

A Brutal Harvest: The roots and legitimation of violence on farms in SA

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Preface

Extensive evidence of atrocities committed against black workers on white-owned farms has consistently been uncovered by progressive organisations working in the rural areas in South Africa. The evidence suggests the need for a thorough and systematic investigation of the nature and extent of violence on the farms, as well as a more systematic exposure of the findings. For the most part, the personality of rural South Africa remains a mystery to urban dwellers. The Black Sash and its rural project, the Transvaal Rural Action Committee (TRAC), approached the Project for the Study of Violence to undertake this research and this report was first presented at the Project's seminar programme at the University of the Witwatersrand.

Its findings have provoked strong responses from the farming sector. Kobus Kleynhans, the Deputy Director, General Services of the South African Agricultural Union (SAAU), was quoted in *The Star* as saying, "According to my observations, the situation (on the farms) is quite different. I reject these findings with contempt; they are nothing near the real situation ... I will not deny that some farmers do not treat their workers as they should, but this sort of information is not representative". (*The Star*, 16 October 1990).

In reply, it should be emphasised that firstly, while this study was conducted only in the South Eastern Transvaal, the case studies in this report are not isolated incidents

but were selected out of a large range of similar occurrences in the area. Secondly, rural advice offices in the Western and Northern Transvaal have reported similar cases of violent abuse of labourers on white-owned farms in their areas. Although the specific contours of the communities in these regions have not been investigated, some of the case studies directly corroborate the findings of this report.

The timing of this report is opportune as it coincides with President de Klerk's announcement that the Land Acts of 1913 and 1936 are to be abolished. These Acts have been pivotal in forging and determining the violent and exploitative relations on the land. The announcement is therefore welcomed as a significant step towards creating the conditions for changing the balance of power on the land. At the same time, this report serves as a warning against the belief that the scrapping of the Land Acts will put an end to the varying forms of violence on the farms. Just as repealing these laws will not necessarily ensure equitable redistribution of the land in South Africa, so too do they not necessarily signal a move towards more equitable labour relations on white farms. This report makes this clear in three ways.

Firstly, the racist attitudes and convictions of many white farmers is shown to underpin much of the violence on the farms. These attitudes will prevail well after the scrapping of the Acts. A reversal of these attitudes will only take place after a lengthy educative process undertaken by groups such as the local churches, the South African Agricultural Union, the Rural Foundation, etc.

Secondly, it is the very fear of white farmers and their increasingly vulnerable position, that has contributed to a growing pattern of abusive behaviour against farmworkers. The strength of the opposition of hundreds of white farmers to the scrapping of the Land Acts was demonstrated in their march on the Union Buildings just after the announcement was made.

Thirdly, the networks that have contributed – directly and indirectly – to the violence on the farms, such as the courts and the police, are still firmly entrenched in the rural areas. For these reasons, a campaign against farmworker abuse is more pertinent than ever before. We are calling for several steps to be taken.

Labour

- The right to organise unions on all farms and the protection of union members and organisers.
- Total prohibition on the uncontrolled use of child labour.
- Written contracts to mediate farmer-worker relations.
- Official enforcement agencies to monitor living and working conditions on the farms.

Land

- The recognition and upholding of the rights of families who have been living on land for generations to remain on the land.
- The right of people to return to land from which they have been removed.
- Affirmative action to allow blacks to buy land.
- No sale of communal land without real consultation with the people concerned.

The Law

- Repeal of legislation such as the Trespass Act and the Illegal Squatting Act in their present form.
- Access to legal representation for all people on the land.
- Fair policing and unbiased court procedures.

Introduction

The appalling conditions under which farmworkers live on white-owned farms are well hidden from public scrutiny. Those reports that reach us often evoke responses of denial and disbelief. Cloistered within the confines of urban society, reports on farmer brutality may be treated as "politically motivated" or isolated incidents or exaggerations and distortions of "what is really happening out there".

Indeed, in the eyes of an outsider, the brutality which constitutes the lives of black people on the farms defies comprehension. This may explain the reluctance of the press to systematically expose the cruelty of farm life for black labourers. In addition, it is easier to ignore the seamier sides of South African society, which would also explain the extent to which rural violence is suppressed. Only sensational incidents, in which the inhumanity of the farmer is indisputable, excite public attention.

In some cases, it is the writers themselves who attempt either to mask the extensive violence taking place on the farms, or to shift the responsibility for the violence away from the farmers themselves. The following extract taken from an extensive study on Afrikaans farmers in the Transvaal is perfect example of this tendency.

Harshness and physical assault of black workers by farmers, which may well have been found in the earlier periods was not observed. On the contrary inter-face relations with workers were generally characterised by behaviour ranging from friendly paternalism to coldness and an authoritarian indifference The handful of physical assaults on blacks of which the writer was informed by respondents, were apparently attributable to situations in which the farmer had lost control in the face of what he saw as unbearable provocation.¹

This study directly contradicts these findings. Incontrovertible evidence points to the fact that violence, in a variety of forms, is part of the daily, lived experiences of labourers on the farms. There is little discrepancy between the way incidents are described and the way that they occur.

The publication is divided into three parts. The first part describes the violence on the farms. These descriptions raise several questions, one of the central ones being: what

are the circumstances in this country which allow the farmers to wield such enormous power over their employees and treat them with a degradation so extreme as to be dehumanising. The second part examines the factors which create the conditions for, and contribute to the violence, and the third part attempts a closer scrutiny of the specific worldviews of the farming community in question.

While the paper reports the findings of a very specific study, largely confined to farms in the South Eastern Transvaal, it can be regarded as more general in two senses. There is evidence to suggest that much of what is described pertains to other farming areas as well. Secondly, it should be placed in the context of the epidemic of violence sweeping the country at present.

Violence on the Farms

An astute observer of labour relations in South Africa once said:

The roots of apartheid are not to be found in the white cities, nor even in the endless tunnels of the gold mines of the Rand. They are buried deep in the red soil of the white-owned farms, where for some 200 years, before even South Africa became an urban industrial economy and the word apartheid was thought of, relationships were being forged between white master and black serf.²

Today the relationship between "white master and black serf" on the farms stands as the embodiment of apartheid society. "Most administrative, legislative, educational, social and other facilities provided by the state in farming areas are for the exclusive use of white communities despite the fact that black people constitute over 90% of the farm population".³

The government's abdication from social responsibility for farmworkers has forced these workers into totally dependent relations with their employers. Whatever their precise form, farmer-worker ties are constructed around humiliating relationships of domination and subordination. As a result, studies of the South African countryside and of South Africa's approximately six and a half million black farmworkers⁴ and their dependents on white-owned farms, are littered with references to violence.

It is important to note that an act of violence does not simply refer to physical beatings and assaults. Structural considerations and work conditions on the farms should themselves be regarded as forms of both physical and psychological violence. Assaults and killings thus represent one extreme of a continuum of violence that assumes many forms.

Structural Violence

It is not possible here, however, to give a full account of the "structural violence" on the farms. Much has been written elsewhere on the inherently violent nature of the living and working conditions in the agricultural sector.⁵ For the purposes of this paper, a skeletal outline of some of the circumstances under which farmworkers live and work will suffice. These circumstances constitute the most concrete forms of structural and psychological violence on the farms.

Wages are uniformly low. For example, in 1986 the average earnings of farmworkers throughout South Africa, including payment in kind, was R103 per month.⁶ Wages as low as R5 per month have been recorded.⁷ In the same year, a report on health conditions noted that many farmworkers suffer from psychosomatic diseases resulting from excessive stress, exhaustion and monotony.⁸ It showed that South Africa's death rate from agricultural poisoning is at least 20 times higher than the US or Europe.⁹ Educational facilities are negligible. There is no formal education system on the farms. Farmers are free to choose whether or not to provide schooling facilities. If the farmer does provide education it is almost always restricted to primary education. "Until very recently, it was impossible to get permission for a farm school to go beyond standard five".¹⁰

Such conditions are perpetuated by farmers and effectively condoned by the state. One farmer made it clear that conditions on the farm were not his priority. He said,

... they prefer to live in these conditions. They are happy. To you and me they are shocking. This is absolute filth as far as we are concerned. Our conscience does worry us, but we have bigger problems, like finance.¹¹

In a similar vein, state authorities have turned a blind eye to these appalling conditions. The meagre regulations that do exist around housing, rations, medical care etc. are seldom upheld owing to the lack of any enforcement agencies. Hansard (the Parliamentary record) reflects that in 1980 there was not one agricultural labour inspector and no farms were inspected in that year.¹² There is little evidence to show that the situation has altered drastically in the last ten years.

The South Eastern Transvaal

Most of the research of this paper was conducted on farms in the South Eastern Transvaal. It should be mentioned that specific areas, as well as different sectors of farming, appear to be particularly conducive to violence. Extensive violence is often reported in the more isolated and marginalised farming communities, where farmers are threatened on both an economic and political level. In the richer, more capitalised agricultural regions, where workers are wage labourers, such as in the Natal Midlands, the Western Cape and the Western Transvaal, the conditions are more developed and there is less evidence of violence. In agribusinesses, where farms are owned by public companies who are listed on the stock exchange (for example, Lonhro and Afex Corporation, Rainbow Chicken, Tiger Oats, Tongaat Hulett's) poor conditions and brutal violence on their farming operations could be a grave source of embarrassment.¹³ However, in the poorer areas of the South Eastern Transvaal, Northern Natal and areas of the Free State, where the same black families have been

on the farm for generations, harsh treatment of the workers appears to occur with greater frequency.

Indeed, the South Eastern Transvaal is an area notorious for the extent of violence on the farms. A grim portent of what was to be expected on the farms was the "decorations" on either side of the gates of a farm we drove past. Hanging by their necks on the entry poles were two dead dogs which had not yet rotted. A fellow traveller explained that dogs belonging to the farmworkers on this farm are regularly shot by the farmer and displayed in this way. This section attempts to probe the question of violence in this area.

As the case studies indicate, the violence assumes many forms, such as neglect, occupational hazards, direct assaults and evictions. A common theme is the practice of labour tenancy, which will be briefly examined.

Labour Tenancy

A labour tenancy arrangement involves an African tenant family supplying their labour to the landowner for part of the year in exchange for the use of the farmer's land for their own farming purposes. From its inception, the system has been attacked by the state and white farmers who wanted black farmers to be "full-time servants rather than part-time farmers".¹⁴ Various attempts to substitute wage labour relations resulted in 1 million farmworkers and their families being removed from farms between 1960 and 1984.¹⁵ The government finally managed to abolish the labour tenancy system in 1980. It has continued to operate however, especially in poor less capitalised areas like the South Eastern Transvaal.

Importantly, the system's illegality has meant that the reciprocal obligations that labour tenancy held for both parties have been replaced by "farmers having carte blanche to treat their workers as they like".¹⁶ Under the new "hybrid forms" of labour tenancy, the farmers have reduced the size of their "tenants" plots, and new restrictions have been placed on the number of cattle they are permitted to keep. In "compensation", workers now receive monthly wages of R10 to R30 per month.¹⁷

With the abolition of influx controls, the prohibition of labour tenancy arrangements was also unintentionally abolished. Present legislation however, such as the Prevention of Illegal Squatting Amendment Bill (discussed on page 18), makes the situation of labour tenants even more vulnerable.

Personal Accounts of Violence

Most of the case studies of abused farmworkers that follow involve workers whose families have been labour tenants on white farms for generations. They are people deeply connected to the land, who are clinging tenaciously to their rights to remain as farmers. "Again and again tenants refer to the white farmers as transient sojourners and to themselves as the permanent inhabitants of the farms."¹⁸ They have said of themselves,

We are not people who are visiting or people who are passing through. We were born here. Another place we have not seen. We were born right here on this farm.¹⁹

Most of the farmworkers do not ascribe to the land laws of the country as set out in the official statutes. They are guided instead by a system of beliefs pertaining to land tenure by which they have lived over the centuries.

They are equally scornful of the legal mechanisms used against them. Farmers' attempts to nullify their contracts are met with the tenants' insistence that their contracts are in operation as long as they are fulfilling their obligations.

The place that labour tenants occupy along the spectrum of proletarianisation also explains the ferocity of their struggles. Their organic ties to the land, as well as their access to material income, sharply differentiates them from an ordinary wage labourer. Evictions mean not only losing the age-old organic link with the land, but also potentially mean a slide down the economic ladder into the status of a wage labourer. It is because the stakes are so high that the battles are so intense and bitter.

The cases reported here are those of people who have come to seek legal assistance at the clinics run by the Legal Resources Centre (LRC) in Kwa Thandeka and Driefontein. The case studies are told from the perspective of the tenants involved, although in some examples the cases have been tried in court as well. The names of the persons and places have been changed to protect the people involved.

Case One: The Face of Negligence – Thandi's Story

Thandi was born on the farm ... and has worked there for 31 years. From the time they were born, Thandi looked after Mr Anderson's (the farmer's) children. She later did domestic work for the family. She was being paid R50 per month. Her late husband likewise lived, worked and died on the farm. She arrived at the law clinic in February this year. My conversations with her revealed that despite Thandi's intimate familiarity with the family, they took no responsibility for her well-being, and ended up evicting her because of circumstances that they were partly responsible for.

Q: Can you describe what happened on the farm on the 12 October last year?

Thandi: All five of my houses²⁰ on the farm were burnt down with all their furniture and goods – all our clothes, blankets, money and possessions.

Q: How did this happen?

Thandi: Mr Anderson instructed the induna (headman) on the farm to take some workers and to burn a firebreak. But they didn't extinguish the fire properly and it went in the direction of my homestead. The workers came to me at work

to tell me what was going on, but when I reached my homes, they were virtually all burnt down.

Q: What did the farmer do?

Thandi: I came back and told Mr Anderson. He took his car and came to look at my house. He saw that it was burnt and that I had no food, no clothes, nothing. But he said nothing. He didn't even give me mealie meal to feed my children that night.

Q: Did he do anything to help you after that day?

Thandi: I went back to him on the 14th and asked for help. He said I must ask the government for help. So I went to the Piet Retief police station on the 16th October and reported the matter. I have gone back to them many times to ask for help or progress, but I never get anything from them. I went on working for October and November. I tried to fix up a place to live and make a tent for my daughter's wedding – all her presents for the marriage had been burnt to ashes.

Q: What happened after that?

Thandi: In December I went back to work and they wouldn't take me. They didn't speak to me. On the 29th January 1990, the boss told me I must leave and then he gave me a "trekpass" (notice of eviction). He said he doesn't want to see me on the farm.

Thandi is now desperate. She has no belongings and nowhere to go. Without the help of the farmer, she has no means with which to recover her losses.

Case Two: Farm Accidents – An Indicator of Abuse

Farmer negligence extends to their failure to reduce occupational hazards, or to take responsibility once occupational accidents occur. In the following case, the farmer actually obstructed the worker's claim for a disability pension. Timothy Hlatshwayo worked on Berthold Paul's forestry plantation. He lived on Driefontein farm.²¹ He earned R50 a month and received a small amount of mealie meal and sugar each month. On the 4 April 1982, Paul's pickup overturned whilst transporting his workers to the plantation. One man died, many were injured and Timothy broke his neck, with the result that he is now a quadriplegic.

"After a year the hospital sent him home and gave him R30-00 cash for travelling expenses for the journey. He was delivered to Paul's farm and not to Driefontein

which is 20 kilometres away. Paul refused to take him home. He had to use the R30-00 to hire a vehicle to take him home. Hlatshwayo is totally disabled and needs constant care and attention."²²

Paul is responsible for the accident and yet he has given nothing to Timothy. He repeatedly resisted filling in the "Employers Accident Report" which would enable Hlatshwayo to receive Workman's Compensation (WCA) from the State. Lawyers struggled for a year to get the WCA, and then for another two years before they were able to secure a disability pension. The amounts paid out are pathetic, as they are calculated as a portion of Timothy's wages. The family ended up relying on Mrs Hlatshwayo's wage of R35 per month.

Case Three: Assaults – An Integral Part of the Working Day

The flip side of farmer negligence is the direct abuse of workers; assaults are part and parcel of the lives of farmworkers. Violence is resorted to at the slightest provocation, with little or no restraint being exercised on the part of the farmers. One wrong word uttered by the worker is sufficient to unleash the extreme violence of the farmer. In a rather bizarre twist, the farmer's abusive behaviour often results in the assaultees then being kicked off the farm.

For 30 years, Mr Jacob Maseko and his family have lived on a farm owned by Mr Simon in Belfast. They are labour tenants. At intervals, the farmer gave them a bag of mealie meal. On the day in question, the family received a 50kg bag instead of their usual 80kg. When Jacob approached the assistant manager to enquire about the 30kg deficit, he was accused of being cheeky and was then brutally assaulted:

Mr Smith grabbed Jacob by the throat and forcibly choked him and hit him with a tight clenched fist all over his face, chest and neck and then pushed him against the wall several times.²³

The assault upon Jacob is made more serious by his pre-existing critical heart disease for which he receives regular treatment in Pretoria. Mr Smith was well aware of this situation. Jacob then received a "trekpass" (eviction notice) from Mr Smith which stated that he must leave the farm within 10 days:

Notice is hereby given that you should move out of the farm ... before the 26th April 1990. If you do not comply with this, permission has already been sought for us to take drastic steps against you. Yours Sincerely W Smith.²⁴

The "trekpass" did not include his aged parents, Anna and Robert. They are concerned, however, that if Jacob leaves the farm they will ultimately be evicted because there will be no able-bodied child to work for the right to live on the farm, in terms of the labour tenancy contract agreement. Jacob realises that he will have to waive his right to claim damages in order to negotiate for his parents to stay.

This incident seems minor in comparison with what happened to Simion Mambakase on Kurt Paul's farm. Simion had lived there for 25 years. He had watched Paul "grow up before his eyes". Simion's story goes as follows:

Paul arrived at my house and ordered me into his van. I objected because the last time he ordered me into his van, he tried to arrest me. He then forced me into the van at gunpoint. We drove deep into the forest , where with a gun and chain in hand, he ordered me out of the truck. I kept on asking him what I had done. He said that unless I told him where I had hidden the zinc sheets I had stolen, he would kill me. I told him that I knew nothing about this and that I had already told the police that I knew nothing. He then held my neck against a tree trunk and padlocked me, standing, to the tree. He proceeded to hit me in the face and I started bleeding from my forehead. He said that I would stand there until I told him where the zinc sheets were. I said that "you had better kill me then. For I cannot tell you what I do not know". Paul left me tied to the tree with no food or water. He returned later and started beating me again.²⁵

At lunch, fellow workers came to give Simion some food but they were too afraid to cut the chains or report the matter to the police. Eleven hours after he had first been chained, Paul came to free him, saying that he had to go to Johannesburg and that if Simion tried to escape, he would find him wherever he went. The civil claim for damages that was brought against Paul was settled by him agreeing to pay R7 500 in damages. Simion fled the farm and is now living elsewhere.

Case Four: The Ultimate Punishment – Forced Evictions

Eviction notices are the most common form of violent action taken against tenants by the farmers. The cases demonstrate the farmer's complete lack of sensitivity to the workers' ties to the land, as well as to the immense suffering that the eviction causes. They are used as a means of criminalising the tenants' occupations on the farms by charging them under the Trespass Act and the Illegal Squatting Act. In so doing, the state becomes an active agent of this eviction process, thereby politicising the issue of rights to the land. Moreover, the eviction procedure is highly arbitrary and authoritarian. The result is that it is those who are defending themselves against evictions (the farmworkers), who ultimately face the onus of proving that the evictions are either unlawful or that an unreasonable time period has been set to vacate the farm.

The most common story presented by labour tenants to the court runs along lines similar to that of James Vilakazi's:

I have lived and worked on ... farm my entire life. My grandfather before me was born, brought up, died and was buried on the farm. My father was born on the farm and lived and worked there. When Johannes van der Merwe took occupation of the farm in 1985, I entered an oral contract of labour tenancy in terms of which I am entitled to live on the farm at my home with my wife, children and dependants. I am entitled to keep and graze my stock which included 17 goats and 14 cattle. I am entitled to plant my own crops in an area allocated to me. I am obliged to provide one worker to the farmer who will receive R15-00 per month. The contract is to endure for an indefinite period.

During 1985, James had an accident which prevented him from working and he arranged for his daughter Florence to take his place. Van der Merwe agreed but:

... at the end of November 1989 he gave verbal notice that he had terminated our contract and that I should leave the farm before the end of January 1990. Thereafter he refused to accept the services of my daughter. I have not breached any term of the contract ... I currently have a crop of maize on my lands which will only be ready for reaping in June 1990. Mr van der Merwe has breached the contract as he has never paid me the monthly amount of R15-00 per month. He has continuously required me to work overtime without recompense. Since 1985, he has unilaterally reduced the size of my fields.

In court, James denied that he was in unlawful occupation of any portion of the farm or that Mr van der Merwe was entitled to evict him. Van der Merwe's notice was oral and he required him to vacate the farm in an unreasonably short period.

Eviction orders served by the farmers are sometimes accompanied by the direct use of violence to forcibly remove the people concerned. What happened on the farm of a Mr H Klingenberg in August of this year is a good example of this trend.

For over a year, Klingenberg had been trying to evict Mr Mavimbela and his household, which consisted of 62 people who lived in 30 dwellings built up over the generations. Mavimbela is a labour tenant who was born on the farm, as was his father. He insists that his agreement with the previous owner of the farm is still binding. One month before the case for eviction was due to come to court, Klingenberg sent a bulldozer to demolish the 30 dwellings of Mavimbela's family.

Ken Margo, of the Transvaal Rural Action Committee (TRAC), went to the farm on the day and vividly describes what he witnessed:

Words are a poor substitute to describe the ruination that I saw The still intact thatched roofs of several huts were lying on the ground A square, plastered and painted house with three rooms, was still standing, filled with partly broken furniture, (just) like those fancy dolls houses. Tin roofs and lean-tos were lying higgledy-piggledy on the ground. And huddled in the middle of these ruins were the shattered, shocked people, including men, young children and old people.²⁶

Lieutenant Gerhard Fourie, of the Piet Retief police, confirmed that the police had been present at the demolition, but in a protective role only. "We went there to see that no crimes were committed", denying that a court order was necessary for the demolition to take place.²⁷

Ken Margo's report reflects however, that the police were on intimate terms with the farmer and were active in rounding up members of the household. They arrested Ken for trespassing and took him to the police station together with 24 other people. Ken was unable to ascertain what they were being charged with. They were eventually released but were told to be off the farm by the next day otherwise they would be rearrested. The Legal Resources Centre recently won a spoliation order, which means that Klingenberg is responsible for re-erecting all the structures demolished by him and for returning the site to its prior condition. The cost is estimated at R65 000.

The Matanzima family were likewise the victims of brute force when they were evicted from their farm near Piet Retief. The farmer, F E Ferreira, had a quarrel with the family's breadwinner over pay. Joseph explains that Mr Ferreira "had agreed to pay me R100 per month in cash ... (but) I was never paid more than R10".²⁸

The farmer's wife denied the allegation and said that the Matanzimas were evicted because Joseph refused to accept the wages he was offered.²⁹ The farmer sought a court order to evict the family, the judgement of which was taken without the Matanzimas' knowledge.

Joseph recounts what happened next:

On 30 April a South African Police van came to my home at Pampoenkraal They were accompanied by two lorries All my possessions ... were loaded onto the two lorries. To get access to our possessions they broke down the kitchen door. I was struck by a policeman on the back and by one of the white men on the face. I was then ordered together with

other members of my family to get onto the lorries. We were then driven off the farm and dumped on the side of the road with all our possessions. The messenger of the court took with him our Sony television set, one generator, some groceries and a case of beer We were forced to leave our chickens ... and maize crop at Pampoenkraal.

Things only got worse. While attempting to move their belongings, the Transvaal Provincial Administration arrived and confiscated all their goods as they were an obstruction to the passing traffic. The family, which included Joseph's 80-year-old mother who was sickly, spent cold nights sleeping on mats in the grass until they were taken in by sympathetic neighbours.

Case Five: Violence Against Children

Perhaps the most unforgiveable violence on the farms is that meted out against the children. More often than not, the children of farmworker families are drawn into the labour process without any regard for their age, abilities or their schooling calendar. The abuses they suffer are probably the most dramatic indication of the process of dehumanisation of labour on the farms.

While in the farmer's employ, a girl of twelve had her leg mauled by a dog belonging to the farmer. Her leg was amputated as a result. Not only were her parents not told of the incident until some time after it happened, but they were then threatened with eviction from the farm, the reason being that the little girl had been the only working member of the family and they were therefore no longer of "any use".

In this case, potential labour power is the totality of what the farmer saw in the child. Indeed, all the diverse forms of violence that have been described here are drawn together by the common underlying theme of dehumanisation. It is the process of dehumanisation which allows the violence to continue. This process is in turn informed by a variety of other factors, including land ownership, the current state of agriculture, the law and the level of unionisation on the farms. They are dealt with in some detail in the next section.

The Broader Context of the Violence

Violence on the farms clearly does not occur in isolation from broader trends within the country and, more particularly, within the agricultural sector. The historical development of the South African countryside has created the setting, and in some cases, has actively facilitated the violence that we witness today. The farming sector has always been South Africa's "golden boy", receiving special treatment and support from the government of the day.³⁰ This factor is clear in each of the sections examined below. The white agricultural sector however, is fast losing its prized position and has an increasingly precarious status. It is within this context that some of the growing violence can best be understood.

Power and political sovereignty are inextricably linked to rights over land. In South Africa:

Land has always been a contested issue In the centuries since the wars of conquest the legitimacy of white land-ownership is still not firmly established, especially in the rural areas.³¹

It is well known that white claims to, and control over the majority of South Africa's land, were won initially through the exercise of brute force over South Africa's black population and that successive governments have unashamedly passed a series of coercive legislative measures which have restricted black farmers' rights to the land. Two central pieces of legislation have been the 1913 Land Act and the Development Trust and Land Act of 1936. They effectively prohibited the purchase of land by blacks outside of the demarcated areas. The "scheduled areas" where blacks were allowed to buy land comprised 13% of the land. The development of the Bantustans and the forced removal policy were the logical extensions of the philosophy of a country divided racially according to rights to certain areas of land. The passing of these acts was a bid to ensure a constant supply of labour to the white farms, and to decrease competition in the agricultural market from black farmers.³²

Since the turn of the century, the struggles over the land have been fierce and emotionally charged. Eugene Terre Blanche stated:

My ancestors paid in instalments of blood for certain parts of the country. We bought land with blood and tears. We have a title deed on it It cannot be the property of an Indian or a Tswana.³³

Black resistance, from even before the time of the Industrial and Commercial Union in the 1920s, until the present, has equally been rooted in a fervent belief of black rights to the land.

The land issue has catapulted into a new prominence in our fast-changing political climate. With the prospect of a new government, the contestation over the question of land ownership has gained a new urgency. At the heart of the white agricultural sector lies the fear that their land will be taken away. An illustration of their resistance to this happening was the referendum held by the Transvaal Agricultural Union on the 4 July 1990. The 11 895 white farmers in the Transvaal who participated were asked to vote "Yes" or "No" to the question: Are you in favour of farmland being preserved for white ownership? An overwhelming 94,52 percent voted "Yes" and 4,76 percent voted "No".³⁴

There is a growing discrepancy between the farmers' stubbornness around the land issue and the perspective of the government. De Klerk's reassurances and attempts to placate the farming community are underscored by the reality that the status quo on the land cannot remain the same:

Of course, we also have to ensure that the opportunity for the private ownership of land will be extended to all South Africans without prejudicing vested rights ... *Private ownership of land however, does not mean that the owners should be allowed to use their land as they think fit.*³⁵

Whether directly or obliquely, the white farmer's use of violence on the farms is arguably related to this contest over rights to the land. Just below the surface of farmer aggression lies the growing fear that his land will be taken away. This fear has been augmented sharply with the announcement that the Land Acts, the bastions of white power, are to be abolished.

The Current State of Agriculture

The government's changing attitude towards the land question and the agricultural sector is taking place at a time when the entire profitability of individual agricultural enterprises is under threat. The ever-increasing farmers' debt, officially estimated in June 1988 to be R1,3-billion, appears impervious to every state palliative.³⁶ At present, 5,8% of farmers account for 38% of farm income, demonstrating the poor productivity of the bulk of farms.³⁷ That so many poorly productive farmers have stayed in business signals the extent to which agriculture has been artificially supported.

Nevertheless, the rising farm crisis has been accompanied by an unabated exodus of farmers from the land. Between 1968-78, the number of white farmers in South Africa dropped by 22%, from 93 000 to 72 000.³⁸ It is estimated that there was a further drop of 3 563 by the beginning of 1979.³⁹ The current massive drought is likely to greatly speed up this exodus.

Many individual farmers are clearly on the edge of catastrophe and Jon Huisamen from the Rural Foundation office in the Eastern Transvaal estimated "that between 20-40% of farmers will have to leave the land if subsidies come to an end."⁴⁰ Current state thinking appears to hold little promise for bailing farmers out of the current crisis. Barend du Plessis, Minister of Finance, offered a peremptory warning that things cannot remain the same and that "farmers could not expect the Government to put their interests above the national interests in formulating economic policies".⁴¹

Du Plessis also announced that aid programmes to farmers would be re-examined and that farmers would no longer be guaranteed of subsidies to keep them in production. This points to a new competition in which unprofitable farmers will be weeded out by exposure to competitive market forces. In what must be seen as a monumental move, the Government will also no longer make contributions to land bank reserves. Although government support to farmers has slowly been dwindling over the past decade,⁴² these present measures come at a time when the community is under great pressure on all fronts.

Historically farmworkers have been, and still are, excluded from the statutory legislation which is the basis of South Africa's industrial relations system.⁴³

- Farmworkers are expressly excluded from the Labour Relations Act, the Wages Act, the Unemployment Insurance Act, the Factories Act and until a few years ago, the Workmen's Compensation Act.
- There is no common law right to public holidays, sick pay or even leave pay. Nor are there any legal limits to the farmworker's working hours, or any statute to compel the farmer to pay his workers for overtime. There is no minimum age for farmworkers and consequently, the use of child labour is endemic on the farms.
- The regulations under the Hazardous Substances Act are inadequate in providing protection for farmworkers against daily exposure to toxic substances.

Thus South Africa's 1.3 million farmworkers are not legally protected, "and conditions on some farming operations have revealed that there is no bottom line to how bad such conditions may be under the law".

Workers rely on contracts to mediate their working lives. However, the most important aspect of a contract, namely the reciprocal exchange between two equals, is clearly not in operation. The contract is characterised by an asymmetrical distribution of power, in which the employer unilaterally makes the rules. Contracts are verbal rather than written and in most cases, workers rely on the employer's interpretation of the contract. With no written obligations to bind him, the farmer is free to dismiss his worker for whatever reason he wishes, and to decide on his own terms whether an action or request is reasonable or not. In reality, the relationship between farmer and labourer operates along the lines of a medieval master-serf relationship, rather than according to contractual principles.

In addition to legal discrimination by omission, farmworkers are also discriminated against by statutory commission.

Today, the main pieces of legislation enacted against farmworkers are the Illegal Squatters Act of 1951, the Trespass Act of 1955, and the General Law Amendment Act of 1962. Under the Act of 1951 a person may be evicted through conviction in a court for squatting, or after an enquiry held by a magistrate or most importantly through summary eviction with no notice, no possibility of representation or appeal. A member of the South African Police, or an official of a local authority can use this last method without reference to a higher authority. The latter Act also renders a trespass offence punishable, in appropriate circumstances, as a more serious offence of sabotage.⁴⁴

Attempts by the government to redress the imbalance of power on the land and to have limited rights conferred on the employee have met with great resistance. In 1982, the National Manpower Commission (NMC) was directed to investigate potential ways of regulating the conditions of employment of farm labourers and domestic workers. The farming sector's irate response prompted reassurances from the government that the investigation was to "protect agriculture from malicious attacks" and that the Commission would not overlook the "very sound relationship between farmers and their workers and the whole package of privileges that employees enjoy".⁴⁵ The farmers' response ensured that the report, presented in 1984, is yet to be published.

In August 1987 Mr S P van Vuuren, MP for the Conservative Party, said in the House of Assembly that there was "no place in agriculture for labour legislation, and the government had to ensure that powerful black trade unions were not allowed to organise farm labourers. The farmers do not want (African) trade unions and the (African) labourers do not need them".⁴⁶ The thinking of the agriculture sector is clear, the master- serf relations which have come to characterise agricultural relations on individual farms, are not to be tampered with, least of all by the government which over the past forty years has consistently, and actively, protected the feudal configuration on the land.

Failures of Unionisation – The Workers' Predicament

Trade union structures are extremely underdeveloped on farms at present and the unions that are operating in the farming sector (namely the Municipal, State, Farm and Allied Workers Union (MSFAWU), an independent union; the Food and Allied Workers Union (FAWU), a COSATU affiliate; and the National Union of Farmworkers (NUF), a NACTU union), have not made the same strides as those in industry. This absence of union activity is fundamental to any explanation of the poor treatment of farmworkers. In comparison with their industrial counterparts, the difficulties faced by farmworkers in creating unions and exercising workers' power are manifold.

Although the exclusion of farmworkers from the Labour Relations Act does not prohibit the formation of trade unions, it does mean that they may never register the union under the Act. They are also barred from using industrial conciliation machinery such as conciliation boards or the industrial court.

Difficulties in organising farmworkers range from the fact that workers are dispersed across very large areas, to legal prohibitions such as the Trespass Act, which prohibits farmworkers meeting on a farm where they are not employees.

Farmers also strongly resist the unionisation of their farmworkers. Wages are the single variable in the production process over which farmers have total control, and they strenuously guard their power in this regard. Endeavours to stave off unions range from physically attacking union organisers to more subtle methods.

However, the growing realisation of the potential threat of unionisation has also led to bodies such as the Rural Foundation advocating "social responsibility" programmes on the farms and attempting to persuade farmers that it is in their interests to improve labour relations. They are attempting to bring policies on the farms in line with "liberal" capital's industrial style of management.⁴⁷ Ironically, the establishment of liberal bodies/programmes on the farms often backfires, as the more freedom workers are given to discuss their problems, the more amenable they are to being organised into trade union structures.

The limited nature of worker resistance at this point in time can also be explained by the workers' lack of education and training skills, increasing unemployment throughout South Africa, and the poor prospects of agriculture in the Bantustans, all of which offer the workers few alternatives to farming activities as a source of livelihood. Losing one's job means not only a loss of income, but also a loss of shelter and access to the land where the family may have lived for generations. This arrangement consigns great powers to the farmer and encourages servile and deferential behaviour on the part of the worker. Moreover, the institution-like quality offers protection to the

employer as the work environment is isolated and removed from public scrutiny. Activities are carried out by the farmer under the relative protection of secrecy.

Phil Masia, the general secretary of the Municipal State, Farm and Allied Workers Union (MSFAWU) believes that "once the farmers know that their workers are unionised, there are not high incidents of violence and farmers stop brutalising their workers. The issue of organisation is thus central to the problem of violence".⁴⁸

Together, the legacy of land ownership, the huge farming debt, the bias of the law, and the underdevelopment of unions, all create the conditions for violent incidents. They do not, however, offer an adequate explanation for the violence itself. It is necessary to go one step further and investigate the nature of the world in which the farmers operate, their worldviews, and their moral values. These aspects, which are informed by and intersect with the broader factors, will shed some light on the forces that govern their lives and which allow them to act as they do. The following section attempts to penetrate the machinations of the farming community.

The Perpetrators of the Violence

It has been argued that the roots of the violence on the farms are to be found deeply buried in the history of the land deprivation and intense economic exploitation of black farm labour since the turn of the century. This has translated into extremely authoritarian and coercive relationships between farmer and worker. For the farmer, intensive labour exploitation is perceived as a necessary adjunct to economic survival.

This inheritance is overlaid by community and familial ideologies and practices which further license and endorse exploitative behaviour. The patriarchal and racist values to which the farmers ascribe further entrench their own sense of omnipotence in relation to their black workers and justify exploitative behaviour. The church, police and courts are in different ways complicitous in the brutal relations on the land.

The Relationship between Farmer and Workers

The farmer and his worker grow up side by side together. Each day, they sit together and watch the sun going down. Then the farmer goes back to the big farmhouse and the worker goes back to his shack. This situation has become natural. The farmer is the worker's friend but he is of blue blood. He goes back to his castle and has aristocratic rights. The worker goes back to his shack.⁴⁹

The above quotation captures certain contradictions in farmer and worker perceptions of their mutual relationship. The mutual dependence and common environment that they share suggests a sense of community and intimacy on the farm. Yet, this is a community which is highly divided and stratified; the dimensions of apparently common interest are ultimately shattered by the farmer's ownership of the land and the underlying relationships of domination and subordination. The relationship is

ultimately a relationship between a master and servant, between a white "baas" and a black worker. In the final analysis, it is this underlying asymmetrical power relationship which is pervasive.

Indeed, these power relations are internalised and accepted to the extent that the switch from friend to foe appears as "natural" to the farmer and worker alike thereby muting the contradiction of the simultaneity of the farmer as friend and foe.

This can be demonstrated by the following description by Dave Husy:

The farmer will play the accordion with his workers on his stoep at night, and then he'll "moer" one of the guys during the day. That night the workers will return to play the accordion on the stoep.

Patronising and even brutal behaviour on the part of the farmer is accepted because of the position of power which the farmer occupies. Indeed, the very act of the farmer's violence is a display of his absolute power. It is meaningful because as Foucault says of torture, it is used "to make everyone aware, through the body of the criminal, of the unrestrained presence of the sovereign".⁵⁰

The lopsided power relationships between farmer and farmworker, which permit the farmer's use of violence, are never unidimensional. Whilst they are fundamentally underpinned by racial and class divisions, these factors operate in tandem with other expressions of the power imbalance. One other such expression is to be found in the metaphor of the extended family, which creates another prism through which the farmer- worker relationship is reflected.⁵¹

While the farm is a microcosm of apartheid relations, it is also a community in which one can identify elements of the behaviour of an extended family. The workers on a particular farm will identify themselves as belonging to that farm. They may even feel an allegiance to their "master" and set up competitive relations with workers on other farms. Within this "extended family", the farmer assumes the metaphoric role of "father".

As opposed to the rights which characterise the contractual relationship between a worker and a boss in a factory, the relationship between farmer and farmworker is governed by a set of rights, obligations and duties which are characteristic of rights in a family and the farmer operates according to the logic of the family; in return for his obligation to take care of his workers, he expects obedience, loyalty and subservience to his will. If these expectations are not fulfilled, the farmer possesses the right to punish and withhold his approval. Similarly, the workers can expect rights which are fitting to offspring.

The father-child analogy is appropriate on a number of levels. On the farms, the workers have nothing but the passage of time which moves them from the world of a child to that of an adult. From the time that the worker is born, the farmer has control over the provision of housing, food, medical care and access to farm schooling and to land for private cultivation. He has control over the very things that conventionally mark the transition of a child to adulthood. Workers are never in a position to fulfil

those adult responsibilities since they are severed from the necessary access to resources which would allow this to happen.

Payment of workers in kind solidifies the farmer's role as patriarch. The tiny sum of cash that the workers receive represents a form of "pocket money" rather than a substantial wage income. Moreover, the worker sometimes hands over the money to the farmer for safekeeping, along with other valuable possessions.⁵² In so doing, the worker inadvertently entrenches his child-like status. In some cases, workers have little option but to buy at a farm shop where the prices of goods are likely to be more expensive, since they are determined by the farmer. Workers often run up substantial debts which further creates dependency relations with the farmer.

It is important to point out that the asymmetrical power relations on the land are endorsed by the traditional family structure of the small white farming communities. The family structure was described by a minister as very "authoritarian and patriarchal". Family gospel demands instant respect and obedience to the authority figure, in all cases the male patriarch. In the eyes of the patriarch, rights over inferiors imply rights over the bodies of inferiors. It would seem likely that expectations set up in the realm of the family are transferred directly into the workplace.

An assault may well be described as the farmer evoking a paternal right over the body of his worker. Just as a father sees it as his right to hit his children as a way of asserting his authority over them, so too does the shared perception of the farmer as father allow him to beat his workers. Violence is justified not simply by the farmer's position as boss, but also is justified as part of the structure of paternity.

On the part of his workers, there are contradictory and conflictual responses to their metaphoric role as child. On the one hand, workers regard the farmer as a father figure and develop a real trust and dependency relationship with him. They directly give over power to the farmer by, for example, bringing their child to the farmer to be punished.

On the other hand, workers are aware of, and will deliberately craft artificial forms of dependency. Workers will consciously tell the farmer what they think he wants to hear. For instance, they will deny having any allegiance to the ANC, or any other political organisation to which the farmer is opposed. In seeking a compliant path, they are again inadvertently bolstering the farmer's position of authority.

On another level, the male worker is a farmer in his own right and is the head of his own household. The interaction between the farmer and worker is thus also one between two patriarchs and between two farmers. The workers share with the farmer the agonies and joys of the agricultural cycles. Together they are subject to the vagaries of weather, poor crops, etc.

One may well ask at what point the "chastised child" appears at the legal clinic to seek retribution against the farmer or draws on the collective power of the body of workers. At what point do they challenge their status as "child"? The tentative answer that is posed here is that a worker will resist the farmer's behaviour if that behaviour threatens his or her existence. Thus physical abuse which endangers a person's life, or the threat of eviction from the farm, would be likely triggers for worker resistance. (This is not to say that these are the only times worker resistance occurs. But, as

described earlier, the low level of organisation combined with the strength of the farmer's position makes resistance very difficult).

Mr Khumalo's story illustrates this point. Mr Khumalo from ... farm describes how he had watched Heinrich Liebenberg grow up. He spoke of him as his "father", the man to whom he had entrusted his life earnings for safekeeping. One day, Heinrich mistakenly thought that Mr Khumalo was pointing a finger at him. He walked up to Khumalo and bent his index finger back, breaking it badly. Khumalo has lost the use of his finger. Heinrich apologised, but never offered to pay for the medical expenses. Mr Khumalo "couldn't trust that Heinrich would not hurt me again" and he packed his belongings and left the farm.⁵³

The relationship between farmer and worker is thus riven with contradictions for both parties. Chronologically, workers are adults in the world. Likewise, at home they have the status of fathers. Within the work environment, however, they are at times involved in child-like relations. The more aspects of their lives that the workers allow the farmer to control, the stronger is the declaration that the farm operates as a community. The workers tacitly endorse the fact that the transaction between them and the farmer is not a commercial transaction but is of another order.⁵⁴

The farmer also responds to his workers along contradictory lines. Structurally, he renders them dependent, forcing them to behave like children on the level of patronage, by not establishing real contractual work agreements between two equals. He will then, however, complain that his workers "behave like children and cannot take care of themselves". He accuses them of "being irresponsible and unable to make decisions without him". He does this without the self-consciousness of his own complicity in the workers' child-like relationship.

In the final instance, it is precisely the degree of closeness engendered by the familial and paternalistic set of links between the farmer and the worker that creates deep ambiguities, contradictions and structural instability, which in turn predisposes the relationship towards violence. It is because the emotional stakes are so high, and the fact that real bonds develop, that feelings of betrayal and revenge have a propensity to take on violent forms.

Language – A Passport to Brutality

Even the use of language complements power relations and patriarchy. There is an easy slippage between abusive and deprecating language and abusive physical behaviour. The daily discourse, including the terms used to address workers, directly sanctions brutal treatment of workers. A priest succinctly captured the power of labelling and its role in allowing for violent behaviour:

"A black person is literally a possession, an "it", not a he or she. They can therefore do with "it" anything they want to. There is an unquestionable feeling that a black worker is a secondary, or lesser, human being and that you can treat it the way that you would not do to a white person."⁵⁵

When asked how they were addressed by the farmer, farmworkers repeatedly gave replies such as "Hey Kaffir", "Kaffir kom hier". They did not try and challenge this behaviour because as one man explained, "He's a white man and we're black people

so there's nothing we can do".⁵⁶ Furthermore, farmers will often use a diminutive of the worker's name, reinforcing the tendency to render an adult in a child-like way.

Racist convictions underpin the way farmers talk about their workers. Here, a farmer's wife is expressing her opinion on the labour issue on farms:

"We treat our employees well. They can live here free of charge. We have even built houses for them. But now all the window panes are broken, and there is terrible dirt everywhere. You may not give a finger to any black, otherwise he takes the whole hand."⁵⁷

Language plays a material and functional role in maintaining the subordination of the worker.

Off the Farms

The world immediately beyond the confines of the farmer's own farm offers justification and validation for the farmer's behaviour, either by replicating it or through tacit, more subtle support and sanction. Other farmers in the district, and the people who live in the nearby town, form a tight network which is also characterised by hierarchical power relations and equally steeped in racist discourse. "The community is small and inward-looking, and consists mainly of people who have had a narrow upbringing and have not ventured beyond the confines of their small world."⁵⁸ The farmer is ultimately accountable to these people and it is within this broader social setting that the pervasive ideological tendencies which guide the farmers' perceptions and interactions are negotiated and confirmed. The social web of authority in these communities ensures that the traditional ways of behaving are upheld and that people are isolated if they deviate from the norm.

There is an alarming degree of co-operation between the farmers, the courts and the police in these areas. Farmers often enlist the support of the police in their endeavours to evict workers and seldom, if ever, get charged for contravening the law. When found guilty they are treated incredibly leniently.

Aninka Claassens, who has worked extensively in the South Eastern Transvaal, describes a typical scene in the courthouse in Wakkerstroom:

In up to 90% of eviction cases people are unrepresented. I am often amazed at their tenacity in stating their cases despite the odds against them. Often the proceedings are not fully translated for the accused, just the dialogue between the accused and the court. So the accused does not understand the evidence of the farmer. Worse than this, I have sat in cases at Wakkerstroom where the prosecutor and magistrate literally scream at the accused. In particular, I have seen the magistrate refuse to accept pleas of "not guilty", and repeatedly shout at, or question the accused

until he or she gives in. In many cases the translators adopt the same tone of voice as the magistrate. The LRC has had to complain to the Department of Justice via the Transvaal Law Society about the magistrate at Amsterdam's refusal to allow the public to attend court. Things are not this bad in all courts in the region but the system is open to abuse because there is no tape recording of proceedings; magistrates take notes which serve as the record of proceedings.⁵⁹

The discrimination of the law is not isolated to court proceedings. It pervades the entire system of justice in the area. Claassens went on to say:

The legal system condones the violence in the way it operates. In the eight years that I have worked in the region, eight cases in which blacks have died at the hands of whites have been reported to us. Half of the people were killed by the police. While the whites were found guilty of offences not one of them spent even a day in prison. Yet black people spend months in prison awaiting trial for minor charges. If whites were arrested and prosecuted and served sentences for the violence they inflict on blacks, this would serve as an enormous restraint on their behaviour. As the legal system operates at the moment, the degree of violence is institutionalised in rural society. The police are the only body with the physical power to restrain farmers, they are the people who act as prosecutors in most rural courts, and they also are the products of white rural society, in many cases from farming families themselves.⁶⁰

One only has to look at the kind of charges laid against farmers to understand the grave distortions of the system of justice. Certain magistrates are notorious for their biased sentencing. The regional magistrate of the Piet Retief district, Mr J Dacquier, found farmer Wilhelm Herman Rabe guilty of common assault and fined him R100 for assaulting his worker, Ekathi Xaba, who died 15 hours after the attack. An eye-witness, Mr Nkosi, describes how Rabe sent children to fetch Xaba, who was ill and had not reported for work. When Xaba arrived, Rabe "was very angry ... and took a wire and started beating Xaba He slapped him on his face. Xaba fell down and he started kicking him. He helped him stand up and then beat him until he fell down again."⁶¹ Mr Nkosi was not called to give evidence. Instead, Rabe arrived in court with two other workers who gave evidence for him.

An interview with Mr van Rensburg, the magistrate in the Amsterdam district, reflects nothing of these circumstances. The discrepancy between his own perceptions of his courtroom and the above accounts could be ascribed to his unwillingness to talk to a stranger. It more likely epitomises the closed and defensive nature of the white community in the area, who consider the goings-on around them as normal and justifiable.

An extract of the interview illustrates the point:

Q: Do you experience any problems with interpretation in court?

A: Interpretation is no problem at all. No-one tells the court that he cannot understand.

Q: Do you think there are any differences in the way that black and white people are treated in South African courts?

A: Not in my court! No, not at all. There is the same treatment for any of the accused.

After further prodding, the magistrate replied firmly:

I will have nothing to do with politics here in my office. There is definitely an equal system of justice for all people in this country. Justice has nothing to do with politics ... I have nothing to do with politics in my office or work.

The abuse of the legal apparatus by the key actors of justice is unforgiveable. It becomes even more reprehensible when the links between the courts and the police are revealed. Horror stories of biased policing and police brutality abound. The state of policing in this area lends further insight into the current national crisis around the role of the police in directly causing and perpetuating violence in South Africa. The ensuing story portrays the behaviour of the parties involved:

A farmworker was suspected of stock theft. On the farmer's request, he was arrested by the police and put into jail. There, he was allegedly continually tortured in an attempt to force him to admit to stealing the farmer's sheep. The police were unable to coerce him into making the statement they needed to prosecute him. The court repeatedly remanded the case owing to lack of evidence. Several weeks after the arrest, the man had apparently been so badly tortured by the police that he had to be carried into the courtroom in a blanket. This time, the magistrate dismissed the charge because of lack of evidence. The police dumped the

farmworker wrapped in a blanket outside the court. A passer-by took pity on this stranger and took him home to nurse. Two days later, the man was dead.⁶²

Criminal charges laid against the police in this case resulted in them being found guilty on a minimal charge of assault. The Legal Resources Centre took up a civil case suing the police for damages. The court eventually awarded R1 200 for damages to the deceased's father who, they reckoned, was old and dying, did not have very long to live, and therefore required only a small sum to keep him going.

Farmers use the police to support them in their own treatment of workers. For example, Emma from Mr de Klerk's farm in Amsterdam, arrived at the police station to lay a charge of assault against a fellow worker, Mbutu, who had entered her house and assaulted her. Mr de Klerk, who had refused to listen to her story or to intervene in the dispute, had phoned the police and told them not to take a statement from her. As a result, Emma felt very unprotected – it was clear that neither the farmer nor the police would help her if Mbutu attacked her again. She decided that the only solution was to pack up and leave the farm.

Perceptions of the police as violent oppressors rather than agents of law enforcement is an overwhelming disincentive for workers to lay charges against their employers. If workers decide to brave the system, the hurdles placed in their way are enormous. One small example is the procedures for laying a charge of assault. The form that the person is required to have filled in by a doctor is kept at the police station. People who have been assaulted arrive at the police station to be told that the "forms have run out", or are "locked up in a cupboard" to which the key has mysteriously disappeared. The close relationships between farmer and police can be extended to include the military. It has become well known in South Africa that farms, particularly those in the border region in the last few years, are perceived to be part of the military strategy to defend South Africa's borders. A South African General is on record as saying that the rural population holds the "key to the entire struggle for survival in which the country is engaged". Special measures were introduced to halt the outflow of people from the border areas. Farmers have likewise spoken of themselves as being "in the front-line of a country surrounded by politically hostile black states, whose public pronouncements make no secret of their determination to witness and assist the demise of white minority rule in South Africa".

They are on record as saying "Give us guns and we shall produce". A strong military presence has been reported in the South Eastern Transvaal. This area borders Swaziland, which in the past was considered to be an important base of the African National Congress.

The Church's Curtain of Silence

Religion, a central feature in the lives of farmers, is another dimension in the lives of the farmers which indirectly aids and abets the culture of violence.

The large German community in the South Eastern Transvaal are descendants of German missionaries who arrived in South Africa in the mid-1800s.⁶³ Over time, many of the offspring took to farming the land. Despite the fact that the new farmers no longer owed direct allegiance to the mission, they still very much depended on the

mission for their spiritual needs and the heritage of the church remained central to the culture. Over time, the church came to occupy a very particular place within their world. The church was the place where their home language of German was spoken and it is significant that the message of the church reached them in their own language. The farmers spoke Zulu to their workers while working on their farms and Afrikaans to their white counterparts while talking about the latest farming methods etc. German was the holy language for use in the home and at church, but not for their practices on the farms.

This neat linguistic division, with different languages for different areas of life, has a deeper significance. A clear division was set up between spiritual life, the world in which German was spoken, and material life, where Zulu and Afrikaans predominated. Thus the particular value system pertaining to a particular world remained locked within its own linguistic system.

The same appears to hold true for the farming community more generally. In an interview with Horst Muller, the Lutheran minister in Piet Retief and other ministers who were active in the district, the community was described as "a religious, church-going community, a community of believers". Religion plays a visible role in people's lives; Sunday rituals are a deeply entrenched tradition and are considered dear and important in the lives of the farmers. In a survey conducted in the Eastern Transvaal, only 3,5% of the respondents stated no religious affiliation.⁶⁴ And yet, what strongly emerged through the interviews was the discrepancy between the farmers' Sunday experience, and that of their daily lives. The religious convictions and ethics which are espoused in the Sunday sermon are very rarely lived out in the day-to-day setting.

According to a priest, the justification the farmers seem to offer for this discrepancy is "that the people that they have to work with make it impossible for them to be Christian and to treat them kindly".⁶⁵ Their having to work every day with uneducated workers, who on occasion steal from them or arrive at work on Mondays drunk, frustrates the farmers, and in their minds this is reason enough to overlook the ethic "do unto others as you do unto yourself". A German minister also explained that the values of hard work and diligence are a central part of German culture and the perceived lackadaisical attitude of black people proves infuriating.

This movement of excluding people by denying them the characteristics that make them "properly human" is indeed the basis of a slave mentality. It is interesting that Rabe (the farmer mentioned above for beating up his worker Xaba, who later died), is the elected leader of his church congregation. He stated categorically that:

**I have got an absolutely clear conscience before my God.
The trial has strengthened my belief.**

He then went on to justify the incident and undermine its significance in a rather unchristianly manner:

The doctors have told me that the liver of Xaba was so eaten up by alcohol that he would've died anyway in one or two years. I don't know what this whole "spiel" is about. This whole thing was played up by political circles. What

about the whites who are murdered by blacks? Of course you don't write about that!⁶⁶

He denied being a racist. "If I was a racist, would I ask him (a black man) into my house? The workers are allowed to plant mielies and keep cattle".

The church on the other hand may be accused of fostering this strict division between religious and work life by clinging to a position of neutrality and drawing a clean line between theological and political concerns. The religious message preached, as it was explained during an interview, is concerned with "the soul and feelings, the spiritual spheres of life."⁶⁷

Horst Muller believes that ministers require courage if they wish to take up political concerns:

"The attitude in the community is very much one of "don't bring politics into the church". Things such as labour matters are defined as politics as if you bring them up in church, you are likely to get a pressure group formed against you. It depends on whether you are prepared to face that or if you want to live in harmony with your community."⁶⁸

Whether deliberately or not, the church's silence around political issues endorses the view that politics is a separate arena, something "out there", and ultimately serves to entrench the status quo. Religion ends up as a powerful cloak for these people and as a central institution in the community, serves to plaster over the cracks that are beginning to threaten the hitherto stable foundations of these centuries-old master/servant relationships.

The Fear Factor

Perhaps one of the most important factors in explaining the violence is the collective and individual fear of white farmers. As a religious leader of the community noted:

Behind this whole world in which these people live, is a great fear that their world is disappearing. That fear is hidden by strong words of a faith that can protect them against these changes.⁶⁹

In an unconscious manner, the farmers have elaborately constructed a worldview which allows them to both explain and justify their behaviour as defensive. Interviews confirm that they are clinging desperately to a pattern of life and cultural ways that are in danger of being eroded. The increasing feeling of being under attack has led to a hardening of the interface between farmer and black labourer.

For many in this community, the experience of feeling threatened by outside forces has strong historical antecedents. As mentioned above, a large part of the community in question are German-speaking people who arrived in South Africa in the latter half of the nineteenth century. A primary experience for them was the land wars in Natal at the end of the 19th century and the consequent dispossession of large portions of their land.

In these areas, most families are third and fourth generation. Most of the farms have been family farms for hundreds of years. Many of the farmers thus have strong, historical family links to the region. A perceived threat to their land is in effect a threat to the foundations of their existence. Practically, many have no other skills besides farming. Psychologically, losing their land implies failure. It is considered sacrilegious to break the link with a farm that has passed through three or four generations.

The farmers' fears of losing their land are underpinned by real threats in the South Eastern Transvaal. Aside from the economic pressures described above, and the evidence that Government support is waning, an additional threat is to be found in the incursions of monopoly interests and agribusinesses. Anglo American companies such as Mondi and HLH have moved into the area, particularly in the forestry sector, and have succeeded in swallowing up one farm after another. It is estimated that in the Piet Retief district over the past year, 40 small-scale farmers have left the land due to economic pressures.⁷⁰ Even where farmers are not under direct threat of their own land being bought up, they feel threatened by their inability to compete with the higher wages and better working conditions that these companies can offer their labourers.

More fundamentally, the increasing pressure on farmers to capitalise and mechanise the labour process in order to compete with agribusinesses directly conflicts with many of their former labour practices. In the past, the under-capitalised, poorly endowed farmers have relied on large and unskilled labour forces, which have easily incorporated age and gender differentials. Now, however, labour tenancy arrangements, the use of family labour and paternalistic forms of control (as described above), are in conflict with the new demands for a specialised and smaller pool of labour.

A high level of paranoia amongst farmers was apparent from the interviews. One farmer became enraged when he was approached for an interview:

Recently many foreigners are coming here to cause unrest among the blacks. That is the last thing we need here. I don't trust you at all. Who are you? What do you want? I have a tape running here, I warn you!⁷¹

One manifestation of this paranoia is the perception that farmworkers now constitute an "enemy within". Horst Muller noted that the present political milieu has had a definite impact on the relations between farmers and their workers and it is possible to detect an increase in hostility. His greatest concern in the community is "the growing distrust between farmers and their workers. If something happens, for example a car theft, the farmer's first thought is that it must be an inside job and one of the workers is involved. They don't know who exactly the insider is, so everyone is suspected."⁷²

These perceptions may in turn explain the increasing affiliation of many farmers to right-wing political organisations. Richard Vilikazi, a social worker in the region, argued:

The farmer's behaviour is motivated by right-wing radicalism. In the country regions, the right-wing extremists

and the fascist Boere Party are strong. Terre'Blanche holds many meetings calling for an end to all reforms. Many sympathise with the AWB because they say de Klerk has sold out to the communists who want to nationalise farms.⁷³

Another interesting manifestation of the farmers' belief that their community is under direct attack, and their need for a scapegoat to explain their plight, may be found in the teachings of a group who refer to themselves as the "anti-Illuminati". This group has grown rapidly in influence among church-going communities in this region. The common wisdom of these people is that the Illuminati are a group of Jews and communists, located in the major centres of the world, who are controlling all significant political and economic happenings in the world. In a rather apocalyptic vision of life, they believe that all major events in South Africa can be traced back to the influences of this group who they see as responsible for the current chaos in South African politics, and who will ultimately be responsible for taking the land away from the white farmers.

When asked about the Illuminati, Horst Muller responded that "quite a few people have this way of thinking. Some people, maybe 20 or 30, have left our church because they say that it is dominated by the Illuminati. If I try to reason with them, they think that my criticisms are a sign that I'm a part of the indoctrination system. My argument is seen as proof of their point".

Conclusion

Farmworkers are treated with little or no human dignity and are the victims of extreme structural, psychological and physical violence. This paper indicates that the causes of violence on the farms are multi-dimensional. The broader political and economic exigencies confronting farmers, and the specific worldviews of the farming community itself, interact symbiotically. Both simultaneously contribute to, and justify the violence. The complicity of the courts and the police in the rural areas in turn both augment and condone the violence.

The complex explanation of the problem of violence means that no simple solutions will be forthcoming. The inclusion of farmworkers in the scope of the Labour Relations Act is not necessarily a guarantee that the conditions on the farms will improve. In the absence of strong labour organisations, the legal measures may simply be ignored by the farmers. Ultimately, "the best watchdog of farmworker interests are the farmworkers themselves".⁷⁴

Indeed, it is only with strong organisation on the farms that the feudal-type relationship between farmer and farmworker will be destroyed, and the relationship of total dependence will be replaced by one of reciprocal obligations.

The establishment of advice offices in small towns, which could record the incidents of farmer violence, would be a more immediate solution and would release the union organisers for more long-term work. "What is more important is that every assault case that comes to the attention of the organisers in rural areas is pursued vigorously. To reduce the level of violence and to destroy its role as a form of labour control it

must be challenged in a committed and concerted manner, involving concerted monitoring by organisations, with media, legal and political support from urban areas."⁷⁵

This paper has attempted to capture the flagrant and brutal abuses of basic human rights to which farmworkers throughout the country are subject. The fact that such abuses occur far from the lives of most urban dwellers makes it easy to regard them as somewhat peripheral to the concerns of daily life. But the very act of consuming food implicates all South Africans in these problems, and renders the exploitation of farmworkers an issue fundamental to the whole society. The words of Phil Masia express this well:

It is not enough to point fingers at the farmers. What about the whole society which wines and dines on the exploitation of the farmworkers Look at the urban people at, for example, the Johannesburg Sun. Do they think a bit when they sit down to eat their buffet where the food comes from? For them, milk and cheese come from the corner café They don't think about the other South Africa out there, that gives us raw materials. They don't see the farm as an important part of where food comes from. There is a complete separation of the farmworkers' world (For me) there is no fun in eating any more.⁷⁶

Notes:

¹ Hugo, P. *Afrikaans Farmers in the Transvaal: A quality of life profile*. Carnegie Conference Paper, No.74, 1984.

² Ainslie, R *Masters and Serfs*. London. 1973. p.282.

³ Ardington, L. Farm Villages. *Indicator SA*, Vol. 4 No.2. 1986. p.68.

⁴ The commercial agricultural sector directly employs about 1,3 million workers and indirectly supports about 5,5 million people. (Human Awareness Programme Booklet, HAP, *Farming the Land*).

⁵ See bibliography for extensive references.

⁶ *South African Institute of Race Relations (SAIRR) Survey*. 1986. p.429.

⁷ HAP Booklet (see 4).

⁸ Published in *Critical Health*, No.16 and No.17. September 1986.

⁹ *Rand Daily Mail*. 21 February 1985.

¹⁰ Ardington, L. *Farm Villages*. p.70.

¹¹ *Sunday Tribune*. 12 November 1988.

¹² Hansard: Quoted in Thompson and Haysom *Farm Labour and the Law*. Carnegie Conference Paper No.284. 1984.

¹³ This does not guarantee that violence on these types of farms does not occur.

¹⁴ Human Awareness Programme (HAP) Dossier: *Land in South Africa 1989*. p.9.

¹⁵ Platsky, L and Walker, C. *The Surplus People: Forced Removals in South Africa*. Ravan Press, Johannesburg. 1985.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ This was evidenced in all the interview material and court proceedings of farmworkers from the area.

¹⁹ From *The Weekly Mail*, 25 March 1988 and TRAC pamphlet 1988.

²⁰ She and her husband had built up this homestead over the many years that they had lived on the farm.

²¹ Driefontein is a black freehold farm which successfully resisted removal.

²² Taken from the Transvaal Rural Action Committee's (TRAC) case studies of violence.

²³ Statement made by Jacob Maseko 23 April 1990.

²⁴ Trekpass given to Jacob.

²⁵ TRAC case study.

²⁶ Report drafted by Ken Margo after his visit to Piet Retief to assist with the Mavimbela eviction case.

²⁷ Quoted in *The Star* 19 August 1990.

²⁸ Interview with Joseph Matanzima.

²⁹ Quoted in the *City Press* 8 May 1988.

³⁰ The National Party has consistently, since 1948, supported agricultural interests as white farmers have been an important source of support. Constituencies were de-limited in such a way as to over-represent rural areas considerably.

³¹ Claassens, A. Rural Struggles in the 1980s. *Umhlaba – a TRAC publication*. p.1.

³² The manufacturing and mining boom, which began in the mid 1930s, severely threatened the labour supply on the farms. Industrial enterprises were able to offer much higher wages than farmers. Instead of improving conditions on the farms and bringing salaries in line with industry, the government leapt to the aid of farmers.

³³ Quoted in Claassens, A. *Rural Land Struggles in the 1980s*.

³⁴ *The Citizen* 4 July 1990.

³⁵ *The Saturday Star*. 25 August 1990.

³⁶ *Business Day*, 23 September 1988.

³⁷ *Finance Week*, 28 June 1990.

³⁸ Quoted in Pierre Hugo Afrikaans. Carnegie Conference Paper, No.287.

³⁹ Ibid.

⁴⁰ Interview with John Huisamen, from the Rural Foundation, Eastern Transvaal, 7 September 1990.

⁴¹ *The Saturday Star*, 25 August 1990.

⁴² Since 1988, the Land Bank has charged commercial interest rates to farmers instead of their previously cheaper rates. Higher interest rates on loans mean that some family farmers were nearly crippled in their repayments.

⁴³ Thompson & Haysom, *Farm Labour in South Africa*. p.2.

⁴⁴ Masia, P. Getting a Raw Deal: Trespass, the farmer's Lethal Weapon, *SALB*, March/April 1988.

⁴⁵ Press statements released by the Department of Foreign Affairs and Information on 18 February 1982 and 19 March 1982.

⁴⁶ *South African Institute of Race Relations Survey*, 1987, p.322.

⁴⁷ Agribusinesses are more amenable to union organisation. However, Stavrou has shown that 91% of farming land is owned by individuals or partnerships. Many farms appear to have been inherited through families or bought with money earned in urban centres.

⁴⁸ Interview 1 with Phil Masia from the Municipal, State, Farm and Allied Workers Union.

⁴⁹ Interview with Dave Husy from the Farmworkers Research and Resource Project.

⁵⁰ Foucault, M. *Discipline and Punish*

⁵¹ There are other prisms which may also be applicable, for example, Fanon's notions of the colonial and colonised mentalities in *The Wretched of the Earth*.

⁵² This was expressed on several occasions in interviews with farmworkers at the law clinics.

⁵³ Interview with Mr Khumalo, Driefontein, 6 June 1990.

⁵⁴ This is especially true of labour tenants or farms where most of the payment is in kind.

⁵⁵ Interview with Reverend X.

⁵⁶ Interview with Kafis Makakula, Amsterdam, 4 September 1990.

⁵⁷ Interview conducted between a journalist and a farmer's wife.

⁵⁸ Interview with Reverend X.

⁵⁹ Interview with Aninka Claassens.

⁶⁰ Ibid.

⁶¹ Mr Mjingeni Nkosi, quoted in the Sunday Star, February 25, 1990.

⁶² TRAC case study.

⁶³ Although people in this community may have severed their ties with Germany, they still speak German, their church services are conducted in German and many send their children to a German school.

⁶⁴ Hugo, P. Op cit, p.16.

⁶⁵ Interview with Reverend X.

⁶⁶ From an interview with Rabe.

⁶⁷ Interview with Reverend X.

⁶⁸ Interview with Mr Y.

⁶⁹ Interview with Horst Muller.

⁷⁰ Interview with Mr X. Figures concurred with those of C J Nel from the Agricultural Department's Extension Office in Piet Retief.

⁷¹ Anonymous interview.

⁷² Interview with Horst Muller.

⁷³ Interview with Richard Vilikazi.

⁷⁴ Thompson & Haysom. *Farm Labour in South Africa*.

⁷⁵ Ball, A. Op cit p.21.

⁷⁶ Interview 1 with Phil Masia, 9 August 1990.

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1. Interview with Mr Y, a church leader, Johannesburg, August 1990.
2. Telephonic interview with Reverend X, August 1990.
3. Interview with Phil Masia, General Secretary of the Municipal, State, General and Farmworkers Union, Johannesburg, August 1990.
4. Interview with Sue van Zyl, Johannesburg, August 1990.
5. Telephonic interview with Jon Huisamen, Rural Foundation, Eastern Transvaal, 7 September 1990.
6. Telephonic interview with C J Nel, Agricultural Department extension office in Piet Retief.
7. Interview with Mr van Rensburg, Magistrate in Amsterdam, 4 September 1990.
8. Interview with Mr Khumalo, farmworker in Piet Retief district, 25 July 1990.
9. Telephonic interview with Horst Muller, Lutheran minister in Piet Retief, 3 September 1990.
10. Extensive discussions with Aninka Claassens, Ilse Wilson and Moray Hathorn during legal clinics in Amsterdam and Driefontein.
11. Numerous interviews with farmworkers at the legal clinics.
12. Interview with Dave Husy from the Farmworkers Research & Resource Project.