery next to their homes — in much the same way, they say, that relatives who have always lived on this land were put to rest.

That Friday night, the owner of the Maashilfu estate, a man called Piet Smit, arrived at the site, was met by armed men, and ordered the whole lot to get out. ‘Why are you taking our grave?’ he said.

In the meantime, Nkosi took his problem to the local office of the African National Congress. Its officials tried to organize a meeting with the farmer, but when he declined, they invited the family to hold the service that Sunday. The Badplaas police arrived at the funeral site and simply informed Nkosi that the landowner had threatened to go to the Supreme Court for an order to exhume the body.

On the same day, a second tragedy struck the Nkosi family. Nkosi’s son, Vusi, who had stolen a van from a nearby farm near his village, was killed when he rolled the vehicle on the way to the funeral, and the man burned another body for the graveyard.

Smith’s attorney found a law that said any person who disturbed the proper cemetery. The farmer again insisted that the burial was illegal. But no one wanted to face the conflict between the owner and the tenants of Mashiko’s Farm, a farm that is central to the district, igniting a mood of militancy and division.

Members of the ANC Youth League boarded a bus — a re-settlement area for exiled tenants, whose names means ‘the Few of a People’ — and announced they would march on a cemetery not far from the Badplaas settlement and burn the bodies of white families buried there if the farmer went ahead with his funeral.

The authorities had reason to take them seriously.

Late last year, a farmer called George Potgieter evicted three labour tenants from his farm in the same district and dumped them at Ekshincum. Youth League members promptly hijacked Potgieter’s truck, which cost R250 000, and commandeered it by force. While it was traveling between Badplaas and Swadini, it was set on fire.

The result: Potgieter sent his manager to negotiate. The farmer got his truck and truck back. The families returned to the land. And now the owner has offered to give them each a title to eight hectares of property on his farm.

There have been more brutal forms of resistance in the district. Farmers’ cattle have been manslaughtured. Fields have been burnt by disgruntled labourers and in at least one case a landless farmer was assassinated and his home burnt down.

TheMpumalanga government, alarmed by escalating tension in the district, decided to intervene.

Where the war is taking place, tenants have won the first round in their struggle with the farmers. The land struggle is far from over. Smith has informed all 150 tenants (or squatters) of the Matlala farm that he, as a resident of South Africa, has been authorized by the owner to negotiate on his behalf. In writing, that tenants leave by the end of the week. The families have, in turn, asked their tenants, Simon Cloutte, to lodge an official claim for title to the land, which they say belongs to their ancestors.

Whatever the outcome of this conflict, the war of the graves in that place has become a case study in the bitterness and complexity that confronts the men and women whose job it is to reform the patterns of land ownership that have been inherited from South Africa’s racial past.
12 SOUTH AFRICA

Grave dispute stirs the land pot

Simmering tensions over land rights have boiled over after a dispute about the burial of a teenager, reports Eddie Koch

THERE is a war of the graves taking place in the Badplaas district that shows, in a strange way, how the everyday lives of farmers and their labour tenants are being shaped by a silent but bitter struggle over land reform in parts of the Mpumalanga province.

It all began four weeks ago. Jan du Toit collected some cash from his friends and went down to Maswilo’s Funeral Undertakers to buy the cheapest coffins that he had for his 10-year-old daughter, Silvahette, who had died after “waving for a long time with the money that was left over. The family had a small plot of land near the river where they had prepared a few pots of materousse. They invited other labour tenants on the farm to attend the wake for the young woman, before they buried her in a marked grave next to their huts — in much the same way, they say, that relatives who have died on this land were put to rest.

That Friday night, the owner of the Mopipla estate, a man called Piet Stell, arrived at the vigil, some said armed with a pistol. He told the family they were squatting on his property illegally and that the funeral was not to go ahead.

In the morning, du Toit took his problems to the local office of the African National Congress. His officials tried to organize a meeting with the landlord, but when nothing was decided, they advised the family to hold the service that Sunday. The Badplaas police arrived at the funeral and simply informed du Toit that the landowner had threatened to go to the Supreme Court for an order to exhume the body.

On the same day, a second tragedy struck the Nicoli family. Nicoli’s son, Yoz, who had staked a veld farm nearby, was killed when he rolled the vehicle he was on the way to the funeral down a hillside back towards the grave.

Soon afterwards, a law that says people must be buried in a proper cemetery. The farmer again insisted that the funeral was illegal. But, by now, word of conflict between the owner and the tenants of Mopipla had spread through the entire district, igniting a mood of militancy and secession.

Members of the ANC Youth and the South African Christian Institute — a resettlement area for evicted workers — who had been invited to attend. The Place of Anger — announced they would march on a cemetery not far from the Badplaas holiday camp.

They packed it up at the ANC office and told the farmer he could have it back — if and when he arrived for talks to resolve the evicted families.

The result: du Toit had to withdraw his money to pay down a deposit on this plot. It cost R500 000 and now, because of these problems, I will be lucky to get R100 000 for it.

When I came here in September last year, I told these people on my farm that they could stay if they worked for me, even though the government contract said that all the existing workers would vacate the farm within two months.

They refused and I brought in my own labourers, who are very happy. Other farmers in the area have had strikes but I have never had disputes with my workforce. They live in houses made of wood that I bought for them, but I have a dream to build them brick houses with electricity when this farm makes a profit.

My workers’ lives are being threat- ened by these squatters. They steal my fencing and sell it. Seemingly my grazing land has been burnt down and three head of cattle have been stolen. They cut fences and let cattle into my irrigated fields. This is very expensive, because it costs R10 000 to R15 000 a hectare to prepare a field for cultivation.

They sabotage my irrigation system (costs about R3 000 000) by lowering the couplings on the pipes that run into the fields. This damages the gravel which, at this rate, I will have to replace every few months at a cost of R3 000 000. It is difficult to explain how many headaches are caused by these people.

We are a good-hearted people, but we have become very careful with these feelings because of the problems caused by land reform. All the government has done is made these people (the squatters) secure and I do not want these graves on my farm because I have a claim against me for a farm that I sold.

In the past, farmers have used vio- lence to achieve their aims. I have never done this to achieve the things I want. There is a legal process and I will follow it (so have the tenants involved).

The result: du Toit met his money to negotiate. The farmer got his back and turned back. The families returned to the land. And now the owner has offered to give them each a small plot of property on his farm.

There have been many Fightful forms of tenant-tenant resistance in the district. Farmers’ cattle have been hamstringing, bulls have been burnt by disgruntled labourers and, at least one case a Badplaas farmer was assassinated and his home burnt down.

TheMpumalangagovernment, alarmed by escalating tension in the district, decided to intervene. Minister David Msulwa attended a meeting with Badplaas in the local stock house. When this failed to break the impasse, the minister instructed the police to let the second funeral go ahead and ensure that the labourers did not cut off their funerals to attack the farmer’s homestead.

Although it appears the tenants have won the first round in their struggle against the farmer, the battle is far from over. Msulwa identified all tenants for squatters, depending on whose view you take on his farm, in writing, that they must leave by the end of the week. The families have, in turn asked their senator, Simon Chalka, to lodge an official claim for title to the land, which they say, belongs to their ancestors.

Whatever the outcome of this con- test, the war of the graves in Badplaas has become a cause in the inter-racial, and completely, that it forms the men and women whose job it is to reform the patterns of land ownership that have been inherited from South Africa’s colonial past...
Farm tenants laws drafted

DRAFT legislation protecting the rights of labour tenants and providing them with the right to land ownership was tabled this weekend.

The Labour Tenants Bill forms part of Land Affairs Minister Derek Hanekom’s Land Reform Programme. CP 10/9/95
Bill to halt 'semi-feudalism'

Draft legislation protecting the rights of labour tenants and providing them with the right to land ownership was tabled in Parliament at the weekend.

The Labour Tenants Bill forms part of Land Affairs Minister Derek Hanekom’s land reform programme.

Labour tenancy is a semi-feudal relationship between a landowner and a labour tenant in which the latter is obliged to provide free, or virtually free, labour in exchange for the right to occupy and use a portion of farming land, the Minister says in a memorandum on the objectives of the Bill.

It provides that labour tenants may only be evicted if they have breached the contract in question, are guilty of misconduct, or if the owner has a very specific need for the land.

Evictions will be circumstantial and will have to follow particular procedures governed by the Land Claims Court.

The measure also provides that a landowner must pay compensation to evicted tenants for the structures they built and for unopened crops.

The Bill does not take away anything which the landowner had been using before, but merely regularises and regulates the terms of a contract which, the landowners themselves have chosen to enter into.

It also provides a legislative remedy for landowners in situations of conflict or breach.

Protection clauses have been backdated to June 2, when the Bill was first published for comment in the Government Gazette, to avoid pre-emptive evictions.

Should a labour tenant acquire the ownership of the land which he historically used and occupied, the Bill provides that the landowner should receive compensation, as entrenched in the Constitution.

"There is general agreement..., that the system of labour tenancy is archaic and inequitable," the memorandum says.

"The aim of the Bill is neither to promote nor to engineer the system, but to ensure that in the process of its transformation, the basic human rights of all parties are protected." — Sapa.
Concern over farm workers

PETERSBURG: The government was seriously concerned over a "shocking increase" in unemployment among farm workers in Northern Province. Agriculture Minister Dr Kaat van Niekerk said on Saturday. Dr Van Niekerk said his department was waiting for input on the job position of farm workers from all the provinces, and would act once this had been received.
Unemployed farmworkers worry Govt

Dept of Agriculture awaits input on job position of farmworkers before acting

SA Press Association

The government was seriously concerned about the "shocking increase" in unemployment among farmworkers in the Northern Province, Agriculture Minister Dr Kraai van Niekerk said on Saturday.

The minister said his department was awaiting input on the job position of farmworkers from all the provinces and would act once this had been received.

Aid would be given to farmers not qualifying for production credits; but who were under pressure because of the prolonged drought.

Once funding became available, agriculture MECs in the various provinces would have to decide on allocation priorities, said Van Niekerk.

Tranuaal Agricultural Union president Mr Dries Bruwer said that while he appreciated the minister's concern, the fact that allocations would be left to the MECs to decide would result in commercial farmers being "left out in the cold" again.

Bruwer said the R8 million government grant made available earlier in the year had largely been swallowed up in creating jobs in subsistence farming.

He predicted that if this was again the pattern with money soon becoming available, the 570 000 farmworkers in the subsistence and commercial farming sectors would face deprivation by the year end.

The only scheme that would be of benefit was the proposed R60 million project whereby farmworkers would be subsidised at R10 a day for over eight months, he said.

Meanwhile, Bruwer said on Saturday that the establishment of self-protection units by communities would be the only answer should the government scrap the commando network in line with the call by the African National Congress.

Commenting on a spate of murders which left three people dead and several injured in the Northern Province since Monday, Bruwer said South Africa was one of the least safe and most violent countries in the world.

The commando system served to a degree as a bulwark against the country sinking into total disorder.

Rural communities, including farm-workers, relying on commandos, backed by the security forces, for their protection and the fact that they could be rapidly deployed had in the past been valuable in apprehension of criminals.

"We will not allow ourselves to become disarmed bait for criminals and murderers," said Bruwer.

If the commandos were scrapped "nobody will stop us" from establishing protection units, he said.
Arson charge against farmer

A farm labourer who was injured after she was trapped in a burning house has laid a charge of arson against a Piet Retief farmer.

Mrs Christinah Annah Dlamini (50) and a child sustained burns on Friday when they tried to rescue their possessions from their burning home and control a veld fire.

According to witnesses, the farmer, a Mr Naude, arrived at the homestead of six families at about 2am on Friday and fired shots in the air. He then allegedly set fire to the veld about 300 metres away.

"On Friday afternoon, when the labourers were still at work, the fire reached one of the houses and gutted it," said local ANC chairman, Mr Zuma. Kotwal. Dlamini has since laid criminal charges against Naude and youths in the surrounding communities have threatened to burn down Naude's house in retaliation.

"As soon as I was informed about the youths' intentions, I contacted Mpumalanga's MEC for safety and security, Mr Steve Mabona, and the police station commander in Piet Retief," Kotwal said.

He said before the elections last year, farmers in Iswepe often evicted labourers, resulting in the creation of the Greater Piet Retief District Forum.

The aim of the forum, which comprises representatives from the government, the agricultural union and labour tenants, is to curb evictions and the impounding of labourers' cattle and to generally discuss grievances.

"Matters quietened down for a while, but evictions are beginning again," Kotwal said. -- African Eye News 1995
Farmers at odds over aid funds

By Abdul Milazi
Labour Reporter

THE Transvaal Agricultural Union has expressed concern at the Government’s decision to give provincial MECs powers to allocate aid funds to farmers.

This follows Agriculture Minister Dr Kram van Niekerk’s announcement at the weekend that the Government was considering giving aid to farmers in a bid to alleviate the unemployment problem among farm workers.

Van Niekerk said the Government was concerned about the rate of unemployment on the farms, especially in the Northern Province.

He said once funding was available provincial MECs would have to allocate them.

TAU president Mr Dries Bruwer argued that leaving the allocation of funds to the MECs would result in many commercial farmers being left out.

Bruwer said most of the funds would go towards creating jobs in subsistence farming as was the case with previous funding earlier this year.

He said that if the MECs followed the same procedure, the 570 000 farm workers in commercial farms would be left destitute.

The South African Agricultural Union, however, said it did not have a problem with the Government’s decision.
Farmworkers threaten action against new Bill

Renee Grawitzky

ONE day after Parliament voted overwhelmingly in favour of the Labour Relations Bill, organisations representing rural and farmworkers have threatened countrywide marches this weekend and next week, to protest against the fact that their concerns relating to the Bill were bypassed.

Dawie Bosch of the Farm and Rural Labour Rights Advocacy Group said yesterday that his organisation, which represented a coalition of rural service organisations, farm unions and advice offices, felt the Bill did not take into account the specific concerns of this sector.

He said one of the main concerns was that the Bill recognised only the extension of organisational rights to unions in organisations which were already organised. This did not facilitate the organisation of workers in vast unorganised sectors.

Halton Cheadle, head of the drafting team appointed by Labour Minister Tito Mboweni to draft new labour legislation, said during the public hearings of the standing committee that this concern was provided for in the Bill.

The Nactu-aligned National Union of Farmworkers was not available for comment, while the COSATU-aligned SA Agricultural Plantation and Allied Workers' Union said that it distanced itself from such proposed protest action.
What about us? Farm workers hostile to bill

AFRIKA MSIMANG
Staff Reporter

FARMWORKERS threaten to become increasingly militant after the adoption by parliament of the controversial Labour Relations Bill without any attempt to include several proposed amendments to meet their concerns.

The Farm and Rural Labour Rights Advocacy Group has now raised the issue of the bill’s failure to help in “unorganised” farm workplaces.

They see their prohibition from representing farm workers as a permanent declaration of war and division of the urban working class from farmworkers.

But Labour Minister Tito Mboweni called the bill a critical step towards transforming labour relations. Congress

- The new Labour Relations Bill ignores the rights of farmworkers who are becoming increasingly hostile to their city cousins.

of South African Trade Union general secretary Sam Shilowa agreed the bill would encourage and facilitate better organisation of workers.

Provisions in the bill include:
- The union must achieve the status of sufficient representativity.
- Notify the farmer in writing that it has achieved sufficient representativity.
- The farmer must meet with the union within 30 days to attempt to conclude a collective agreement regarding the content of organisational rights of unions, including conditions of access.
- If the dispute is unresolved, the union can refer it to a conciliation commission.

- The commission must conciliate the dispute over a period of 30 days.

But farm workers often do not make it past the first provision, as less than one in 40 farm workers belong to a union.

According to Dawie Bosch, facilitator of the advocacy group, only eight percent of farms had more than 50 workers and only two percent had more than 100.

Group member Lionel Beerwinkel said it was clear provisions in the bill were made without consideration for farm workers.

According to Mr Bosch, farm worker unions needed access to organise and they could only gain access when they were already organised — a Catch 22 situation.

At present, the number of farm workers on each farm was very low. Also, organisers had to travel long distances to keep contact with union members.
Farmer kicks out 350 families

By Dan Fughe

About 350 farmworkers and their families have been evicted from their homes on a farm at Tarlton, near Krugersdorp on the West Rand, and have been living in the open since Monday night.

The farmworkers were evicted by the new owner of Scheepers Plot, on the farm Vlakplaas on Monday morning.

The evictions were conducted by the office of the local sheriff on the instructions of the new owner of the farm, Mr Ger van der Tang.

Mrs JF Bothma, the wife of a farmer in the area, told Sowetan yesterday that she and her husband had agreed to accommodate the families for the time being.

The African National Congress in the area has provided tents for the families.

The ANC is grateful

A spokesman for the Magaliesburg branch of the ANC, Mr Cornelius Cloete, said the organisation was grateful to the Bothmas for allowing the displaced families to live on their farm.

van der Tang told Sowetan yesterday that he was the owner of the property: "I bought the farm free of occupants." He said Sowetan was "free to write anything".

A spokesman for the families and ANC executive member in the area, Mr Edward Xotane, said their problems started in July when it became apparent the previous owner, Mr Fred Scheepers, was finding it difficult to run the farm. Scheepers, who employed the farmworkers, left the farm without warning the workers. "We don't know where he has disappeared to," Xotane said.

"A few days after that our possessions were rudely removed from our homes by the Krugersdorp sheriff," Xotane said.

R200 a month

Among those left homeless are two elderly men, Mr Nelson Gwendo (70) and Mr David Khumulwi (65). Collectively, they have worked on the farm for more than 30 years without a break of service. Each earned R200 a month for doing odd jobs on the farm.

A sickly woman, Mrs Jane Nklova (57), who is the mother of 10, said the experience had shattered her and had also aggravated her illness.

"I have spent 24 years working for them and this is my reward," she lamented.

- A 53-year-old woman was evicted from Boesman spruit Farm near Plet Retief in Mpumalanga on Tuesday and then "dumped" at the roadside after her house was demolished.

Mrs Sabed Tsawala says she had lived on the farm for "quite some time" before her house was demolished and she was dropped off at the Panball Road crossing.

According to Boesman spruit's farmer, Mr Tenie Hattingh, Thwala had lived on his farm for a year and did not work there.

He said she was left on the farm by a former worker and she continued living there long after the man had left.
Evictions a 'recipe for more bloodshed'

Land Affairs Minister Derek Hanekom yesterday warned that evictions of labour tenants and their families from farms in KwaZulu-Natal were a recipe for further bloodshed.

"It has come to my attention that numerous labour tenants and their families are being evicted from farms in the KwaZulu-Natal province, particularly in the districts of Vryheid, Utrecht and Louwsburg," the minister said.

"These actions are not only contrary to the spirit of the numerous agreements already reached, but the actions of certain individuals among the affected parties are a recipe for conflict.

"Already there are indications that certain individuals are planning retaliation, and possible bloodshed could ensue," the minister said.

According to Hanekom, the culprits were not only acting against the interests of landowners, who were striving to secure an amicable solution to land problems in the region, but they were also doing the whole country a disservice.

Evicted

Any labour tenant who was evicted contrary to the provisions of the Land Reform Bill, which is to be enacted early next year, would be entitled to claim reinstatement on the land, and costs, he said.

"I wish to once again make an earnest appeal to all affected parties to act with the utmost restraint in this sensitive situation," Hanekom added.

Hanekom is to attend a meeting in Vryheid on Sunday following calls for his intervention. — Sapa.
Fish quota ruling dismays trusts

JEAN LE MAY
Staff Reporter

FISHING community trusts are looking for a way to get around a Supreme Court judgment which has stopped them getting fishing quotas.

They are considering registering as non-profit-making companies.

Mr Justice Gerald Josman found that the Quota Board acted unlawfully in giving a hake quota to the Cape Town Harbour Fishermen's Community Trust in 1994. The judge also found that a trust was not a legal person and was thus not entitled to fishing quotas, which the Sea Fisheries Act says must be given to individuals. In practice, executives of fishing companies get the quotas.

This means that all quotas given to community trusts are now unlawful.

No quotas had been given to trusts in the 1996 allocation which is now being considered, Quota Board secretary Panie Faurie said yesterday.

Johan Pieterse, chairman of the Association of Fishing Community Trusts, told Saturday Argus yesterday that a decision to register as non-profit-making companies was taken after a meeting with lawyers and officials of the Department of Sea Fisheries.

It was still to be confirmed by a general meeting of trustees, he said.

It was necessary to act fast to protect the 1995 quotas which had already been caught and to become eligible for 1996 quotas, he added.

There were 32 fishing trusts, said Mr Pieterse, of which 28 had been registered in places as far afield as Port Nolloth in the Northern Cape and Richard's Bay in KwaZulu/Natal.

"The trusts have a stigma attached to them because of the violence committed by some members of the Cape Town Harbour Trust," he went on.

"But many other trusts have worked well. Here in Gansbaai they have started a labour office and are subsidising bus travel and boarding fees for fishermen's children.

"Other trusts have given loans of fishermen to buy boats to enable the trusts to catch their own quotas. But there have been problems in other areas, largely because trusts have to negotiate with fishing companies to catch their fish and this has led to disputes over the disposition of the money."

The application to have the Cape Town Harbour Trust's 1994 quota declared unlawful was brought by the Trawler and Line Fishermen's Union and was not opposed. Costs were awarded against the Quota Board.

Community trusts were established in 1993 as a way of giving fishermen a share of marine resources and to develop fishing communities.

Before 1993, 80 percent of the Total Allowable Catch of fish was given to the established trawling industry.

However, there have been so many problems with the trusts that a task group under De Wet Schutte of the Human Resources Research Council decided last year that they should not continue in their present form.
We've been forgotten — Farm Workers

Photos: OBED ALIWA

A SPECIAL INVESTIGATION

despair
of
face

The

SATURDAY FOCUS 3
WEATHER FORECAST

Western Cape:
Cloudy and cold in the W with rain along the SW coast and adjacent inland areas. S coast. It will clear early tomorrow. Coastal wind: Fresh S.

Cape Town area:
Partly cloudy with isolated showers at first. First Wind SW 3-15 knots (9-46km/h).

Flower area:
Partly cloudy. Wind SW 3-15 knots.

NAMIBSHALAND & KARROO:

BUSHMANLAND & KARROO:

PENINSULA:

MIN MAX
10°C 18°C

Weather data

Sunshine yesterday: 6 hours
Cloudy yesterday: 6 hours
Barm: seven-eighths
2pm: five-eighths
Barm: 1023.8 mb
Humidity: 74 percent

Wind:
Barm: 1023.8 mb
Humidity: 74 percent

Weather today:
Day: Partly cloudy, wintry showers.
Winds:
Barm: seven-eighths
2pm: five-eighths
Barm: 1023.8 mb
Humidity: 74 percent

Partly Cloudy, it will be cold with showers at first and fresh southerly winds.

NATIONAL ROADS

N1 Dutoitsloof Pass: Baring from room 2pm on Monday to Thursday. Opt for Reehorst journey, wait in Dutoitsloof until the N1 alternative route via Wellington and Wupperberg. Barm: seven-eighths.

Road report

Walt – no room at the inn for the adviser?
KwaZulu’s power bid

A WEEKEND MEETING of evicted labour tenants in Vryheid, KwaZulu-Natal, has highlighted the lengths to which the province will go to fight its case for more powers.

The meeting, to highlight the tenants’ predicament, came after 12 families were evicted from a farm near Louwsberg last week. The families’ huts were demolished and two of them had been forced to squat at the roadside because they had nowhere to go.

One of the organisers of the meeting, the Vryheid Farm Evictions Committee, said they knew of at least 350 people (35 families) who had been evicted from Louwsberg and Vryheid since the publication of the Land Reform (Labour Tenants) Bill on June 2.

Land Affairs Minister Derek Hanekom and KwaZulu-Natal Premier Frank Mdlalose were invited to the meeting to hear for themselves the problems of eviction of black farm dwellers in the district. About 300 people packed the Vryheid Sports Centre to sit their grievances.

But instead of devoting itself to addressing the crisis in the area, described by one speaker as “putting Vryheid on the verge of a civil war”, there were early indications that it would degenerate into a point-scoring exercise.

Hanekom’s appeal to “set aside political differences to find a solution to the real problems”, and his warning that those “people who use this (crisis) to turn it into a political event are doing the community a disservice”, appeared to fall on deaf ears.

Following Hanekom, Mdlalose said it was unfortunate that land affairs was a central government issue and not an issue for the provincial or local government.

“I don’t believe land should be a central government function,” he said. “But I am happy that when he (Hanekom) comes to KwaZulu-Natal, I can also be there. When he gives his views from his cabinet position, I can also hear on behalf of the province.”

Mdlalose further indicated that he hoped the meeting would open the way for further talks between the provincial and national government where land affairs were located.

He also alluded to the province’s demand that the controversial Ingonyama Trust be assigned to the province as a matter which still had to be settled.

The Ingonyama Trust involved the transfer of almost three million hectares of state land to the trusteeship of Zulu king Goodwill Zweikhin in former president FW de Klerk on the eve of the April 1994 election.

A comment by Hanekom which equated the former KwaZulu self-governing territory with bantustans such as Bophuthatswana and Venda also drew fire from Mdlalose and the audience.

“KwaZulu will continue forever,” retorted Mdlalose. He appealed to the crowd not to blame Hanekom for the unfortunate comment “because, after all, he doesn’t live among us. He’s from central government, up above.”

In terms of the current Constitution, policy formulation of land affairs is the prerogative of the national government, but implementation of the new land reform programme has been devolved to the provinces.

Examples include the new land reform pilot programme, which consists of one pilot district in each province and which is being managed and by provincial steering committees.

In KwaZulu-Natal, land is one of the key areas of reconstruction. It is the most populous province and more than half its people live in rural areas.

The recently established Commission on Restitution of Land Rights has already received almost half of all its land claims from KwaZulu-Natal — an indication of the importance ordinary people are placing on land access.

While the Ministry of Land Affairs has implemented several measures to give flesh to the new land reform programme — including the Restitution of Land Rights Act — labour tenants remain a vulnerable group.

The Land Reform (Labour Tenants) Bill gazetted on June 2, proposed far-reaching changes to the insecure tenure of labour tenants.

However, it will only come before Parliament in February 1996.

The Bill subjects farmers who want to evict tenants to specific procedures and rulings from the Land Claims Court. It also enforces labour tenants to acquire land they have historically used and occupied, if the owner is compensated. By enshrining the rights of labour tenants in law, the Bill also aims to encourage parties to seek local solutions.

If Parliament passes the Bill, its protective tenancy aspect will be retrospective to June 2. This means that labour tenants who are evicted may now institute legal proceedings to have the evictions overturned.

A labour tenant means a person, including his or her descendants and immediate family, who on June 2:

- was living on or has had the right to live on a farm; and
- had or has had the right to live on such a farm and to use arable or grazing land on the basis that he or she would provide or has provided labour to the owner or lessee of the farm.

The Bill specifically excludes farmworkers or people who are simply living in housing provided by farmers or lessees of farms. Farmworkers are defined as people employed on a farm in terms of a renewable contract of employment which provides for the labour to be paid for mainly in cash and not mainly through the right to occupy and use land.
Hanekom soothes land 'differences'

CITRUSDAL — Land Affairs Minister Derek Hanekom says there is no contradiction between the Department of Agriculture’s farmer settlement scheme and land-reform pilot projects.

In a row between the two departments in recent weeks, Mr Hanekom has been accused by Agriculture Minister Dr Kraaivon Niekerk of interfering in agricultural affairs.

Deputy Minister of Agriculture Thoko Didiza earlier announced in Pretoria 1 900 black farmers would receive grants amounting to R60 million to settle them on state land administered by the agriculture department.

"As long as there are no land purchases involved, there is no contradiction," Mr Hanekom said. — Sapa.
**NEWS IN BRIEF**

**Watchdog for small business**

KWAZULU-Natal had established a provincial small business council affiliated to the national body as a watchdog for small, medium- and micro-sized enterprises interests, economic affairs and tourism, NEC Jacob Zuma said yesterday.

Opening a provincial workshop on small enterprises, Zuma said the new structure would form a critical link between small business and government, developing institutions within the province’s small and informal business sector, while stimulating the creation of occupational and professional sectoral associations.

**Post In hands of business**

BUSINESS had the ability to remove more than 40% of the problems experienced by the postal service, the Johannesburg chamber of Commerce and Industry said yesterday.

While business was justified in its criticism of postal delays, it should be aware that the solution of much of the problems lay in its own hands, Two-fifths of postal workers’ time was taken up by correcting postal codes and sorting items which could not be read by automatic handling equipment.

**Telkom workers end strike**

STRIKING Telkom employees returned to work in Johannesburg by midday yesterday following disputes over the company’s affirmative action policy and “political” posters at depots. Telkom spokesman Gert Schoeman said.

**De Beers strike continues**

THE strike at all De Beers mines continued yesterday amid the occupation of offices at a number of mines and several marches, De Beers said yesterday. The company, which will meet National Union of Mineworkers representatives today in a further attempt to resolve the strike, said the dispute, involving a cut in annual leave, affected 600 out of a total union membership of 4 700, who were being compensated for the loss of leave.

**Call to end farm evictions**

MPUMALANGA premier Matthew Phosa yesterday called for an immediate end to the eviction of farm labourers and tenants, saying racial tension was building in the province’s rural areas. Farmers were writing eviction notices “as if they are magistrates, and then are moving whole families far away from their farms to prevent them from returning” the premier said.
Team to probe farm evictions

MPUMALANGA Premier Mathews Phosa has appointed a nine-member task team to investigate the eviction of black people from white-owned farms in the province.

It will be led by Ivor Jenkins of the Institute for Democracy in South Africa.

According to reports, Phosa had ordered a halt to evictions. He said eviction orders already issued should be handed over to sheriffs or magistrates, pending the outcome of the investigations.

Phosa was quoted as saying that some of the land from which people were being evicted had belonged to their ancestors.

SAPA.
Thousands of Gauteng farm workers evicted

BD 24/10/95

Drew Forrest and Wyndham Hartley

ABOUT 3,000 farm workers and their dependants have been evicted in Gauteng over the past month, in a development linked by the ANC and the Gauteng government to the elections.

The claim coincides with a meeting in Pretoria yesterday involving the SA Agricultural Union, Local Government Minister Roelf Meyer and three provincial premiers — Matthews Phosa, Ngoako Ramathlodi and Manne Dipico — over farmers' plans to boycott the poll. There are fears that the boycott sparked by Parliament's rejection of proposals for farmers' representation on rural councils — may result in the victimisation of rural voters.

The Gauteng government said that the sharp rise in evictions, many illegal, might be a ploy to destabilise rural areas before polling.

Gauteng ANC MP Trish Hanekom said there had been isolated cases of election-linked intimidation by farm-ers, including the dismissal and assault of workers who had attended ANC meetings.

However, the evictions appeared to be a backlash against the growing assertiveness of workers as the election approached. A similar upsurge in evictions had taken place before last year's election, reflecting farmers' insecurity.

An SAAU representative at the meeting with Meyer, Burt van Rensburg, said a factor in tensions in farming areas was the militancy of workers, who refused to co-operate or move once evicted in the belief that they would get rights to farmers' land.

Van Rensburg said the SAAU had been "disappointed" by Meyer, who had merely asked farmers to accept their current 10% representation on rural councils, to participate in the election and to continue talking after the poll was concluded. Van Rensburg doubted this was enough to dissuade farmers from boycotting the poll. The Transvaal Agricultural Union would meet Gauteng officials today.

The Tarlton area, where 450 evicted families were living in tents, had been a major flashpoint, Hanekom said.

Last week 1,000 workers demonstrated against the evictions and an acrimonious meeting between farmers and Gauteng officials, including local government MEC Dan Mofokeng and rural development MEC Sicelo Shiceka. About 400 evicted families were also living in tents in Bapsfontein, while 60 families had been evicted in Elands River, in northeast Gauteng.

Hanekom said the province was urging property owners and community leaders to create joint forums to discuss the evictions and land acquisition for settling workers. Forums had been set up in Vlakfontein, the western services council area and Bapsfontein.

The housing, agriculture and land affairs departments were close to finalising a mechanism whereby rural people could use the R16,000 housing subsidy for rural housing and land procurement. She was also concerned about the number of eligible rural voters who, through lack of information or remoteness from election machinery, were not registered to vote. This was a particular problem in areas like De Deur, Walkerville and Vaal Marina.

Continued on Page 2
Fight for compensation after hunting accident

By TEFO MOTHIBELI

Legal jargon and technicalities ring hollow to Patrick Mahlangu, a farm labourer in Messina, Northern Province.

All he knows is that he was shot in the foot and feels he deserves compensation.

The 31-year-old Zimbabwean's right foot was amputated last year after he was shot by a farmer on a hunting trip.

After investigations by the police, the senior prosecutor's office ruled that the shooting was accidental and there would be no prosecution.

Mahlangu was assigned by his former employer, Karel Pieterse, to accompany another farmer — whose name he did not know — on a hunting trip because he knew his way around the Pieterse farm.

"When I was showing him around, I heard the sound of a rifle going off," Mahlangu said.

He was not aware that he had been shot until he started to limp.

"I could only feel my leg failing to carry me.

"The next thing, I saw a pool of blood," he said.

He said he had worked at the farm since 1987 and was paid R30 a month until last year, when his salary was increased to R180 a month.

Mahlangu vowed to fight to the bitter end for "decent" compensation.

The Saturday Star could not get comment from Pieterse.

The farmer's wife told the Saturday Star: "There is no story here and I will not call him."

Mahlangu said: "I really do not know where I should start.

"However, I believe that I deserve decent compensation, not just the R2 100 given to me by the workmen's compensation office after being left disabled."

Desperate for funds to muster legal resources, he has consulted an attorney.

Joseph Pepete, a representative of the ANO-aligned local civic association, said his organisation was doing its best to see to it that Mahlangu would receive compensation for his injuries.

He also said it was crucial that farmers took the necessary precautionary measures when out hunting.
Farmers convicted of employing illegals

MESINA — Four Northern Province border farmers have been convicted in the Sasamboubrug Circuit Court in the past week for illegally employing workers from Zimbabwe.

Jacobus Lodewicus van Tonder of the farm Platjan was sentenced to a fine of R2 000 or four months in prison, suspended for three years, for having 27 illegal immigrants on his property.

The court instructed him to pay their repatriation costs of R13 500.

Adriaan Buys and George Roland Gerhardt of the farm Daamtjieslaagte and Gilbert Levis Gerhardt of the farm Kopbeenpan received fines of R1 500 or imprisonment terms ranging from three to four months, all suspended for three years.

All were ordered to pay the repatriation costs of the workers, which varied from R1 000 to R3 500 depending on the number of workers.

A spokesman for the SAPS Police Service’s illegal immigrant unit said farmers should approach the unit if they were uncertain about the conditions attached to employing foreign workers.

He said all Zimbabwean citizens had to be in possession of valid work permits before they could be employed in SA. — Sapa.
Farmers fined for employing illegal workers

MESSINA. — Four Northern Province border farmers were convicted in the Saamboubrug Circuit Court in the past week for illegally employing workers from Zimbabwe.

Jacobus Lodewieks van Tender of the farm Platjan was sentenced to a fine of R2,000 or four months' imprisonment, suspended for three years, for having 27 illegal immigrants on his property.

The court instructed him to pay their repatriation costs of R1,500.

Adrian Roux and George Roland Gerhardt of the farm Daantjeslaagte and Gilbert Levis Gerhardt of the farm Kopheempan, received fines of R1,500 or imprisonment ranging from three to four months, all suspended for three years.

All were ordered to pay the repatriation costs of the workers, which varied from R1,000 to R3,500 depending on the number of workers.
Experts to give help

Adrienne Gillomee

GAUTENG — premier Tokyo Sexwale is calling on private sector experts to move to upgrade the provincial government’s operating systems.

Confirming reports last week, Gauteng economic affairs and finance MEC Jabu Moloketi said the accountants and auditors would scrutinise the government’s books and advise on projects.

Several firms, including Coopers & Lybrand, Deloitte & Touche and Ernst & Young, had volunteered to give their services free.

A task force would draw up its strategy and identify priorities.

Sexwale is reported to have pushed for the initiative so that foreign investors would feel confident and they invested in the region would be strictly monitored.

Farmers and farm workers make deal

Louise Cook

FARMERS and farm workers in Mpumalanga have brokered a deal that it was hoped would ease tension caused by evictions on farms. Transvaal Agriculture Union regional chairman Boet van Rensburg said at the weekend.

The groups agreed at a meeting chaired by Mpumalanga premier Matthews Phosa that farmers would stop all evictions from farms over the next three months and that workers would not strike or embark on go-slow action during that time.

Van Rensburg said problems occurred when labour tenants workers who used part of the farm for their own account in return for their services were told that they no longer needed to stick to work agreements.

He said when labour tenants stopped turning up for work, farmers resorted to evictions, which had caused tension, he said.

But the opposing groups agreed at the meeting that workers would return and work productively. They would not be evicted and taken off the land by the owner.

However, Van Rensburg said, in terms of the deal farmers would have the right to evict squatters. Squatting was occasionally a problem on farms situated near towns.

Attempts to dodge the traditional pound system was another problem that had started recently on farms in the vicinity of the former homelands.

The system provided for stray cattle to be impounded if found on a farm.

Van Rensburg said farmers from the former homelands were deliberately chasing their cattle onto farms where grazing was more plentiful. But problems had occurred recently when attempts were made to impound the stray animals, he said.

Meanwhile, the SA Agriculture Union has set up a security committee to deal with crime on farms.

A union spokesman said the committee would assist the police in fighting crime. An increase in theft had forced farmers to be more alert, the farmers’ union spokesman said.

Affirmative action challenge to Durban

Nicola Jenvey

DURBAN — Public Works Minister Jeff Radebe has challenged Durban’s metropolitan mayor Sipho Ngwenny and central district mayor Johannes Mile to promote black economic empowerment by the restructuring of Durban’s tender system.

Addressing the Black Management Forum annual awards dinner at the weekend, Radebe said both mayors acknowledged the task role blacks had to play in the new SA and — with a city budget which rivalled that of many smaller developing African nations — Ngwenny and Mile could use their power to promote black economic empowerment.

Radebe cited the Atlanta example, whereby in 1974 less than 1% of public tenders were awarded to companies owned by minorities or women.

However, a mayoral decision dictated these groups received 25% of public tenders as a bid to promote their participation in public sector business. This was later extended to 35%.

“Today Atlanta is at the forefront of American affirmative action and its policies have been copied elsewhere in the US... black economic empowerment is not only a dream but a reality.”

Radebe said he believed it was possible for Durban to take this initiative and place itself at the forefront of affirmative action policies in SA in the same way.

It would also be one way of appeasing voters who had not had an opportunity to participate in the national local government elections last Wednesday.

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Local govt 'should start police forums'

Farouk Chothia

DURBAN — Amnesty International suggested yesterday that the task of establishing community policing forums — which are battling to get off the ground in KwaZulu-Natal — should be left to local government structures.

Amnesty official Rod Morgan said in Durban that one could not expect the police, who lacked trust among communities, to spearhead the formation of the forums.

"He said it would be preferable for local government structures, which would be made up of elected community leaders, to be in charge of the process.

Morgan — an expert on policing based at the University of Bristol in the UK — is part of an Amnesty International delegation on a fact-finding mission to SA. The delegation, lead by secretary-general Pierre Sané, is due to meet Deputy President Thabo Mbeki later this week.

Morgan said the experience of other countries had shown that police resolved between 80% and 90% of cases with the co-operation of communities. In many parts of KwaZulu-Natal there was no single community and this made it difficult to get forums off the ground. All political parties had to pledge their cooperation, or else "it is just not going to work".

Amnesty researcher Mary Rayner said the investigation task unit had shown it operated in a "highly professional" manner and was capable of investigating "very complicated" cases.

Amnesty welcomed the arrest of former defence minister Joe Magna Malan in connection with the killing of 12 people on the KwaZulu-Natal south coast in 1987.

The case would hopefully assist in identifying the underlying causes of violence in KwaZulu-Natal, Rayner said.

Amnesty International also welcomed the security force deployment in KwaZulu-Natal, but was concerned about allegations of torture and other brutalities involving the security forces.

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Talks sow new hope of farm land accord

Wyndham Hartley

CAPE TOWN — Ongoing talks between the land affairs department and organised agriculture could soon resolve intractable problems surrounding the controversial land reform Bill which will grant labour tenants rights to the farmland which they work.

The Land Reform Labour Tenants' Bill, which began its passage through the parliamentary land affairs committee yesterday, has, since publication on June 2, been harshly criticized by the SA Agricultural Union (SAAU).

The disagreement raised fears of increased evictions of labour tenants and a consequent increase in tension in rural areas where people have already died in eviction rows.

At various stages organised agriculture has threatened to refer the Bill to the Constitutional Court for infringing the land rights contained in the constitution. It was also feared in agricultural circles that a Bill granting labour tenants the right to purchase the land which they have worked for two generations might lead to similar demands from ordinary farm workers.

Sources close to the land reform debate said intensive discussions with the union had brought the chances of a deal much closer, particularly now that the definition of a labour tenant has been revised in the legislation.

In a submission to the committee, the union said it would withdraw its objections to the Bill if its suggested amendments were adopted. The objections centre around chapter three of the document which specifies under what conditions a labour tenant can access the land he has farmed in return for his labour on the land owner's farm.

The union says the economic viability of the land in question must also be considered. "To merely give someone property rights without (determining) whether it is in the public interest to do so, how it will influence the owner's rights and whether the labour tenants can utilise it economically, can never be defended on economic or any other legal or moral grounds."

The level of consultation with the agricultural sector was also criticised in the union document.

Senior land affairs official Geoff Budlender told the committee the Bill was originally published without consultation, and was made effective from date of publication and not date of promulgation, to forestall pre-emptive eviction of labour tenants. He said that since then there had been intensive discussions with the SAAU, the Natal Agricultural Union, the Transvaal Agricultural Union and a host of organisations representing the interests of the labour tenants.

The SAAU and the Natal Agricultural Union, among others, are due to give evidence to the committee today.
Labour tenants Bill could ‘destabilise land market’

CAPE TOWN — The Council of Southern African Bankers has expressed concern at the potential of the controversial Land Reform Labour Tenants Bill to destabilise the land market with disastrous consequences for the financial sector and the economy.

Cosab GM Stuart Grobler told the parliamentary land affairs committee yesterday the Bill would have a significant impact on the rights of agricultural property owners and financiers.

He feared sections of farms would be alienated with no controls over usage, and potential buyers might be put off by the threat of a labour tenant claim.

"Given the uncertainty which this Bill will introduce into the market and the effect of possible claims on future transactions, it is felt the period of three years for lodging claims is too long." Hard work from the land affairs department and organised agriculture could reduce this to 12-18 months.

"It is a matter of public record that the collapse of a country's land market inevitably leads to the collapse of the financial sector and plunges the economy into depression and chaos."

He urged those who were for or against the Bill to identify the extent of the labour tenant problem. Estimates ranged from 1,000 to 40,000.

Grobler was also concerned that labour tenants who had won title to a portion of a farm might use the land in ways which were prejudicial to the owner. "For example the land could be developed into a squatter community and the Bill makes no provision for the prevention of this type of activity."

The phrase "just and equitable" as the basis of payments to farmers for their land had no meaning in SA law and he suggested that "a fair market value" should be used instead.

It is understood the SA Agricultural Union and land affairs have made progress towards a deal which could see the Bill pass next year.
Minister hits out at bankers’ reaction to farm tenants law

Drew Forrest

LAND Affairs Minister Derek Hanekom slammed the Council of Southern African Bankers (Cosab) yesterday, describing its criticism of a planned labour tenants’ law as “ill-considered, alarmist and infused with racial prejudice”.

He was reacting to a Cosab submission on the Land Reform (Labour Tenants) Bill to the parliamentary land affairs committee on Wednesday.

Cosab GM Stuart Grobler told the committee the Bill could destabilise the land market, with disastrous consequences for the financial sector and the economy. Portions of farms could be sold to labour tenants without control over the land’s use and potential purchasers could be deterred by the threat of labour tenant claims, he said.

Hanekom said the Bill envisaged the settlement of most claims by negotiation between tenants and farmers. Even where tenancy exercised their right to purchase, it was government policy that the market price would be paid. The sale of small portions of land would, in fact, improve farmers’ cash flows and ease debt.

“My view,” and that of the economists who advised us, is that there is no solid reasoning behind the suggestion that the land market will be thrown into chaos.”

Reacting to Grobler’s complaint that tenants might allow squatting on newly acquired land, Hanekom said it was racist to assume they were more prone to such practices than other land owners. Indeed, as people who have lived on the land for generations and are not acquiring it for speculative purposes, they are less prone,” he said.

“And such small land portions far from centres of employment are not suitable for squatter settlement.”

Hanekom said Cosab had taken a consistently conservative line on the Bill. He said it was Hanekom’s wish that every effort be made to get the SAU on board, as long as this did not delay the Bill’s passage.

When the SAU was advised late yesterday of the amendments, it requested time to consider them and suggested that approval of the Bill be delayed until early next year. It said this would not influence the passage of the Bill through Parliament.

The committee is to meet again today. NP members agreed to discuss the changes with the SAU last night.

An amendment to the Bill from the Chamber of Mines was accepted by the committee.

It stipulated that nothing in the legislation should deprive those who had mineral rights on a piece of ground from exercising those rights. The mineral rights would not be affected by transfer of ownership from a farmer to a labour tenant.

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Farm tenants

Continued from Page 1

Bill and apparently lacked the imagination to see that the status quo threatened the banks’ long-term interests. By stabilising rural areas, the Bill was intended to create conditions conducive to financial activity.

Wyndham Hartley reports that ANC amendments tabled yesterday stalled the approval of the Bill after organised agriculture and the National Land Committee had negotiated a compromise.

Negotiations between the SA Agricultural Union (SAU), the committee and the land affairs department on problem areas were successful yesterday. However, the ANC tabled amendments on the issue of moving costs to be borne by farmers.

Senior land affairs official Geoff Buldender told the land affairs committee agreement had been reached on the controversial third chapter of the Bill. He said it was Hanekom’s wish that every effort be made to get the SAU on board, as long as this did not delay the Bill’s passage.

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Committee approves farmland-for-labourers bill

BY JOYAL RAIJITTO
Political Reporter

Farm labourers, often victims of evictions from farms on which they have lived and worked for decades, stand to benefit directly from the approval yesterday of the reworked Labour Reform (Labour Tenants) Bill by the Parliamentary Portfolio Committee on Land Affairs.

The draft bill, which gives the country's 30 000 labour tenants the right to buy the land they occupy, is scheduled to be presented to Parliament in February.

Committee chairman Chief Patekele Holomisa said the approval of the draft bill, which has received support from organised agriculture and representatives of labour tenants, was an important step in bringing justice to labour tenants and in dealing with one of the most pressing land problems.

"The problem arises out of the history of denial of access to land to Africans. The system of labour tenancy has led to a great deal of conflict, which has increased in recent years. It has made labour tenants and their families vulnerable to exploitation and abuse."

"The bill deals with the problems which arise from the system of labour tenancy in a constructive way, which will lead to long-term solutions. It does this through two methods. Firstly, it provides labour tenants with effective protection against unfair evictions. Secondly, it gives labour tenants the opportunity to become the owners of the land which they occupy and use, or alternative land, with just and equitable compensation being paid to the present land owners," Holomisa said.

According to the National Land Committee, nearly 10 000 farmworkers have been driven off land by farmers since June. Areas most affected by these evictions include KwaZulu Natal and Mpumalanga.

In August, the South African Agricultural Union called for the bill, in its previous form, to be withdrawn pending an inquiry into its potential effects on commercial farming.

Members of the public have been invited to make submissions to the Portfolio Committee on land affairs on the Interim Protection of Informal Land Rights, the Upgrading of Land Tenure Rights Amendment and the Communal Property Associations Bills.

All correspondence should be addressed to the Secretary to Parliament, P O Box 15, Cape Town, 8000 (Attention: B J Ntseng) or tel: (021) 403-2771, fax: (021) 461-7969.
Woman injured by Citrusdal police

At least one woman was injured by a rubber bullet fired by police in Citrusdal when about 130 strikers outside the Citrus Association erected burning barricades and began stoning vehicles, a police spokesman said yesterday.

Captain John Sterrenberg said she was injured in the left buttock when police fired six rubber bullets after the crowd stoned a vehicle. They had been warned to “deister”.

ANC regional spokesman Mr Brent Simons said the woman was only freed by police after two ANC organisers intervened and took her to hospital. — Political Staff
Wage strike turns ugly

Labour Reporter

A WAGE strike by 260 permanent workers at the Gwede Hoop Citruskooperatief in Citrusdal turned ugly when workers blocked traffic in a main road and police fired on them with rubber bullets.

The workers, dismissed on Monday when they failed to heed management warnings to return to work, were reinstated after discussions between the company and the Food and Allied Workers' Union (Fawu) yesterday.

Management said this had been done because the situation was sensitive and many workers had been intimidated into joining the strike. They said the workers were being reinstated under "certain conditions" being negotiated with the union which would be made known to workers today.

Frans Damón, deputy chairperson of the Fawu branch in the area said workers stopped work after wage negotiations deadlocked last week.

The company was offering R209 a week and workers were demanding a R299 increase. The average wage is R195 a week.
COSAD SUPPORTS REFORM BILL

led on the long-term financial sustainability of the company, it is important that the company has a clear understanding of the potential risks and opportunities associated with the reform. The company needs to have a comprehensive plan in place to address these risks and capitalize on the opportunities.

In conclusion, the COSAD supports the reform of the tax system, as it is essential for the long-term financial sustainability of the company. The company should proactively engage with all stakeholders to ensure a successful implementation of the reform.

Sincerely,

[Signature]
30 000 farm workers laid off as drought takes its toll

Bonile Ngqiyaza

about half of northern province's 60 000 farm workers had been laid off this year because of drought, provincial agricultural department spokesman Jerry Mashapa said yesterday.

More than 2 million people, including farmers and their families, were "directly affected by the drought", which six weeks into the rainy season showed no signs of abating, he said.

"Even if rains do come, farmers will have to change their pattern of planting and grow other crops."

He said R67m had been made available by central government for drought relief. "There was a real possibility that the remaining 30 000 farm workers would be laid off" before the funds were made available.

A one-off R84m subsidy was available to small-scale irrigation farmers who irrigated few renewable, sustainable water sources where restrictions had been imposed.

The water quota in the year of application should be less than 10% and should not exceed 100% of the normal annual quota in the preceding two years, Mashapa said.

Another R8,4m, to be disbursed as re-establishment loans, would help producers who, between early last year and October this year, had lost trees and long-term crops as a result of the drought, while the provincial government was offering R46m in aid to dryland crop farmers and R4m would go towards a stock feeding scheme.

The province had made a R352m provision for temporary employment which would go to subsistence farmers. The northern region (formerly Venda), the lowveld region (formerly Gazankulu), and the central and southern regions had been hardest hit.

The bushveld and western regions were not affected much because they were sparsely populated and inhabited mostly by white commercial farmers, Mashapa said.
Bill’s success lies in its implementation

Wyndham Hartley

CAPE TOWN — Last week’s negotiations in Parliament over the labour tenants Bill precipitated much controversy as it went before the portfolio committee.

Bankers claimed it could destabilise the land market, and called for the process to be speeded up. Organised agriculture described it as a land grab by the state, and threatened Constitutional Court action. Activists, alarmed at evictions of labour tenants, demanded action to halt such evictions and to provide compensation for assets which had to be abandoned.

The Land Reform Labour Tenants Bill precipitated much controversy as it went before the portfolio committee.

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It is important to understand what the legislation — which will be passed early next year — will do to both farmers and the so-called labour tenants.

A labour tenant is a person who has leased his land to a farmer in return for a small portion of land on which to grow crops and graze cattle. The national land committee claims that few, if any, labour tenants are paid any cash, while others in organised agriculture say that invariable there is an allocation of land, perhaps a little money, and food — hence a definition that a labour tenant is someone paid predominantly in access to land. Quite what proportion will be used is unclear — if it is too low, then genuine labour tenants could be excluded, and if too high, then hosts of farm labourers around the country could qualify.

It is a fact that since 1918 black people have been precluded from owning agricultural land. The Land Act, when seen in the context of a traditional system of communal ownership and the land grab which went with conquest, effectively meant that only a handful of black people were able to hang on to agricultural land.

There were subsistence farmers in the reserves created by the British (and later amplified by apartheid), but very few with freehold title. Many black farmers were effectively turned into tenants, and many more were turned into landless people on which they had farmed for generations.

When the NP government of the early 60s tried to outlaw labour tenancy, there were mass evictions. The infamous Misinga area in KwaZulu-Natal is a case in point. In the 1890s the Tomlinson commission report recorded that Misinga, with less than 20 000 residents, was overcrowded and the land could not support the masses of cattle. After the labour tenant evictions of the 60s and 70s, the population of the Misinga area grew to more than 250 000 people. Only money earned through migrant labour on the mines kept them alive.

Apartheid’s systematic removal of “black spots”, using the homelands as dumping grounds, made it all that much worse. The idea, of course, was to create two reservoirs of people — in the hostels and townships for industry and the mines and pockets on the farms for agriculture — and the rest should reside in rural poverty-exacerbating political rights in the homelands.

Our ‘common law’ provides that a person can claim ownership of a piece of land after 30 years of uninterrupted residence. Many labour tenants have resided on their pieces of land for much longer than that. There is no question that they should enjoy some rights on the land which they occupy. That evictions should be made extremely difficult, that farmers and tenants should have access to the courts, and that courts should be empowered to order compensation are principles in the Bill which received little opposition.

The land debate is on, and arguments about the national land policy are central to rural reform. The challenge is to ensure that the Bill is used to empower farmers and workers and not to further entrench an unjust land system.

They sent a clear message to commercial agriculture that farm labourers and workers should not be given benefits other than cash, that farmers should seek to employ as few people as possible, have fewer, if any, living on their farms. That could never be the whole country,” Macintosh said.

There is no doubt that the activists from the National Land Committee talk with justification about the power imbalances between farmers and labour tenants; that labour tenants and workers have been exploited and have frequently lost everything upon summary eviction. But, as a member of the land affairs committee remarked, neither the legislation, nor the activists, take into account the position of a blue overalled labour tenant facing a burly sun-tanned farmer in the middle of nowhere demanding his rights.

The absolute key to the Land Reform Labour Tenants Bill, regardless of whether a particular farmer, or a particular labour tenant is right or wrong, lies in how it is implemented.
POW-WOW... Some of the Workers' Homeless Workers Holding an Indaba to Draw Up Strategies to Challenge the Jordanian Police's Eviction Notices.

POW-WOW... The Jordanian Government's Eviction Notices of the Workers' Shantytowns Must Leave the Workers' Homeless Workers Holding an Indaba to Draw Up Strategies to Challenge the Jordanian Police's Eviction Notices.

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Drought in north may cost 63 000 farm jobs

Some families, who know only farm life, may lose homes they’ve had for 50 years

BY PATRICK PHOSA

The continuing drought in the Northern Province would result in about 63 000 farmworkers losing their jobs, said Department of Agriculture spokesman Jerry Mashapu.

He said the province was experiencing its worst drought yet which would put about 5 000 commercial farmers out of business. Already 35 000 farm labourers had lost their jobs and consequently their accommodation.

"Farm labourers lose the places they have been living for many years, in some cases for at least 50 years. Where do they go and what will their source of income be?"

"Such people do not know any other home except the farm," said Mashapu.

Fears abound that soaring unemployment would lead to the crime levels rocketing.

"I can only pray that this state of affairs does not culminate in crime," said Mashapu.

To minimise the effects of drought, farmers would have to shift away from their normal crops and grow short season plants like sunflowers, he said.

Mashapu said the department had put aside R67-million for five far-reaching disaster/drought relief measures: a stockfeeding scheme, assistance to dryland crop farmers (less than 10ha), assistance to dryland crop farmers (more than 10ha), a one-off subsidy to small-scale irrigation farmers and a single amount interest subsidy on re-establishment loans in relation to perennial crops.

The above measures which were to be put in place last week to alleviate drought in the whole province would be financed by agricultural cooperatives, agricultural corporations, Landbank and organised agriculture.
Farmers opposed
to minimum wage

By Abdul Miah
Labour Reporter

A statutory minimum wage system for agriculture would have a negative impact on the rural economy and labour market, National Maize Producers Organisation research and development manager Dr Kit Le Clus said yesterday.

Le Clus was addressing the National Economic Development and Labour Council’s Labour Market Commission, investigating a statutory minimum wage system for South Africa’s lowest paying sectors.

These sectors include mainly farmworkers and domestic workers.

The South African Agricultural Union was also opposed to a minimum wage system for agriculture.

Le Clus said: “The debate on minimum wages should not be seen as a debate between capitalism and socialism but, rather as a debate between economic growth and employment on one hand and social consciousness or responsibility on the other.”

Le Clus said a minimum wage system for agriculture would not help improve the standard of living of farmworkers as envisaged. Instead it would lead to massive unemployment as farmers were forced to reduce the size of their work force.

He argued that South Africa was a poor economy in international terms, with very low labour productivity. Despite this the Government forced farmers to be internationally competitive.

“This is despite the fact that many sectors of the South African economy are subjected to some system of minimum wages. The Government has now embarked on a policy of decreasing export subsidies and import tariffs in order to force the domestic economy to become more competitive and to increase productivity,” said Le Clus.

Le Clus said the clothing industry which had the highest rate of minimum wage increases during the past decade was now struggling to adjust to the Government’s new policy on trade and protection.

“The impact of a system of minimum wages on employment in any economy has to be gauged on a sector by sector basis,” argued Le Clus.

He charged that the agricultural sector was the most important employer in the economy of the summer grain area, which included the rural parts of Free State, North West, Mpumalanga and Gauteng.

South African Agricultural Plantation and Allied Workers Union general secretary Mr Dickson Motha told the commission that the implications of a minimum wage were difficult to predict because its effects on employment levels could go either way.

He argued that all stakeholders should work together to ensure that deprivation, disempowerment and injustices in the country were transformed.
Land notices upset farmers

Louise Cook

COMMERCIAL farmers discovered they might be forced off their farms after reading reports of land claims in the media, causing widespread confusion, the SA Agricultural Union (SAAU) said yesterday.

The union said in a report in The Farmer that the commission on the restitution of land rights had published notices of new claims only in the Government Gazette, without considering the fact that the general public did not read the gazette.

The commission then placed notices in the media. Farmers were then surprised when they read in newspapers that they might have to move off their land, and this also resulted in “untold misery”.

The union asked the commission in future to inform farmers of land claims by personal delivery of notices.

Commission secretary Daan van der Westhuizen said yesterday farmers would in future receive registered letters where possible.

“In terms of the regulations the commission has the option to send a letter, but is not obliged to do so. However, we will follow that procedure wherever we can,” he said.

Northern rustling 'boom'

PIETERSBURG — Cattle rustling in Northern Province had risen by 145% in the past year, police said yesterday.

Livestock theft unit commander WO Herman Lubbe said cattle valued at about R10m had been stolen this year. He expressed concern that children were often used by organised syndicates to carry out the thefts. Cattle could be sold off quickly. He said thefts from game farms had increased.

Transvaal Agricultural Union regional representative Gert Ehlers has warned Northern Province safety and security MEC Seth Nthai that farmers would take the law into their own hands if the situation was not resolved. — Sapa.

Maritzburg jail chalks up 20th breakout this month

MARITZBURG — Five maximum-security prisoners escaped from Maritzburg prison yesterday, bringing to 20 the number that have escaped from the prison this month.

Department of Correctional Services spokesman Lt-Col Andy Anderson said three of the five men had been convicted of murder and other charges.

The five are Alfred Mwelase, 20, Jabulani Mqamza, 22, Jabulani Michael Zuma, 28, Thulani Shadrack Sokhele, 33, and Sipho Vitalis Mahlaba, 27.

Anderson said eight men escaped from the prison on November 11 by sawing through window bars. One was caught at the scene and another at Hammarsdale in the KwaZulu-Natal Midlands four days later. It appeared the escapists had used hacksaw blades. How they had got hold of them was being investigated, he said.

On November 19 seven awaiting-trial prisoners escaped by using steel pipes to force open windows. They made their way across the roof of the prison and fled. They were still at large, Anderson said.

An independent team had been appointed to investigate yesterday’s escape.

Anderson said security had been stepped up at the prison. Correctional Services viewed all breakouts with concern.

He said yesterday’s fugitives were dangerous and he impressed on the public that they should not confront them. — Sapa.
White farmers warned over new evictions

By Joshua Raboroko

MPUMALANGA premier Mr Mathews Phosa has warned that strong action will be taken against farmers around conservative towns who evict tenants.

Phosa said the farmers' actions violated a moratorium on evictions in the province.

Phosa added that the preliminary findings of a task team appointed to monitor evictions showed that farmworkers in the districts of Ermelo and Bethal were still being evicted by their white employers.

The premier warned that farmers faced several stringent actions, including possible prosecution for violating the moratorium. He did not rule out invading the plots with the aim of expropriating property.

Part of the findings of the task team were presented to him by the legal department of the Raymond Themba Mavuso Community Development which reported that nearly 20 labourers had been evicted two weeks ago.

Mr Themba Dube, an attorney who handles the cases, said farmworkers were homeless, angry, hungry and jobless. Their former employees did not give them a chance to pack their scanty belongings accumulated over many years.

Some of the farmworkers lost their cattle and have been advised to lay charges of theft against their former employers at local police stations. However, he added, the police have not followed up their cases.

Dube said they dealt with more than 25 cases last week, 15 of which had been officially reported to their offices. In one of the cases 18 workers and their families were evicted from one farm. These included a widow whose husband had lived on the farm "from the cradle to the grave."

Lawyers have requested meetings with the farmers in vain. "We have made enemies with local farmers because we fight for farmworkers' rights," said Dube Phosa.

He would consult with the MEC for safety and security to ensure that farmworkers' charges were addressed.
KWV cheer for wine farm workers

By JEREMY WOODS

A NEW RDP programme to be launched by the KWV next year will focus on the priorities of wine farm workers — namely, housing, education, and health services as well as financial backing to establish new wine farms.

A key part of the programme is a plan to give wine farm workers financial backing to own new wine farms in conjunction with co-operatives or in partnership with other workers.

Industry sources believe that some R100 million could be available for this if fund-raising on the capital market is successful.

The KWV is the largest and most powerful wine co-operative in the Western Cape, supported by its hundreds of wine farm workers.

Much of the new programme is being implemented in conjunction with the Rural Foundation, which has organised most of the research into the wine farm worker sector.

Mr Theo Pegel, group director of human resources at a KWV, said teams set up by the Rural Foundation had completed interviews at 900 workers' houses on 300 wine farm wine farms.

Mr Pegel said one interesting aspect of the research was that local wine farm workers were "considerably better off than their counterparts living in towns and other rural areas."

Another was that workers' place great store on owning their own house.

"This could present legal problems if those houses are part of other wine farms, but this is being looked at to find a remedy."

Details of KWV's RDP scheme will be announced early next year.
VRENDAL: President Nelson Mandela has called for the immediate abolition of the dop system, in which farmers give workers wine as part-payment for labour.

Mr Mandela, speaking at an ANC-organised lunch during his visit here on Saturday, said the practice was still employed on a large number of farms in the area.

ANC Western Cape leader Mr Chris Nissen said the provincial government should consider appointing an ombudsman to deal with farm workers' problems.

Mr Mandela, addressing an ANC rally here later, said the West Coast fishing industry had an urgent need for clear quotas and a policy that would protect fishermen, their resources and the environment. The national and provincial governments had a duty to ensure this was done.

Mr Arrie April, who said he earned R70 a week working from dawn to dusk on a local wine farm, said he liked Mr Mandela. "I want him to make my life right so I don't suffer any longer." — Sapa
Wine workers ‘addicted to the dop system’

Edward West

CAPE TOWN — Wine workers wanted to keep the “dop” system — where wine is given as part of their pay — because many were alcoholics, the workers’ union said yesterday.

The non-affiliated Farm, Food and Rural Workers’ Association, representing 57,000 farm workers in the Western Cape, said it supported President Nelson Mandela’s recent call for the system’s abolition. But spokesman Grant Twigg said there was strong resistance from workers, and the union’s stance had already cost it members.

“You will have a problem convincing farm workers to stop this practice, as a lot of them are addicted to alcohol already,” Twigg said. “In addition, the farmers usually argue that the farm workers insist on their ‘dop’.”

Mandela said the system was still employed on a large number of farms, and should be abolished immediately.

Western Cape economics minister Chris Nielsen said the system kept farm workers in “perpetual slavery”, it lowered productivity and contributed to alcoholism. “All manner of churches, non-governmental organisations and political organisations have spoken out against this practice.”

Twigg said the system could only, however, be phased out gradually by interdepartmental government action and by finding an alternative incentive. “On many farms there is no other recreation for the worker,” he said.

Workers, some of whom earned R160 a week, had little disposable income, and most received incentives, such as wine or rent-free housing.

But Nielsen said some farms were paying workers just R60 a week. The days farmers could argue that they paid low wages because of other incentives were over. Workers’ housing was subsidised by government, he said, and farmers could “even have their Mercedes classified as a farm implement”.

— Cape Times 21/12/1995
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Tot-system evil still rampant on wine farms

Cape Town – Alcoholism is rife among workers on South African wine estates where the tot system of paying them partly in wine is still widely used, a farmworkers’ support group said yesterday.

Despite a call from President Nelson Mandela to end the practice, it lived on among older workers on many white-owned farms, said Grant Twigg, secretary of the Farm, Food and Rural Workers Support Association.

"But workers are scared to speak out because they are addicted to alcohol and are scared of victimisation."

Twigg, who is leading a campaign calling for rehabilitation of workers on the colonial-era farms around Cape Town, said most workers had nothing to do but drink. He added that they needed educational and rehabilitation programmes.

The practice of paying farmworkers with wine as part of their wages, called the tot system, was introduced by white farmers in the early 1900s to keep wages down.

"This iniquitous, outdated and destructive system has done enormous social and other damage to wine farm workers over the years," wine trader Vaughan Johnson said.

But he was optimistic the problem could be tackled among younger workers.

"Alcoholism has been a serious problem, but it is getting better and some of the children of the old grape-pickers are quite anti-wine now."

– Reuters.