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HSRC Election Synopsis: Farm Workers and Land Redistribution

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HSRC Election Synopsis Topic: Farm Workers and Land Redistribution in the Free State

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1 Synopsis

It is the stated intention of the government to redistribute 30% of white-owned farmland in South Africa black farmers by the 2015. This is to happen under the auspices of the Department Land Affairs, which coordinates the country's land reform programme.

The government's land reform programme, as administered by the Department of Land Affairs (DLA), consists of three distinct sub-programmes: The first of these is land restitution, and is aimed at giving victims of forced removals under apartheid back their land. The second is tenure reform, which seeks to strengthen the security of tenure of farm dwellers.

The last part of the programme is that of land redistribution, which aims to provide black people with their own land by way of the Land Redistribution for Agricultural Development Programme (LRAD), which was unveiled in 2000. The programme has the following characteristics:

- LRAD provides access to grants under a sliding scale, whereby the applicants contribute a certain amount and then receive a grant based on the size of their contribution.
- A key feature is that the contribution does not necessarily have to be cash but can also be in labour or in kind, which can earn each individual applicant a grant of up to R 5 000.00. The largest grant available is R100 000.00, and to obtain this the applicants will have to make an own contribution to the value of R400 000.00.
- To obtain this grant the applicant must be in possession of a business plan that indicates that he or she will spend a significant amount time towards the establishment and maintenance of the intended project.

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- Contributions by beneficiaries in kind can be calculated by determining the value of assets possessed by the beneficiaries such as machinery, equipment or livestock.
- A cash contribution can consist of the applicant's own funds, borrowed capital or possibly a combination of the two.

2 Meanwhile, back at the *plaas*: land reform in the Free State

At the time of writing, the following had been achieved in the province in the way of land redistribution and restitution.

2.1 Land redistribution

Land redistribution in the province had been progressing at a brisk pace. Between 1994 and June 2003, approximately 195, 300 hectares of land have been delivered to 7,000 households (female-headed households comprised 7% of all beneficiary households). Most of the land delivered (90%) have been through the SLAG and LRAD (the former was the predecessor to the latter) programmes as well as through municipal commonage (land owned by municipalities). The following can be said to have been achieved in the province:

- 2,700 households benefitted through SLAG, gaining access to 49,500 ha of land.
- 1,800 households benefitted through LRAD, gaining access to 86,500 ha of land.
- 1,500 households benefitted through the municipal commonage programme, gaining access to 42 000 ha of landⁱ.

2.2 Land Restitution

The state of land restitution in the province is reflected in the following statistics:

- Of 2,769 claims lodged in the province, 101(4%) were rural and 2,668 (96%) were urban.
- By 2003 March, there were 1,152 settled claims, of which 14 were rural.
- The average claim settled in the Free State has 2 households per claim with 35 hectares per claim.
- The rural claims settled as of March 2003 were Andriesfontein, Bethany, Oppermansgronde and Palmietfontein. These involved 41,608 hectares transferred, about 245 households benefittedⁱⁱ.

Most of the settled claims are urban claims that have been settled through financial compensation. However, the bulk of the rural claims – that hold most potential to transform landholding, redress the past and address poverty – are still outstanding. Rural claims are large, complex (overlapping claims to land, owners and tenants, claimants and farm dwellers) and costly.

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3 Decline in the hinterland

The LRAD programme takes on a further significance in the face of the declining numbers of farm workers. In 1988, there were some 1 219 648 farm workers in South Africa, by 1996, this number had declined to 930 141. The Department of Labour suggested that the number had been reduced to 930 000 in 2000 and an estimate by a development consultancy in 2003 put the number at 746 000 (a drop of some 39% from the 1988 figure). This trend is clearly visible in the Free State, in 1994 the province had about 70 668 regular farm workersⁱⁱⁱ, by 2003, the number had declined to about 40 000^{iv}.

Access to the LRAD programme presents what may well be the only opportunity many current and former farm workers have to acquire their own land as well as (in light of the statistics mentioned above) to escape rural poverty. However, research conducted by the HSRC amongst farm workers' unions across the country, farm workers in the southern Free State and Northern Cape as well as government officials in the Free State suggests that many farm workers find the programme difficult to access.

4 The Accessibility of the Land Redistribution Process to Farm Workers

Organisers attached to farm workers unions interviewed are in agreement that the DLA has been unsuccessful in informing farm workers what options were available to them to acquire their own land under LRAD. The following reasons were mentioned:

- The offices of the DLA are usually located in town. In some cases workers were living on farms that were quite remote and where public transport was not available. This made reaching the offices very difficult for farm workers^v.
- The offices are open during the week, when workers can't leave the farm the because of their employment responsibilities^{vi}.
- Workers are isolated on farms and often do not even know where the offices of the DLA are located^{vii}.
- Workers are poorly informed about the role and function of the DLA and have confused it with the Department of Labour, which performs inspections on farms to ascertain whether labour legislation is adhered to^{viii}.
- In the Western Cape language is a problem as some officials in the offices in town and most in its head offices use English as a communication medium. Farm workers in this province is mostly Afrikaans-speaking and do not understand English very well^{ix}.
- The DLA is perceived to be reactive and competent when dealing with individual cases but not 'pro-active' in informing people about its activities^x.
- There appears to be a high turn-over of staff at some of its offices^{xi}.
- No visits to farms have been conducted by DLA officials to inform workers of what options are available to them under the land redistribution programme^{xii}.

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Senior officials in the DLA in the Free State indicated that the Department used a number of methods to inform people about the land redistribution programme. In the beginning of the year, the department identified towns where 'officials think' its services are not widely known. These towns will be visited in the course of the year. Meetings are arranged in such towns and the municipal councillors are used to alert farm workers of such meetings. Because access to farms might be a problem for the councillors, the Department also alerts local schools with a view to persuading the children of farm workers to inform their parents of such meetings (usually scheduled over weekends). It also distributes pamphlets at the local church.

Personnel attached to the Department use the occasion to inform those attending of the entire gamut of land legislation, including Extension of Security of Tenure Act (ESTA), the Labour Tenants Act (LTA) (both act are aimed at increasing the tenure security of workers on farms and for part of the tenure reforms sub-programme) as well as LRAD. An attendance register is taken and according to the official interviewed, most of the attendees are usually farm workers. The Department also uses both regional SABC radio stations as well as community radio stations to inform workers of LRAD, a fact confirmed by union organisers in other provinces^{xiii}.

However, the official interviewed freely admitted that the department's offices, located in Bloemfontein were inaccessible to farm workers as transport was a problem. The department also faced staff shortages in the province, which meant that fewer field visits were conducted. He also expressed concern that the LRAD policy document was only available in English. A summary was available in a local language, SeSotho. It was felt that the summary would contain enough detail should someone be interested in accessing LRAD. Union organisers were quite correct to note that the DLA did not visit farms to inform workers about LRAD, as the department did not conduct such visits. The interviewee explained the officials only visited farms once a call had been received from either a farmer or workers and that such visits mostly dealt with the threat of evictions. Staff shortages kept the department from organising farm visits and political considerations also had to be considered.

The official comments that 'farmers now regard the DLA as their enemy because of ESTA and the LTA'. He also noted that in some instances farmers had denied government officials access to their farms, or have at times confused his Department with the Department of Labour and accused its officials of 'trying to incite the workers^{xiv}'. The Member of the Executive Committee for Agriculture in the Free State indicated that the provincial Department of Agriculture's extension officers are also responsible for informing workers about LRAD and that they have been very effective in this regard^{xv}.

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5 Current knowledge among farm workers of the LRAD process

A study conducted amongst farmers and farm workers in the southern and western Free State in mid 2003, asked farm workers whether they would want their own land, and if so, what kept them from acquiring it and whom they would approach for assistance. The results were highly revealing.

- Five farmers and workers were interviewed in Fauresmith, a sheep and cattle farming area. Three of the workers indicated that they would like to own their own farms but were obstructed from acquiring a farm by a lack of capital and experience. One farmer was assisting a worker to acquire a farm^{xvi}.
- In Jagersfontein, where the farmers also tended to farm with sheep and cattle, three farmers and workers were interviewed. Two workers stated that they would like to own their own farms but felt they did not possess the necessary capital to acquire one. One worker felt that it was the responsibility of the government assist him to attain a farm but had no idea which institution to approach^{xvii}.
- Eight farmers and workers were interviewed in Phillipolis. Sheep farms predominate this area, but horse, cattle and goat farmers are also to be found. With one exception all of the farm workers interviewed suggested that they would like their own farming enterprise. However, they have not attempted to acquire a farm because they lack the necessary capital, equipment and farming experience^{xviii}.
- Seven farmers and farm workers were interviewed in the Colesberg area. Like the other areas mentioned above, the majority of the farmers in this area own sheep, game and cattle farms. However, there are also a strong complement of irrigation farmers, who farm with lucerne and maize. Only three of the workers interviewed felt that they would want to own their own farming enterprises. They had refrained from trying to acquire a farm for the same reasons as mentioned above^{xix}.

The study suggests that knowledge among farm workers of the LRAD process is sorely lacking. The reason most often cited for why no attempt had been made to acquire a farm was the lack of necessary capital. Yet, the provision of such capital is one of LRAD's primary goals and reasons for existence as a policy. No farm worker could even name the programme. This state of affairs casts doubt on the efficiency of both the DLA and the provincial Department of Agriculture in the Free State to provide farm workers with the necessary information concerning land redistribution.

The findings are supported by information received from union organisers in other parts of the country, when asked what the biggest obstacles were to their members acquiring their own land. Organisers indicated that their members were in some cases living in very isolated areas where it was difficult to reach them with information^{xx}. Commented an

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organiser 'they (the workers) don't know the channels, all they know is the farm's back yard'.

6 Where do we stand? positions of key role players

The position of the key role players in the process of land redistribution can be summarised as comprising the following:

6.1 Department of Land Affairs and the Provincial Department of Agriculture

Officials attached to the Department of Land Affairs admitted that the offices of the department were inaccessible to workers, as it was based in Bloemfontein. Furthermore, the same interviewee expressed concern that the documents relating to LRAD were in English and not available in SeSotho, the local language most widely spoken. However, in the Department's view its measures to inform workers of the LRAD process were adequate (see section 4).

The MEC for Agriculture in the Free State were of the opinion that the extension officers attached to his department were very successful in informing farm workers of their options under the programme. He went on to indicate that the department was hamstrung by budgetary constraints, as it would need R120m to process and finalise all LRAD claims in the province, but that only R27m was available in 2003. This amount was spent in the first four months of that year^{xxi}.

6.2 Farm workers

The synopsis had shown that LRAD programme were unknown to many farm workers and that many failed to identify the programme by name. Organisers attached to farm workers' unions insisted that the DLA was not effective in distributing information to farm workers about the programme and that department was inaccessible to workers for a number of reasons (see section 4).

6.3 Commercial farmers' organisations

While stating that the province's record regarding land redistribution was admirable, representatives of commercial farmers organisations expressed concern that the province's effort were hidebound by regulations and policy determined on national level.

ⁱ Hall, R. and Jacobs, P. 2003 "Land Redistribution and Restitution in the Free State and the Northern Cape," PLAAS, University of the Western Cape.

ⁱⁱ Hall, R. and Jacobs, P. 2003 "Land Redistribution and Restitution in the Free State and the Northern Cape," PLAAS, University of the Western Cape.

ⁱⁱⁱ South Africa Survey 1999/2000;, p267

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- ^{iv} Telephonic interview on 24 November 2003, with P. Muller (Chief Executive Manager): Free State Agriculture
- ^v Personal Interview with Mr Tseleng Tao, Organiser North West, SAAPAWU; 13/11/03; Personal Interview with Mr Titus, President of SANFWO and Mr E Nanitise, National Chairperson, SANFWO, 31/10/03; Personal Interview with Mr Zacharia Mohane, Coordinator: NUF; 10/11/03.
- ^{vi} Personal Interview with Mr Tseleng Tao, Organiser North West, SAAPAWU; 13/11/03; Personal Interview with Mr Sipho Chibanga, Branch Secretary Portchefstroom, FEDCRAW
- ^{vii} Personal Interview with Mr Titus, President of SANFWO and Mr E Nanitise, National Chairperson, SANFWO, 31/10/03
- ^{viii} Personal Interview with Mr Jessiah Louw, FAWU Organiser: Worcester and Mr Innus Delpont, FAWU Organiser: Langeberg Western Cape, 30/10/03
- ^{ix} Personal Interview with Mr Frits Swartbooi, FAWU Organiser, Swartland, Western Cape; 30/10/03
- ^x Personal Interview with Mr Jessiah Louw, FAWU Organiser: Worcester and Mr Innus Delpont, FAWU Organiser: Langeberg Western Cape, 30/10/03
- ^{xi} Personal Interview with Mr Jessiah Louw, FAWU Organiser: Worcester and Mr Innus Delpont, FAWU Organiser: Langeberg Western Cape, 30/10/03
- ^{xii} Personal Interview with Mr Jessiah Louw, FAWU Organiser: Worcester and Mr Innus Delpont, FAWU Organiser: Langeberg Western Cape, 30/10/03; Personal Interview with Mr Tseleng Tao, Organiser North West, SAAPAWU; 13/11/03; Personal
- ^{xiii} Personal interview with Mr Pane Matsenyane, Chief Planner and District Manager for Xariep and Motheo Districts, Department of Land Affairs, 25/11/03; Personal Interview with Mr Tseleng Tao, Organiser North West, SAAPAWU; 13/11/03; Personal Interview with Mr Nyalang English, NUF Organiser, Nelspruit; 12/11/03
- ^{xiv} Personal interview with Mr Pane Matsenyane, Chief Planner and District Manager for Xariep and Motheo Districts, Department of Land Affairs, 25/11/03;
- ^{xv} Personal interview with Mr Mann Oelrich, Member of the Executive Committee of the Free State, 1/12/03
- ^{xvi} Pienaar D & Van Schalkwyk K, in Atkinson A, 'Urbanisation of Farm Workers: Volume 1: Locality studies in the Karoo livestock areas', 2003, Human Sciences Research Council.
- ^{xvii} Pienaar D, & Van Schalkwyk K, in Atkinson A, 'Urbanisation of Farm Workers: Volume 1: Locality studies in the Karoo livestock areas', 2003, Human Sciences Research Council.
- ^{xviii} Pienaar D, & Van Schalkwyk K, in Atkinson A, 'Urbanisation of Farm Workers: Volume 1: Locality studies in the Karoo livestock areas', 2003, Human Sciences Research Council
- ^{xix} Pienaar D, & Van Schalkwyk K, in Atkinson A, 'Urbanisation of Farm Workers: Volume 1: Locality studies in the Karoo livestock areas', 2003, Human Sciences Research Council
- ^{xx} Personal Interview with Mr Zacharia Mohane, Coordinator; NUF; 10/11/03.
- ^{xxi} Personal interview with Mr Mann Oelrich, Member of the Executive Committee of the Free State, 1/12/03