

CULTIVATING CONTENTION:
AN HISTORICAL INQUIRY INTO AGRARIAN REFORM, RURAL OPPRESSION AND
FARM ATTACKS IN THE MIDLANDS OF KWAZULU-NATAL, SOUTH AFRICA

by

Barb Pearce

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Abstract

One of the most shocking post-apartheid developments for South Africa's farming community has been the drastic increase in violent crime directed against white farmers – a phenomenon commonly known as farm attacks. The possible motives driving this violence have been hotly debated; some white farmers believe farm attacks are an attempt to force the return of land to the black majority, while others argue they are simply robberies. This study pursues an historical approach to understanding this violence. Using more than two hundred oral interviews collected in the Midlands region of KwaZulu-Natal Province, this study concludes that although farm attacks cannot be separated from the wave of violent crime that has swept South Africa since the early 1990s, the historical importance of African dispossession and oppression living and working on white-owned farms plays a larger role in the violence than has previously been understood. Forty-five percent of rural black respondents identified ill-treatment by white farmers as a primary motive in farm attacks, while fifty-three percent pointed to acquisitive criminality as the direct cause. Although only two percent of rural black informants believed the unequal distribution of land is the primary motive in these attacks, many argued that land plays an important indirect role in the violence. Black people in rural areas have been, and continue to be, dependent on white farmers for employment due to the historical process of African dispossession; moreover, informants argued that rural poverty and crime can largely be explained by a lack of access to land to support independent livelihoods. Ill-treatment by white farmers and acquisitive criminality, then, are linked to landlessness. This not only underscores the importance of finding a better way forward for the country's struggling land reform program, but it also highlights the importance of understanding local histories in explaining this violence.

List of Abbreviations Used

AFRA – Association for Rural Advancement
ANC – African National Congress
BCEA – Basic Conditions of Employment Act
CCMA – Commission for Conciliation, Mediation and Arbitration
CIAC – Crime Information Analysis Centre
CPA – Communal Property Association
CPF – Community Police Forum
CRLR – Commission on Restitution of Land Rights
DLA – Department of Land Affairs
DRDLR – Department of Rural Development and Land Reform
EFF – Economic Freedom Fighters
ESTA – Extension of Security of Tenure Act
ICU – Industrial and Commercial Workers’ Union
KWANALU – KwaZulu-Natal Agricultural Union
KZN – KwaZulu-Natal
LRAD – Land Redistribution for Agricultural Development
LTA – Land Reform (Labour Tenants) Act
NAU – Natal Agricultural Union
NCCS – National Crime Combating Strategy
NCPS – National Crime Prevention Strategy
NOCOC – National Operational Co-ordinating Committee
PLAS – Proactive Land Acquisition Strategy
RDP – Reconstruction and Development Program
RPP – Rural Protection Plan
SAAU – South African Agricultural Union
SADF – South African Defence Force SAP – South African Police
SANDF – South African National Defence Force
SANNC – South African Native National Congress
SANT – South African Native Trust
SAPS – South African Police Service
SLAG – Settlement/Land Acquisition Grant
SPP – Surplus People Project
TAU – Transvaal Agricultural Union

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Chapter One

Introduction

Introduction

On the night of March 1, 2014, seventy-six year old Ekard Schutte, his sixty-six year old wife, Elizabeth, and their thirty-three year old son, Lutz, were murdered in their farm house in Richmond, South Africa. Lutz had just flown in from his home in Germany to celebrate his father's birthday the following day. All three were stabbed to death, and their bodies were set alight. Their charred remains were discovered the next morning by the couple's eldest son, Stefan, who had come from Pietermaritzburg for what was meant to be his father's birthday celebration. Siphesihle Ngubane, Zamo Maduna and Lindo-kuhle Khoza, all of whom were between seventeen and twenty years of age, were convicted on three counts of murder, robbery with aggravated circumstances and the unlawful possession of firearms and ammunition. Maduna had been the family's gardener.¹

Since the early 1990s, approximately 3,000 people – an estimated two-thirds white, the remainder predominantly black – have been murdered in such assaults, which South Africans have dubbed “farm attacks.”² It is estimated that an average of two to three people have been murdered in farm attacks every week, prompting some observers to label South African commercial agriculture as one of the world's most dangerous professions.³ Johan Burger, Senior Researcher at South Africa's Institute for Security Studies, used statistics gathered in 2012 to calculate a murder rate of white farm owners of 120.4 per 100,000, which is almost quadruple the murder rate of the general

¹ Sherlissa Peters, “Tears at Schutte murder trial,” *IOL*, July 30, 2014, <http://www.iol.co.za/dailynews/news/tears-at-schutte-murder-trial-1727683>, accessed April 3, 2016.

² A lack of reliable data makes it impossible to determine with any certainty the degree to which these crimes increased with the fall of apartheid, but the frequency with which farm attacks appeared in newspapers increased significantly in the 1980s, and skyrocketed in the early 1990s. A group of farmers in Greytown, KwaZulu-Natal, compiled a list of white farmers murdered in the vicinity since 1966: twenty-nine of thirty-four murders occurred since 1991. Interview with Greytown Farmers 1 and 2, July 2013.

³ Robert Morley, “Kill the Boer and Bring Me My Machine Gun,” *The Trumpet.com*, April 13, 2010, <http://www.thetrumpet.com/article/7115.5643.0.0/society/crime/kill-the-boer-and-bring-me-my-machine-gun>, accessed November 5, 2012.

population and more than double the murder rate of South African police officers.⁴ Most white South Africans were largely immune to violent crime under the apartheid regime, and the fact that most farm attacks, like other forms of violent crime, are committed by young black men, lends a racial element to many whites' perception of this violence and has led to vehement accusations against the African National Congress (ANC) government by some farmers who believe the government is indifferent to, if not culpable for, the plight of the white farming community. Contrary to these accusations, however, the ANC government under former President Nelson Mandela made farm attacks a priority with the launch of the Rural Protection Plan in 1997 and the Rural Safety Summit in 1998. Similarly, Mandela's successor, Thabo Mbeki, publicly denounced farm attacks, and under both presidents, the ANC government placed an emphasis on combating this violence. The conviction rate for farm attacks has been "far above" the national average, which some have attributed to the political will and resources allocated to investigating these crimes.⁵

This dissertation examines possible motives driving the spate of violence directed against white commercial farmers since the early 1990s and asks: To what extent are farm attacks motivated by historical grievances? It investigates potential historical contributing factors such as African land dispossession, the exploitation of black workers on white-owned farms, forms of African resistance to the demands of white employers and landlords, as well as discriminatory aspects of apartheid that bred crime in black communities and the oppressive justice system that denied Africans the protection of the state, leaving them vulnerable to abuse at the hands of criminals as well as their employers. This study attempts to determine whether the collective memory of dispossession and oppression, coupled with forms of African resistance that developed in response to colonial and

⁴ This murder rate refers exclusively to the farm owners; family members, visitors and farmworkers who are murdered in the course of a farm attack are not included in this number. The 2012 murder rate for the general population was 31.1 per 100,000 and 54 per 100,000 for police officers. Johan Burger, "Why it is More Dangerous to be a Farmer than a Policeman in South Africa," November 6, 2013, <https://africacheck.org/2013/11/06/why-it-is-more-dangerous-to-be-a-farmer-than-a-policeman-in-south-africa/>, accessed February 24, 2014.

⁵ Chantelle Benjamin, "Conviction Rates Increase But Farm Attacks Still a Thorn in SA's Side," *Business Day*, January 12, 2004.

apartheid injustices, influences the incidence of attacks on white farmers in the post-apartheid era. How has the memory of land dispossession influenced black people's outlook on the post-apartheid land reform program, and could two decades of failed land reform projects prompt frustrated would-be beneficiaries into taking matters into their own hands by attacking white farmers in an attempt to drive them off the land? How has the implementation of labour legislation in the agricultural sector affected the renegotiation of relationships between white farmers and black workers, and has friction caused by this transfiguration encouraged employees to resort to violence in ways that were much less common under the oppressive environment of apartheid domination? How has the history of racist policing affected patterns of rural crime as well as the ability of rural residents to cooperate across racial divides to enhance collective security?

This is an important area of study because, as Burger notes, farm owners are more than twice as likely to be murdered as police officers, yet despite the government's interest under Mandela and Mbeki, in recent years the government has not prioritized this violence, and the government no longer has a targeted strategy for combating farm attacks or protecting the farming community as it has for addressing the safety of police officers and other priority crimes. Many observers also worry that farm attacks are adding to the pressures threatening food security in South Africa. Furthermore, vigilantism and the work of private security companies that have been employed in response to farm attacks have, in many cases, threatened the rights of farmworkers and rural black community members and could spark retaliatory action. Finally, in part due to the many misconceptions and false information circulating about farm attacks, the motives driving this violence remain unclear, which undermines efforts aimed at protecting farm owners and their staff.

This dissertation argues that the potential motives behind farm attacks cannot be fully understood without adopting an historical framework. Possible motivating factors such as a desire to force the return of land to black ownership or grievances over ill-treatment at the hands of white

farmers need to be examined in the context of the long history of tension and compromise on South Africa's commercial farmland. White farmers and black employees, farm dwellers and neighbours often have very different understandings of the historical processes that shaped the countryside and of the changes (if any) that should be made to rectify historical inequalities following the end of minority rule. Competing perceptions of the past can inhibit cooperation between white and black and frustrate efforts at agrarian reform.

The major contribution of this study is the exploration of the motivations of post-apartheid farm attacks in a historical context that considers land dispossession, labour relations, rural poverty, policing practices and political change as applied to the Midlands region of KwaZulu-Natal Province. Acquisitive criminality and immediate grievances play a major role in farm attacks; nevertheless, extensive oral testimony indicates that historical memories of injustices under white rule shape perceptions and expectations in the aftermath of apartheid and could influence incidents of violence in the countryside. The thoughts and experiences of black residents have not been adequately considered in the discussion on farm attacks, and their insight has much to offer not only historians but also those who are grappling with ways to right historical wrongs following centuries of minority rule, specifically those working towards land reform, changing labour conditions on commercial farms and transforming and improving police activities while tackling high levels of violent crime.

Defining Farm Attacks

The National Operational Co-ordinating Committee (NOCOC), which directs the operations of the South African Police Service (SAPS) and the South African National Defence Force (SANDF) defines farm attacks as:

Acts aimed at the person of residents, workers and visitors to farms and smallholdings, whether with the intent to murder, rape, rob or inflict bodily harm. In addition, all actions aimed at disrupting farming activities as a commercial concern, whether for motives related to ideology, labour disputes, land issues, revenge, grievance, racist concerns or intimidation should be included. Cases related to domestic violence, drunkenness, or resulting from commonplace social interaction between people are excluded from this definition.⁶

This definition, however, has not been universally adopted and has been challenged not least because it allows, for example, the theft of farm equipment, the rape of a black farmworker by a stranger, and the murder of a white farm owner to be classified under the same heading of “farm attack,” when these crimes are likely perpetrated by individuals with diverse motives. Some have argued that crimes committed on smallholdings⁷ should not be included in the definition of farm attacks. Bronwen Manby, for example, argues that “there seems little reason to distinguish in terms of motive between crime committed against peri-urban smallholdings in particular and crime committed in neighbouring suburbs; especially since gratuitous violence is a feature of much South African crime, wherever committed.”⁸ Researchers Martin Schönteich and Jonny Steinberg agree: “By singling out serious crime committed on smallholdings and calling it attacks against smallholdings, the impression is given that there is considerably more serious and violent crime on smallholdings than in the country’s cities and towns.”⁹ They further note that, “by combining smallholding and farm attack figures, it is difficult for the public (including smallholders and farmers) to gain an accurate impression of changing levels of rural crime and safety. It would be

⁶ Committee of Inquiry Into Farm Attacks, Report of the Committee of Inquiry Into Farm Attacks, July 31, 2003, <http://www.issafrica.org/CJM/farmrep/index.htm>.

⁷ Smallholdings are small portions of land, often surrounding cities and towns, where the owners may grow some crops or graze livestock, but these activities do not form the primary source of income for the owners, who generally have other jobs or pensions. Commercial farms are larger portions of land from which the owner’s primary source of income is derived.

⁸ Bronwen Manby, “A Failure of Rural Protection,” Transformation, 49 (2002), 88.

⁹ Martin Schönteich and Jonny Steinberg, “Attacks on Farms and Small Holdings: An Evaluation of the Rural Protection Plan,” 2000, 91, <http://www.iss.co.za/Pubs/Other/Farm%20attacks/1Contents.html>, accessed October 15, 2012.

beneficial if the incidence of farm and smallholding attacks were counted separately.”¹⁰ Manby also suggests that the word “attacks” connotes “a military or terrorist basis for the crimes, rather than a criminal one – thereby clouding analysis of possible solutions to the violence.”¹¹

Various observers’ interpretations of the definition of farm attacks affect how these crimes are recorded. White farmers and their representatives tend to speak of farm attacks exclusively as crimes committed against whites and generally disregard the victimization of black workers and farm dwellers. In 2013, for example, the *induna* (black supervisor) of a farm in Wartburg, KwaZulu-Natal, was shot and killed in his vehicle on the farm. The following day, I called a white informant who had been recording information on farm attacks in the province to inquire about the details. He responded: “That wasn’t a farm attack. It was probably an argument over a woman.” According to the NOCOC’s definition, it was clearly a farm attack. I am unsure if the man’s name ever made it onto the list of those murdered in farm attacks in KwaZulu-Natal, but it does seem likely that, in some cases at least, the race of the victim determines if the crime is viewed and recorded as a farm attack.

Disagreement concerning the definition of farm attacks compounds the difficulties of record keeping and statistical analysis. The South African government only recorded statistics on farm attacks for five years (2001/02 to 2006/07). The existing information, then, is incomplete and inaccurate – often collected piecemeal by various farmers’ organizations – and does not necessarily reflect the extent of violence on farms, especially assaults committed against black farmworkers, tenants and dwellers, which frequently go unreported and are often overlooked in discussions on farm attacks. Many organizations look to the Transvaal Agricultural Union (TAU) for statistical information, as it has been recording violence directed towards the white farming community. However, the TAU does not have information concerning all attacks throughout the country, and it

¹⁰ Schönteich and Steinberg, “Attacks on Farms and Small Holdings,” 91.

¹¹ Manby, “A Failure of Rural Protection,” 89.

does not record attacks on smallholdings, where, according to the NOCOC definition used by the police, up to forty percent of farm attacks occur.¹² The information provided to the TAU is regularly in the form of early, unconfirmed reports, and the details of each case – such as whether anything was stolen – that are ascertained in the course of the investigation are often not updated in the TAU’s files.

I do not discount the frequent victimization of other races during farm attacks, nor do I overlook the verbal and physical assault many farmworkers continue to experience from white farm owners and managers; nevertheless, I have chosen to focus this research primarily on those farm attacks that target white farmers and their families. Whites continue to dominate the commercial farming sector and white victims comprise approximately two-thirds of those murdered during farm attacks. These attacks are generally seen as an exclusively post-apartheid phenomenon, and as such have garnered much attention. The narrative around these attacks tends to be politicised and racialised, which has led to a great deal of misinformation. Farm attacks are typically presented in racial terms; no matter the motivation, they are discussed in terms of black perpetrators and white victims. Focusing on attacks on white farmers allows me to assess the claims some farmers and farmers’ unions have made concerning the nature of the violence and the motives behind it. My research assesses some of the complex ways in which race factors into the violence directed against white commercial farmers.

Potential Motives of Farm Attacks

The possible motives driving this violence have been hotly debated. Some commentators, particularly from the ranks of the conservative Transvaal Agricultural Union, argue that farm attacks

¹² Johan Burger, “Why it is More Dangerous to be a Farmer than a Policeman in South Africa,” November 6, 2013, <https://africacheck.org/2013/11/06/why-it-is-more-dangerous-to-be-a-farmer-than-a-policeman-in-south-africa/>, accessed February 24, 2014.

are part of a sinister, government-led campaign aimed at the removal of white farmers from the land. They point to the fact that, in some cases, very little or nothing at all is stolen during the attack, ruling out acquisitive criminality as a motive. A seventy-five year old farm manager in northern KwaZulu-Natal Province, for example, was murdered in 2002 and all the perpetrators made off with were “a few bubble gums and a packet of cigarettes.”¹³ Such examples seem to lend credence to the opinion that farm attacks are not simply a product of the violent crime wave that has swept the nation since the early 1990s. Proponents of this position point to the “gratuitous violence” allegedly inherent in farm attacks as proof that the perpetrators are motivated by more than simple robbery:

Torture is now fairly routine, something relatively new in South Africa’s criminal history. Cruelty to animals is recurrent, a hark back to the Mau Mau terror campaign which drove whites off Kenyan farms. Clearly robbery is not the main motive for farm attacks, and our research shows that farmers feel this to be so. “They want to drive us from our land,” we hear continuously. The additional problems of intimidation, crop and stock theft, illegal squatting and expropriation legislation all point to this being a fact.¹⁴

Warning that “South Africa’s descent into Zimbabwe-style politics could lead to Rwanda-style genocide,”¹⁵ a few white farmers and independent observers have gone so far as to accuse the South African government of genocide,¹⁶ and the TAU has laid charges of genocide against the South

¹³ “Farmer murdered for cigarettes and gum,” *The Natal Witness*, October 16, 2002.

¹⁴ Philip du Toit, *The Great South African Land Scandal* (Centurion: Legacy Publications, 2004), 252-253.

¹⁵ “Genocide Watch Upgrades South Africa to Risk Level Six,” *The Trumpet*, August 30, 2011, <http://www.thetrumpet.com/article/8592.7333.0.0/society/race/genocide-watch-upgrades-south-africa-to-risk-level-six>, accessed October 15, 2012.

¹⁶ “Land invasion – ANC begins its ethnic cleansing campaign,” *The Afrikaner Journal*, July 3, 2011, <http://afrikanerjournal.wordpress.com/2011/07/03/land-invasion-anc-begins-ethnic-cleansing/>, accessed October 15, 2012. In 2011, US-based Genocide Watch raised South Africa to stage six, “Preparation,” on its eight-stage scale of genocide, with stage seven being “Extermination.” Genocide Watch, “Genocide Watch upgrades South Africa to Stage 6 ‘Preparation’ on Countries at Risk Chart,” September 15, 2011, <http://www.genocidewatch.org/southafrica.html>, accessed October 18, 2012.

African government at the International Criminal Court in The Hague, and has begun calling for self-determination for the Afrikaner people.¹⁷

Farmers' suspicions of government-orchestrated hostility seem to be heightened by the violent dispossession of white-owned farms in neighbouring Zimbabwe. Beginning in 2000, the Zimbabwean government introduced the Fast Track Land Reform Program, in which groups of black Zimbabweans, often led by veterans of the 1970s liberation war, set up temporary shelters on farms and used a variety of intimidation tactics to force the farmers to leave the land permanently. Approximately four thousand white-owned farms were expropriated without compensation, three hundred thousand black farmworkers were expelled from their jobs, and the majority of the country's white commercial farmers emigrated, sparking the near complete collapse of Zimbabwe's agricultural sector, rendering almost seven million people dependent on food aid in a country that was once considered the bread-basket of southern Africa.¹⁸ Following the murder of his son, David Mack, a white farmer in the southern Midlands region of KwaZulu-Natal, reported that he was "under a murderous siege" similar to farmers in Zimbabwe: "What we have here is a slow, grinding, insidious process to drive the whites off the land. The only difference with Zimbabwe is that there it was overt and blatant and covered by the press."¹⁹ Unlike the thousands murdered in South Africa, however, less than thirty farmers have been killed in Zimbabwe since 2000.²⁰ Also unlike Zimbabwe, where President Robert Mugabe encouraged land invasions and called on the black

¹⁷ "State-sanctioned racist murder of white farmers in South Africa," VoxBox, Nick Griffin interviews TAU Vice President Henk van der Graaf, Brussels, February 3, 2012, <https://www.youtube.com/watch?v=SKG72AviEFw>, accessed November 8, 2012.

¹⁸ "Whose Land? Despite a recent power-sharing deal, white-owned farms are still being taken," The Economist, March 5, 2009, <http://www.economist.com/node/13240812>, accessed November 5, 2012.

¹⁹ "SA farmers under siege," News24, June 9, 2000.

²⁰ "Police 'failing to act' over murder of white farmer," The Times, June 2, 2014, http://www.mg.co.za/articlePage.aspx?articleid=286414&area=/breaking_news/breaking_news_national/, accessed October 5, 2013.

majority to take back the land, the ANC government has, until very recently, insisted on a land reform process based on paying white farm owners market value for their land.²¹

Although the ANC government has denounced the violence affecting the farming community, individual politicians have sent conflicting messages. In 2000, the Agricultural Minister Thoko Didiza “floated the idea that land reform problems could be solved by following Zimbabwe’s example.”²² Former Deputy President of the ANC Youth League, Ronald Lamola, incited the wrath of farmers’ unions across the country when he announced that “we need an act as forceful as war to bring [the land] back to the Africans.”²³ Julius Malema, leader of the new political party, the Economic Freedom Fighters (EFF), was repeatedly criticized when he was President of the ANC Youth League for chanting “Kill the Boer, Kill the Farmer” at rallies,²⁴ and he praised Mugabe for returning the land to what he believed were the rightful owners.²⁵ At a gathering in 2016, Malema proclaimed: “We are at war with whites who took our land and we now want it back. We want our land and we want our wealth; if you stand in our way we will crush you.”²⁶

Other observers, although not accusing the ANC government of orchestrating farm attacks, note the lack of a sustained government strategy to counter these crimes and protect the farming community. AfriForum, an interest group that advocates the rights of minorities, particularly

²¹ In 2013, South African President Jacob Zuma announced that the market-driven “willing buyer, willing seller” mechanism would be replaced with the poorly-defined principle of “just and equitable” compensation, although this has not been attempted at the time of writing. Genevieve Quintal, “Willing buyer, willing seller policy out – ANC,” *News24*, October 11, 2015, <http://www.news24.com/SouthAfrica/News/Willing-buyer-willing-seller-policy-out-ANC-20151011>, accessed May 17, 2016.

²² Duncan Du Bois, “Parallels with Zim: Over a thousand farmers have been murdered since 1991,” *The Natal Witness*, December 29, 2000.

²³ “DA takes on Lamola over land reform comments,” *The Mail and Guardian*, June 22, 2012, <http://mg.co.za/article/2012-06-22-n-lamola-over-land-reform-comments/>, accessed July 17, 2015.

²⁴ Robert Morley, “Kill the Boer and Bring Me My Machine Gun,” *The Trumpet.com*, April 13, 2010, <https://www.thetrumpet.com/article/7115.5643.0.0/society/crime/kill-the-boer-and-bring-me-my-machine-gun>, accessed July 17, 2015.

²⁵ Bernadette Atuahene, “South Africa’s Land Reform Crisis: Eliminating the Legacy of Apartheid,” *Foreign Affairs* 90 (2011): 126.

²⁶ “Malema: Zuma will be forgiven for Nkandla if he sorts out land issue,” *The Mail and Guardian*, May 29, 2016, <http://mg.co.za/article/2016-05-29-00-zuma-will-be-forgiven-for-nkandla-if-he-sorts-out-land-issue-says-malema>, accessed June 20, 2016.

Afrikaners, argues that the government's refusal to adequately address the murder of white farmers borders on complicity: "there is no justification for the notion that farm attacks should not be countered with a unique preventive strategy."²⁷ Even Johan Burger, who vigorously denies the existence of a political campaign associated with violently forcing white farmers from their land, argues: "Considering the extent and seriousness of the crimes committed against those working and living on farms, it is obvious that the farming community as a whole is a particularly vulnerable group... in need of a strategy that is focused on their particular security needs."²⁸ Burger draws attention to the government's 2003 decision, "without any consultation or prior warning," to close the army's Territorial Reserve (popularly known as the commandos), which was the "cornerstone" in protecting the farming community.²⁹ Then President Thabo Mbeki announced that the South African Police Service (SAPS) was prepared to replace the commandos; "the police, however, were caught completely by surprise."³⁰ Burger also notes that the SAPS' unexplained decision to halt the publication of statistics on the incidence of farm attacks indicates that "the government no longer regards farm security as a priority.... If this situation continues it will have a very negative impact on the rural economy and South Africa's food security.... We will all be worse off if the government continues to ignore this pressing problem."³¹

There are many farmers and other observers who agree with Burger that farm attacks are neither politically orchestrated nor driven by land-related motives. These people generally view farm attacks as a function of the high levels of violent crime in the country and believe farmers are victimized primarily because of their isolation and vulnerability. In the vast expanses of rural

²⁷ Grant Hollins, "Mthethwa remains silent, despite continued farm killings," *Farmer's Weekly*, October 25, 2013.

²⁸ Johan Burger, "Why it is More Dangerous to be a Farmer than a Policeman in South Africa," November 6, 2013, <https://africacheck.org/2013/11/06/why-it-is-more-dangerous-to-be-a-farmer-than-a-policeman-in-south-africa/>, accessed February 24, 2014.

²⁹ Johan Burger, "Farm Attacks and Farm Murders Remain a Concern," October 17, 2012, <https://www.issafrica.org/iss-today/farm-attacks-and-farm-murders-remain-a-concern>, accessed January 5, 2013.

³⁰ *Ibid.*

³¹ *Ibid.*

poverty, isolated white-owned farms are conspicuous sites of relative affluence, making them likely targets for criminals. Koos Marais, operator of the Security Desk at the KwaZulu-Natal Agricultural Union (Kwanalu), argues that the lack of visible policing in rural areas is a major contributing factor to the incidence of farm attacks: “It doesn’t just affect farm attacks and farm murders, but all other crime in all rural areas, which includes people not necessarily on farms.”³² Marais notes that farms are generally far from police stations and other assistance, and their size makes them difficult to fortify. Furthermore, as places of business that witness the coming and going of numerous individuals in the course of the workday – staff, delivery drivers and maintenance technicians, for example – and in many cases home to black tenant families, farmers cannot restrict access to their properties as easily as urban homeowners, adding to the security challenges on commercial farmland.

Literature Review: Farm Attacks

To date only one study of a single farm attack has considered the history of dispossession, conflict and accommodation in white farming areas of South Africa.³³ In 2002, South African scholar Jonny Steinberg released a book entitled Midlands, which detailed the intricacies of the murder of one young white farmer in the southern Midlands region of KwaZulu-Natal Province (KZN) in 1999.³⁴ The Midlands is a relatively wealthy farming region that stretches from Ixopo in the south, through Richmond, Pietermaritzburg and New Hanover to Greytown and Kranskop in the north. It includes Camperdown to the east and Howick, Mooi River and Estcourt to the west.³⁵ Steinberg changes the names of people and places to protect the identity of those he interviewed;

³² Koos Marais, quoted on the radio program “Classic Business with Glenn Lewington,” Classic FM, Johannesburg, August 22, 2013.

³³ Jonny Steinberg, Midlands (Johannesburg and Cape Town: Jonathan Ball Publishers, 2002).

³⁴ Ibid.

³⁵ Thomas McClendon, Genders and Generations Apart: Labor Tenants and Customary Law in Segregation-Era South Africa, 1920s to 1940s (Heinemann: Portsmouth, NH, 2002), 24.

nevertheless, his analysis effectively highlights the complexity of farm attacks and the need for an in-depth historical investigation of this phenomenon.

Peter Mitchell (pseudonym) was twenty-eight years old when he was found murdered in his jeep on the dirt road between his father's farmhouse and the irrigation fields. His pistol was stolen, but his cell phone and wallet were left untouched, suggesting, Steinberg argues, that this was not simply a robbery. By dusk most of the white farmers in the district had visited the crime scene and all were filled with an unusual sense of terror. "White farmers were not killed under apartheid. Not like this, at any rate. They were killed by jealous spouses, by disturbed neighbours and by crazed children. But never like this."³⁶ To the white farmers of the district, this was a symbol of the political changes sweeping across the nation:

[During apartheid] no black man entered the vast commercial farmlands to kill a member of a powerful white family. And on the handful of occasions when a crazy black man did kill a white, the police would comb the countryside with their fists and their electric shocks and they would get a confession. So the horror of Mitchell's neighbours was starkly, inevitably political. The body before them was inscribed with the signs of the time, a time in which whites had lost institutional power and black men had become brave enough to walk onto a farm and kill its proprietor.³⁷

The history of African land dispossession and struggles over the legitimate ownership of and access to land feature heavily in Midlands. "Why do they want to kill [the farm owner]?" Steinberg asks the farmer's bodyguard. "They want the bush back. Like it was before the whites arrived."³⁸ The murdered man's father, Arthur Mitchell, is convinced that his son's murder was "no isolated event. There is a campaign in this district to drive whites off the boundary of Izita [a rural black community] and there are ANC people behind it."³⁹ Another white farmer in the district explains: "When the ANC came to power, they said they would get the people land. And now they must

³⁶ Steinberg, Midlands, 5.

³⁷ Ibid., 6.

³⁸ Ibid., 10.

³⁹ Ibid., 24.

deliver, by whatever means.... It is difficult to know how high up it goes. But there has always been a close connection between ANC politics and crime.”⁴⁰ Noting the importance of historical narratives and collective memory, Steinberg observes that “if whites have forgotten that their forbears acquired their land by force, you will soon see that there isn’t a single black person in the Sarahdale district who does not have memories of dispossession seared on his consciousness.”⁴¹

Steinberg discovers, however, that the history of land dispossession in itself is not enough to prompt a murder. An African elder, Elias Sithole, explains: “No, no. That is impossible. Farmer’s cattle are stolen because [Chief] Mtini’s land was taken. Fences are pinched because of the theft of the land. But nobody kills a farmer just so. It is something more immediate, more personal. You don’t kill somebody because of a vague sense of history.”⁴² The renegotiation of the historically imbalanced relationship between the white farm owner and the black tenants in the aftermath of apartheid also played a role in this case.

During the last hundred years, compassion and humiliation have lived at close quarters in the southern Midlands. Those blacks who found themselves living on white land entered a strange relationship with their landlords, one that shored up many conflicting emotions.... The whole relationship was like a stylised drama; a set piece for betrayal.⁴³

Steinberg identifies “a host of unwritten rules. Stealing from a white land-owner is often a form of punishment, a signal sent across the racial frontier that the white boss has gone too far.”⁴⁴

There are rules for those white farmers who defend their property too harshly, and for those who are not vigilant enough. There are rules for farmers who sink below a commonly held threshold of human decency, and there are rules for those who are considered kind. The bizarre thing, though, is that white farmers have absolutely no idea that these rules exist.⁴⁵

⁴⁰ Steinberg, *Midlands*, 56.

⁴¹ *Ibid.*, 63.

⁴² *Ibid.*, 128.

⁴³ *Ibid.*, 63-64.

⁴⁴ *Ibid.*, 50.

⁴⁵ *Ibid.*, 51.

In the case of Peter Mitchell's murder, one of Steinberg's informants, after hearing of the new rules Peter's father announced to the tenants on his land, declares: "Ah, so that is what happened. You see now that it is no great mystery that the son was killed... [Mitchell should have] respected human dignity. You do not march into people's homes and count them like goats."⁴⁶

Steinberg's research illustrates that, in this case, the demands of the white farmer elicited intense feelings of suspicion and anger based on historical experiences of land dispossession and labour exploitation. He exposes the fallacy of the notion of an ANC orchestrated plot to intimidate farmers off the land, but he does conclude that disputes over landownership were important:

In the scrappy, clumsy signature of parochial Midlands politics, a handful of chancers had put their names to white-owned farms. And it is probably true to say that Peter Mitchell would still be alive if talk about taking back land were not in the air. It was part of the new mood of the times; the old paternalistic relationship, the one Mitchell assumed to be alive and well when he went down to Langeni to address his tenants, had vanished with apartheid. The new breed Mitchell addressed at the side of the road was no longer convinced that white proprietorship of the countryside was inevitable. They believed they could do something to end it.⁴⁷

Sithole explains the cause of farm attacks to Steinberg: "It is difficult to explain to an outsider. Sometimes it is bandits. Sometimes it is that a farmer is cruel, and people want to punish him. But in the main it is because this land once belonged to the [African people] and it was stolen."⁴⁸ The centrality of land as a motive may not be as popular a belief as it was when Steinberg conducted his research, since so little has changed in terms of land ownership in more than twenty years of democracy; nevertheless, Steinberg's study underlines the importance of understanding the local histories that inform rural conflict.

Steinberg's conclusions have not gone unchallenged. Steinberg never claims that his findings concerning the Mitchell murder can be extrapolated to the rest of the Midlands or beyond; in fact, in

⁴⁶ Steinberg, *Midlands*, 234-237.

⁴⁷ *Ibid.*, 173.

⁴⁸ *Ibid.*, 123.

another publication, he and Martin Schönreich disclose that the murder of Peter Mitchell (a man they call “Paul”) was the only farm murder in the district that was directly related to land encroachment.⁴⁹ Nevertheless, at times Steinberg makes sweeping statements about farm attacks and race relations that allow the reader to make inferences concerning the nature of South African farm attacks in general based on the unusual circumstances regarding the Mitchell case, thus discounting the local historical complexity that Steinberg himself so painstakingly pieces together.

He writes:

It was never just a story about the death of a single white man; it was always an emblem. When black peasants cursed the Mitchells and told me that they and their rules were evil, they were not really talking of a particular white family, but of a stylised and abstract family, one that condensed, and smudged the distinctions between, three generations of white families in general.⁵⁰

South African professor, Cheryl Walker, who has intimate knowledge of land issues in the KwaZulu-Natal Midlands, complains: “The murder is presented as not only the logical outcome of local dynamics but also as emblematic of broader black-white relationships throughout the South African countryside.”⁵¹ Steinberg presents a picture of animosity, distrust and misunderstanding across the “racial frontier,”⁵² which “reinforces rather than shifts existing sensitivities and confirms widely held stereotypes and fears about the ‘racial frontier’ in rural South Africa.”⁵³ These problematic stereotypes, Walker notes, include:

the inescapability of conflict over land between black and white, entrenched by over 300 relentless years of history, the doomed future of commercial farming in the aftermath of South Africa’s transition to democracy in 1994, and the primordial nature of the racial identities that animate these dramas. Thus, Steinberg tells us, the “whole history” of conflict between black and white rural communities runs in the

⁴⁹ Schönreich and Steinberg, “Attacks on Farms and Small Holdings,” 65-66.

⁵⁰ Steinberg, *Midlands*, 218.

⁵¹ Cheryl Walker, “Review: Steinberg, Jonny (2002) *Midlands*. Johannesburg and Cape Town: Jonathan Ball Publishers,” *Transformation*, 52 (2003): 96.

⁵² Steinberg, *Midlands*, viii.

⁵³ Walker, “Review,” 96.

prime suspect's blood (177), while white farmers are "constitutionally incapable" (174) of understanding their black subordinates.⁵⁴

Walker also criticizes Steinberg for disguising and fictionalizing so many of the details in the book, which Steinberg himself fully acknowledges and justifies in his preface. "More unsettling," Walker notes, "the complex history of this land, that is presented as key to our understanding of current social dynamics, is doctored – historical clan names and chiefs' names are amended and events glossed so as to conceal current identities."⁵⁵ She also criticizes Steinberg's reliance on third parties to garner information from Mitchell's tenants: "Steinberg presents as incontrovertible, without the need for further testing, his assessment that no black tenant would ever agree to be interviewed by a white journalist."⁵⁶

Steinberg's conclusion concerning the motives behind Peter Mitchell's murder is also countered by the Committee of Inquiry into Farm Attacks. In 2001, the South African government, distressed at its inability to contain farm attacks, commissioned the Committee "to inquire into the ongoing spate of attacks on farms, which include violent criminal acts such as murder, robbery, rape, etc., and to determine the motives and factors behind these attacks and to make recommendations on their findings."⁵⁷ Using the NOCOC's definition of farm attacks discussed above, the Committee concluded in 2003 that in 89.3 percent of the attacks in which there was an "obvious" motive, that motive was "clearly robbery."⁵⁸

Concerning Steinberg's assessment of the murder under review in Midlands, the Committee argues that neither the actions of the victim's father nor any desire to force the return of land to

⁵⁴ Walker, "Review," 96-97.

⁵⁵ Ibid., 97.

⁵⁶ Ibid.

⁵⁷ Committee of Inquiry Into Farm Attacks, Report of the Committee of Inquiry Into Farm Attacks, July 31, 2003, <http://www.issafrika.org/CJM/farmrep/index.htm>, 417.

⁵⁸ Ibid., 419.

black ownership played a role in the attack.⁵⁹ The Committee notes that the publication of Midlands caused Peter Mitchell's family considerable grief, as "the book not only lays some culpability for the death of the son at the door of the father, [and] it contains hurtful (and in the Committee's opinion, gratuitous and irrelevant) references to the parents, their relationship and their home."⁶⁰ Furthermore, the Committee argues that "to have credibility it would need to be shown convincingly that individual killers were motivated by the factors to which he refers, or were paid to carry out the killing by others who harboured such feelings. This Steinberg does not do."⁶¹ The Committee hypothesizes that the Mitchell murder could have been motivated by a personal grudge not shared with the broader community, as in their investigation of the same case, Committee members found no community consensus that the murder was linked to the breaking of any unwritten rules or clashes over land.

Talk at the time of the murder rather was that it was either the work of criminals whose activities were well known and feared (and who, it was believed, had attacked a shopkeeper not far from the Mitchell farm, causing him to cease business operations to the benefit of the local shack shop). Others said that it was a personal grudge against the Mitchells because of the impoundment of cattle. That persons believed to be linked to the murder are feared among black residents, also emerged from interviews with farmworkers in the area, as well as from the police docket.⁶²

The Committee concludes that "there is simply insufficient evidence to reach any valid conclusion about the motive or motives for this murder – let alone theorise about killings in the area, and farm killings in general. The killing may well have been the result of a revenge attack, or it may have been an act of intimidation. Then, again, it might have been an act of robbery."⁶³ It is not unheard of for criminals to attack and even murder a farmer and steal very little from him. In Richmond in 2012,

⁵⁹ Committee of Inquiry, Report of the Committee, 434.

⁶⁰ Ibid., 273.

⁶¹ Ibid., 277.

⁶² Ibid., 278.

⁶³ Ibid., 278-279.

for example, a farmer's son was shot and killed as he opened the gate to the farm house he was renting. The thief stole his vehicle, but left his wallet and home untouched.⁶⁴

The Committee's own conclusion that almost ninety percent of farm attacks are motivated solely by acquisitive criminality is not without problems. The national scale of the Committee's mandate made vigorous investigation into potential motives in individual cases difficult. Although there were eight members on the Committee, all were employed full-time elsewhere and were not able to dedicate themselves to their research as Steinberg did with the Mitchell case. The Committee only analysed forty-five cases of farm attacks "in detail," and the majority of the scant fifty-one interviews the Committee conducted consisted of administering "structured questionnaires" to farmers, police officers and prosecutors during a quick one or two day visit to the area under investigation.⁶⁵ Only seventeen farmworkers were interviewed during the course of the Committee's investigation.⁶⁶

The Committee bases its conclusions on the case studies that they deemed had obvious motives, which were only 2,644 cases out of 3,544 on the NOCOC database. The eighty-nine percent that were motivated by robbery, then, translates into only sixty-seven percent of the total cases under scrutiny. Therefore, in one-third of the farm attacks under investigation, robbery was not identified as the primary motive. Furthermore, the Committee determines the motivating factor to be robbery simply on the premise that items were stolen during an attack that did not appear to have any other obvious primary motive. Despite the Committee's own admission that "obviously, more than one factor may motivate a farm attack or cause an attacker to select a specific farm,"⁶⁷ the Committee's methodology seems to overlook those secondary motives, which could reveal much about rural crime and race relations. The Committee's conclusions do not illustrate the situations in

⁶⁴ Interview with Richmond Farmer 5, August 2013.

⁶⁵ Committee of Inquiry, Report of the Committee, 14.

⁶⁶ Ibid., 426.

⁶⁷ Ibid., 21.

which there were multiple motives or consider seriously the possibility that robbery was not the primary motive but simply a secondary perk to those committing the crime. The Committee failed to investigate the possibility of robbery as an intimidation tactic or punishment for white farmers' malevolent actions. Issues pertaining to land or labour disputes could motivate robbery, but this prospect was not adequately examined.

Despite these drawbacks, the Committee's research did illuminate much regarding the nature of farm attacks, such as the race of the victims and the prevalence of torture and rape. This information goes a long way in nullifying the many misconceptions and false information that are often used to support accusatory statements, such as that the ANC orchestrates this violence. One such example concerns the common belief that farmers are frequently attacked and nothing is stolen, suggesting that the primary motive was to injure or kill the farm owner. The Committee's research illustrates that "there are relatively few farm attacks where nothing is robbed, without there being a logical explanation for it... e.g. the attacker was fought off, or help arrived before the robber could get away with the booty."⁶⁸ Concerning the idea that "so many attacks are accompanied by seemingly gratuitous violence, the violence itself performed with such ceremony and drama, that the infliction of painful death appears to be the primary motive,"⁶⁹ the Committee illustrates that torture is not as common as some observers claim, and that, when it is utilized, torture is generally for instrumental purposes rather than simply to inflict pain: "the attackers may torture the victims because the victims refuse to cooperate or because they are not being believed that there are no money or weapons."⁷⁰ The Committee also shows that, in 2001 for example, only approximately sixty-two percent of the victims of farm attacks were white; thirty-three percent were black, four percent were Asian and one percent was coloured. Furthermore, about seventy-one percent of the

⁶⁸ Committee of Inquiry, Report of the Committee, 22.

⁶⁹ Steinberg, Midlands, vii.

⁷⁰ Committee of Inquiry, Report of the Committee, 378.

women raped during farm attacks were black. The frequent victimization of other race groups helps dispel notions of white genocide and racial hatred as primary motives in these attacks and illustrates the need for cooperation between the races to combat rural crime.

Historiography

As Steinberg highlights, landownership is a powerfully emotive issue with immense political importance in the democratic era. White-owned farms in KwaZulu-Natal have stood in stark contrast to overcrowded and impoverished African reserves/Bantustans since the nineteenth century. A substantial historiography explores how this dramatically unequal circumstance developed. George McCall Theal wrote some of the earliest histories of the European conquest of South Africa and the dispossession of African land. His works justify the racist practices of white settlers, and his volumes are littered with references to “the harassed farmers” who “acted on the defensive only” and the “bitter hostility” of the settlers’ African neighbours, “savages of a very low type.”⁷¹ He also suggests that the land upon which the white settlers established their farms was uninhabited and that the Africans who challenged the settlers for ownership of the land were intruders from the north.⁷² Although Theal’s version of South African history has been largely discredited, his views speak volumes concerning the ways in which white settlers perceived themselves and their black neighbours, and are strikingly similar to how many white South African farmers in the post-apartheid period understand the history of settler accumulation.

Liberal historian William Macmillan rejects Theal’s apologetic history of white settler expansion and highlights the ways in which African dispossession led to the impoverishment and

⁷¹ George McCall Theal, History of South Africa Under the Administration of the Dutch East India Company, 1652-1795 (1897; rpt. New York: Negro Universities Press, 1969), 92. See also Compendium of South African History and Geography (Lovedale: Institution Press, 1877) and History of the Boers in South Africa (1887; rpt. New York: Negro Universities Press, 1969).

⁷² McCall Theal, History of the Boers, 85.

exploitation of the black majority.⁷³ Macmillan thus provides “the first systematic recognition of, and attempt to explain, both the nature of settler accumulation and the changing relationships of exploitation on South African farms.”⁷⁴ C.W. De Kiewiet, likewise, stresses the role of whites in the making of black poverty.⁷⁵ However, both Macmillan and De Kiewiet write of black South Africans “as an abstraction,”⁷⁶ and overlook the role Africans played in shaping their own destinies as well as South African society.

Monica Wilson, Leonard Thompson, and John Omer-Cooper contribute to the work of Macmillan and De Kiewiet by stressing that the interaction between various peoples and the history of African societies, together with white conquests, provides a more inclusive account of South African history.⁷⁷ Monica Wilson and Colin Bundy demonstrate that many African communities during the second half of the nineteenth century exhibited a successful response to the market opportunities of colonial expansion, and it was only with extensive government intervention that white capitalist agriculture was able to thrive at the expense of the African peasantry.⁷⁸ Africans were thus to become an essentially captive labour force for white-owned farms and mines.

William Beinart and Colin Bundy’s work illustrates the ways in which Africans opposed conquest and the culture of resistance that developed as early as the seventeenth century and infused rural struggles with “vitality, intensity and inventiveness” long after conquest and annexation.⁷⁹

⁷³ See William M. Macmillan, The South African Agrarian Problem and its Historical Development (1919; rpt. Pretoria: The State Library, 1974), Bantu, Boer, and Briton: The Making of the South African Native Problem (1928; rpt. Oxford: Clarendon Press, 1963), and Complex South Africa: An Economic Foot-Note to History (London: Faber and Faber Ltd., 1930).

⁷⁴ Beinart and Delius, “Introduction,” 5.

⁷⁵ See C.W. De Kiewiet, The Imperial Factor in South Africa: A Study in Politics and Economics (1937; rpt. London: Frank Cass & Co. Ltd., 1965), A History of South Africa, Social and Economic (1941; rpt. Oxford: Oxford University Press, 1957), and The Anatomy of South African Misery (London: Oxford University Press, 1956).

⁷⁶ Saul Dubow, “Thoughts on South Africa: Some Preliminary Ideas,” in History Making and Present Day Politics: The Meaning of Collective Memory in South Africa, ed. Hans Erik Stolten (Uppsala: Nordiska Afrikainstitutet, 2007), 61.

⁷⁷ See A History of South Africa to 1870, ed. by Monica Wilson and Leonard Thompson. Boulder, Colorado: Westview Press, 1983; John D. Omer-Cooper, History of Southern Africa (London: James Currey Publishers, 1994); and Leonard Thompson, A History of South Africa (New Haven: Yale University Press, 1990).

⁷⁸ Colin Bundy, The Rise and Fall of the South African Peasantry (London: Heinemann Educational Books Ltd., 1979).

⁷⁹ William Beinart and Colin Bundy, Hidden Struggles in South Africa (Johannesburg: Ravan Press, 1987), 25.

Many of these tactics, such as committing arson, hamstringing cattle and destroying fences, are very similar to the resistance methods Steinberg describes in Midlands. Jeremy Krikler similarly stresses a culture of resistance that developed among African peasants in the Transvaal who attempted to maintain their access to the Boer-owned farms they had been cultivating during the Anglo-Boer War (1899-1902).⁸⁰ Krikler argues that the memory of injustice influenced African resistance in the region well into the twentieth century. Likewise, a compilation of essays edited by Hans Erik Stolten demonstrates that violent land dispossession remains imbedded in the collective memory of many African communities in the post-apartheid period, making land ownership an important factor in contemporary rural politics.⁸¹ Taken together, these works support Steinberg's supposition of the possibility of land-related motives in farm attacks by suggesting that the violence associated with dispossession, the strength of collective memory within African communities, and the culture of resistance that developed under colonialism continue to influence the struggle for land in rural South Africa today.

When the ANC came to power in 1994, it promised to redistribute thirty percent of white-owned agricultural land to landless blacks by 2014. The land reform program, however, has been widely criticized; the government has fallen far short of its redistribution goal, and land reform projects have not provided resettled black families with the infrastructure, services and training necessary to farm successfully. This dissertation examines the strength of the collective memory of land dispossession among rural black South Africans twenty years after the end of apartheid and considers the possibility that frustration at the continued inequality between the races in terms of access to land could motivate some individuals to attack or even kill a white farm owner.

⁸⁰ Jeremy Krikler, Revolution from Above, Rebellion from Below: The Agrarian Transvaal at the Turn of the Century (Oxford: Clarendon Press, 1993).

⁸¹ History Making and Present Day Politics: The Meaning of Collective Memory in South Africa, ed. Hans Erik Stolten (Uppsala: Nordiska Afrikainstitutet, 2007).

As settler accumulation progressed and independent African production dwindled, Africans were increasingly reduced to toiling on white-owned farms, and South African historical narratives are rife with descriptions of exploitative and often violent relationships between white landowners and black tenants, workers and sharecroppers. Sol Plaatje describes the callousness of the white state and the hardships Africans living on white-owned farms experienced following the 1913 Native Land Act.⁸² Allen Cook's discussion of the use of prison labour on white-owned farms, the Surplus People Project's report on forced removals, and Wendy Davies' analysis of farmworkers' exploitation during apartheid, tellingly depict the horrendous treatment and appalling living conditions of farmworkers on many farms during the segregation and apartheid regimes.⁸³ Charles van Onselen argues that "violence was – and no doubt still is – an integral part of the relationship that developed between European landlords and African tenants."⁸⁴ Paternalistic relationships often softened this violence and intimidation with some benign qualities similar to those a father would exhibit toward a child.⁸⁵ Shula Marks illustrates that, "even while demanding obedience and provoking resistance, domination operates not simply through coercion but also through concessions that themselves are shaped by the nature of resistance."⁸⁶ However, van Onselen and Marks underscore that paternalism and violence can, and often do, go hand in hand. This is especially true when "paternalistic relationships are being rapidly eroded or restructured,"⁸⁷ suggesting that the renegotiation of labour relationships between farm owners and workers with the

⁸² Sol Plaatje, Native Life in South Africa (1916; rpt. Harlow: Longman Group, 1987).

⁸³ Allen Cook, Akin to Slavery: Prison Labour in South Africa (London: International Aid and Defence Fund, 1982); Surplus People Project, Forced Removals in South Africa (Cape Town: Surplus People Project, 1983); Wendy Davies, We Cry for Our Land: Farmworkers in South Africa (Oxford: Oxfam, 1990).

⁸⁴ Charles Van Onselen, "Paternalism and Violence on the Maize Farms of the South-Western Transvaal, 1900-1950," in White Farms, Black Labor: The State and Agrarian Change in Southern Africa, 1910-1950, ed. Alan H. Jeeves and Jonathan Crush (Portsmouth, New Hampshire: Heinemann, 1997), 192.

⁸⁵ Ibid.

⁸⁶ Shula Marks, The Ambiguities of Dependence in South Africa: Class, Nationalism and the State in Twentieth-Century Natal (Baltimore: John Hopkins University Press, 1986), 2.

⁸⁷ Van Onselen, "Paternalism and Violence," 213.

advent of democracy has the potential to encourage violence and could explain some of the hostility directed against white farmers since the early 1990s.

Van Onselen contributed to the understanding of the lives of black peasants on white-owned land by examining in detail the life of a sharecropper named Kas Maine and illustrating how discriminatory laws affected the Maine family and the ways in which the Maines were able to adapt until they were finally forced into a relocation camp in 1967.⁸⁸ This biography demonstrates how repressive legislation increased the power of white landowners at the expense of the independence of black tenants, as well as the gender and generational pressures affecting black tenant families during this time. Similarly, Timothy Keegan outlines the lives of five rural Africans struggling against the onslaught of apartheid and offers a personal account of how apartheid laws limited the rights and freedoms of rural blacks.⁸⁹ An important theme in both authors' work is the resilience and determination of African communities; Kas Maine and the men in Keegan's book resisted the forces that denied them access to land and pressured them into a life of wage labour.

It is important to note, as Shula Marks and William Beinart have, that segregation and apartheid were considerably shaped by the responses of African communities.⁹⁰ Africans often resisted the demands white farmers and the state made on their labour, and at times, they succeeded in overturning these demands. One such example concerns the failure of the oppressive Chapter Four of the 1936 Native Trust and Land Act, as Stefan Schirmer describes.⁹¹ William Beinart and Saul Dubow point out that, "any analysis of segregation must recognize that African societies in the region were conquered but never entirely dominated. Many fought to defend themselves from full

⁸⁸ Charles Van Onselen, The Seed is Mine: The Life of Kas Maine, a South African Sharecropper, 1894-1985 (New York: Hill and Wang, 1996).

⁸⁹ Timothy Keegan, Facing the Storm: Portraits of Black Lives in Rural South Africa (London: Zed Books Ltd., 1988).

⁹⁰ Shula Marks, "Natal, the Zulu Royal Family and the Ideology of Segregation," and William Beinart, "Chieftaincy and the Concept of Articulation: South Africa circa 1900-50," in Segregation and Apartheid in Twentieth Century South Africa, ed. William Beinart and Saul Dubow (London: Routledge, 1995).

⁹¹ Stefan Schirmer, "Land, Legislation and Labor Tenants: Resistance in Lydenburg, 1938," in White Farms Black Labour: The State and Agrarian Change in Southern Africa, 1910-50, ed. Alan H. Jeeves and Jonathan Crush (Portsmouth, New Hampshire: Heinemann, 1997).

incorporation into colonial and capitalist society.”⁹² Resistance to the demands of white officials and farmers was thus an integral aspect of rural relations during the segregation and apartheid eras, and resistance tactics resembled the “everyday forms of peasant resistance” historians and anthropologists have observed in other peasant societies, such as the Malaysian community under examination in James Scott’s Weapons of the Weak.⁹³ Scott also identifies a moral economy – a set of norms outlining what constitutes a just demand – similar to Steinberg’s discovery of a “host of unwritten rules” influencing relationships between white farmers and Africans in the southern Midlands.

Labour issues continue to affect rural race relations in democratic South Africa. Lauren Segal and Deborah James illustrate that violence against farm labourers continued and even increased as apartheid began to crumble in the early 1990s and that this trend persisted into the democratic era.⁹⁴ In 2001, Human Rights Watch released a report outlining the abuses black farmworkers, tenants and neighbours continue to suffer, primarily at the hands of white farm owners, managers and police officers, as well as the failure of government institutions to prevent or investigate such abuses.⁹⁵ Crimes against rural black residents, Human Rights Watch argues, are not pursued with the same resolve as crimes against white farmers, and the crime-fighting activities of some farmers, private security companies and vigilantes have severely abused the rights of many members of rural black communities. Although Human Rights Watch has been criticized for overstating the plight of farmworkers and painting all white farmers as callous brutes while failing to

⁹² William Beinart and Saul Dubow, “Introduction: The Historiography of Segregation and Apartheid,” in Segregation and Apartheid in Twentieth-Century South Africa, ed. William Beinart and Saul Dubow (London: Routledge, 1995), 21.

⁹³ James Scott, Weapons of the Weak: Everyday Forms of Peasant Resistance (New Haven and London: Yale University Press, 1985), xvi.

⁹⁴ Lauren Segal, “A Brutal Harvest: The Roots and Legitimation of Violence on Farms in South Africa,” Centre for the Study of Violence and Reconciliation, <http://www.csvr.org.za/papers/papfarms.htm>, March, 1991; Deborah James, Gaining Ground?

⁹⁵ Bronwen Manby, “Unequal Protection: The State Response to Violent Crime on South African Farms,” Human Rights Watch, August 2001, <http://www.hrw.org/reports/2001/safrica2/>, accessed October 15, 2012.

adequately portray the violence directed against whites,⁹⁶ it does highlight an important aspect of the discussion on farm attacks – the historically notorious working conditions and ill-treatment of black workers on white-owned farms.

While black workers are now protected under labour legislation and have a degree of representation in the government, including the police and judicial systems, Shaw, Gordon and others have illustrated that the SAPS is very often ineffective, especially in rural areas, and many black farm labourers remain unprotected from those white farmers who have not reformed their exploitative ways and in some cases have intensified their offensive against employees' freedom to reinforce their own authority. However, white farm owners are no longer immune from the consequences of their violent actions, and with the police no longer the servants of the white minority, some African farmworkers could be emboldened to commit murderous acts that would have been much rarer during apartheid. This dissertation examines the possibility that some farm attacks could be a product of grievances over ill-treatment in the past, coupled with tension stemming from the renegotiation of exploitative labour relations on white-owned farms and the resistance of some farm owners to adapt to meet the new employee rights in the democratic era.

The historiography illustrates that struggles between black labourers and white farmers over land allocation and labour exploitation have historically been intense, but, as Steinberg's analysis highlights, they have not always been mutually exclusive. The work of William Beinart, Peter Delius, and Timothy Keegan all support Steinberg's assessment by illustrating the close connection between land and labour issues.⁹⁷ They stress that, "what have been taken to be episodes of 'primary' resistance by intact African polities fighting off conquest need to be seen as more complex disputes

⁹⁶ Committee of Inquiry, Report of the Committee, 433.

⁹⁷ William Beinart, "Settler Accumulation in East Griqualand from the Demise of the Griqua to the Natives Land Act," Peter Delius, "Abel Erasmus: Power and Profit in the Eastern Transvaal," and Timothy Keegan, "White Settlement and Black Subjugation on the South African Highveld: The Tlokoa Heartland in the North Eastern Orange Free State, ca. 1850-1914," in Putting a Plough to the Ground: Accumulation and Dispossession in Rural South Africa, 1850-1930, ed. William Beinart, Peter Delius and Stanley Trapido (Johannesburg: Ravan Press, 1986).

infused with the demands of Africans on the farms.”⁹⁸ Therefore, concluding that farm attacks are motivated primarily by one specific factor, as the Committee of Inquiry into Farm Attacks has done, overlooks the complexity of the interplay between land, labour and, increasingly, violent crime in rural South Africa.

As the Committee of Inquiry into Farm Attacks highlights, crime is epidemic in South Africa, and farm attacks must be viewed in light of this pandemic. The desire for firearms, vehicles, cash and other valuables certainly motivates many attacks, and in most cases something is stolen from the crime scene. The racist justice system of the colonial and apartheid regimes, as well as the white vigilantism that was frequently pursued with gusto in rural areas, nurtured the conditions that bred crime in African areas while protecting whites from the adverse effects. Diana Gordon illustrated that the primary task of the police and the judicial system during colonialism was to establish and maintain “the racial subjugation that was at the heart of all South African political communities.... The role included putting down resistance to the humiliations suffered by blacks and sending an unyielding symbolic message of invincible white authority.”⁹⁹ Gordon draws attention to the violence to which Africans were subject from the colonial police and the white farmers who often took law enforcement into their own hands. John Brewer observes that the problems associated with the colonial police were compounded under segregation and especially apartheid.¹⁰⁰ The apartheid police were often corrupt, racist, and unconcerned with crime affecting the black population.

Antony Albeker argues that, given the history of unjust policing before 1994, citizens’ “identities have not been shaped by the law,” and as a result, some criminals “think nothing of

⁹⁸ Beinart and Delius, “Introduction,” 43.

⁹⁹ Gordon, *Transformation and Trouble*.

¹⁰⁰ John D. Brewer, *Black and Blue: Policing in South Africa* (Oxford: Clarendon Press, 1994), 332.

committing serious crimes.”¹⁰¹ Altbeker thus confirms Brewer and Gordon’s conclusion that many black South Africans did not internalize a respect for the colonial and apartheid justice systems and had few moral qualms about breaking unjust laws. This lack of respect for state authority – especially when it is seen as illegitimate – remains one of the greatest challenges facing the South African government. Altbeker makes it very clear, however, that the vast majority of black South Africans are law-abiding citizens who condemn violent crime, especially since they are its victims in most cases. Altbeker and Mark Shaw further contribute to the analysis of post-apartheid crime by identifying the difficulties of overcoming the oppressive legacy of colonial and apartheid policing, including vigilantism, and the challenges of transforming the police and judicial institutions to suit the needs of a democracy.¹⁰² Corruption, insufficient funding, resistance to reform, lack of dedication and a crisis of legitimacy, coupled with increased crime rates, make policing incredibly difficult in democratic South Africa.

Another important element in the discussion of the history of racist policing and its legacy for post-apartheid rural crime is the South African Defence Force’s Territorial Reserve – popularly known as the commandos. Since their creation in 1715, the commandos were composed almost exclusively of volunteer white farmers and were tasked with enhancing the security of the white farming community, often at the expense of the rural black population.¹⁰³ According to Bronwyn Manby, throughout the apartheid era, commandos were frequently the only form of law enforcement in rural areas and responded ruthlessly and with almost complete independence and impunity to any hint of non-compliance from members of rural black communities.¹⁰⁴ Although the commandos were reforming in the democratic era in an attempt to represent the needs of the rural

¹⁰¹ Antony Altbeker, “Policing the Frontier: Seven Days with the Hijacking Investigation Unit in Johannesburg,” in *Crime Wave*, 25.

¹⁰² Mark Shaw, *Crime and Policing in Post-Apartheid South Africa: Transforming Under Fire* (Bloomington and Indianapolis: Indiana University Press, 2002); Antony Altbeker, *The Dirty Work of Democracy: A Year on the Streets with the SAPS* (Johannesburg and Cape Town: Jonathan Ball Publishers, 2005).

¹⁰³ Hermann Giliomee, *The Afrikaners: Biography of a People* (Cape Town: Tafelberg Publishers, 2003), 59.

¹⁰⁴ Manby, “Unequal Protection.”

community as a whole, for the most part, they continued to chiefly serve the white minority, often at the expense of rural blacks. In response, commando units were phased out by 2009 and the South African Police Service, already burdened with its own attempts at democratic transformation while struggling to contain high urban crime rates, assumed sole responsibility for rural law enforcement. In his 2005 assessment of the commando system, Steinberg concludes that closing the commandos will certainly decrease the security of white farmers.¹⁰⁵ Unsurprisingly, the disbanding of the commandos has elicited strong reactions from the white farming community, many of whom believe this has left white farmers significantly more vulnerable to farm attacks.¹⁰⁶

This literature review is far from complete, but it does illustrate aspects of continuity between historical and present-day struggles in rural South Africa, which could suggest that farm attacks are, at least in part, motivated by the same grievances that have fuelled resistance in the countryside since the early days of colonialism. The rich historiography concerning disputes over access to land, labour relationships between white farm owners and black tenants, farmworkers and neighbours, African resistance to dispossession and demands on their labour, as well as colonial and apartheid policing has much to offer students of post-apartheid rural transformation. Bringing this historical context into an examination of farm attacks helps to explain possible motives for these attacks as well the areas in which a better understanding of historical processes could help efforts at post-apartheid rural reform and attempts at transforming and improving policing services to rural residents. This dissertation will illustrate that the attitudes and perceptions of many white farmers concerning land ownership, labour relations and the rights of black South Africans continues to be informed by a colonial settler worldview, whereas many black farmworkers and other rural residents

¹⁰⁵ Jonny Steinberg, "After the Commandos: The Future of Rural Policing in South Africa," *Monographs for the African Human Security Initiative* 120 (2005): 1-36.

¹⁰⁶ Bheki Mbanjwa, "Fear for rural safety as old system winds up," *The Witness*, February 1, 2008, http://www.witness.co.za/index.php?showcontent&global%5B_id%5D=3127, accessed October 15, 2012; "Stock theft blamed on closure of commando units," *Polityorg.za*, November 27, 2007, <http://www.polity.org.za/article/stocktheft-blamed-on-closure-of-commando-units-2007-11-27>, accessed October 15, 2012.

subscribe to a very different version of history that questions the legitimacy of settler accumulation and continued white proprietorship of the countryside and calls for changes to address the historical injustices Africans suffered under white rule. The collision of these two opposing versions of history, with their accompanying prescriptions for democratic justice, provides opportunities for conflict and even violence.

Methodology

This dissertation investigates potential motives for farm attacks by examining the history of land dispossession, labour relationships on white-owned farms, African resistance to colonial and apartheid injustices and patterns of crime and policing, as well as the place these historical processes hold in the collective memory of rural African communities and how this affects the ways in which rural black South Africans view the contemporary challenges associated with rural transformation in the aftermath of apartheid. I chose to focus on the Midlands region of KwaZulu-Natal Province for several reasons. The available statistics indicate that, along with Gauteng and Mpumalanga, incidents of farm attacks in KZN are among the highest in the country. The strikingly different conclusions Steinberg and the Committee of Inquiry into Farm Attacks draw concerning an attack in the southern Midlands also provides a unique opportunity for investigation. Finally, KwaZulu-Natal, a product of the former British colony (and then South African province) of Natal and the Zulu homeland of KwaZulu, is the site of some of South Africa's earliest experiments with rural segregation, the precursor of apartheid.¹⁰⁷ It was thus in Natal that Africans first experienced many of the facets that later came to define apartheid: the reservation of lands for exclusively African or European occupation, the development and recognition of customary law, administration through government-approved traditional authorities, and the attempt to prevent permanent African

¹⁰⁷ Marks, "Natal, the Zulu Royal Family and the Ideology of Segregation," 174.

occupation of urban areas.¹⁰⁸ Furthermore, as Shula Marks notes, “some of the most dramatic grassroots resistance to white rule in 20th century South Africa has come from Natal.”¹⁰⁹ Struggles between black and white over rights to land, labour conditions and authority have thus been played out on KwaZulu-Natal’s farmland for more than a century and a half.

I conducted ten months of field research in KwaZulu-Natal in 2013. I focused on four commercial farming districts to gain a broad perspective on farm attacks. In order to avoid the difficulties described above concerning the inclusion of attacks on smallholdings in the definition of farm attacks and in order to gain an understanding of the historical processes that affected life on white-owned farms, I focused on commercial farming districts only, and I limited my investigation primarily to farm attacks that targeted white farm owners and their families to examine the potential for historical grievances against white farmers. The KwaZulu-Natal Agricultural Union (Kwanalu) has recorded farm attacks in the province since 2001 and kindly granted me access to its files. It is worth noting that, according to Kwanalu’s records, the district with the greatest number of farm attacks since 2001 is the KwaDukuza (also known as Stanger) area on the North Coast. KwaDukuza consists primarily of smallholdings rather than commercial farms, so I decided against conducting research there; however, landowners in KwaDukuza are predominantly of Indian descent, which challenges some of the statements concerning farm attacks as racial assaults against whites (especially Afrikaners) and political intimidation to force *white* farmers off the land.

I chose Richmond, a town midway between Pietermaritzburg and Ixopo in the southern Midlands, as my first research site, as it had the second highest number of recorded attacks in the province. The Nottingham Road region to the west of Pietermaritzburg, likewise, suffered from high levels of farm attacks and became my second research area. I also chose the Wartburg district, north of Pietermaritzburg. There were not as many farm attacks in Wartburg as in some other parts

¹⁰⁸ Marks, “Natal, the Zulu Royal Family and the Ideology of Segregation,” 174.

¹⁰⁹ Marks, “The Ambiguities of Dependence,” 162.

of KZN, but the ratio of farm murders to non-fatal farm attacks in Wartburg was significantly higher than anywhere else in the province. I chose the Himeville/Underberg region to the southwest of Pietermaritzburg near the Drakensberg Mountains as my final research site. Underberg had significantly fewer farm attacks than other parts of the province and not a single farm murder since 2001, which made it an interesting point of comparison with the districts that had suffered much higher levels of violence on farms. Sadly, in the final weeks of my field research, two farmers were murdered in separate incidents in Underberg.

Archival research in Pietermaritzburg, Durban and Pretoria provided much of the historical background, and my fieldwork consisted of 227 oral interviews primarily in the four research sites. More than fifty of these interviews were with farm owners and their families – many of whom had been victims of farm attacks themselves or had close family members who had been killed in an attack. Most of these interviews were conducted on the farm, and many farm owners graciously spent hours discussing their opinions and experiences and giving me tours of their properties. I interviewed sixteen police officers (eleven active and five retired or former members of the SAPS), including station commanders, investigating officers in farm attack cases and members of the Serious and Violent Crime Unit. I also interviewed several academics, journalists, and state advocates who had experience with farm attacks.

The bulk of my oral history research consisted of interviews with more than 150 farmworkers, labour tenants, farm dwellers and members of rural black communities that border white-owned commercial farms. I focused on three rural black communities: Ndaleni near Richmond, Trustfeed near Wartburg and Impendle between Nottingham Road and Underberg. Two research assistants, Londiwe Magagula and Lindiwe Mtshali, conducted these interviews in isiZulu and voice-recorded, translated and transcribed them. Like Steinberg, I guaranteed confidentiality to all participants of this study and can therefore be subject to similar criticism, but

given the sensitive nature of the topic and the possible consequences that could befall informants, it seemed the only way to shield participants from any possible backlash and to encourage them to speak honestly. We conducted ninety interviews with farmworkers on farms, with the consent of the farm owner and in private. It was made clear to farm owners that interviews with their staff would remain confidential, and on only a single occasion were we forced to end our interviews early because of the intrusion of a farm owner. Apart from this one instance in which we only spoke to two farmworkers, we interviewed at least four employees from each farm visited. We tried as much as possible to interview men and women, as the division of labour on farms is often gendered, and men and women could have different experiences and viewpoints that would provide a more complete picture of the history of Midlands farming. Likewise, we interviewed multiple generations of farmworkers to gain an understanding of changes over time.

Access to farmworkers was blatantly (but politely) refused in one case only, although in several others farm owners made thinly-veiled excuses for not allowing my research assistants and me to speak to the staff. In most cases, farm owners were accommodating, and they often left the farm altogether, allowing us unhindered access to speak to whomever we chose. This could suggest that responses from the farmworkers we interviewed concerning labour relations are not representative of the Midlands in general, as it could be said that only the farm owners who felt they had nothing to hide allowed access to the staff, thus providing a more positive view of labour relations than actually exists. Nevertheless farmworkers on many farms reported terrible working conditions and acrimonious relations with their employers. Furthermore, the sixty-one interviews conducted with neighbours in rural black communities, including current and former farmworkers, provide an effective counterbalance to the on-farm interviews. I am thus confident that this research uncovered a fairly accurate portrait of labour relations – both past and present – in the Midlands. Interviewees from rural black communities were chosen at random; we went door to

door asking if anyone in the home works or had worked on white-owned farms and would be willing to participate in the study. It was in these communities that we found older participants who no longer worked on farms but recounted their experiences on farms during apartheid.

Interviews conducted in isiZulu consisted of a structured questionnaire that was divided into four sections. First, informants were asked a series of questions concerning their personal history such as where they and their parents and grandparents were born, how long they had lived or worked on farms, how they felt life had changed since the end of apartheid, and what they believed was the primary motive driving farm attacks. Second, participants were asked questions regarding patterns of landownership, the history of African land dispossession, the government's land reform program and the likelihood that land-related motives could lead to farm attacks. This was followed by questions concerning relationships between white farmers and black employees, tenants and neighbours, both in the democratic era and during apartheid, and the extent to which this interpersonal history could influence the incidence of attacks on white farmers. Finally, interviewees were asked about their experiences and feelings regarding historical and contemporary rural crime and policing and the possibility that farm attacks are primarily a function of the high levels of violent crime that affect all South Africans.

Like Steinberg's study, my research considers the history of the Midlands and the possibility of multiple motives, both historical and contemporary, which is largely overlooked by the Committee of Inquiry into Farm Attacks. Furthermore, as I conducted interviews on more than fifty farms and with over two hundred individuals, this project covers a much larger range of experiences than Steinberg's work, making it more representative of the Midlands region as a whole. My research, therefore, differs from the only two established works on farm attacks – those by Steinberg and the Committee – making it the first to carefully consider the history of a broad area and assess potential motivations in light of that history and extensive oral testimony from

farmworkers, neighbours and white farmers. This gives my project a unique perspective from which to draw new insight into the motives driving farm attacks.

Chapter Outline

In his 1979 book, The Rise and Fall of the South African Peasantry, Colin Bundy observes:

At the core of South Africa's social history lies the transition of a majority of her people – the rural African population – from their precolonial existence as pastoralist-cultivators to their contemporary status: that of sub-subsistence rural dwellers, manifestly unable to support themselves by agriculture and dependent for survival upon wages earned in “white” industrial areas or upon “white” farms.¹¹⁰

Chapters Two and Three rely primarily on secondary literature and archival research to outline this process in the KwaZulu-Natal Midlands. These chapters provide the historical context that highlights the grievances Africans harboured against the state and white farmers in the colonial and apartheid eras – grievances that formed the basis of rural protest and were carried into the democratic era where they have merged with contemporary frustrations over the government's inability to adequately rectify these historical injustices. Chapter Two covers the period between early white settlement in what would become the colony of Natal in the mid-nineteenth century to the historic election in 1948 that brought the National Party to power. It illustrates the version of the history of settler accumulation that white farmers continue to believe is historically accurate and the drastically different understanding of events that have come to inform the collective memory of the black majority – a difference that Chapter Four will argue has important consequences for land reform efforts and could indirectly foment farm attacks. Chapter Two outlines the increasing marginalization of the independent African peasantry in the Midlands and the growth of white commercial agriculture, which forced greater numbers of the African population into ever more crowded reserves or into increasingly exploitative labour contracts on white-owned farms. It

¹¹⁰ Colin Bundy, The Rise and Fall of the South African Peasantry (London: Heinemann, 1979), 1.

highlights the “myth that apartheid is the exclusive product of Afrikaner nationalism: its antecedents are to be found in Natal rather than in any of the other provinces.”¹¹¹ This chapter also illustrates that Africans resisted and protested their dispossession throughout this period and that grievances over lost access to land merged with resistance to farmers’ demands on African labour. It highlights the balance of power that was negotiated between farm owners and tenants and employees as well as the ways Africans themselves shaped the nature of employment on farms.

Chapter Three discusses how white capitalist agriculture was nurtured under the apartheid regime and the accompanying “explosive *increase* in both official and private violence in the farming areas from 1948 onward.”¹¹² White control over black farm labour increased dramatically in this period, as the state acted to limit the remaining vestiges of African independence in the countryside and end the chronic labour shortage on white-owned farms. This chapter highlights continuity in grievances among African farmworkers from the colonial period, but protest was much subtler during these oppressive years. By the time Nelson Mandela was released from prison in 1990, a small number of labour tenants had managed to maintain a smidgen of independence on white-owned land in the Midlands, but most black farmworkers had been forced into wage labour arrangements under unpleasant and often violent working conditions, and many more had been relocated to the destitute places the apartheid government referred to as independent African homelands or Bantustans. The experiences outlined in Chapters Two and Three provide the historical context for examining the strength of the collective memory of these grievances and forms of resistance in the democratic era and assessing the possibility that historical grievances could play a role in motivating farm attacks.

¹¹¹ David Welsh, The Roots of Segregation: Native Policy in Colonial Natal, 1845-1910 (Cape Town: Oxford University Press, 1971), 322.

¹¹² Ivan Evans, Cultures of Violence: Lynching and Racial Killing in South Africa and the American South (Manchester and New York: Manchester University Press, 2009), 118.

A farmworker in Richmond highlighted the role the collective memory of historical grievances dating back to the colonial and apartheid periods could play in contemporary violence:

If you and I fight, and I am wounded, when my child asks what happened I will tell them you hit me. When my grandchildren ask, I will tell them the same thing, and even my great-grandchildren will know, and we will have a generational grudge. Even if I pass on, the story about how I was hurt will be passed down through generations. Likewise, we blacks still hold a grudge against the colonists.... The wound is still there.... often revenge is paid through violence.¹¹³

Chapters Four, Five and Six draw on oral testimonies to examine the role the collective memory of the historical injustices and cultures of resistance outlined in Chapters Two and Three – as well as contemporary grievances – could play in the violence affecting white farmers since the early 1990s. Chapter Four examines the ANC’s land reform program in the aftermath of apartheid. It highlights the challenges of land restitution and redistribution and illustrates how the failure of the land reform program has frustrated those who held hopes of regaining lost land. This chapter examines the ways in which the collective memory of dispossession affects how rural black South Africans in the Midlands view patterns of land ownership in the democratic era and the current land reform program, and it assesses the possibility of land-related motives in farm attacks in this part of KwaZulu-Natal. Twenty years after the fall of apartheid, the ownership of land “retains a powerful political charge, given the continuing depth of rural poverty and the manner in which a long history of racialised land dispossession can be invoked as a potent symbol of historical injustice and oppression in general.”¹¹⁴ This chapter argues that it is unlikely that farm attacks are directly motivated by a desire to see land returned to black ownership, which could be – at least in part – due to the fact that informants have witnessed twenty years of failed projects and no longer hope for land as they may have in the 1990s. This could account for the discrepancy between the emphasis

¹¹³ Interview with Farmworker 3 on Richmond Farm 4, September 2013.

¹¹⁴ Bridget O’Laughlin, Henry Bernstein, Ben Cousins and Pauline E. Peters, “Introduction: Agrarian Change, Rural Poverty and Land Reform in South Africa since 1994,” *Journal of Agrarian Change* 13 (2013), 1.

Steinberg's informants placed on land as a motive in farm attacks compared to interviewees in 2013, who pointed to criminality and abuse by white farmers as the primary motives driving the violence.

Although my research suggests that land-related motives are likely not a direct cause of most farm attacks, it does illustrate that land plays an important indirect role in the violence. Although most black interviewees did not identify a desire to force the return of land to black ownership as the most likely direct cause of farm attacks, they did note that landlessness has led to poverty and encouraged crime, which fifty-three percent of black respondents identified as the primary cause of the violence. Furthermore, highlighting the historical link between land dispossession and labour exploitation dating back to the colonial period, as outlined in Chapters Two and Three, participants stressed that their landlessness made them dependent on white farm owners for employment, and forty-five percent of black participants' responses pointed to ill-treatment at the hands of white farmers as the primary motive behind attacks on white farmers. These responses highlight the importance of finding an effective way forward for the land reform program.

In 1994, Andries du Toit wrote: "the plight of farmworkers has over the years become a kind of metaphor for the worst aspects of apartheid rule. The word 'Boer' today no longer refers simply to white Afrikaans-speaking farmers, but has become an icon for white racism in the society as a whole."¹¹⁵ Chapter Five discusses the changes in the relationships between white farmers and black farmworkers, tenants and dwellers in the democratic era. Since 1994, the ANC government has attempted to protect those who live and work on white-owned farms – through the implementation of minimum wages and tenure security, for example – and these efforts have affected the relationships between white farmers and black farmworkers and tenants. Many white farmers, however, have not relinquished the colonial mentality of themselves as benevolent paternalists, and many still see themselves as the natural superiors of their African subordinates.

¹¹⁵ Andries du Toit, "Farmworkers and the 'Agrarian Question,'" Review of African Political Economy 21 (1994), 375.

Conversely, black workers have begun to demand their rights as enshrined in the new Constitution, and they expect change. When change is not forthcoming, there is a potential for violent retaliation when employees feel they have no other recourse to fight for justice. Unlike the Committee of Inquiry into Farm Attacks and other observers who conclude that labour relations do not play a major role in the violence against white farmers, the informants who participated in this study stressed the importance of ill-treatment by white employers in motivating farm attacks, which is an important departure from the existing literature. Chapter Five assesses the potential impact poor labour (and neighbourly) relations, as well as the history of exploitation, can have on the incidence of farm attacks and argues that this could play a larger role in the violence directed at white farmers than is generally acknowledged.

Chapter Six examines the rise of violent crime throughout South Africa in the 1980s and particularly from the early 1990s, and argues that farm attacks must be viewed within this context. It explores the transformation of the police service from the racist and abusive organization described in Chapters Two and Three into one responsible for the safety and security of all South Africans and the effects that conversion has had on the ability of the police to prevent and detect crime in rural areas. “Poverty continues to be concentrated in rural areas and in the former Bantustans in particular,”¹¹⁶ which makes white-owned farms stand out as pockets of relative wealth and potential targets for thieves. Although this chapter argues that acquisitive criminality likely accounts for the majority of farm attacks, it also argues that the history of dispossession and oppression plays an important role in the rise of unemployment and poverty, which have certainly contributed to high post-apartheid crime rates. Many respondents stressed the connection between Africans’ historical oppression and landlessness and the current lack of jobs, education and opportunity, which has led many youth into a life of crime. Chapter Six also outlines the ways in which the dismantling of the

¹¹⁶ O’Laughlin, Bernstein, Cousins and Peters, “Introduction,” 2.

oppressive system of policing the countryside has made commercial farms more vulnerable to criminals. It demonstrates that even when robbery occurs in the course of a farm attack, it is possible that acquisitive criminality was not the only or even the central motive, which makes understanding the history of relations between white farmers, black farmworkers and neighbours important for situating these attacks in their historical context and identifying other possible motives for the violence affecting white farmers. Finally, Chapter Seven will conclude the dissertation and summarize the findings.

Chapter Two

“The Whites Took Our Land and Fenced It.”¹¹⁷ The Development of White Commercial Agriculture and African Dispossession, 1838 to 1948

Introduction

After learning that I was in the process of interviewing farmworkers and other rural black residents, an employee at a local farmers’ union in the Midlands told me: “Ask them why they are so angry! Apartheid is over. I don’t know what they are still so mad about.” This chapter outlines some of the processes that have historically aggrieved African communities in the Midlands and could continue to fuel resentment and anger in the democratic era. Like Steinberg’s analysis in Midlands, many black participants in this project argued that farm attacks could be a function of past grievances. An Impendle resident, for example, noted: “poverty and grief of what happened to black people in the past fuel these attacks.”¹¹⁸ This chapter provides an overview of potential historical grievances that date back to the first century of white settlement in Natal, particularly the dispossession of African communities and ill-treatment on the white-owned farms on which Africans were increasingly compelled to work. As Chapter Four will illustrate, this history is remembered very differently in the white community than the black community, which has important implications for the perceived legitimacy of continued white land ownership in the twentieth century as well as post-apartheid land reform efforts.

This chapter examines the growth of the colony of Natal (later the province of Natal) from the mid-nineteenth century to the election of the National Party and the establishment of apartheid in 1948. It outlines early white immigration and settlement in the colony, the growth of land speculators as white agriculture faltered, the implementation of the location (reserve) system that

¹¹⁷ Interview with Impendle Resident 4, November 2013.

¹¹⁸ Ibid.

segregated land earmarked for white ownership from land held in trust for Africans, and the development and decline of a successful African peasantry, especially in the wake of self-government in 1893. The effects of the 1913 and the 1936 Land Acts are also discussed, as well as the rise of labour tenancy on white-owned farms. This chapter also highlights the foundation of racist policing in Natal and the forms of African protest that challenged the many injustices of colonial rule.

This chapter argues that the roots of post-apartheid grievances among KwaZulu-Natal's rural black population are found in the period between the establishment of white rule in Natal in the late 1830s and the election of the National Party in 1948. The process of African dispossession was of immense meaning and lasting effect. As dispossession progressed, African resistance to colonial attempts at limiting their access to land and mobility became intrinsically linked with their reluctance to labour for white employers, especially under the conditions prevailing on white-owned farms. Resistance to dispossession and exploitation on white-owned farmland was influential in this period, and although Africans were not able to halt the forces acting on them, neither were colonial authorities or white employers powerful enough to unilaterally dictate the terms of African participation in the colonial economy. Furthermore, this chapter argues that throughout the latter half of the nineteenth century and the first half of the twentieth century, resistance to the demands of white authorities and white employers, although seldom organized on a wide scale, was important in shaping the balance of power between landowners and tenants and remained embedded in the collective memory of African communities.

As this chapter illustrates, memories of dispossession did not vanish in the nineteenth century; they were fused with labour grievances and formed an important part of Africans' understanding of the injustices of colonial rule and the illegitimacy of white landownership and white authority. Africans resisted settler land accumulation and, as dispossession progressed, their

exploitation on white-owned farms. These grievances likely remained embedded deep inside the collective memory of Natal's Africans and formed part of their understanding of the injustices that must be addressed in the post-apartheid era. Furthermore, as Africans' grievances over the loss of land and labour exploitation on white-owned farms occasionally led to assaults on the person and property of white farmers under colonial rule when the state and police force prioritized the protection of whites, it is not surprising that analogous complaints would be similarly expressed under majority rule after 1994.

White Settlement in the Colony of Natal

Apart from the presence of a small number of English traders at Port Natal (present-day Durban), white settlement did not commence in what would become the Colony of Natal until late 1837 when the first Voortrekkers traversed the Drakensburg mountains and descended into the area around the future capital of Pietermaritzburg.¹¹⁹ This settlement was part of what historians have termed "The Great Trek," during which white farmer settlers of Dutch descent, frustrated by the liberal and philanthropic policies of the British authorities in the Cape Colony, left in droves, searching for fresh pastures in the interior on which they could establish an independent republic.¹²⁰ The Republic of Natalia was the first state the Voortrekkers established outside the Cape Colony, and farms of 6,000 acres were made available free of charge to all Voortrekkers.¹²¹

The founding myth of colonial Natal – one that continues to inform many white farmers' perceptions of the legitimacy of their own landownership – is based on the conviction that the colony was empty of African inhabitants when whites began settling in the 1830s and 1840s.

¹¹⁹ Edgar Brookes and Colin de Webb, A History of Natal (Pietermaritzburg: University of Natal Press, 1965), 29.

¹²⁰ Benjamin Kline, Genesis of Apartheid: British African Policy in the Colony of Natal 1845-1893 (Lanham: University Press of America, Inc., 1988), 1.

¹²¹ A.J. Christopher, "Colonial Policy in Natal," Annals of the Association of American Geographers, Vol 61, No 3 (1971), 562.

George McCall Theal and other historians claimed that much of the interior of South Africa, including Natal, had been entirely devastated and depopulated in the 1820s by a series of wars associated with the consolidation of the Zulu Kingdom under Shaka – a process known as the *Mfecane*.¹²² As Norman Etherington argues, white settlers, their descendants and historians used the grossly inflated story of death and destruction caused by Zulu expansion as “an excuse for Boer and British aggression: whatever the commandos and cannons had done, Shaka and Mzilikazi had done far more in the way of killing,” thus justifying white claims to the entire region.¹²³ Although historians have exposed the fallacy of African absence from Natal and other parts of central South Africa, as Chapter Four explains, white farmers in the KZN Midlands continue to cite the *Mfecane* as evidence that post-1990 land claims are unfounded, as they believe white settlers were the legitimate owners of unoccupied land. Black informants in 2013 rejected the settler narrative of empty land: “the white settlers found our forefathers here. They took our land, and we were scattered and separated from our families.”¹²⁴

As they attempted to establish their farms, the Voortrekkers were dependent on hunting as well as trading with – or raiding – African communities for their subsistence. Trekker raids on African communities, along with their attempt to force Africans to work on their farms and their threat to expel those who would not, caused considerable alarm among the British authorities in the Cape Colony, and in 1843, the British intervened and annexed Natal to the Cape Colony. The British inherited a bewildering state of land affairs: two thirds of the land in the colony had been “recklessly granted to Dutch applicants, without any thought or consideration for the future,”¹²⁵ and the British government promised security of tenure to these Afrikaner farmers in a vain attempt to

¹²² For a discussion of the historiographical debate concerning the *Mfecane*, see Norman Etherington, *The Great Treks: The Transformation of Southern African, 1815-1854* (London: Longman, 2001), 333-340.

¹²³ Etherington, *The Great Treks*, 337.

¹²⁴ Interview with Ndaleni Resident 28, November 2013.

¹²⁵ Joseph Byrne in *The Natal Witness*, April 12, 1850.

encourage them to remain in the colony.¹²⁶ Despite these efforts, most Trekkers continued their search for land beyond the reach of British authority. Many of the departing Voortrekkers either deserted their farms entirely or sold their land at incredibly low prices, often to land speculators, rendering most of Natal vacant of white settlers.

The British attempted to populate their new colony with immigrants from Europe. Under various schemes, approximately 5,000 immigrants from England and Scotland arrived in Natal between 1849 and 1852. These immigration schemes, however, were largely unsuccessful in creating a class of white agriculturalists, and, unable to make their plots productive, many settlers sold their land to speculators, who comprised the largest landowning group in Natal with the most influence on the political economy of the colony in the 1850s and 1860s.¹²⁷ The leading speculation group was the Natal Land and Colonization Company, which owned 657,967 acres in Natal by 1874.¹²⁸ Faced with floundering white agriculture, the Natal Land and Colonization Company, as well as smaller speculators and landowners, concluded that extracting “rent in the form of produce or cash from Africans on the land constituted the most attractive form of ‘farming.’”¹²⁹ This was sometimes referred to as “Kaffir Farming.”¹³⁰ It was not until the 1870s, as white immigration to the colony began to increase and sons of settlers were maturing and seeking farms of their own, that land prices rose and speculators began selling their land. This initiated a process whereby African rent tenants were evicted or were confined to significantly smaller plots.¹³¹ The extent and implication of this process will be discussed more fully below.

¹²⁶ Christopher, “Colonial Land Policy in Natal,” 573.

¹²⁷ Bundy, *Rise and Fall*, 168.

¹²⁸ Slater, “Land, Labour and Capital in Natal,” 270.

¹²⁹ *Ibid.*, 263.

¹³⁰ Keegan, *Facing the Storm*, 20.

¹³¹ Lambert, *Betrayed Trust*, 71. Land companies also squeezed more rent tenants on land in order to extract more profit from land not yet sold on the market.

The Location System

By 1844, there were approximately 100,000 Africans living in Natal.¹³² When Mpande deposed his brother Dingane (with the succour of the Voortrekkers) as Zulu king in 1840, refugees fleeing Mpande's rule streamed into Natal from Zululand, and the "divided white community was helpless to check this, and the lack of all effective government meant that they settled where they pleased, often on areas claimed, or even occupied, as farms."¹³³ Although Natal was annexed from the Voortrekkers on humanitarian grounds, "British colonial officials in Natal quickly abandoned any pretense of the type of liberal egalitarianism they had espoused in the Cape Colony during the first half of the nineteenth century."¹³⁴ The British government attempted to control Natal's African population through the principle of racial segregation, and in 1843 six locations (reserves) were established with the help of Theophilus Shepstone, who is often attributed with implementing the system of indirect rule that was adapted throughout South Africa and the wider British Empire.¹³⁵ Shepstone hoped these locations would become "active agencies of civilisation" where Africans would be educated and trained to take part in colonial society.¹³⁶ This idea, however, had to be quickly abandoned when it was made clear the British government was not prepared to foot the bill for such a great expense.

In 1864, the Natal Native Trust was established to administer all the reserved land in Natal for the African population. By this time, there were forty-two locations totalling 2,067,057 acres as well as an additional 174,862 acres in twenty-one mission reserves.¹³⁷ This land, however, only comprised about one-tenth of the area of Natal. The remainder, including the vast majority of the

¹³² Kline, British African Policy, 6.

¹³³ In 1843 alone, an estimated 50,000 refugees left Zululand for Natal. Brookes and de Webb, A History of Natal, 50.

¹³⁴ McClendon, Genders and Generations Apart, 11.

¹³⁵ Kline, British African Policy, xvi.

¹³⁶ Brookes and de Webb, A History of Natal, 59.

¹³⁷ Ibid., 60. The authors, writing in the mid 1960s, note that the total acreage of these locations and mission stations varied little since 1864.

best farmland, remained available for a white settler population of less than 10,000.¹³⁸ Much of the area allocated as reserves for the African population was of the poorest quality and completely unsuitable for cultivation or pasturage. A former employee of the Natal Native Trust claimed that the reserve land was of such poor quality, no more than ten percent was suitable for cultivation.¹³⁹

Despite retaining access to ninety percent of the best farmland in the colony, white settlers resented the size and number of the locations, as these allowed independent African farming and did not encourage “an equal distribution of labourers” throughout the colony.¹⁴⁰ Not only did some of these African producers compete with white farmers on the colonial market, more importantly, access to land in the locations eliminated the need for those residing there to seek employment on white-owned farms. It had been a mistake, the settlers argued, to create large locations in which Africans could continue their “idle, wandering, and pastoral lives or habits,”¹⁴¹ and many called for the breaking up of the locations. These calls were not heeded in the Colonial Office; rather, settlers were offered subsidies such as exemption from land tax and duties on agricultural imports.¹⁴²

Shepstone was remarkably successful in persuading Africans to move to the locations, occasionally resorting to demolishing homes and confiscating cattle.¹⁴³ Nevertheless, he estimated in 1851 that two-thirds of the African population of Natal continued to reside outside the reserves.¹⁴⁴ Africans were permitted to reside on the colony’s Crown land; indeed, many Africans resided on these lands before they were alienated to the Crown. Many of these African residents would have been living in the vicinity before the arrival of the Voortrekkers; others could have returned after being temporarily displaced in the 1820s, while some would have migrated from Zululand in the

¹³⁸ Brookes and de Webb, *A History of Natal*, 60.

¹³⁹ David Welsh, *The Roots of Segregation*, 179.

¹⁴⁰ *The Natal Witness*, May 1, 1846.

¹⁴¹ Kline, *Genesis of Apartheid*, 21.

¹⁴² These financial offerings in lieu of supplying coerced African labour were, however, funded by raising revenue from the African population. Lambert, *Betrayed Trust*, 19.

¹⁴³ *The Natal Witness*, October 19, 1849.

¹⁴⁴ Bundy, *Rise and Fall*, 170.

1840s. A hut tax was levied from these residents, and in 1884 an additional £1 per hut was extracted in annual rent.¹⁴⁵ Acknowledging the “civilizing” potential of the missionaries, the colonial government also granted twenty reserves, primarily in the Midlands and coastal regions, totalling 153,273 acres, to various missionary societies.¹⁴⁶ Further land was purchased by or granted to missionaries as mission stations.¹⁴⁷ These mission stations and reserves attracted many African converts – perhaps more for their secular offerings than their religious teachings. Topping the list of benefits of residing on a mission station was access to arable land; furthermore, “they were taught the use of the plough, encouraged to buy wagons, to build European-type cottages, and to learn various handicrafts.”¹⁴⁸

The Independent African Peasantry

Access to land – privately owned land, reserves, mission stations or Crown land – afforded many Natal Africans the independence to subsist and meet their tax and rent obligations without having to resort to employment for white settlers.¹⁴⁹ “With few accurate surveys or fences, and with so much land in the hands of absentee landowners or of the Crown, Africans could move relatively freely onto under-utilized land to establish new gardens and to graze their cattle.”¹⁵⁰ Africans living in the southern and western Midlands regions, near Richmond and Underberg, where small reserves were surrounded by large expanses of Crown land, were especially able to make use of unoccupied land.¹⁵¹ This remained the case until the 1880s.

¹⁴⁵ This rent was doubled in 1903.

¹⁴⁶ Lambert, Betrayed Trust, 16. According to Bundy, Natal likely boasted more Christian missionaries than any other area of Southern Africa. Bundy, Rise and Fall, 170.

¹⁴⁷ By the end of the century, 95 such stations existed with a combined size of 140,998 acres, virtually equal to that of the mission reserves. Lambert, Betrayed Trust, 16.

¹⁴⁸ Welsh, The Roots of Segregation, 48.

¹⁴⁹ South African Native Affairs Commission 1903-1905 Report, Vol 1, 80.

¹⁵⁰ Lambert, Betrayed Trust, 12.

¹⁵¹ PAR. 1/HVL. 3/1/1/2.

Africans producers did not merely subsist during this period; many thrived in the vacuum left by the failure of white agriculture. Africans' responses to market conditions resulted in "the formation in the nineteenth century of an African peasantry."¹⁵² White settlers were producing very little food to feed the growing colony, but they did create a market for farm produce, and Africans living near centres of white settlement responded to this market. The Native Affairs Commission of 1852-53 grumbled that "the Kafirs are now much more insubordinate and impatient of control; they are rapidly becoming rich and independent."¹⁵³

The African Christians (the *kholwa*) farming on mission stations and mission reserves were particularly successful in generating profits through the sale of cash crops, and some were able to purchase land either as individuals or as groups. By 1907, 1,548 registered African landowners had purchased 191,466 acres in Natal.¹⁵⁴ Although many African landowners encountered difficulties in keeping up with payments, particularly during years of depression and drought, and opposition to African land purchase from white colonists was fierce, the history of Natal is rife with examples of successful black farmers. Contrary to the common opinion among white farmers in the twenty-first century that black people make poor farmers, a newspaper article in the 1860s to the accomplishments of African agriculturalists: "Perhaps the most striking feature in the Kafir character is his energy and industry as a farmer.... The thousands of acres that have been ploughed up by Kafirs, and the hundreds of wagons they possess, are conclusive proof of their readiness to become agriculturalists."¹⁵⁵ It was not until the end of the nineteenth century that white farming was able to challenge the dominance of the African peasantry.

¹⁵² Bundy, Rise and Fall, v. Colin Bundy argued that there was a remarkably more successful response by African agriculturalists to colonial market opportunities than has usually been recognized, and that "hundreds of thousands of African peasants met the new demands of the state and of landowners by adapting their existing farming methods rather than by entering wage labour on the terms of the white colonists."

¹⁵³ Ibid., 171.

¹⁵⁴ Nearly half of the land purchased was in the Klip River district. Welsh, The Roots of Segregation, 199.

¹⁵⁵ The Natal Witness, April 1, 1870.

By producing a surplus of foodstuffs to sell on the colonial market, many African families managed to withhold their labour, “at least upon the unattractive terms offered by white farmers and planters.”¹⁵⁶ The inability to secure sufficient labour was a constant source of frustration for struggling white farmers and a regular point of conflict between white settlers and the colonial government. From the inception of British rule in Natal, the colonial authorities recognized the importance of African producers; not only did Africans feed the struggling colony, but the hefty tax burden the government placed on them was a major source of revenue. The hut tax alone, Lambert notes, “would have more than paid for schools, superintendents, and teachers in the reserves, but was diverted instead into the general colonial revenue each year.”¹⁵⁷ Additional taxes and fees were levied – for dog ownership and marriages, for example – in addition to the heavy duties that were placed on goods imported for African consumption.¹⁵⁸ The colonial government was, thus, unwilling to undermine the relative success and independence of the African population and directly undercut its own revenue base.

The government’s stance was challenged by the colony’s farmers, who complained endlessly of their inability to secure a sufficient labour force. Natal’s farmers called for a “native policy” that would restrict Africans’ access to land, thereby reducing the independence of black communities, forcing more young men to seek work on white-owned farms. This would also open up more land, which white farmers could then cultivate for themselves. Farmers’ attacks were primarily aimed at the reserves and rent tenancy on Crown land and absentee-owned farms. Although changes were on the horizon that would see the destruction of independent African production, at this stage the

¹⁵⁶ Bundy, *Rise and Fall*, 173.

¹⁵⁷ Lambert, *Betrayed Trust*, 19.

¹⁵⁸ *Ibid.*

farmers did not yet represent a constituency powerful enough to defeat the colonial and mercantile interests that were benefiting from the continued strength of the African peasantry.¹⁵⁹

Africans had good reason to avoid work on most farms in Natal. Farmers could not afford the wages offered in towns, and many farm labourers complained they could not even get the meager wages owed to them. The demand for labour in the diamond (from 1867) and gold mining (from 1886) industries in Kimberley and Johannesburg opened up further wage earning opportunities for Natal's African population, and magistrates in Natal reported that "whenever possible the Natives prefer to go to the Mines."¹⁶⁰ Furthermore, farmworkers commonly experienced unreasonable labour demands and ill-treatment, which contributed to Africans' reluctance to enter the employ of white farm owners. These grumblings echo complaints in the democratic era, hinting that resentment at the exploitation experienced on white-owned farms in the colonial period formed part of the collective memory that can still be found among democratic-era farmworkers.

There were a few farmers, however, who did not complain of a labour shortage. These "progressive" farmers generally paid better wages and treated their staff more humanely. In Richmond, for example, Joseph Baynes and William Nicholson – both considered "enlightened employers" – told the Natal Native Commission in 1881 that they had no problem in attracting sufficient labour.¹⁶¹ Likewise, in 1893, the newspaper Inkanyiso Yase Natal argued that "Africans 'would not so frequently desert if they were justly dealt with by their employers,'" and in 1895 a contributor to The Natal Witness wrote that "those who cannot get labour have themselves to blame. There are some farmers who ill-use their boys [African males, regardless of their age] or

¹⁵⁹ Slater, "Land, Labour and Capital in Natal," 272.

¹⁶⁰ See for example PAR. 1/LDS. 3/4/1/1. Annual Magistrate's Report Ladysmith 1913.

¹⁶¹ Lambert, Betrayed Trust, 94.

make them work beyond the recognized hour.”¹⁶² Despite the relatively decent treatment by some “progressive” farmers, for the most part farmworkers in Natal were treated and paid poorly. This pattern endured; several farmers were lauded by their staff during interviews in 2013 as fair and generous employers while others were lambasted for continuing to exploit their workers.

Although the colonial government refused to bow to farmers’ demands to force Africans to seek employment on white-owned farms, it did support white agriculture by alleviating farmers’ difficulty in procuring labour in two ways. First, in 1860, the colonial government began importing indentured servants from India to work in the agricultural sector of Natal, especially in the sugar cane industry.¹⁶³ Second, in 1885 the government declared that Africans could only leave the colony to seek work if they had obtained a pass from the local magistrate or other sanctioned official, who could refuse if farmers in the division complained of insufficient labour.¹⁶⁴

The Growth of White Agriculture and the Decline of the African Peasantry

The strength of the African peasantry in Natal began to weaken in the mid 1880s. This can largely be attributed to the restrictive conditions prevailing in Natal by the late nineteenth century that denied most peasants access to fresh plots of land. Conventional African farming methods were suitable in earlier years when there was relatively easy access to vacant land once the nutrients in an existing plot had been depleted, but by the late nineteenth century, access to fresh plots was declining along with crop yields, significantly reducing Africans’ ability to compete on the colonial market. Several natural disasters such as a rinderpest epidemic in 1896 that decimated the cattle population further contributed to pressures on Natal’s African peasants.

¹⁶² Lambert, *Betrayed Trust*, 94.

¹⁶³ Bundy, *Rise and Fall*, 171.

¹⁶⁴ See for example PAR. CNC. 2412/1918. Telegraph from Greytown Magistrate to local Chiefs, April 29, 1918.

The reduction in the amount of land available for African use went hand in hand with the commercialization of white agriculture. The advent of the mining industry on the Rand opened up massive new markets for agricultural goods, making commercial farming a much more lucrative and attractive venture than it had been previously.¹⁶⁵ This dramatically transformed Natal's agricultural sector, especially in the fertile Midlands.¹⁶⁶ As the potential for profitable commercial agriculture increased, so too did the value of land, and there was an extensive shift away from absentee ownership towards active development of farmland in the Midlands.

As absentee-owned property and Crown land was sold to settlers eager to earn a profit through agriculture, Africans living on these lands saw the area allocated to them reduced substantially, or they were evicted altogether. In Ixopo in 1882, for example, five thousand African rent tenants resided on Crown land that was sold to white farmers; 2,150 of those tenants were summarily ordered off the land by the new owners.¹⁶⁷ The landowners who continued to rent to African producers increased the rents significantly. In 1860, rents paid to the Natal Land and Colonization Company averaged five shillings annually; by 1886 the Company was receiving an average of twenty-eight shillings a year.¹⁶⁸ Eviction of Africans from white-owned land and Crown land put added pressure on the reserves, which were already congested and faltering by this time. Thus, peasants' capacity to produce a surplus for market was greatly diminished.

Another major blow to the African peasantry came in 1893 when, after almost fifty years of British rule, white settlers in Natal gained self-government "with the power to subjugate the African population."¹⁶⁹ This signified a shift of power "out of the hands of those local and British interests 'with a stake in the continued capacity of Natal Africans to earn an independent income' – the

¹⁶⁵ Marks, *Ambiguities of Dependence*, 59.

¹⁶⁶ Bundy, *Rise and Fall*, 185.

¹⁶⁷ Lambert, *Betrayed Trust*, 81.

¹⁶⁸ Bundy, *Rise and Fall*, 182.

¹⁶⁹ Kline, *Genesis of Apartheid*, 235.

rentiers – and into the hands of ‘the burgeoning class of commercial farmers and its allies.’¹⁷⁰ Thus, by the end of the nineteenth century, those who favoured the development of a black peasantry had been replaced in government by those who had been clamouring for decades to destroy the independence of these African producers in order to create a cheap and pliable workforce for white farmers and other white employers. “The interests of these latter were translated into political action: between roughly 1890 and 1913, an employers’ offensive directly undercut the position of large numbers of peasants.”¹⁷¹

Under responsible government in Natal, “no sector of the economy was more strikingly transformed than agriculture.”¹⁷² The state provided a range of agricultural extension services and financial support to white agriculturalists, including increased loans and subsidies for the fencing of farms and the construction of dipping tanks, which boosted stock farming and dairying.¹⁷³ In the first decade of the twentieth century, the government built costly railway lines and roads to hitherto isolated farming areas in an attempt to intensify and diversify output. These changes encouraged the expansion of wattle and sugar plantations, and “the country between Pietermaritzburg and Greytown soon became one continuous line of plantations.”¹⁷⁴ One chief complained: “all the farmers in my district are putting all their land into wattles and will not permit their native tenants to remain on the farms. They are even disposing of their stock.”¹⁷⁵ Restrictions on Africans’ freedom to move within the colony were also increased. For example, Africans residing on farms required written permission from the landlord as well as a pass from the local magistrate if they wanted to move to another district.¹⁷⁶ New burdensome taxes and fees were also demanded of Natal Africans, the most infamous of which was the Poll Tax of 1905. Thus, by the early years of the twentieth

¹⁷⁰ Bundy, *Rise and Fall*, 184.

¹⁷¹ *Ibid.*, vi.

¹⁷² *Ibid.*, 185.

¹⁷³ See for example PAR. ARG. Agricultural Registry Natal Minute Papers, 1911.

¹⁷⁴ Lambert, *Betrayed Trust*, 80.

¹⁷⁵ Slater, “Land, Labour and Capital in Natal,” 277.

¹⁷⁶ PAR. 1/LDS. 3/3/19. Letter from Newcastle Magistrate, August 13, 1908.

century, the African peasantry was struggling to compete with state-backed white agriculture, and African-occupied land was “stagnating, falling back or suffering from ‘growing neglect.’”¹⁷⁷ By the time of Union in 1910, “African peasant areas showed serious signs of agrarian degeneration, and their transformation into teeming rural slums – or the process of their underdevelopment – was well underway.”¹⁷⁸

As the independence of the African peasantry dwindled, peasants residing on white-owned land came under increasing pressure to take up labour tenancy. As opposed to rent tenancy (or “squatting”) whereby the peasant paid his rent in cash procured from selling his surplus crops on the market, labour tenancy required the rent be paid in service to the white landlord, usually for a period of three to six months. It was predominantly the sons of African patriarchs who laboured for the white farmer, but wives and daughters – and the patriarch himself if his family members were too young to work – were at times required to work as well. Wages were paltry or non-existent. The sons of labour tenants often sought wage employment in the towns, cities and mines in their off season to supplement the family’s income and to save for their *lobola* (bridewealth). Although the system of labour tenancy allowed African families continued access to land on white-owned farms, there were many disadvantages compared to rent tenancy. Labour tenants had to work for the landowner and neglect their own crops when they most needed attention, and white farm owners were known to limit the amount of stock a tenant family could graze and dictate where the tenant’s crops would be planted rather than allow the tenant to choose.¹⁷⁹

By the early twentieth century, as more and more Crown land and absentee-owned land was sold to and put to use by white agriculturalists, greater numbers of African peasants found

¹⁷⁷ Bundy, *Rise and Fall*, 187.

¹⁷⁸ *Ibid.*, 221.

¹⁷⁹ *Ibid.*, 189. These restrictions depended on the type and intensity of farming pursued on the land. On the labour farms near Weenan, tenants had very few restrictions. On the more capitalized farms in the Midlands, the amount of land allocated to tenants was often limited.

themselves reduced to the status of labour tenants. Nevertheless, many white landowners, particularly the more undercapitalized farmers and the remaining absentee landowners, continued to rely on rents from African tenants.¹⁸⁰ Unlike their more capitalized colleagues in the sugar cane industry along the coast, Midlands farmers were generally unable to offer competitive wages and so attract a wage-based migrant labour force, and tenants of the “better-capitalized and more ‘progressive’ farmers (those more interested in improvement and production for the market) in central Natal [particularly in the Midlands] felt the pinch of increased demands for labor.”¹⁸¹ Nevertheless, Africans in the Midlands had options: with the numerous locations nearby and the willingness of some landowners to accept new rent tenants, African producers were reluctant to accept pure labour tenancy agreements and were sometimes able to negotiate a compromise.

Labour Relations on White-Owned Farms

Relations between white farmers and black labour and rent tenants were often tense and even violent. Natal’s Chief Native Commissioner toured the Midlands in 1914 and met with the chiefs in each district. He reported that “there were general complaints at my meetings of harsh treatment by farmers.... There were complaints of high rentals being charged by European landlords from their Native tenants, in some cases, in addition to labour rendered, and of farmers making their tenants work for them for little or no pay.”¹⁸² The Chief Native Commissioner concluded that “the relations generally between landlord and tenant in Natal are strained.”¹⁸³ Nevertheless, many comments made to the Natal Native Affairs Commission in 1907 – from tenants as well as farmers – hint at a degree of mutual respect between farmers and tenants.¹⁸⁴ A Rosetta farmer, the

¹⁸⁰ Lambert, *Betrayed Trust*, 13.

¹⁸¹ McClendon, *Genders and Generations Apart*, 16.

¹⁸² PAR. CNC. 362/1914. Letter to Secretary for Native Affairs from Chief Native Commissioner, April 15, 1914.

¹⁸³ *Ibid.*

¹⁸⁴ PAR. PM. 829/1907. Report of the Natal Native Affairs Commission, July 7, 1907, page 5. Of course it is highly possible that tenants were reluctant to express their concerns to white commissioners for fear of reprisal if the land

commissioners wrote, “was in the habit of instructing [Africans] as to their methods of cultivation, and advising them as to the use of fertilizers, which he sold them at cost price.... He took considerable pains in teaching them better methods of cultivation, and he generally interested himself in their affairs.”¹⁸⁵ Similarly, another Midlands farmer, William Nicholson, complained to the commissioners that Africans were “not shown proper consideration” at government offices.¹⁸⁶ Comments such as these indicate a level of etiquette and understanding between the races on some Midlands farms and suggest that these relationships were not exclusively exploitative but were complex, sometimes involving elements of compassion and cooperation.

Robert Morrell offers an insightful depiction of the ways in which wealthier white farmers and black labour tenants in the Midlands negotiated and constructed their relationships in the late nineteenth and early twentieth century.¹⁸⁷ Whereas Charles van Onselen illustrates that the more affluent English farmers in the Transvaal tended to cut the ties of paternalism that bound landlord and tenant and eased some of the friction that often arose in daily interaction on the farms,¹⁸⁸ Morrell argues that, in the Midlands, “the correlation between advanced methods of cultivation, the exploitation of labor and the decline of paternalism is less exact.”¹⁸⁹ This class of gentlemen-farmers valued “domestic security,” and “the stability and contentment of farmworkers were just as

owner learned of the complaint. For example, The Native Farm Labour Committee that examined the labour shortage experienced on farms throughout South Africa in the late 1930s admitted that, although it did hear evidence from farmworkers, “it did not find opportunity to make such close contact with these persons as would have enabled it to ascertain their real complaints and desires.” Report of the Native Farm Labour Committee, 1937-39, page 6.

¹⁸⁵ Morrell, “Synonymous with Gentlemen?,” 185.

¹⁸⁶ *Ibid.*, 186.

¹⁸⁷ As Morrell’s research focused on the schooling sons of white farm owners received and the connections between this education and their relationships with African tenants as grown men, these conclusions must be limited primarily to the relations between the wealthier, more “progressive” farmers and their tenants. As these schools were elite institutions, boys from smaller, less-capitalized farms could seldom afford such a luxury. The so-called “progressive farmers” tended to be larger landowners with well-capitalized and increasingly mechanized operations geared to production for the market. These farmers typically pushed for increased mechanization, written labour contracts and the transition from labour tenancy to full-time, wage labour. These were also the farmers who controlled agricultural unions and were involved in politics. In the Midlands, “progressive” was often used interchangeably with “ONFs” – the Old Natal Families – and “such farmers often referred to themselves, and were referred to as, ‘gentlemen.’” Morrell, “Synonymous with Gentlemen?,” 181.

¹⁸⁸ Van Onselen, “Paternalism and Violence.”

¹⁸⁹ Morrell, “Synonymous with Gentlemen?,” 182.

important as extracting the maximum amount of labor from them.”¹⁹⁰ Certainly not all Midlands farmers shared these values, and there were many instances of extreme ill-treatment, exploitation and brutality. Labour relations in the Midlands were complex and varied widely. Although labour relations were certainly based on extremely unequal power dynamics, violence on Midlands farms appears to have been of a somewhat different nature than the more extreme and ubiquitous violence found on plantations, such as the sugar cane plantations along Natal’s coast, or farm compounds like those in the Transvaal.

Helen Bradford also notes the complexity of labour relations, particularly on wealthier Midlands farms, where “harsh racism was sometimes tempered by [the farm owner’s] adoption of some of the benevolence of familiar figures of authority.”¹⁹¹ This benevolence could manifest itself in the form of free cattle dipping for tenants, supplying generous rations, paying a tenant’s poll tax, or selling a tenant’s crop surplus through the farmer’s own networks to secure a better price. There certainly were “agriculturalists who had ‘a real affection and concern for their people.’ Indeed, the very intimacy of farm life, combined with the master-servant relationship itself, helped nurture a stunted approximation of the ethic of paternalism.”¹⁹² William Macmillan likewise points out the goodwill some white farmers showed toward their African tenants: “On all the better farms the tendency is... to give some attention to food and to living conditions, and above all to pay regularly and punctually.... On these farms the supply of labour seems to be regular and adequate for all ordinary purposes, and at least as efficient as anywhere else.”¹⁹³ These farms, however, were the exception. “The general situation is governed by the bad practices of what would seem to be the great majority.”¹⁹⁴

¹⁹⁰ Morrell, “Synonymous with Gentlemen?,” 181.

¹⁹¹ Bradford, *A Taste of Freedom*, 43.

¹⁹² *Ibid.*

¹⁹³ Macmillan, *Complex South Africa*, 245.

¹⁹⁴ *Ibid.*

In spite of the existence of a degree of respect, understanding and negotiation between white farmers and black tenants, there is no mistaking the fact that violence was an ever-present threat on even the most “progressive” of Natal’s farms. There is very little evidence to indicate the frequency of assaults, making it difficult to identify patterns of labour relationships, but it was well-known that some “progressive farmers” such as Joseph Baynes and Charles Smythe, both well-respected parliamentarians, “flogged their servants and saw nothing for which to apologize.”¹⁹⁵ Although Morrell argues that violence on many Midlands farms was not as pervasive as the literature suggests, “without violence, farmers would not have been able to control their labor. The same is true of Midlands agriculture.”¹⁹⁶

Colonial Justice and Rural Policing

As the previous section hinted, white farmers were largely left to their own devices when it came to administering punishment for crimes and for policing their land. In the early days of colonial rule in Natal, the colonial administration had very little effective power in the rural areas, a situation which was strongly condemned by some settlers. The Native Affairs Department was inefficient, and there were no means by which the government could enforce European ideas of justice in distant locations. Africans were largely left under the rule of chiefs through the system of indirect rule.¹⁹⁷ It was not until 1870 that a rural police force was established, and that force “proved hopelessly inadequate.”¹⁹⁸ Even in 1914, the commander of the Natal Police complained bitterly that the police force was severely understaffed and that “the class of men recruited are hardly suitable for Police work.”¹⁹⁹

¹⁹⁵ Morrell, “Synonymous with Gentlemen?,” 182.

¹⁹⁶ Ibid., 188.

¹⁹⁷ Welsh, The Roots of Segregation, 111.

¹⁹⁸ Lambert, Betrayed Trust, 59.

¹⁹⁹ The Natal Witness, May 19, 1914.

The near complete absence of an effective police force had serious consequences for the administration of colonial law and order. Not only were laws almost impossible to enforce in the reserves, but it was also incredibly difficult to inform the African population of the particulars of existing laws or the passing of a new law. As the battery of legislation directed at controlling the African population grew, magistrates were unable – or could not be bothered – to properly inform the populace, causing considerable resentment when these rules were enforced. In 1881, one African man clearly expressed this frustration: “the way we see the laws promulgated now is by seeing someone going to prison for disobeying them.”²⁰⁰ Furthermore, when the reserves were visited by police officers, it was often for the collection of taxes, which garnered them little respect from the black population.²⁰¹ The number of magistrates – who had jurisdiction over whites as well as blacks – was also pathetically low. In 1871 there were 300,000 Africans living in Natal and only eleven magistrates, few of whom were trained in either African or Roman-Dutch law.²⁰² Although there were some dedicated magistrates who were sympathetic and sensitive to Africans’ grievances, they were the exception. Many magistrates and almost all justices of the peace were from the farming community. Although it was certainly not unheard of for white colonists to be charged and punished for assaulting Africans, racial and social solidarity meant that law enforcement officials tended to side with white settlers, and most cases of assault against black workers would not have appeared before the courts. Africans had much less protection under the law than white settlers, and they had many reasons to be dissatisfied with the authority of those who claimed to be civilizers.

Africans’ difficulties with the law were compounded under responsible government; there were more laws governing their daily lives, harsher sentences for the smallest infractions and less leniency for convicted offenders. Every ministry within government came to be dominated by

²⁰⁰ Lambert, Betrayed Trust, 60.

²⁰¹ The Natal Witness, October 21, 1913.

²⁰² Welsh, The Roots of Segregation, 111.

representatives of white farming interests dedicated to enforcing and tightening the restrictive laws introduced by their British predecessors. Almost fifty new laws were enacted under responsible government aimed at controlling the African population, and by 1905, there were an average of 3,600 African arrests each month, causing parliamentarian and “progressive” Richmond farmer Joseph Baynes to point out that the “‘punishments inflicted in many cases constitute a greater crime than is the offence for which the punishment is inflicted’ and warned that they were turning the Africans into a ‘criminal, sullen, felonious [*sic*] and bitterly discontented people.’”²⁰³ To justify the flogging, lengthy jail terms and other harsh sentences they imposed, magistrates argued “that leniency encouraged crime and bred contempt for the white man.”²⁰⁴

The most common charge pressed against Africans was desertion under the Masters and Servants Act, which made breaches of contract, including strikes, criminal offences. In 1912, there were 6,594 arrests for violation of the Masters and Servants Act alone, which was more than double the number of arrests for theft.²⁰⁵ A farmer near Nottingham Road, for example, had a warrant issued for the arrest of one of his tenants on the grounds that the tenant broke his contract by failing to provide labour; the tenant claimed he had been injured and had no dependents to take his place.²⁰⁶ In a similar incident in Richmond, a farmworker was criminally charged and sentenced to “twelve strokes with a cane or rod” for being absent from work for one day.²⁰⁷

On the farms, landowners were generally left to administer their own ideas of justice. As most farmers did not have written contracts with their tenants or wage labourers, they usually did not bother referring to a court when they felt the agreement had been breached. Most white farmers regarded “flogging as ‘the greatest and almost only check the law gives us upon our Kafir

²⁰³ Lambert, *Betrayed Trust*, 170.

²⁰⁴ *Ibid.*

²⁰⁵ *The Natal Witness*, May 19, 1914.

²⁰⁶ PAR. 1/HWK. 3/1/9. Letter Mr. Siddous to Magistrate Lions River Division, May 4, 1899.

²⁰⁷ PAR. 1/RMD. Richmond Criminal Records, August 23, 1915.

servants.”²⁰⁸ Farmers also used physical punishment and fines for Africans living on neighbouring farms and locations who were not in their employ – trespassers, for example, or stock owners whose animals strayed onto a white farmer’s land. Stock theft was dealt with particularly harshly, and it was not uncommon for farmers to shoot suspected stock thieves, especially when the suspects were unknown to the farmer.²⁰⁹ This was especially common on the white-owned farms near locations, such as in Richmond and Ixopo. Magistrates seldom interfered in the forms of punishment administered on the colony’s farms.

Eviction was a powerful punishment farmers could inflict on the occupants of their land. It was used in breaches of the Masters and Servants Act as well as for stock theft, which was considered one of the worst crimes an African could commit. In these cases, the offender’s entire family would be evicted and often removed to Zululand or another distant location.²¹⁰ Eviction not only meant the loss of a place to live, cultivate gardens and graze stock, but it also represented “the destruction of a community, a rupture with tradition and a loss of a place of belonging.”²¹¹ Farmers’ powers of eviction, both as punishment for crime or simply to make room for their own agricultural pursuits, completely disregarded the immense value African communities invested in land, and farmers increasingly turned to eviction as the availability of unoccupied land declined.

Farmers also supplemented the police force in times of unrest. In 1873, for example, volunteers in the Midlands took the lead in the assault against Langalibalele, Chief of the Hlubi, for his failure to ensure all the guns acquired by his followers while they were away working on the mines were registered.²¹² The Hlubi were stripped of their land, which was distributed among white

²⁰⁸ Lambert, Betrayed Trust, 97.

²⁰⁹ Morrell, “Synonymous with Gentlemen?,” 189.

²¹⁰ The Natal Witness, November 14, 1891.

²¹¹ Morrell, “Synonymous with Gentlemen?,” 187.

²¹² Many Africans acquired guns while working in the diamond fields. Shepstone’s sons even gave their employees guns in lieu of wages or permitted them to purchase guns. Africans were required to register these guns in Natal, although most did not, and it could be argued that most were not aware of this requirement. Welsh, The Roots of Segregation, 134.

farmers. Similarly, when the Bambatha Rebellion broke out in 1906 in response to the new Poll Tax, the campaign farmers and police waged against Bambatha and his followers was “nothing short of a reign of terror,” led by Nottingham Road farmer Sir Duncan McKenzie.²¹³ Interestingly, although the term was not used at the time, one of the first acts of rebellion came in the form of what would today be considered a farm murder. On January 17, 1906, a farmer in Camperdown, near Pietermaritzburg, was murdered after he had personally taken his labourers to the local magistrate’s office and forced them to pay the poll tax.²¹⁴ The examples of farmers’ aggression towards Langalibalele and Bambatha not only illustrates the extremely prejudiced use of the justice system – protection verging on the right to loot for white settlers and severe punishment for those Africans who dared protest unjust laws designed to make their lives more difficult – but also illustrates that Africans living near white farmers were not immune from harsh treatment that could cause resentment and form an important part of the history of race relations in rural KwaZulu-Natal.

The 1913 Natives Land Act

Although the independence of the African peasantry had been weakened substantially by the first decade of the twentieth century, many African families continued to exist in relative independence as rent tenants on white-owned land, particularly absentee-owned land. White farmers complained relentlessly that Africans renting absentee-owned land were “under very loose or no control.... Thousands of able-bodied native men congregate on these private locations, spending half their lives in idleness, beer drinking, faction fighting, and mischief.”²¹⁵ This independence was the target of one of the first major pieces of legislation following the Union of

²¹³ Morrell, “Synonymous with Gentlemen?,” 190.

²¹⁴ Lambert, *Betrayed Trust*, 1.

²¹⁵ *The Natal Witness*, January 20, 1912.

the four colonies in 1910: the Natives Land Act of 1913. This Act prohibited Africans from purchasing or renting land outside the “scheduled areas.” The scheduled areas included the existing reserves and some of the land already owned by African individuals and groups and amounted to roughly seven percent of the total area of South Africa.²¹⁶ Africans requesting residence on white-owned farms were henceforth informed they could only do so as labour tenants.²¹⁷ For the most part, as The Natal Witness pointed out, “unless natives can come to terms with their present owners they will be houseless. And if that is not in effect forced labour, it is difficult to say what is.”²¹⁸

Although the 1913 Land Act was intended to benefit white farmers by forcing Africans living on their farms to work as labour tenants, in Natal “there was a howl of outrage” from those white farmers who continued to profit from renting all or parcels of their land to Africans, as well as from those who vigorously protested the Act’s call to make additional land available for African occupation.²¹⁹ Recognizing that the seven percent set aside for African occupation was inadequate, the 1913 Land Act called for the establishment of a commission, “not as it should have been long before, but to make *ex post facto* ‘further provision’ of land for Native purchase.”²²⁰ This commission, known as the Beaumont Commission after the chair Sir William Beaumont, recommended a further 3,800,000 acres be added to the 5,900,000 acres of reserve land in Zululand and Natal.²²¹ Public opinion among white farmers was exceedingly hostile to even the smallest expansion of the reserves. Farmers’ organizations rejected the Commission’s findings as “unfair and

²¹⁶ Marks, Ambiguities of Dependence, 61. Sharecropping – a system of tenancy in which the tenant gives a percentage, usually half, of his crops to the land owner as payment for the right to live on and utilize a portion of land – was also outlawed, although by this time sharecropping had largely disappeared from the Midlands.

²¹⁷ See for example PAR. CNC. 1301/1915. Letter from Chief Native Commissioner to Camperdown Magistrate, October 23, 1915. In Natal and the Transvaal, the Act “left a number of loopholes favourable to rentier interests... In these two provinces only new tenancy or share-cropping arrangements became illegal. Existing arrangements could be renewed. Slater, “Land, Labour and Capital in Natal,” 280.

²¹⁸ The Natal Witness, June 12, 1913.

²¹⁹ Marks, Ambiguities of Dependence, 61.

²²⁰ Macmillan, Complex South Africa, 124.

²²¹ The Natal Witness, October 13, 1916.

fatal to the future prosperity of Natal.”²²² Farmers were especially hostile to any appropriation of white-owned land for the expansion of the reserves.²²³

There was also widespread African condemnation of the 1913 Natives Land Act. Africans themselves were not consulted about the Act, even though it was they who were chiefly affected, and “in no part of South Africa has the Act been received by the natives with anything but apprehension and dismay.”²²⁴ Sol Plaatje, secretary of the South African Native National Congress (SANNC, later renamed the African National Congress) declared that the 1913 Land Act made the African “a pariah in the land of his birth.”²²⁵ The first president of the SANNC, John Dube, was equally scathing in his criticism of the Act. He called attention to “the wretched condition of thousands of natives who will, with their wives and families, be rendered homeless and reduced to vagabondage and beggary by the administration of the Act in question.”²²⁶ Chiefs in the Midlands expressed much concern about the lack of available land on which tenants evicted under the terms of the Act could settle: “we are being impoverished by the farmers.... Natives are frequently driven off land. The locations are small and the people are many. We have no power to put things right for ourselves.”²²⁷

Although the Act did not immediately end rent tenancies in Natal, it gave substantially more leverage to white farmers and continued to whittle away at the remaining independence rent tenancy offered African producers, and by the 1920s the majority of the rural African population residing outside the reserves had been forced into labour tenancy on white-owned farms. “Everywhere,” Macmillan wrote in 1929, “in Natal perhaps especially, the Reserves which could so little stand any additional strain have filled to overflowing with refugees from the conditions now ruling on the

²²² The Natal Witness, October 18, 1916.

²²³ PAR. CNC. 1901/1916. Letter from NAU, October 23, 1916.

²²⁴ The Natal Witness, May 30, 1914.

²²⁵ Sol Plaatje, Native Life in South Africa (Harlow: Longman Group, 1987), 6.

²²⁶ Natal Mercury, April 3, 1914.

²²⁷ PAR. CNC. 362/1914. Notes of Chief Native Commissioner’s interview with Native chiefs and headmen of the Richmond Division, April 2, 1914.

farms.”²²⁸ The Native Farm Labour Committee, reporting in 1939, found that Africans “trace all their present troubles and unsatisfactory relations with the farmers back to this legislation, and cannot yet understand why it was necessary to break up the position then existing, and so deprive them of the benefits to be derived from the use of land in agreement with the farmers.”²²⁹

Changes in farming trends also increased pressure on African producers. A wattle and sheep boom in the late 1920s encouraged white landowners to convert additional land into grazing for sheep and plantations for wattles. Between 1924 and 1929, for example, wattle plantations increased by more than five hundred percent in the Estcourt and Umvoti districts, and the number of sheep doubled.²³⁰ This led to widespread eviction of African families from these areas. The more successful black farmers suffered greatly during this time. “The native with a good stock of cattle is hard hit when his poorer fellows escape lightly: because of his cattle he is immobilized; he cannot readily find refuge and grazing in already crowded Reserves, and must if possible avoid a long trek which will kill off his cattle.”²³¹ Faced with possible eviction, and a bleak future in the overcrowded and deteriorated reserves, these tenants had little choice but to accept labour tenancy under the conditions white farmers dictated.

Rural Protest and the ICU

As pressures on the rural African population mounted, a wave of protest swept the rural areas of Natal in the 1920s, much of it organized by the Industrial and Commercial Workers’ Union (ICU). Although it did not originate as a rural union, the ICU was able to mobilize rural dwellers “in a way which no South African movement has accomplished before or since,”²³² and no other

²²⁸ Macmillan, *Complex South Africa*, 243.

²²⁹ Report of the Native Farm Labour Committee, 1937-39, page 13.

²³⁰ Marks, *Ambiguities of Dependence*, 94.

²³¹ Macmillan, *Complex South Africa*, 243.

²³² Bradford, *A Taste of Freedom*, 2.

organization at this time elicited the ire of white farmers like the ICU. The Wartburg and District Agricultural Association, for example, repeatedly complained of ICU-related “disobedience of native servants and their often scarcely concealed contempt of the European race,” and called on the government “for prompt and strong action and measures for the prosecution and adequate punishment of such agitators.”²³³

Many of the rural protests and strikes associated with the ICU called for increased wages and better working conditions. Conditions on white-owned farms had deteriorated significantly over the course of several decades: “From being the eagerly sought-after site of a prosperous peasantry in the early twentieth century, white holdings were by the 1920s predominantly the work-places of a poverty-stricken tenantry.”²³⁴ On all but the most advanced farms, ICU activists all over South Africa were appalled at what they felt amounted to a system of slavery; nevertheless, it was resentment over the loss of land that was the primary motive in the unrest. When the Native Affairs Commission toured the country in 1926, it found that “demands for more ground were nationwide. Land hunger was an absolutely central feature of black rural consciousness in this period.”²³⁵

Although there were many strikes and collective actions associated with ICU protest, “the norm amongst farm labourers was not overt collective resistance but subterranean individualistic protest.”²³⁶ Desertion had long been a common means by which workers could express their displeasure with their employers. Bradford notes that “[h]atred for masters and their property could explode in such vengeful acts as poking hooked wire up oxen to damage their entrails, driving needles into the brains of sheep, or poisoning landlords by mixing arsenite of soda, used for dipping,

²³³ Wartburg and District Agricultural Association, Meeting Minutes, June 18, 1927.

²³⁴ Bradford, *A Taste of Freedom*, 61.

²³⁵ *Ibid.*, 34.

²³⁶ *Ibid.*, 49.

into their tea.”²³⁷ Arson was another common tactic. Many of these acts of protest, Bradford argues, drew upon popular notions of justice:

Sheep were stolen because rations were inadequate; wheat stacks were fired due to unfair dismissals; fences were cut because tenants’ cattle had inadequate grazing; prize stock was poisoned because labourers had been murdered; farmers were boycotted because they were notorious for harshness; and agriculturalists were killed for withholding wages.²³⁸

At the height of ICU activity in the late 1920s, these acts of defiance were carried out with sufficient frequency to induce angry white farmers to demand state intervention “on the grounds that this was not trade unionism but ‘general upheaval.’”²³⁹ Individual acts of resistance such as these were not isolated to the era of ICU activity and their frequency is much more difficult to determine. In the early 1890s, for example, twenty one head of cattle were stabbed to death near Ixopo. It was believed that the cattle were stabbed “by the natives who resented being crowded in.”²⁴⁰ Similarly, in Richmond in 1918 a farmer found eight of his horses poisoned; he suspected a tenant who had been complaining of a lack of grazing land for his own stock.²⁴¹

Despite the clear signs that Africans were desperate for more land, farmers were not willing to concede and cracked down on ICU activity. Farmers’ organizations petitioned the government that no land be sold or leased to the ICU or similar organizations “for all time.”²⁴² Tenants suspected of Union activity were spied on, their homes were destroyed and, if found to be active ICU members, they were summarily evicted with no place to take their families and cattle.²⁴³ It is difficult to determine how common African protest was, but one Natal official estimated that several

²³⁷ Bradford, *A Taste of Freedom*, 50.

²³⁸ *Ibid.* One must be cautious, however, in assuming that these malicious acts were always in response to an injustice committed against the tenant or worker. Even a warranted dismissal could cause resentment, and a fair and just farmer could see his crops set alight.

²³⁹ *Ibid.*, 2.

²⁴⁰ *The Natal Witness*, December 29, 1891.

²⁴¹ PAR. 1/PMB. 3/1/1/2/11. 25/15. Letter from Chief Native Commissioner to Pietermaritzburg Magistrate, July 15, 1918.

²⁴² NAR. NTS. 3256. 1006/307. Letter from Ixopo Agricultural Society to House of Assembly, March 24, 1932.

²⁴³ Marks, *Ambiguities of Dependence*, 95.

thousand African tenants were given eviction notices because of their ICU involvement in 1927 alone.²⁴⁴ ICU offices were attacked; in Pietermaritzburg, Kranskop, Weenan, Greytown and Bergville Union offices were burned to the ground.²⁴⁵ By the end of the 1920s, attacks on the ICU – particularly the evictions – coupled with the Union’s inability to provide land for its members, led to the crumbling of the organization and with it any form of structured rural protest. Although informants in 2013 did not specifically recollect the ICU, the strength of the protest associated with the union illustrates that African tenants in the late 1920s continued to hold intense resentment towards white farmers over the loss of land and the labour conditions on white-owned farms.

Farm Labour Shortage and the 1936 Native Trust and Land Act

Throughout the 1920s and 1930s, many smaller, inefficient white-owned farms survived solely through the support they received from the state: low interest loans, artificially high prices for foodstuffs through marketing legislation, tariffs, agricultural advising to improve stock and raise crop yields, export subsidies and the like.²⁴⁶ The state subsidized fencing and irrigation schemes for white-owned farms in the country by as much as £112 million between 1910 and 1936. “Official policy kept agricultural prices artificially high and at the same time ensured that the advantage was distributed in a racially discriminatory way. White farming also benefited from a tax regime that channelled revenue from the mining sector and from consumers into agriculture.”²⁴⁷

In spite of massive state assistance, white farmers throughout South Africa continuously clamoured for one thing more than anything else: increased state measures to control the labour supply for white agriculture.²⁴⁸ In 1924, the Natal Agricultural Union (NAU) made three demands

²⁴⁴ Bradford, *A Taste of Freedom*, 270.

²⁴⁵ Marks, *Ambiguities of Dependence*, 96.

²⁴⁶ Jeeves and Crush, “Introduction,” 8-9.

²⁴⁷ *Ibid.*, 9.

²⁴⁸ *Ibid.*, 15.

of the government at its annual conference: first, greater control over African “lawlessness;” second, greater control over “Native farm servants;” and third, stricter pass laws controlling labour tenants.²⁴⁹ Some at the meeting declared that “‘the Native would not work,’ with the unremarkable but oft-ignored proposition that ‘native labour’ was going to where higher wages were paid.”²⁵⁰ In fact, many argued that the labour shortage could be caused by wages that were actually too high: “‘The native only works long enough to get sufficient money for his immediate wants and the higher the wages the quicker his wants are supplied and the smaller the available supply of labor.’”²⁵¹ This is an opinion that has survived into the twenty-first century and continues to inform some white farmers’ perceptions of black employees.

Bowing to the demands for increased control over labour tenants and the complete dissolution of any remaining rent tenancies, the South African government passed the Native Trust and Land Act in 1936. This Act finally established boundaries for the expansion of the scheduled areas called for in the 1913 Natives Land Act; however, the 1936 Act also “placed no time limits on the acquisition of land, and the trust was dependent on appropriation by Parliament.”²⁵² Farmers were supportive of measures to increase control over African labourers, but they remained exceedingly hostile to government efforts to acquire additional land for black occupation. As early as 1934, the Wartburg and District Agricultural Association unanimously agreed “that no land be sold by Europeans to Natives or Indians.”²⁵³ Likewise, the Richmond Agricultural Society hotly protested the selling of farms to the government “for Natives.”²⁵⁴

²⁴⁹ McClendon, Genders and Generations Apart, 80.

²⁵⁰ Ibid., 104.

²⁵¹ Ibid., 79. There was, in fact, no acute labour shortage in the Natal Midlands. Natal’s Chief Native Commissioner noted that “if servants are paid good wages and are well treated in the way of housing and feeding there is no dearth of labour.” NAR. NTS. 2207. 354/280. Minute from Chief Native Commissioner: Natal to the Secretary for Native Affairs, December 30, 1937.

²⁵² McClendon, Genders and Generations Apart, 102.

²⁵³ Wartburg and District Agricultural Association, Annual General Meeting Minutes, September 12, 1934.

²⁵⁴ Richmond Agricultural Society, Meeting Minutes, June 16, 1939. The Society did, however, approve of the selling of two farms, Dartnel and Groet Hoek, to the Government, as these farms were almost surrounded by existing locations.

The infamous Chapter Four of the 1936 Act aimed to eliminate squatting and limit the number of labour tenants allowed on individual farms and attempted to regulate the terms of their service; specifically, Chapter Four imposed longer terms of service and removed a tenant's ability to negotiate the terms of his tenancy. It also demanded that magistrates register each labour tenant in the district, and any unregistered farm dweller was to be evicted.²⁵⁵ It was hoped that "by eliminating squatters and redundant tenants it should throw more Natives on their own resources and in that way possibly increase the potential labour force. Whether or not such labour will be available to the farming community remains to be proved."²⁵⁶ Prior to the 1950s, Chapter Four of the 1936 Native Trust and Land Act was only proclaimed in one district, the Transvaal district of Lydenburg in 1938. Stefan Schirmer argues that the intense resistance the proclamation of Chapter Four elicited from the African population in Lydenburg emerged from a long-standing struggle between white farmers and the black tenants who had been "defending their independence against white farmers' growing labor demands."²⁵⁷ Nearly all the labour tenants of Lydenburg refused registration under the Act, and many pre-empted their eviction notices by immediately searching for land in another district. Due to this overwhelming resistance from labour tenants, the proclamation of Chapter Four was withdrawn in early 1940, indicating that African tenants and farmworkers continued to wield a degree of power, and white farmers were forced to accept compromises to ensure a supply of labour.²⁵⁸

Although African resistance prevented the government from enforcing Chapter Four of the 1936 Native Trust and Land Act, by the late 1930s, seventy percent of the Africans working on

²⁵⁵ Stefan Schirmer, "Land, Legislation and Labor Tenants: Resistance in Lydenburg, 1938," in White Farms, Black Labour, 48.

²⁵⁶ NAR. NTS. 2207. 354/280. Minute from Director of Native Labour to the Secretary for Native Affairs, January 18, 1937.

²⁵⁷ Schirmer, "Land, Legislation and Labor Tenants," 46.

²⁵⁸ The intensity of the resistance to Chapter Four, however, had an unintended consequence. Schirmer pointed out that the state's reluctance to enforce all the parameters of the 1936 Native Trust and Land Act, especially Chapter Four, boosted support for the National Party – the party of apartheid – in the 1948 election. Ibid., 60.

Natal's farms had accepted labour tenancy agreements,²⁵⁹ which by this time were increasingly criticized not only by African tenants, Native Affairs Department officials and other more liberal-minded whites who condemned the abysmal and often violent conditions under which labour tenants worked,²⁶⁰ but also by white farmers themselves. The better-off, modernizing farmers condemned what they felt was hoarding of labour by backward, undercapitalized farmers. The Native Farm Labour Committee reported in 1939 that "the wasteful and uneconomic labour tenant system" reduced the amount of labour available on the market and contributed to the shortage of labour in the Union.²⁶¹ By the early 1940s, "the increasing dominance of big agriculture was leading to calls for the abolition of the 'inefficient' system of labor tenancy."²⁶² These farmers argued that the system of labour tenancy forced farm owners to keep more labour on the farm than was actually needed. By promoting full-time wage labour, they argued, African labour could be more efficiently distributed, thus ameliorating labour shortages.

Another criticism of the system of labour tenancy was the inability of homestead heads to ensure the return of younger members of the family after their six months off the farm as migrant labourers.²⁶³ By the late 1930s, young African men, and even African women, left the farms in increasing numbers seeking employment in urban areas.²⁶⁴ If sons failed to return to the farm upon demand, fathers and their other dependants could suffer eviction, "reducing them to wandering in search of a new labor tenancy agreement or seeking entry into overcrowded reserve areas."²⁶⁵

Rather than attempt to control this flow of tenants to the cities, by the 1940s many farmers were

²⁵⁹ Report of the Native Farm Labour Committee, 1937-39, page 30. Most labour tenants in Natal provided six months' service at this time.

²⁶⁰ In 1943, the Department of Native Affairs issued a circular through the South African Agricultural Union to the various farmers' union in the country calling for better working and living conditions and the implementation of certain minimum standards. "For the first time in the history of South Africa, the farming community is being told by the authorities in diplomatic language, of course, that coercive legislation, for which the farmers are always clamouring whenever there is shortage of labour, cannot provide the solution of their difficulties." Bantu World, October 23, 1943.

²⁶¹ Report of the Native Farm Labour Committee, 1937-39, page 8.

²⁶² McClendon, Genders and Generations Apart, 20.

²⁶³ Bantu World, March 29, 1941.

²⁶⁴ PAR. 2/PMB. 3/1/1/2/2. 334/280. Minute from Secretary for Native Affairs, December 15, 1936.

²⁶⁵ McClendon, Genders and Generations Apart, 49.

instead calling for the abolition of labour tenancy altogether and the introduction of full-time wage labour.²⁶⁶ This goal, however, would not be realized until the 1960s, and, due to the advantages to both tenants seeking land and farmers in search of cheap labour, labour tenancy existed into the 1980s in some pockets of Natal.

Conclusion

The period between the establishment of the colony of Natal in the mid-nineteenth century and the election of the National Party in the late 1940s witnessed massive changes for both white agriculturalists and black communities. In the early years of colonial rule, colonial authorities determined that the economic power of the African population, which greatly outnumbered white settlers, was too great to risk undermining their independence to appease calls for more land and cheap labour by white farmers. It was not until the settlers received self-government in 1893 that the assault on the independence of the African peasantry by the state began in earnest. Even then, the undesirable conditions prevailing on the farms meant that Africans only turned to labouring on white-owned farms when necessary and frequently protested exploitative conditions. It was only with increased state control – pass laws and land acts – that Africans found their options greatly reduced. By the 1940s, the independence of the African peasantry had been weakened significantly, and most Africans living on white-owned land were reduced to the status of labour tenants while others were forced to eke out a meagre existence in the overcrowded reserves. Furthermore, Africans were increasingly subjected to legislation that limited their ability to abandon rural areas to seek out better working conditions and made criminals out of otherwise law-abiding individuals. As the next chapter will illustrate, the control white employers and the state had over Africans would be increased significantly with the election of the National Party and the implementation of apartheid.

²⁶⁶ Bundy, Rise and Fall, 234.

Steinberg argues in Midlands that the story of Peter Mitchell's death was "an emblem. When black peasants cursed the Mitchells and told me that they and their rules were evil, they were not really talking of a particular white family, but of a stylised and abstract family, one that condensed, and smudged the distinctions between, three generations of white families in general."²⁶⁷ Although, as I note in Chapter One, it is difficult to extrapolate the particulars of the Mitchell case to explain the motives driving farm attacks in general, Steinberg is rightly pointing out that the grievances of post-apartheid farmworkers and tenants are not novel; their antecedents are found in Natal's colonial past. Africans carried these grievances over land dispossession, labour exploitation and unjust expressions of authority with them into the apartheid era and these informed the way they viewed landownership, labour contracts, the authority of the police and their own ability to manoeuvre to counteract and protest these injustices. Africans' loss of land and independence became intrinsically linked with their vulnerability and exploitation by white employers, which, as Chapter Three explains, increased significantly with the advent of apartheid.

²⁶⁷ Steinberg, Midlands, 218.

Chapter Three

“We Would Be Evicted For No Reason:”²⁶⁸

Apartheid, the Farm Labour Problem and Forced Removals, 1948 to 1990

Introduction

As Chapter Two illustrates, by the mid 1940s, the independence of the black peasantry had been severely weakened; the reserves were overcrowded and impoverished, and those relatively well-off black farmers who remained on white-owned land – either as squatters or labour tenants – were under increasing pressure from the South African government as well as the white farmers who ascribed to the sense of “moral outrage” against so-called “Kaffir farming” preached by the leader of the National Party J. B. M. Hertzog and other influential, often Afrikaner, leaders.²⁶⁹ Despite the tightening of restrictions on rent and labour tenants in the first half of the twentieth century, farmers continued to complain about labour shortages and Prime Minister Smuts government’s unwillingness to intervene on their behalf to enforce sufficiently strict measures to ensure an adequate supply of compliant black farm labour. The state tended to favour the interests of the mining and manufacturing sectors and suggested that farmers improve wages and working conditions in order to attract a sufficient work force – a proposal that was scathingly dismissed at a meeting of the Transvaal Agricultural Union in 1942.²⁷⁰ Smuts’ United Party, however, did not heed the calls from the platteland, and it lost significant rural support in the 1948 election, including all fifteen rural seats in the Transvaal.²⁷¹

²⁶⁸ Interview with Trustfeed Resident 1, November 2013.

²⁶⁹ Timothy Keegan, *Facing the Storm: Portraits of Black Lives in Rural South Africa* (Athens: Ohio University Press, 1988), 20.

²⁷⁰ *Farmers Weekly*, September 30, 1942.

²⁷¹ Hermann Giliomee, “The Impact of the Flow of Migrant and Commuter Labour on the Development and Underdevelopment of the Black Reserves and Homelands” in *Urban-Rural Interaction in South Africa* ed. P.H. Spies (Stellenbosch: University of Stellenbosch, 1983), 79.

This chapter highlights the grounds for African discontent during the apartheid years, which, when coupled with grievances carried over from the colonial period and continued injustices after 1994, could play an important role in motivating farm attacks. It outlines the growth and mechanization of capitalist agriculture under the apartheid regime, which was “accompanied by an explosive *increase* in both official and private violence in the farming areas from 1948 onward.”²⁷² The capitalization of agriculture, the consolidation of the homelands and the removal of so-called “black spots” further limited African access to land and increased their dependency on employment under increasingly exploitative terms on white-owned farms. This chapter argues that the grievances embedded in the collective memory of African communities from the colonial period were sustained and even augmented through the apartheid years. Although Africans had been dispossessed of much land long before the election of the National Party in 1948, black spot removals, farm evictions and relocations related to homeland consolidation inflicted fresh experiences of dispossession on thousands of African families and added to the pre-existing notions of land-related injustices. The apartheid era likewise witnessed an intensification of white control over farm labour, as labour shortages became surpluses and Africans’ bargaining power in relation to farm owners was diminished. As informants in 2013 stressed, working conditions during this time were exploitative and often physically abusive. The long-standing struggles over access to land and labour conditions outlined in Chapter Two appear to have been largely muted as African resistance was fettered under the more oppressive climate of apartheid control, but the underlying grievances remained consistent, and it is possible that these struggles once again came to the fore in the democratic era and should be considered as potential motives driving post-apartheid violence against white farmers.

²⁷² Ivan Evans, Cultures of Violence: Lynching and Racial Killing in South Africa and the American South (Manchester and New York: Manchester University Press, 2009), 118.

The Election of the National Party and Apartheid Legislation

The election of the National Party under the leadership of D.F. Malan in 1948 significantly bolstered the position of white farm owners vis-à-vis black tenants. The apartheid government acknowledged the grievances of white farmers and made the so-called “farm labour problem” a national priority in a way no other ruling party had.²⁷³ In fact, apartheid prioritized the interests of the rural white constituency, which was largely responsible for the ascension of the National Party to power.²⁷⁴ Within a few years of the National Party’s election, it had largely appeased white farmers’ calls to make farm labour increasingly accessible; “the formerly flaccid response of the state was transformed into a ruthless, concerted endeavour to implement a policy which deprived African workers of any choice in the matter. The state was to establish itself as a central instrument for the channelling and directing of labour power.”²⁷⁵

It has been said that the system of apartheid rested on three pillars: influx control maintained through an intricate labyrinth of pass laws; citizenship legislation that declared that black people were citizens of their own homelands (or Bantustans – the former reserves) and not citizens of South Africa; and forced population removals to achieve the first two aims.²⁷⁶ These apartheid measures had severe implications for the rural black populace. Much of the legislation passed in the first decade of National Party rule was aimed at separating and controlling the non-white population, but the laws that most directly affected farm labour were the Native Laws Amendment Act of 1952, the Natives (Abolition of Passes and Co-ordination of Documents) Act of 1952, and the 1954 Amendment of the 1936 Native Trust and Land Act.

²⁷³ Ivan Evans, Cultures of Violence: Lynching and Racial Killing in South Africa and the American South (Manchester and New York: Manchester University Press, 2009), 115.

²⁷⁴ Mike Morris, “Apartheid, Agriculture and the State: The Farm Labour Question,” in South Africa Labour and Development Research Unit (SALDRU) Working Paper No. 8 (Cape Town: SALDRU, 1977).

²⁷⁵ Tessa Marcus, Modernising Super-Exploitation: Restructuring South African Agriculture (London and New Jersey: Zed Books, 1989), 61.

²⁷⁶ Cheryl Walker, A Process of Dispossession: An Overview of Relocation in Natal (AFRA: Pietermaritzburg, 1982), 2.

The Native Laws Amendment Act was largely influenced by a memorandum the South African Agricultural Union (SAAU) had proposed almost a decade earlier. This Act solidified the distinction between urban (prescribed) and rural (non-prescribed) areas and aimed to manipulate African labour by controlling the movement of Africans between these vicinities through a system of labour bureaux. Several labour bureaux had previously existed, in part, to direct labour towards the farms, but they were operated by individual municipalities with various degrees of efficacy.²⁷⁷ With the passing of the Native Laws Amendment Act, labour bureaux were established in every magisterial district, and African men were required to register before they could legally seek work in an urban area. But this was no simple process. African men in rural areas first had to apply at the district bureau for permission to register at the local bureau, which would only be granted if the district bureau had permission from the regional bureau located at the office of the nearest Chief Native Commissioner. “So closely were the provisions of the Act tied to attempts to secure farmers an adequate labour supply,” that these bureaux would only grant permission to seek work in an urban area if no shortage of African labour existed in the applicant’s home district.²⁷⁸ In the Natal Midlands, labour bureaux frequently denied Africans permission to leave their rural district to take up work elsewhere.²⁷⁹

The 1952 Natives (Abolition of Passes and Co-ordination of Documents) Act went hand in hand with the establishment of national labour bureaux. “Far from abolishing passes, it consolidated the myriad documents (tax receipts, passes, service contracts, exemption certificates, etc.) Africans were forced to carry.”²⁸⁰ All Africans over the age of sixteen, including women, were henceforth required to carry a reference book that contained all their personal information as well as

²⁷⁷ Giliomee, “The Impact of the Flow of Migrant and Commuter Labour,” 80.

²⁷⁸ Marcus, Modernising Super-Exploitation, 64.

²⁷⁹ PAR. 1/RMD. N3/11/2. Letter to The Chief Bantu Affairs Commissioner, Pietermaritzburg, from the Bantu Affairs Commissioner, Richmond, concerning the Requisition for Labourers by Messrs. Clan Syndicate Ltd., March 16, 1964.

²⁸⁰ Marcus, Modernising Super-Exploitation, 64.

an employment record, which their employer was required to sign monthly and upon termination of employment. It became an offence to employ an African whose reference book had not been properly authorized by the previous employer. This provision ensured Africans could not legally desert their employers to seek out better pay or working conditions.²⁸¹

Together the Native Laws Amendment Act and the Natives (Abolition of Passes and Co-ordination of Documents) Act bound farmworkers to the agricultural sector, making it “virtually impossible for an African farmworker to be anything but a farmworker all his life, and the same applies to his children and their children.”²⁸² Of course, farmworkers could (and did) risk arrest and prosecution by illegally abandoning their employment on a farm to seek a better position on another farm or in town, but this was a dangerous venture that could lead to punishment at the hands of the state, and, ironically, the sentence often involved labouring for a white farmer. For those who succeeded in gaining access to employment in the cities, however, industrial wages were almost four times higher than farm wages in 1953, and urban employers were keen to hire rural workers who were generally seen as more compliant than their urban counterparts.²⁸³

By 1954, the Scheme for the Employment of Petty Offenders was national policy throughout South Africa. Through this mechanism, Africans who were arrested for so-called petty offences – usually breaking pass laws – could “volunteer” to work for six or twelve months on a white-owned farm rather than face prosecution. The fact that many petty offenders chose a prison sentence over farm work is testament to the disagreeable conditions prevalent on the farms.²⁸⁴ Many of those who received short term prison sentences, however, were leased out to white farmers under the “9d-a-day scheme,” which provided almost 200,000 workers to white farmers by 1958.²⁸⁵

²⁸¹ *African Farm Labour: A Survey* (Johannesburg: SAIRR, 1959), 108.

²⁸² Margaret Roberts, *Labour in the Farm Economy* (Johannesburg: SAIRR, 1959), 115.

²⁸³ Mazower, “Agriculture, Farm Labour and the State in the Natal Midlands,” 158.

²⁸⁴ Deborah Posel, *The Making of Apartheid 1948-1962: Conflict and Compromise* (Oxford: Clarendon Press, 1991), 122.

²⁸⁵ Ruth First, *Exposure: The Farm Labour Scandal* (Johannesburg: New Age, 1959), 16.

Furthermore, thousands of long term prisoners were forced to serve their sentence in farm jails where they worked in atrocious conditions under the supervision of a white farmer. Even African men who were not convicted of an offence were sometimes caught up in this system:

Thousands of Africans, youths as well as men, were snatched off the streets, dragged out of their homes, robbed of their money and parted from their documents by vindictive or corrupt members of the uniformed police and plain-clothed “ghost squads”. Denied all rights and refused permission to contact family or employers, they disappeared, without a trace, for months and even years on end, to serve time on the farms.²⁸⁶

It must be noted, however, that there were no farm prisons in Natal, and even though the petty offenders scheme was implemented throughout the country, its use seems to have been concentrated in the Transvaal.²⁸⁷ Nevertheless, the use of prisoners in farm work highlights the extent to which the state was dedicated to channelling labour into the agricultural sector.

The 1954 Amendment of the Native Trust and Land Act extended the terms of the infamous Chapter Four of the 1936 Native Trust and Land Act and made it applicable throughout South Africa as of September 1, 1956. Cash rent tenancy (squatting) again came under intense pressure; a rent tenant had to register as a “squatter” within three months of the application of the new Amendment, and he had to *prove* that he had been continuously resident on the same land since August 31, 1936. In order to further discourage squatting, a tax was imposed on farmers with cash tenants.²⁸⁸ Although many squatters and white farm owners circumvented this legislation, and as many as 462,000 squatters continued to reside on white-owned land as late as 1967,²⁸⁹ this legislation was a major blow to the independence of rent tenants, and many chose to abscond rather than accept a labour tenancy contract.

²⁸⁶ Marcus, Modernising Super-Exploitation, 72.

²⁸⁷ Rosalynde Ainslie, Masters and Serfs: Farm Labour in South Africa (London: International Defence and Aid Fund for Southern Africa, 1977), 22.

²⁸⁸ Marcus, Modernising Super-Exploitation, 66.

²⁸⁹ Ainslie, Masters and Serfs, 21.

Labour tenants were likewise restricted. The Amendment dictated that all labour tenants be registered and regulated by newly established Labour Tenant Control Boards to limit the number of labour tenant families on each farm and to oversee the distribution of labour to districts suffering from shortages. Labour tenants were henceforth required to provide a minimum of 122 days service each year, and farmers were charged a fee for the registration of each labour tenant, which had to be completed by the end of 1966.²⁹⁰ Failure to register one's labour tenants could result in prosecution.²⁹¹ Labour tenants the Control Boards found to be "redundant" to the needs of a farm would be forced to vacate the premises.²⁹² Furthermore, registered labour tenants had little chance of gaining access to urban areas through the labour bureaux to seek employment during their six months "off," as rural Africans who were not registered labour tenants had the words "Not a Farm Labour Tenant" stamped on their labour bureau documents; without such a stamp, work seekers from rural areas had little luck with the labour bureaux.²⁹³

The 1954 Amendment was received with ambivalence in Natal. This legislation aimed to eventually transform all farmworkers to full-time wage labourers, known as farm servants, which were lauded by the SAAU as the most efficient and economical form of farm labour – a position that reflected the interests of the more capitalized agriculturalists.²⁹⁴ These farmers could afford to pay a cash wage (albeit a wage that was kept artificially low due to state intervention in the form of labour bureaux and influx control), and many were already transforming much of their labour force to full-time wage labourers.²⁹⁵ From the late 1940s until the mid 1950s, the Natal Agricultural Union

²⁹⁰ Anne Harley and Romy Fotheringham, AFRA: 20 Years in the Land Rights Struggle, 1979-1999 (Pietermaritzburg: Association for Rural Advancement, 1999), 40.

²⁹¹ See for example NAR. NTS. 7173. 973/323/14. "Residence of Natives: New Hanover," October 8, 1958.

²⁹² NAR. NTS. 7178. N1/24/2. Letter to the Secretary for Native Affairs, Pretoria, from the Magistrate of Bulwer, July 30, 1958.

²⁹³ See for example PAR. 1/RMD. 3/3/2/2/7. N3/11/2. Requisition for Labour through Bantu Labour Bureau, Richmond, March 16, 1964.

²⁹⁴ "NAU Congress Presses for Division of Native Labour into Agricultural and Industrial Sectors," Farmer's Weekly, September 22, 1948.

²⁹⁵ Marcus, Modernising Super-Exploitation, 67.

(NAU), likewise, fully recommended “universal compulsory application of Chapter IV of Act No. 18 of 1936, the Native Trust and Land Act” as a “means of finding a solution to the problem of the shortage of Native Farm Labour.”²⁹⁶ But by 1956, the year the Amendment took effect, the NAU was retreating from its position of unqualified support for the immediate replacement of labour tenancy with full-time farm service. The majority of the province’s less capitalized agriculturalists resisted the abolition of labour tenancy, as they were unable to offer cash wages,²⁹⁷ and by the early 1960s the NAU declared that, although the abolition of labour tenancy is the ideal, it should only be accomplished “on an evolutionary rather than a revolutionary basis.”²⁹⁸

Many farmers opposed the reduction and abolition of labour tenancy for financial reasons, but perhaps an equally important deterrent was the sustained resistance by labour tenants themselves. By the late 1950s, numerous Natal farmers were confronted with labour tenants who refused to be registered and issued with reference books, and they were beginning to fear further difficulties in acquiring an adequate labour supply, as some tenants had deserted in protest.²⁹⁹ The Elandslaagte Farmers’ Association complained in 1958 that “farmers in the area, as far as labour was concerned, were in a hell of a mess. Some farmers had lost as much as a third of their labour... The whole atmosphere in the district was one of suspicion, hate and fear.”³⁰⁰ Labour tenants resented the attempt to convert them to full-time wage labourers, as this would require them to sell off their stock and would deny them a plot of land on which to grow their own crops. Those labour tenants who were considered redundant and were turned off farms often found their way (albeit illegally) into the reserves and did not take up employment on other farms as the legislation

²⁹⁶ “The Ever-Ready NAU: Proposal for Rationalised Distribution of Labour,” NAUNLU, April 23, 1954.

²⁹⁷ In Impendle and Bulwer, for example, no squatters or labour tenants were registered as of 1959. NAR. NTS. 7178. 973/323/72.

²⁹⁸ “Enquiry into Labour Tenant System,” NAUNLU, August 18, 1961.

²⁹⁹ Surplus People Project, Forced Removals in South Africa, Volume 4: Natal (Pietermaritzburg: University of Natal, 1983), 45.

³⁰⁰ Mazower, “Agriculture, Farm Labour and the State in the Natal Midlands,” 166.

intended.³⁰¹ Despite resistance, evictions rates rose in response to this legislation. In Wartburg, for example, one farmer wrote to NAUNLU bragging of his success with the twelve month system. He proudly stated that he allowed no stock to be kept on his farm, and those tenants who previously tended stock were forced to move off the farm – “and it was the wisest thing I ever did.”³⁰² Furthermore, the threat of eviction became a powerful weapon farm owners could use in their dealings with tenants.

Commercialization and Mechanization of Agriculture

Although there was much resistance to the apartheid state’s attempt to intensify control over African labour to the advantage of white farmers, these measures began to yield some success in channelling African labour toward farms, and by the 1960s, farmers’ complaints of labour shortages, although still relatively common, began to wane. The government was alarmed, however, at the growing number of white farmers who abandoned agriculture in the 1950s despite state support – the so-called “platteland depopulation.”³⁰³ Land prices were on the rise, and poorer farmers were unable to expand their production, leaving them with “uneconomic farm units” – farms that were too small to operate profitably.³⁰⁴ The state doled out short term loans and extended repayment dates, but these measures were not enough to spur production on the smaller farms, and many of them were sold. As a result, landownership and agricultural production were increasingly concentrated to the extent that by 1962 seventy percent of the total agricultural output was produced by a mere twenty percent of the farming community.³⁰⁵ A Commission of Inquiry concluded in 1960 that “if the tide does not turn and the growth of the non-white preponderance

³⁰¹ “Minutes of a Special General Meeting of the Mooi River Farmers’ Association,” August 29, 1969.

³⁰² “‘I Have No Labour Troubles’ Says This Farmer: Advocates Uniform System For All,” NAUNLU, May 21, 1954.

³⁰³ Marcus, Modernising Super-Exploitation, 24.

³⁰⁴ Mazower, “Agriculture, Farm Labour and the State in the Natal Midlands,” 140.

³⁰⁵ Marcus, Modernising Super-Exploitation, 9.

on the white platteland continues, this state of affairs will in the end hold out a serious threat to white civilisation in this country.”³⁰⁶

The state embarked on a campaign to mechanize agriculture in the 1960s and 1970s to thwart the exodus of white farmers from the countryside by increasing production and reducing the dependence on a large African work force. It increased agricultural subsidies to such an extent that the amount spent on supporting commercial farmers was almost double the expenditure on African education by 1967.³⁰⁷ The Land Bank and Agricultural Credit Board provided loans to farmers on relatively easy terms, and marketing boards were established to ensure a high price for agricultural products and to protect farmers from market fluctuations.³⁰⁸ Infrastructure developments such as dams and irrigation projects, as well as technological advancements in chemical fertilizers and pest controls, boosted agricultural production while reducing labour needs in most farming sectors.

Dairy farming in the Natal Midlands was particularly affected by mechanization. Many dairy farmers succumbed to economic pressures and relinquished dairying in the 1950s and early 1960s. But for those who were able to mechanize, labour needs were reduced by almost two-thirds with the introduction of milking machines, and the spread of milk tankers made the labour required to sterilise and fill individual milk cans unnecessary. Hence, employment on farms in the Midlands dropped by as much as thirty-four percent in some districts. The only sector that did not experience a decline in labour requirements was the expanding timber industry. Many farmers in Richmond, New Hanover and Greytown converted pastures to labour-intensive timber plantations, and the number of farmworkers in New Hanover, for example, actually increased by about six per cent.³⁰⁹

³⁰⁶ Marcus, *Modernising Super-Exploitation*, 24.

³⁰⁷ Saul Dubow, *Apartheid 1948-1994* (Oxford: Oxford University Press, 2014), 101.

³⁰⁸ Ernest Harsch, *Apartheid's Great Land Theft: The Struggle for the Right to Farm in South Africa* (New York: New International, 1986), 14. Of course these services were only available to white farmers; African agriculture was neglected in the increasingly overcrowded reserves.

³⁰⁹ Mazower, “Agriculture, Farm Labour and the State in the Natal Midlands,” 144.

For the most part, however, this period of mechanization in the 1960s and 1970s marked a sharp decline in the number of Africans employed in the farming sector.³¹⁰

Paradoxically, although mechanization did reduce dependence on African labour in most sectors, it tended to benefit wealthier farmers at the expense of the less capitalised agriculturalists who could not keep pace with the capital input required to mechanize and had the combined effect of increasing the emigration of poor white farmers from the countryside. Many of the farmers who managed to stay afloat during these decades did so only through the special measures taken by the state to support white commercial agriculture.³¹¹ By the late 1970s, however, the state was no longer as concerned about the loss of whites from the countryside since it had already started down the path of large scale forced removals of “redundant” or “superfluous” Africans from white-owned land.³¹²

Evictions of Labour Tenants

The combined effect of state action since 1948 was disastrous for rural Africans. Influx controls coupled with mechanization were successful in turning chronic labour shortages to labour surpluses by the 1960s, and farmers began evicting Africans from the farms in large numbers. Rather than support entire families of tenants, farmers increasingly chose to rely on a core of full-time wage labourers supplemented when necessary by migrants from the homelands. Squatters who refused to accept labour tenancy or full-time farm service contracts were evicted. African families

³¹⁰ Some farmers expressed concern at the effect this loss of employment would have on the work force and claimed to resist mechanization in some aspects of production in order to retain jobs for African farmworkers. See for example Roberts, Labour in the Farm Economy, 26.

³¹¹ Harsch, Apartheid's Great Land Theft, 15.

³¹² Marcus, Modernising Super-Exploitation, 25.

who had long lived on white-owned land now faced the prospect of being “repatriated” to the newly established ethnic homelands – places where many of them had never set foot.³¹³

The number of farm evictions skyrocketed in Natal after 1969 when the state moved to eradicate labour tenancy in the province, which was still home to approximately 400,000 labour tenants in 1970. This was part of the government’s drive to “repatriate” all Africans to their so-called homelands and to convert all African labour “into a form of migrant labour, that has more and more the characteristics of forced labour, with the consequent depression ever further of black living standards in the white farming areas, and the progressive impoverishment of the rural African both there and in his ‘homelands.’”³¹⁴ Attacks on labour tenancy primarily focused on central and northern Natal where labour tenancy continued to form the backbone of rural production. In the Midlands, pockets of labour tenancy remained, but farm owners had already begun converting much of their work force to fulltime wage labourers, largely due to the more intensive and lucrative forms of farming practiced in the region compared to stock farming and winter grazing in the thornveld.³¹⁵ Statistics are hard to come by, as farm evictions were seldom recorded or reported, but it is estimated that approximately 300,000 Africans were evicted from farms in Natal between 1948 and 1982 due to the abolition of labour tenancy and increased mechanization.³¹⁶ Nationwide that number was “no fewer than 1,129,000.”³¹⁷

The state-sponsored abolition of labour tenancy in Natal began in the districts of Bergville, Kranskop and Weenan.³¹⁸ There was relatively little mass resistance in Bergville and Kranskop, but labour tenants in Weenan stoutly resisted eviction. Many tenant families had lived on the same farm

³¹³ The story of Kas Maine, as written by Charles van Onselen, illustrates how even the most determined and resilient African sharecroppers, squatters and labour tenants were squeezed off white-owned land and into desolate Bantustans. Charles van Onselen, The Seed is Mine: The Life of Kas Maine, A South African Sharecropper 1894-1985 (Johannesburg, Jonathan Ball Publishers, 1996).

³¹⁴ Ainslie, Masters and Serfs, 8-9.

³¹⁵ Surplus People Project, Forced Removals in South Africa, 41.

³¹⁶ Cheryl Walker, A Process of Dispossession: An Overview of Relocation in Natal (Pietermaritzburg: AFRA, 1982), 7.

³¹⁷ Marcus, Modernising Super-Exploitation, 25.

³¹⁸ These were the three districts most densely populated with labour tenants. Harley and Fotheringham, AFRA, 42.

for generations, and considered the land their own – especially on the labour farms where white farmers largely left tenants to their own devices – and they fought to maintain that degree of independence. No matter how poor the working conditions or the quality of soil, labour tenancy remained the only labour form that allowed Africans to keep livestock and harvest crops. For these reasons, resistance in Weenan was so intense that the state resorted to burning and bulldozing homes and arresting resistors. For the tenants, one of the most galling aspects of this process was the impounding of their livestock, which was sold to white farmers at a fraction of its value.³¹⁹ Approximately 22,000 labour tenants were forcibly removed from farms in Weenan alone between 1969 and the early 1970s.³²⁰

Because of the intense resistance in Weenan, the state repealed its bid to abolish labour tenancy in Natal and instead declared that no new labour tenant contracts could be registered. Existing contracts could be renewed until August 30, 1980, at which time all labour tenant contracts would expire.³²¹ Evictions of labour tenants continued throughout the 1970s, but these were carried out by individual farmers and were on a smaller scale than the earlier state-sponsored evictions. Many interviewees in 2013 vividly recalled their family’s eviction from a white-owned farm during this time. One retired farmworker near Richmond, for example, described being evicted twice. In his youth he “liked to fight,” and his entire family was evicted after he was involved in a brawl. They were fortunate enough to find a new home on another farm, but in 1976 “people were brutally evicted... because the white bosses were using their land for new plantations. We have never had a home since then.”³²²

Many farmers converted their land to timber plantations in this period, especially in the Underberg and Richmond regions, which meant that many tenant families were served with eviction

³¹⁹ Surplus People Project, Forced Removals in South Africa, 72.

³²⁰ Harley and Fotheringham, AFRA, 42.

³²¹ Marcus, Modernising Super-Exploitation, 81.

³²² Interview with Ndaleni Resident 7, November 2013.

notices. A resident of Impendle recalled: “We used to have land designated for our livestock, but then the farmer said he doesn’t want livestock anymore. He evicted everyone and opened forest plantations. There were more than fifty families living on the farm; all were evicted. He tore down our houses and never gave us land to relocate.”³²³ Often farmers simply informed tenants they must reduce the size of their herds or that they were no longer permitted to own livestock. Knowing the value tenants placed on their animals, especially cattle, farm owners knew there was a good chance they would pack up and leave with the hope of finding a small parcel of land elsewhere rather than sell off their stock.³²⁴ Some labour tenants resisted eviction, but acts of resistance were “fragmented, localized, and very individualistic.”³²⁵ These acts of resistance usually consisted of sabotaging the farmer’s property or refusing to leave the farm, and they were seldom successful in the long run. By the early 1980s, labour tenancy was not entirely eradicated, but most labour tenants had been replaced by a smaller number of full-time employees. As a result of this process, “thousands and thousands of farm people have been transformed into a landless rural proletariat.”³²⁶

Interviewees in 2013 who were old enough to remember this period unanimously identified the abolition of labour tenancy as a pivotal transformation that had devastating effects for rural black families. Some former tenants fondly remembered the days of labour tenancy, highlighting the degree of independence labour tenants had previously enjoyed and the obligations white farmers had to their tenants before the balance of power shifted decidedly to favour farm owners. Speaking about his parents who were labour tenants, a farmworker in Nottingham Road reported: “They say the living conditions were good. They used to have grazing land, land to settle with their families where they could live when they retired. It was better for them than for us.”³²⁷ Many respondents

³²³ Interview with Impendle Resident 11, November 2013.

³²⁴ This was a common course of action according to interviewees in 2013.

³²⁵ Cheryl Walker, *Mass Removals in Natal* (Pietermaritzburg: AFRA, 1981), 17.

³²⁶ Surplus People Project, *Forced Removals in South Africa*, 78.

³²⁷ Interview with Farmworker 2 on Nottingham Road Farm 2, August 2013.

recalled being evicted as white farmers reduced their reliance on labour tenants: “Conditions were good. [My parents] owned livestock and their livestock was allowed to dip in the farmer’s dip tank... but my parents were evicted because the owner of the farm they lived on said he wanted to expand his plantations so they should leave the farm.”³²⁸ A farmworker in Richmond recalled: “[My parents] said life was good then because they could keep their livestock.... When we were evicted, they never told us the reason; they just said no one is allowed to live on the farm anymore.”³²⁹ Often tenants were given little time to find a new home. One respondent remembered: “we were packing – it was very rushed, like we were running away.”³³⁰ A resident in Ndaleni described his family’s loss when they were evicted:

The farmer took all [my father’s] cattle and bought them at a price he saw fit, which was really an unfair price. My father didn’t have an option because he had to leave the farm and come to the location, which meant he didn’t have a place to keep his livestock... We were chased out like dogs. My father worked from his youth until his old age. We were young, and he wandered this land looking for shelter for us. Our parents have gone through a lot.³³¹

Evictions continued well into the 1980s; in 1988, the Association for Rural Advancement (AFRA) reported that 1,500 farmworkers had been evicted in Natal in that year alone and another 4,500 faced possible eviction.³³² Clearly the eviction of labour tenants and the loss of this last fragment of partial independence represented a tragic defeat for labour tenant families, who then became dependent on full-time wage labour on farms or migrant labour in white-owned industries or were forced to scrounge for enough land in the homelands to support their dying herds. Colonial and apartheid legislation had “chained [Africans] to the rural areas. Now, no longer needed by the white farms, they are being pushed out even further into the periphery.”³³³

³²⁸ Interview with Farmworker 2 at Richmond Farm 1, October 2013.

³²⁹ Interview with Farmworker 4 on Richmond Farm 1, October 2013.

³³⁰ Interview with Farmworker 3 on Nottingham Road Farm 6, August 2013.

³³¹ Interview with Ndaleni Resident 22, November 2013.

³³² “1,500 Farmworkers Evicted, 4,500 More under Threat – AFRA,” *The Natal Witness*, April 8, 1988.

³³³ Surplus People Project, *Forced Removals in South Africa*, 82.

Working Conditions on Farms

In 1977, Rosalynde Ainslie wrote: “Nowhere is the face of apartheid uglier than in the harsh and beautiful spaces of the veld. Yet on no area of South African life has so little been published.”³³⁴ Although it is difficult to ascertain details concerning employment conditions prevailing on white-owned farms during apartheid, it seems that for those who remained on farms as labour tenants or full-time wage labourers, conditions typically worsened. Through the 1970s and 1980s, Natal farmers relieved themselves of the social obligations embedded within the labour tenant system as more and more workers were forced into accepting full-time wage labour contracts. This erosion of “paternalistic social interaction” left farmworkers “in a super marginalised position with respect to their employers as well as to the state.”³³⁵ The suffering of farmworkers “became a kind of metaphor for the worst aspects of apartheid rule.”³³⁶ The pass laws ensured white farmers an adequate supply of African labour without having to attract workers with improved working conditions or increased wages, while the new labour surplus denied farmworkers their historically most powerful threat against an overly oppressive employer – desertion. With little incentive to entice African labourers and less opportunity for workers to abscond in protest of farmers’ often violent coercion, working conditions generally deteriorated and wages were kept artificially low.

“During the apartheid years it was bad,” interviewees reported. “The wages were low and you only had one day off. If there was a need for labour on the day you were meant to be off, the farmer did not consider this but rather he would instruct you to show up. They never asked if you had made plans – what he said was what was done.”³³⁷ One respondent once went looking for a better paying job on neighbouring farms; “when I returned, I discovered that my house had been

³³⁴ Ainslie, Masters and Serfs, 7.

³³⁵ Doreen Atkinson, Going for Broke: The Fate of Farmworkers in Arid South Africa (Cape Town: Human Sciences Research Council, 2007), 53.

³³⁶ Andries du Toit, “Farmworkers and the ‘Agrarian Question,’” Review of African Political Economy 21 (1994): 375.

³³⁷ Interview with Farmworker 6 on Nottingham Road Farm 9, November 2013.

burned down. It was hard because we were badly ill-treated. We worked hard but were not paid accordingly. We couldn't say anything; if you did you would be beaten up. They would say that you think you are better and so you deserve a lashing."³³⁸ Another said, "It was bad. They were paid very low salaries. People were never told why they got so little pay even though they worked maybe twelve hours a day. And it was forceful in that they could not stop even if they got tired or felt abused."³³⁹ One respondent complained that after working for twenty-five years on a farm, everyone was evicted, and he left the farm with nothing.³⁴⁰

Several respondents noted that conditions varied, sometimes drastically, between farms. An Ndaleni resident, for example, explained that:

It depended on the farmer. Some gave you the right time – that is we would have tea breaks and lunch time and knock off at the right time. Should we work longer than we were supposed to, they would add money for overtime. If there were any problems, they would sit and discuss their grievances. Those who listened sorted it out. But some, if you raised your concerns, they would fire you. My father left a farm when his former employer left. The new farmer reduced the salary and refused to give them a raise or the money they used to earn. So he left seeing that they were not being listened to, and we moved to a neighbouring farm.³⁴¹

Others echoed this sentiment: "There were some polite farmers who took care of the workers, like one in Lion's River who allocated a portion of land to build schooling facilities for the farmworkers."³⁴² Evidence suggests, however, that working conditions and salaries were, for the most part, quite poor. Studies conducted at the time by the University of Natal, among others, revealed horrendously low wages, which, even when payment in kind was factored in, "reveal a poverty level that is shocking, even by South African standards."³⁴³ The state did not provide schooling for farm children; farmers themselves were required to pay for a farm school if they

³³⁸ Interview with Byrne Resident 5, September 2013.

³³⁹ Interview with Farmworker 7 on Richmond Farm 11, September 2013.

³⁴⁰ Interview with Ndaleni Resident 29, November 2013.

³⁴¹ Interview with Ndaleni Resident 16, November 2013.

³⁴² Interview with Ndaleni Resident 11, November 2013.

³⁴³ Ainslie, *Masters and Serfs*, 28.

wished to allow their workers' children to attend, which resulted in woefully little education among farmworkers and their families.³⁴⁴ Almost all interviewees who grew up on farms during this period reported being unable to access schools: "We are uneducated now because they never allowed us to attend school."³⁴⁵ The schools were either too far away, or their labour was required on the farm. Medical facilities were likewise lacking.

The common justification concerning low wages was that farmworkers would simply work less if they were paid more.³⁴⁶ A farmworker in Nottingham Road confirmed this notion: "This farmer's father was a cheat. He always found a way to keep you dependent on him so you don't walk away. He didn't want to see us prosper and be successful. He wouldn't give us a good pay because he felt we would leave."³⁴⁷ In 1974, African miners' wages were still low compared to the manufacturing industry, yet they were about five times higher than farm wages,³⁴⁸ and women farmworkers' wages were significantly lower than those of their male counterparts.³⁴⁹ Workers were sometimes denied a portion of their wages, and in some cases, farmers would withhold wages as a means of evicting workers without having to go through the trouble of forcing them off the farm. Tessa Marcus noted in the 1980s that "this is not to suggest that all, or even most, farmers defraud their workers so blatantly. The weight of the evidence suggests, however, that quite a few do."³⁵⁰ It was also not unheard of for farmers to confiscate their workers' reference books to prevent them from deserting the farm,³⁵¹ as some older interviewees recalled.³⁵²

³⁴⁴ Ainslie, *Masters and Serfs*, 30.

³⁴⁵ Interview with Ndaleni Resident 15, November 2013.

³⁴⁶ Ainslie, *Masters and Serfs*, 12.

³⁴⁷ Interview with Farmworker 1 on Nottingham Road 6, August 2013.

³⁴⁸ Ainslie, *Masters and Serfs*, 52.

³⁴⁹ It was estimated that women's wages in 1950 were about 63% of men's wages. Mazower, "Agriculture, Farm Labour and the State in the Natal Midlands," 152.

³⁵⁰ Marcus, *Modernising Super-Exploitation*, 155.

³⁵¹ The Chief Native Commission complained of this practice to the Natal Agricultural Union in 1957. Mazower, "Agriculture, Farm Labour and the State in the Natal Midlands," 172.

³⁵² Interview with Ndaleni Resident 21, November 2013.

Working hours were usually long, and often unpredictable. A farmworker in Richmond reported: “They worked very long hours; there was not a set time. The farmers used to throw a stone, and you would work until it was so dark you could no longer see the stone anymore.”³⁵³ A farmworker in Wartburg confirmed: “They used to work ridiculous hours. If you complained they would let you know that there are a lot of people looking for your job.”³⁵⁴ Interviews suggest domestic workers on the farms were given lighter workloads and were treated with more consideration than those who worked in the fields. As one Trustfeed resident recalled: “The work relationship was good as a domestic worker.... They were good to me, but when I worked in the field, it was very bad.”³⁵⁵ Tenants who lived on the farm were required to work, in some cases even those who were elderly or ill: “These experiences bring back tears. We were mistreated very badly. When my father was very old and could not work, they would come and force him to work.”³⁵⁶ Many farmworkers were evicted when they sustained an injury or became too old to work and had no relatives who would work in their place.³⁵⁷

South African commercial farmers were “notorious for resorting to physical violence to uphold the compliance and obsequiousness of rural blacks” to the extent that “extensive physical violence became a hallmark of agricultural employment.”³⁵⁸ Farmers were seldom prosecuted for assaulting farmworkers, and in the rare instances farmers were charged with assault, the punishment was generally light. In 1961, a farmer in Richmond was found guilty of kicking and shooting a black man, wounding him badly; the farmer was sentenced to a fine of R80 or 60 days imprisonment.³⁵⁹ Rian Malan described the brutal torture and murder of a black man at the hands of a white farmer.

³⁵³ Interview with Farmworker 10 on Richmond Farm 11, September 2013. Several respondents from different areas told the story of working until the stone was no longer visible.

³⁵⁴ Interview with Farmworker 2 on Wartburg Farm 12, August 2013.

³⁵⁵ Interview with Trustfeed Resident 7, November 2013.

³⁵⁶ *Ibid.*

³⁵⁷ Surplus People Project, *Forced Removals in South Africa*, 80.

³⁵⁸ Evans, *Cultures of Violence*, 93.

³⁵⁹ PAR. 1/RMD. N3/11/2. Richmond Criminal Records. Review Case No. 153/1961. May 3, 1961.

On the day of the farmer's sentencing, a black member of the African National Congress, which was banned at the time, was also up for sentencing for having been caught in possession of ANC literature. The farmer was sentenced to seven years imprisonment – a hefty sentence for a white man in those days. The ANC man was given ten years.³⁶⁰ The infrequency with which such cases were exposed, coupled with the isolated nature of the farms, made reporting of atrocities committed against rural Africans uncommon.

Although there is no definitive record of the extent to which physical violence was used to discipline workers and ensure obedience on farms in the Midlands during apartheid, it is clear from the scant reports in newspapers and archives, as well as interviews with farmworkers and rural residents, that it was not uncommon. Furthermore, it seems the use of violence was resorted to more frequently as labour shortages became surpluses. Most respondents who were old enough to remember the apartheid years recalled episodes of violence: "I was young during apartheid, but I used to see black people get beaten up for silly reasons... now farmers cannot just beat you up if you have made a mistake."³⁶¹ A farmworker in Nottingham Road reported: "The farmer was fierce, and he used to beat people up.... We were too afraid to ask or say anything to him."³⁶² Another recalled: "They used to beat us up. One farmer used to put us in a horse stall and beat us.... Life was hard."³⁶³ Even children were sometimes on the receiving end of the violence: "One day the farmer violently assaulted my brother. My father went the next day to ask him to explain his actions. 'Why did you not call me? Bring your child and let me also give him a hiding!' That was when he sent us a letter evicting us all from the farm. There was no way to protest."³⁶⁴ Few farmers would divulge many details about how employees were disciplined during these years, but when asked how many

³⁶⁰ Rian Malan, *My Traitor's Heart: Blood and Bad Dreams: A South African Explores the Madness in His Country, His Tribe and Himself* (London: Vintage, 1990), 137.

³⁶¹ Interview with Farmworker 3 on Wartburg Farm 8, July 2013.

³⁶² Interview with Farmworker 7 on Nottingham Road Farm 9, November 2013.

³⁶³ Interview with Farmworker 1 on Nottingham Road Farm 2, August 2013.

³⁶⁴ Interview with Ndaleni Resident 15, November 2013.

farmers would physically assault employees, a police officer who worked and lived in the Midlands during this time replied, “Everybody!”³⁶⁵

While labour movements in mines and factories began to fight for workers’ rights from the mid-1970s, farmworkers were much more difficult to organize. Farmers’ organizations lobbied the government to ensure agriculture was excluded from labour regulations such as the Basic Conditions of Employment Act, the Unemployment Insurance Act and the Labour Relations Act.³⁶⁶ No minimum wage legislation extended to farmworkers, unions could not operate on the farms, and it was illegal for farmworkers to strike. Time and again interviewees stressed that, “during apartheid you were not allowed to strike lest you be fired. You just had to put up with the abuse and violence for the sake of having an income for your family. You just had to be quiet. It was too oppressive to take action.”³⁶⁷ It was difficult for workers to organize even on a small scale to collectively approach a farmer. “They could not present their concerns because the farmer always wanted to know the person who came up with the issue, so they can deal with them and accuse them of having a bad influence on others. Even if workers could be united and go together, the issue was who was going to risk speaking out.”³⁶⁸ Farm owners had informers as well: “Back then the workers were very frightened of the farmers. What made things worse was that there would be one who was the farmer’s eyes and ears and whatever the others did or said, they would take it to the farmer. But the others wouldn’t know who told on them.”³⁶⁹

As jobs became scarce, farmworkers felt they had little power to protest, and keeping quiet for the sake of preserving one’s job was a central aspect of interviewees’ responses concerning working conditions during the apartheid era. “During apartheid, if you complained, the owner

³⁶⁵ Interview with Richmond Police Officer 3, June 2013.

³⁶⁶ du Toit, “Farmworkers and the ‘Agrarian Question,’” 380.

³⁶⁷ Interview with Ndaleni Resident 11, November 2013.

³⁶⁸ Interview with Farmworker 6 on Nottingham Road Farm 9, November 2013.

³⁶⁹ Interview with Farmworker 1 on Wartburg Farm 12, August 2013.

would tell you, ‘Leave! If you don’t want to work anymore, go! I will find another person to work here.’”³⁷⁰ Almost all interviewees who remembered working for farmers during apartheid made similar statements: “They knew that we would move from place to place, so they didn’t care whether we were happy or not because we were desperate.”³⁷¹ An Ndaleni resident observed: “All that the farmer said went. No one could question him.”³⁷² Likewise, a former farmworker in Trustfeed commented: “In the event of a dispute, you knew you had to find another job.... The only option was to just leave or you dance to his music.”³⁷³ Another Ndaleni resident recalled: “The employer was always mean. The relationship was bad. We were not given any respect, and we only followed orders.... During apartheid people did not report any inconveniences or issues. We were afraid to lose our jobs.”³⁷⁴ Many interviewees noted that they had no recourse if they felt they were unfairly treated: “They used to be shouted at in such a way that they would not know the difference between doing right and wrong. They had no way to speak up, so they kept it to themselves and endured the abuse.”³⁷⁵ An Underberg farmworker corroborated this claim: “They were filled with crippling fear. They could do nothing and say nothing. Sometimes when tools were damaged, the farmer would deduct the cost from their salaries, and they could not do anything or even say anything for that matter.”³⁷⁶

Although jobs were scarce, some farmworkers – disgusted with the living and working conditions and their treatment at the hands of the farm owner – left farms in protest. “We left [around 1970] because my Grandfather was not pleased with the treatment. White farmers were racist towards us. They assaulted us, both physically and verbally, even calling us the K word. They

³⁷⁰ Interview with Ndaleni Resident 1, September 2013.

³⁷¹ Interview with Impendle Resident 5, November 2013.

³⁷² Interview with Ndaleni Resident 14, November 2013.

³⁷³ Interview with Trustfeed Resident 1, November 2013.

³⁷⁴ Interview with Ndaleni Resident 9, November 2013.

³⁷⁵ Interview with Farmworker 7 on Richmond Farm 11, September 2013.

³⁷⁶ Interview with Farmworker 4 on Underberg Farm 8, November 2013.

said if we didn't obey the farmer, the entire family would be evicted."³⁷⁷ A few respondents mentioned some means by which workers got revenge: "Some would start stealing tools to sell for extra cash... if they were not satisfied with the salary."³⁷⁸ One respondent claimed: "if they spoke to the farmer and he didn't attend to their requests, then they would work slowly."³⁷⁹ Another said people "would fight. My local people will take traditional weapons and fight for their job... In this place people used to burn plantations that belonged to the white boss."³⁸⁰ These were the minority. The vast majority of respondents said that the only course of action for a farmworker who was very unhappy was to leave the farm and hope to find something better. Most said they simply endured the abuse because jobs were scarce.

Black Spot Removals and the Consolidation of KwaZulu

In 1959, the South African government passed the Promotion of Bantu Self-Government Act, which aimed to transform the reserves into self-governing homelands (Bantustans) for which full independence was eventually planned. Until the 1960s and 1970s – and in some cases even into the 1980s – some Africans in Natal were able to retain a degree of access to agricultural land outside the homelands either as cash or labour tenants on white-owned land or even as private landowners or tenants of black freehold farm owners.³⁸¹ Apartheid legislation, however, dictated that, apart from a limited number of farmworkers, Africans in rural areas could only reside in the homelands – the areas scheduled or released in terms of the 1936 Native Trust and Land Act. These pockets of black residence in rural areas outside the homelands were known as "black spots" and represented "living contradictions of homeland theory."³⁸² In the 1960s, the National Party government

³⁷⁷ Interview with Impendle Resident 4, November 2013.

³⁷⁸ Interview with Ndaleni Resident 11, November 2013.

³⁷⁹ Interview with Farmworker 3 on Richmond Farm 1, October 2013.

³⁸⁰ Interview with Byrne Resident 1, September 2013.

³⁸¹ Walker, Mass Removals in Natal, 4.

³⁸² Ibid.

attempted to rid the countryside of black spots, and in Natal alone massive state-sponsored campaigns forcibly removed at least 105,000 rural Africans and put another 245,000 at risk of forced removal.³⁸³

Conditions in the homeland of KwaZulu, as in other Bantustans, were atrocious: poverty was widespread, infrastructure was lacking, industrial development was basically non-existent, health and education facilities were of the poorest quality, and agricultural land was eroded, overcrowded and unproductive.³⁸⁴ “In terms of income, literacy, infant mortality, and disease, South Africa’s Bantustans rank with the poorest countries in Africa. They are places of death and despair, where the apartheid authorities seek to dump the unemployed, women, the elderly, the very young – all those not needed to labor for ‘white’ South Africa.”³⁸⁵ By 1950, most observers recognized that the homelands were “so overcrowded that in many areas they were unable to maintain their population in reasonable health.”³⁸⁶ Nevertheless, the National Party government relocated approximately one million people into the various homelands between 1963 and 1968 alone.³⁸⁷

As Chapter Two explains, the 1936 Native Trust and Land Act called for additional land to be added to the existing reserves, but in the two and a half decades following the passage of the Act, almost no land had been acquired for this purpose by the South African Native Trust (SANT), largely due to white farmers’ refusal to sell land to the Trust for African occupation.³⁸⁸ Farmers complained bitterly of farms in their midst overcrowded with African tenants who pilfered their fences, livestock and produce and whose goats and cattle were frequently found grazing in their vegetable fields. Archival records contain a plethora of letters to magistrates and Bantu Affairs

³⁸³ Surplus People Project, Forced Removals in South Africa, 94.

³⁸⁴ Many farmers blamed the erosion and overgrazing in the reserves on Africans’ inability to adopt successful agricultural practices and used the condition of the reserves as an argument against making more land available for African use. Clearly these farmers were unfamiliar with the history of successful African farming in the late nineteenth century as Colin Bundy illustrated.

³⁸⁵ Harsch, Apartheid’s Great Land Theft, 6.

³⁸⁶ Ainslie, Masters and Serfs, 48.

³⁸⁷ Ibid.

³⁸⁸ “NAU Seeks Plan for Sale of Farms to Trust,” NAUNLU, May 12, 1961.

Commissioners complaining of “Bantu-occupied” farms that were “badly eroded and the Bantu occupants have become a nuisance to neighbouring white farmers. Fences have been cut and, in some instances, removed; veldt has been burned; paths have been tramped across neighbouring properties.”³⁸⁹ One Commissioner simply described a black spot in his district as “monkey country.”³⁹⁰ Yet these same farmers were dead set against making more land available to relieve the pressure in these black spots. The SANT agreed not to purchase farms in Natal for African occupation without first gaining the permission of the local farmers’ association.³⁹¹ It was not until labour shortages began to wane in the 1960s, and farmers’ qualms subsided, that the Trust was able to begin to purchase white-owned land on which it could relocate Africans removed from black spots in white farming districts, and state sponsored removals began with zeal. The land the SANT purchased, however, was primarily used to relocate Africans removed from black spots and did not alleviate the congestion and suffering in the homelands.

Some of those removed from black spots were black landowners – descendants of the successful peasants who managed to purchase land in the nineteenth and early twentieth century, often in central and northern Natal where land prices were lower. Despite holding the title deed to their land, these African landowners were deemed to be living in “white” South Africa, and had to be excised. When a black spot was removed, only landowners who held more than twenty hectares were compensated with land in the resettlement area, and that land was almost always of inferior quality. The vast majority of those removed did not qualify for compensatory land and were placed in “closer settlements” where they were unable to keep livestock or plant crops.³⁹² Closer settlements were generally barren sites with shockingly few facilities and were far from any source of

³⁸⁹ PAR. DDA 472. Letter to the Chief Bantu Affairs Commissioner, Pietermaritzburg re. Bantu-Occupied Farm in Richmond, December 16, 1968.

³⁹⁰ PAR. DDA 331. Letter to the Chief Commissioner, Pietermaritzburg, from the Commissioner of New Hanover, December 22, 1980.

³⁹¹ Surplus People Project, Forced Removals in South Africa, 39.

³⁹² Walker, Mass Removals in Natal, 8.

employment. Removal to these locations represented not only the loss of a home where, in many cases, communities had been living for generations, but also a distinct decline in standard of living.

One such black spot was KwaPitela, a community of sixty-nine families living on a farm near Underberg that Pitela Hlophe purchased in 1900. Like many other African-owned farms, KwaPitela could not keep pace with the increased production on mechanized and subsidized white-owned farms, and over time KwaPitela absorbed squatters seeking a place for their families and livestock. In 1969, the Chief Bantu Affairs Commissioner informed Ezekiel Hlophe, one of Pitela Hlophe's descendants, that KwaPitela had been deemed a black spot and would be eliminated. For another ten years, nothing more was heard from the government. It was not until September 1979 that a magistrate from Underberg informed Ezekiel Hlophe and the residents of KwaPitela that the government had imminent plans to move the community; their houses were numbered, and they were instructed not to plough or plant crops. It was another two years before the community was moved – two years of hunger and suffering, as the community had followed government instructions and not planted. In early July 1981, in the dead of winter, the homes at KwaPitela were bulldozed and the people were loaded onto trucks and taken to their new residence in a “closer settlement” in Impendle, almost ninety kilometres from Underberg.³⁹³

Conditions in the relocation site – incongruously named “Compensation” – were dismal. Water and firewood were scarce, and there were no fields for planting or grazing.³⁹⁴ Families were given residential plots of twenty square metres and were instructed not to keep livestock. There were already nearly ninety families living at Compensation – victims of a forced removal from another black spot near Underberg called “The Swamp,” which was purchased in 1898 by Charles Mndaweni and then expropriated and cleared in 1978.³⁹⁵ The owner of KwaPitela was compensated

³⁹³ Harley and Fotheringham, *AFRA*, 106.

³⁹⁴ *Ibid.*, 107.

³⁹⁵ APC. PC14/5/1/2. “PASCA Factsheet: Black Spots on a White Map,”

for his loss with a small plot of what the government called “agricultural land,” most of which was located on a hillside and not suitable for cultivation. Many of the new residents of Compensation were forced to seek out wage labour on white-owned farms or in towns, but jobs were scarce in Natal by this time. In Estcourt, for example, fifty percent of the township population was unemployed, “but the government, in accordance with its ‘Black spot’ clearance programme, intends to move still more Africans from the upper Tugela area into the township.”³⁹⁶ Even those fortunate enough to find employment faced a long commute or were forced to leave their families and join the ranks of migrant labourers.

This pattern was repeated throughout the 1960s and 1970s. By the late 1970s, black spot removals had slowed considerably; none were removed in 1979 or 1980, and KwaPitela was the only removal in Natal in 1981. By 1982, an estimated one hundred sixteen such black spots (roughly 105,000 individuals) had been removed, including removals from Richmond, Ixopo, and Pietermaritzburg, and many others in the Midlands, including Trustfeed near Wartburg, were under threat of removal.³⁹⁷ Observers at the time predicted that “the problems of reconstruction in the areas into which these people have been relocated will remain long after the policies which have created them have been superseded.”³⁹⁸

In 1975 the removals of black spots and the purchase of land for the SANT became entangled with plans to consolidate the homeland of KwaZulu. Of all the Bantustans in South Africa, KwaZulu was the most fragmented, consisting of forty-eight large sections and one hundred fifty-seven smaller pieces dotted throughout Natal.³⁹⁹ It was impractical to consolidate KwaZulu into a single unit, but the government hoped to further segregate the rural areas by adding land to some fragments of KwaZulu while clearing others for sale to white farmers. As a result of these

³⁹⁶ “50 Percent Jobless Near Estcourt,” *The Natal Witness*, March 24, 1977.

³⁹⁷ Surplus People Project, *Forced Removals in South Africa*, 102.

³⁹⁸ *Ibid.*, 548.

³⁹⁹ *Ibid.*, 2.

consolidation plans, a few black-occupied areas that were previously deemed to be black spots and were scheduled for removal were added to the new boundaries of KwaZulu. A much larger number of African freehold properties, including Ndaleni near Richmond as well as many small properties surrounding Underberg and Impendle, were formerly within the borders of KwaZulu but were now classified as black spots and faced the prospect of forced removal.⁴⁰⁰ Of the one hundred eighty-nine freehold black spots that were still under threat of removal in 1982, one hundred three of those had become black spots in consequence of the plans to consolidate KwaZulu.

The acquisition of land by the S.A.N.T. and the removal of black communities was a confusing and often disorganized process that caused much contention over landownership. One particularly litigious region was the Highflats area, where Jonny Steinberg's Peter Mitchell was shot dead in his vehicle in 1999. The 1975 proposal for consolidation did not set the boundaries of KwaZulu in stone; borders were constantly changing as the S.A.N.T. attempted to locate land for purchase. In the early 1980s, the Surplus People Project observed the "uncertainty about boundaries and the damaging effect that that has had on agriculture" in the southern Midlands region.⁴⁰¹ In the Highflats area, not far from Ixopo, twenty-one farms were earmarked for addition to KwaZulu in 1975, but by the early 1980s, the S.A.N.T. was experiencing extreme financial difficulties, and only thirteen of those twenty-one farms had been purchased. The remaining eight farms were publicly acknowledged as land that would be purchased for African occupation, but the white farmers were instructed to continue farming operations until the S.A.N.T. was in a position to purchase the land. There was no guarantee of how long this process would take or even if farmers would receive a satisfactory sum for the farm as it was, let alone any long term investments they would make in the meantime.⁴⁰²

⁴⁰⁰ Surplus People Project, Forced Removals in South Africa, 164.

⁴⁰¹ Ibid., 152.

⁴⁰² Ibid., 152.

In 1980, the government announced that it planned to end removals, so it is probable that these eight farms were never purchased.⁴⁰³ To make matters more confusing, a total of forty-seven black spots were scheduled for removal in the Ixopo area, including Highflats, which was the highest number of black spots scheduled for excision in the province.⁴⁰⁴ Referring to southern Natal, a columnist for Farmer's Weekly called consolidation efforts “an unholy, complicated and impractical muddle... an impending nightmare.”⁴⁰⁵ Whether this uncertainty surrounding consolidation and forced removals played a role in the struggle over land rights that Steinberg described in Midlands is uncertain. Nevertheless, from at least the mid-1970s when consolidation plans were released, the Highflats area experienced extreme uncertainty in terms of land rights, and even in 2013 some farmers in the Midlands noted the unique history of contention over landownership in the Highflats district.⁴⁰⁶

The Rise in Farm Attacks in the 1980s

By the mid-1980s, sustained resistance was beginning to challenge the dominance of the apartheid state. Many urban townships were burning as the anti-apartheid struggle raged against white security forces. In 1986, several major pieces of apartheid legislation – notably influx control and Chapter Four of the 1936 Native Trust and Land Act – were repealed in a failed attempt to weaken the anti-apartheid resistance movement.⁴⁰⁷ Most of the violence of this period was contained to the townships, but whites were not immune to the upheaval. Crime rates in urban areas and the countryside were climbing steeply. Theft, especially stock theft, became a major concern for farmers in this decade. Many farmers awoke to find some of their cattle missing, or in

⁴⁰³ “Natal Calls for End to Removals,” Rand Daily Mail, November 11, 1981.

⁴⁰⁴ Compared to twenty black spots in Klip River, which had the second highest number of black spots. Those in Klip River comprised a larger amount of land. APC. PC14/5/2/1. List of Black Spots scheduled for removal as of 1962.

⁴⁰⁵ Symond Fiske, “Consolidation Blues,” Farmer's Weekly, January 30, 1980.

⁴⁰⁶ Interview with Richmond Farmer 11, September 2013.

⁴⁰⁷ “Scrapping of Influx Control: How it Affects the Farmer,” NAUNLU, September 1986.

some cases, even hamstringed and butchered.⁴⁰⁸ Concerning stock theft, The Natal Witness reported: “The evil, of course, is a direct consequence of poverty and the widespread unemployment that prevents the economic underdog from earning a living by legitimate means.”⁴⁰⁹ This echoes an announcement made by a KwaZulu *induna* at a news conference in 1981: “the white government should know that these vast herds of cattle on the white farms adjoining us will be used to feed us pretty soon.... Nobody is prepared to die while there is food next door.”⁴¹⁰

This period also witnessed a significant increase in the number of attacks on white farmers. Farm attacks are commonly assumed to be exclusively a post-apartheid phenomenon – an opinion exemplified by Steinberg’s opening line in the preface of Midlands: “In the months after South Africa voted Nelson Mandela into power, disturbing reports began filtering in from across the countryside.”⁴¹¹ However, farm attacks were not entirely unheard of in Natal before the 1990s, as illustrated by their appearance in newspaper reports. In 1946, for example, a farmer, his wife, and an employee were murdered on a farm in Estcourt.⁴¹² In 1948, a farmer near Ixopo was ambushed when he went outside to investigate a strange light by one of his outbuildings.⁴¹³ In 1963, a white woman was attacked and robbed on a farm near Ladysmith. All four attackers were convicted and imprisoned; the ring leader was given the death penalty.⁴¹⁴ In 1969, two men were found guilty of murdering a seventy-four year old woman on her farm outside Pietermaritzburg.⁴¹⁵ Near Utrecht, an elderly farmer was murdered on his farm in 1977,⁴¹⁶ and two men were sentenced to death for murdering an elderly widow on her farm in 1979.⁴¹⁷

⁴⁰⁸ “Cattle Hamstrung and Butchered,” The Natal Witness, June 12, 1987.

⁴⁰⁹ “Stock Theft,” The Natal Witness, September 4, 1986.

⁴¹⁰ Harsch, Apartheid’s Great Land Theft, 46.

⁴¹¹ Steinberg, Midlands, vii.

⁴¹² PAR. NHC. V/7/332. “The King against Xunga Ntshapa,” April 2, 1947.

⁴¹³ “Dog Comes to Master’s Aid,” The Natal Witness, June 18, 1948.

⁴¹⁴ “African to Die, Others Jailed for Robbery,” The Natal Witness, October 26, 1963.

⁴¹⁵ “Woman Farmer’s Death: 2 Africans Face Trial,” The Natal Witness, July 26, 1969.

⁴¹⁶ “Court Sequel to Killing,” The Natal Witness, March 22, 1977.

⁴¹⁷ “Widow Killers to Hang,” The Natal Witness, November 14, 1979.

Farm attacks became a more regular feature in newspapers in the 1980s.⁴¹⁸ In 1980, for example, an elderly couple near Richmond was attacked,⁴¹⁹ as was an elderly woman on a farm outside Pietermaritzburg.⁴²⁰ In 1981, a woman was attacked on a farm between Pietermaritzburg and Richmond.⁴²¹ In 1983, a farmer's wife was attacked and robbed as she sold milk to township residents north of Wartburg.⁴²² The same year an elderly farming couple was attacked near Greytown, and the wife succumbed to her injuries. Three men were convicted and imprisoned.⁴²³ A South Coast farmer was assaulted when he went to investigate a fire in his sugar cane fields in 1985.⁴²⁴ In the same year, an elderly Newcastle farmer was murdered on his farm.⁴²⁵ The following year an elderly woman was attacked on her farm outside Pietermaritzburg for the second time in six months.⁴²⁶ A Mooi River farmer was also assaulted in 1986,⁴²⁷ and a young sheep farmer was murdered on his farm outside Pietermaritzburg in the same year.⁴²⁸ There were several farm attacks in 1987 including the murder of a farmer and his elderly mother on a farm north of Dundee.⁴²⁹ A seventy-three year old farmer and his sixty year old employee were beaten on a farm near Greytown,⁴³⁰ and a ninety year old Estcourt farmer was murdered on his farm.⁴³¹ In 1988 and 1989, farmers were murdered in Port Elizabeth and Kokstad, and others were attacked in Weenan, Vryheid, Winterton and Hammarsdale. This upward trend continued in the 1990s and 2000s.

⁴¹⁸ These examples listed here include many attacks on women. The Committee of Inquiry into Farm Attacks determined that in 2001 approximately forty percent of farm attack victims were women but suggested that their sample was too small to determine the gender of victims with any consistency.

⁴¹⁹ "2 Men in Court for Attack on Elderly Couple," The Natal Witness, April 17, 1980.

⁴²⁰ "Intruder Locks Farmer's Wife (89) in Pantry," The Natal Witness, April 29, 1980.

⁴²¹ "Woman Attacked on Farm," The Natal Witness, August 4, 1981.

⁴²² "'Customers' Rob Woman of Takings," The Natal Witness, October 24, 1983.

⁴²³ "3 Jailed for 'Despicable Attack' on Farm Couple," The Natal Witness, April 14, 1984.

⁴²⁴ "Farmer Attacked While Cane Burns," The Natal Witness, March 9, 1985.

⁴²⁵ "Farmer (88) Murdered," The Natal Witness, March 21, 1985.

⁴²⁶ "Widow Aged 89 Attacked Again," The Natal Witness, December 6, 1986.

⁴²⁷ "Mooi River Farmer Assaulted, Robbed," The Natal Witness, December 23, 1986.

⁴²⁸ "Eastwood Man Killed," The Natal Witness, December 24, 1986.

⁴²⁹ "Two Murdered on Farm, Mother, Daughter Critical," The Natal Witness, June 1, 1987.

⁴³⁰ "Farmer and Worker Beaten by Armed Men," The Natal Witness, June 9, 1987.

⁴³¹ "Elderly Farmer Found Strangled," The Natal Witness, June 30, 1987.

Possible motives for these attacks will be explored in the following chapters, and Chapter Six attempts to account for the escalation of these attacks.

Conclusion

The election of the National Party in 1948 spelled disaster for the African producers who had managed to retain a degree of independence either as freeholders, squatters or labour tenants on white-owned land. For the first time, the government heeded the calls of the white farming community and took severe action to address the so-called farm labour problem. The state worked to ensure a plentiful supply of full-time wage labourers to white-owned farms through the tightening of influx control measures, the implementation of Chapter Four of the 1936 Natives Trust and Land Act, and the removal of black spots. Wages were kept artificially low through these measures, and, as white farmers were no longer concerned with having to attract African labour, working conditions on many farms worsened and were often fraught with violence. The Bantustans were further impoverished and eroded through overpopulation and overgrazing, and consolidation measures led to the forced removal of thousands of families, often to barren pieces of land with few or no services.

Although few farmworkers dared risk the consequences of openly protesting during this period, land and labour grievances were, nevertheless, acute and certainly informed rural black people's perceptions of freedom and justice in the democratic era. As patterns of land ownership were being renegotiated following the end of apartheid and white farmers were no longer immune to the consequences of their authoritarian and often violent behaviour towards farmworkers and black neighbours, it is possible that the grievances buried deep in the collective memory of African communities turned violent, especially as frustration mounted when democracy did not deliver the changes many had anticipated.

Chapter Four

“They Want to Drive Us from Our Land.”⁴³² Contesting Land Rights in the Democratic Era

Introduction

In February 1990, President F.W. de Klerk opened a new era in South African history when he announced Nelson Mandela’s release from prison and the unbanning of opposition parties including the African National Congress, the Pan-Africanist Congress and the South African Communist Party. Although it would take four years of intense negotiations before the historic election in 1994 that formally ended apartheid and ushered the African National Congress into government with Mandela at the helm, de Klerk’s speech in 1990 marked a distinct turning point in the nation’s history with important implications for commercial agriculture and racial dynamics in the countryside.

While the National Party and the African National Congress sat at the negotiation table planning a future for the nation, farming communities across the country witnessed a drastic increase in the incidence of violent attacks on white farmers, their families and their staff. Although, as the previous chapter illustrated, these attacks were not unheard of before 1990, the frequency with which they occurred during the transition period and beyond was certainly a new development. Many observers believed there was a direct link between unequal landownership and the murder of white commercial farmers, especially as it became obvious in the late 1990s that the government-sponsored land reform program was faltering and frustrations were mounting.

The ANC’s 1950 Freedom Charter promised that “The land shall belong to those who work it.”⁴³³ In a similar vein, the ANC Minister of Agriculture and Land Affairs declared in 1994: “The

⁴³² According to Philip du Toit, this is a common refrain among white farmers. Philip du Toit, The Great South African Land Scandal (Centurion: Legacy Publications, 2004), 253.

resolution of the land question... lies at the heart of our quest for liberation from political oppression, rural poverty and under-development.”⁴³⁴ Despite these proclamations, the ANC has been accused of prioritizing urban development over rural restructuring, and the land reform project has suffered from what Cheryl Walker describes as discontinuities between its “founding vision and its practice.”⁴³⁵ Twenty years after the fall of apartheid, white farmers continue to own the majority of the country’s agricultural land. Many of the farms that have been transferred to black ownership have ceased functioning as commercial ventures and have failed to improve the livelihoods of beneficiaries. Meanwhile farm attacks and farm murders continue.

The conviction that violence directed at white farmers is part of a campaign “to drive us from our land” has been frequently voiced since the early 1990s. Newspapers all over the country have been saturated with opinion pieces and letters to editors highlighting this belief. In 1999, a contributor to the Pietermaritzburg-based newspaper, The Natal Witness, noted: “The suspicion that the attacks are meant to drive established farmers off their land is growing. With the land issue still unresolved, the situation is very volatile.”⁴³⁶ In 2000, a contributor to the Daily News commented: “About 800 people in the farming community have been killed, to my mind, by premeditated and organised elements who, by using these insidious tactics, are endeavouring to drive the farmers off the land.”⁴³⁷ Others suggested the ANC encouraged farm attacks, like the contributor to The Natal Witness who asked in 1999: “Why does the government appear to take so little notice of the multiple murders of the white farmers?... Is it the intention of the government to

⁴³³ Quoted in Deborah James, Gaining Ground? ‘Rights’ and ‘Property’ in South African Land Reform (New York: Routledge, 2007), 31.

⁴³⁴ Quoted in Cheryl Walker, Landmarked: Land Claims and Land Restitution in South Africa (Athens: Ohio University Press, 2008), 230.

⁴³⁵ Ibid.

⁴³⁶ “Farmers,” The Natal Witness, October 22, 1999.

⁴³⁷ H.E. Hardingham, “Why should farmers pay up?” Daily News, November 15, 2000.

force the farmers off their farms in order to break the lands into small holdings for the black population? It would seem so.”⁴³⁸

The Committee of Inquiry into Farm Attacks concluded that the vast majority of these assaults are not attempts to force white farmers off the land, and academics generally agree with this position. Nevertheless, discussions on farm attacks frequently involve a lengthy sidebar on the poor performance of the land reform program, and it is certainly not uncommon for discussions of land reform, even amongst academics, to refer to the murders of white commercial farmers. Deborah James, for example, refers to farm attacks as one of the factors that highlight the importance of land reform in South Africa,⁴³⁹ and Bernadette Atuahene warns that “South Africa’s failure to rectify its land inequality is like a sea of oil waiting for a match.”⁴⁴⁰ In their 1996 assessment of South Africa’s land policy, Hans Binswanger and Klaus Deininger went so far as to warn that “land invasions are likely to increase” and farmers “will be powerless against murders committed by current and former workers and tenants” if landlessness were not rapidly addressed.⁴⁴¹

This chapter assesses the extent to which the history of African land dispossession informs people’s perceptions concerning the contemporary distribution of agricultural land and the government’s land reform program. Has the history of dispossession been seared on each black person’s consciousness in the Midlands, as Steinberg argues was the case in the “Sarahdale” district?⁴⁴² What affect has the land reform process had on race relations in the region? Are some people willing to kill to rectify the historical imbalance in landownership? I argue here that, in the majority of farm attacks in the Midlands, it is unlikely that the perpetrators have acted out of a desire

⁴³⁸ R.E. Jardine, “Time to demand a solution,” The Natal Witness, October 20, 1999.

⁴³⁹ James, Gaining Ground?, 2.

⁴⁴⁰ Bernadette Atuahene, “South Africa’s Land Reform Crisis: Eliminating the Legacy of Apartheid,” Foreign Affairs 90 (2011): 122.

⁴⁴¹ Hans Binswanger and Klaus Deininger, “South African Land Policy: the Legacy of History and Current Options,” in Agricultural Land Reform in South Africa: Policies, Markets and Mechanisms, ed. Johan van Zyl, Johann Kirsten and Hans Binswanger (Cape Town: Oxford University Press, 1996), 94.

⁴⁴² Steinberg, Midlands, 63.

to “take the land back.” Landless black South Africans certainly are frustrated at the slow pace of rural transformation, but their frustration is not limited to land reform. Respondents were equally if not more frustrated with the government’s inability to provide employment, education and other basic services, and many pointed to failed land reform projects as indicators that they would not materially benefit even if they were to receive land. Numerous others argued that no matter how frustrated they are, attacking white farmers is not only pointless in terms of accessing land, it is morally unacceptable. Many respondents expressed a strong desire to strengthen relationships with white farmers – an aspiration I found surprising given the militant declarations concerning the return of land made by some politicians and organizations who claim to speak for the masses of landless South Africans.

Although the responses collected for this research do not necessarily represent the opinions of the tiny minority of the rural population who actually commit farm attacks, as I was unable to gain access to convicted perpetrators (although I did interview police officers who had interviewed perpetrators), they do suggest that the rural environment is not one that would seem to condone farm attacks or nurture the growth of a militant minority willing to use violence to force white farmers off the land. Most black respondents did not seem to view white farmers as natural targets of violence due to their position as the inheritors of land stolen from black communities by white settlers; rather, as Chapters Five and Six will argue, they believe farmers are likely targeted because many continue to ill-treat black staff and neighbours and because farmers are seen as being relatively affluent compared to impoverished rural black communities.

Although this chapter argues that land-related motives are not an immediate concern for those who commit this violence against white farmers, it does, nevertheless, argue that addressing landlessness is crucial to lowering crime rates in the countryside. Over and over black respondents highlighted the connection between their landlessness and their vulnerability to ill-treatment at the

hands of white farmers on whom they are dependent for employment. Participants also linked landlessness to the extremely high levels of poverty and crime in rural areas. The vast majority of respondents pointed to one of these two motives – unfair treatment by farm owners and acquisitive criminality – as the primary explanation for farm attacks, but the link so many interviewees made between these motives and landlessness as the underlying root of these ills should not be overlooked. This chapter begins with a discussion of the land reform process at the national level. It then considers how this process has affected the Midlands specifically by examining the responses of the approximately fifty white farmers and more than one hundred fifty black farmworkers, farm dwellers and neighbours who participated in this study. It then assesses the possibility that farm attacks are orchestrated by the ANC government and concludes with a discussion of potential areas of intersection between race, land reform and farm attacks.

Land Reform in the Democratic Era

In 1991, the National Party passed the Abolition of Racially Based Land Measures Act, which nullified the 1913 and 1936 Land Acts, and it began negotiation with the ANC concerning the parameters of a national land reform program aimed at addressing the vast inequality in landownership between the races following the transition to democracy.⁴⁴³ Through its Reconstruction and Development Plan (RDP), the ANC hoped to reallocate thirty percent of white-owned agricultural land to black owners by 1999. In return, landowners were assured their properties would not be expropriated unconditionally, and only land lost after 1913 would be eligible for reclamation through the restitution process. De Klerk promised white farmers: “Your title deeds are safe.”⁴⁴⁴ The NP government also instigated a series of liberalizing policies within the

⁴⁴³ Louis Changuion and Bertus Steenkamp, Disputed Land: The Historical Development of the South African Land Issues, 1652-2011 (Pretoria: Protea Book House, 2012), 265.

⁴⁴⁴ Ibid., 270.

agricultural sector aimed at making commercial farming more competitive and productive. The ANC expanded these measures, which included cancelling the subsidies, tariff protection and tax breaks that had kept many struggling white farmers afloat during the apartheid years. This deregulation forced many inefficient producers out of the sector and led to further concentration of landownership with a smaller number of more mechanized and industrialized landowners.

The land reform program recognized that landownership was intrinsically linked to citizenship, as denying blacks the right to own land outside the Bantustans had been fundamental in refusing them rights as citizens of South Africa. Concurrently, land reform promised to improve people's material well-being, fight rural poverty and encourage economic growth.⁴⁴⁵ To achieve these goals, the land reform program was divided into three elements. First, restitution aimed to restore land to those who held formal or informal rights to properties and were forcibly removed due to discriminatory legislation since the passing of the Natives Land Act in 1913. Second, redistribution sought to use government grants to purchase white-owned farmland for the resettlement of black communities that did not previously have secure land rights. Finally, tenure reform intended to ensure that those black families and individuals who continued to reside on white-owned farmland were not arbitrarily evicted from their homes. Since tenure reform is concerned with legislating the terms upon which black farm dwellers remain on white-owned land, rather than altering the state of landownership itself, a more detailed examination of the ways in which tenure reform have influenced the relationships between white farm owners and black farm dwellers will be presented in the following chapter. The discussion in this chapter is limited to the restitution and redistribution portions of the land reform project.

⁴⁴⁵ James, *Gaining Ground?*, 10.

Restitution

One of the first pieces of legislation the ANC passed following the election in 1994 was the Restitution of Land Rights Act. Restitution acknowledged “histories of injustice and their impacts on individuals, families, and communities,”⁴⁴⁶ by allowing for the restoration of land to any “person or community who was dispossessed of property after 1913, as a result of racially discriminatory laws or practices, and was not adequately compensated; or the direct descendants or deceased estates of such people.”⁴⁴⁷ Former title-holders who were forcibly removed from “black spots” during the apartheid era were the most apparent beneficiaries of the restitution process, but eligibility was extended beyond the minority of black South Africans who once owned land in freehold to apply to those who did not have title deeds yet were the uncontested long-term occupiers of a piece of property. Labour tenants who had lived on white-owned farms for long periods before their eviction were thus recognized as having informal rights and were eligible restitution claimants. Claims could be lodged until December 31, 1998, and successful claimants could have their land restored, acquire alternative land, or accept financial compensation.

The Restitution of Land Rights Act also called for the creation of a Commission on Restitution of Land Rights (CRLR), which was established in 1995 and tasked with overseeing the restitution process. Commissioners and their staff assisted individuals and communities in submitting claims, scrutinized the validity of claims lodged, aided in the negotiation of settlements, and, if necessary, recommended cases for adjudication. A Land Claims Court was launched in 1996 to approve claims and adjudicate disputed cases.⁴⁴⁸ When a claim was investigated and verified as a legitimate restitution case, it was published in the Government Gazette, and the Commissioner would inform the current landowner of the proceedings. The current landowner could either accept

⁴⁴⁶ Ruth Hall, “Reconciling the Past, Present, and Future: The Parameters and Practices of Land Restitution in South Africa,” in Land, Memory, Reconstruction and Justice, 17.

⁴⁴⁷ Ibid., 22.

⁴⁴⁸ Ibid., 21.

the claim and proceed to negotiate the price at which the government would purchase the land on behalf of the claimants or could oppose the claim if he/she felt it was unfounded. The Land Claims Court would settle any cases that could not be concluded through negotiation and mediation.⁴⁴⁹

By the end of 1998, almost 80,000 claims were lodged with the Commission.⁴⁵⁰ Approximately eighteen percent of these claims were rural; the vast majority were claims on urban sites.⁴⁵¹ Most urban claims were settled through financial compensation rather than restoration of land. Restoring land takes much more time than financial compensation, as Commissioners must negotiate a purchase agreement with the current landowner and allow time for the landowner to relocate. If the claim is contested, the process takes even longer. As a result, in the provinces with the most urban claims, such as Gauteng and the Western Cape, many restitution cases were settled relatively quickly and little land changed hands. More rural provinces like Limpopo and Mpumalanga, on the other hand, have tackled fewer claims but have transferred more land to black ownership. This inverse relationship between the amount of land transferred and the number of claims settled has posed a dilemma for Commissioners: “with the political pressure to finalize claims mounting, their attention has understandably tended to focus on settling urban claims with cash rather than tackling rural claims, where a single claim may require years of negotiation.”⁴⁵²

Ruth Hall determined that by March 2006, only 4,221 rural claims, which represent about one quarter of all rural claims lodged, had been settled. The remaining rural cases were large claims with many beneficiaries and were considered “‘complex,’ involving disputes among claimants, disputes over the jurisdiction of traditional authorities, disputes on the part of landowners, or

⁴⁴⁹ Changuion and Steenkamp, *Disputed Land*, 273.

⁴⁵⁰ The number of claims lodged changed significantly between the end of 1998 and 2007. Ruth Hall attributes these changes to the difficult nature of categorizing claims. As the claims were processed, some individual claims were consolidated into a single claims, whereas other large community claims were divided into smaller claims. Hall, “Reconciling the Past,” 28.

⁴⁵¹ Walker, *Landmarked*, 214.

⁴⁵² Hall, “Reconciling the Past,” 30.

untraceable claimants.”⁴⁵³ Of those claims settled, only 867 involved land restoration; the remainder were cash settlements. Due to the existence of overlapping claims, these 867 cases of land restoration only translated into 233 land reform projects nationally.⁴⁵⁴ KwaZulu-Natal had more claims lodged than in any other province; eighty-one percent of these were urban claims. By 2007, a total of 14,576 claims (urban and rural) were settled in KZN and 435,190 hectares of land transferred to restitution beneficiaries.⁴⁵⁵

On July 1, 2014, the Restitution of Land Rights Amendment Act came into effect and reopened the restitution process for another five years. The Department of Rural Development and Land Reform (DRDLR) anticipates almost 400,000 new claims by June 30, 2019. As the 2014 elections drew near and the centenary of the 1913 Natives Land Act put the spotlight on the failing land reform program, “the ANC took what can only be seen as a calculated gamble – to use the promise of further land restitution to deflect attention from the poor performance of land reform and rural development strategies to date.”⁴⁵⁶ Given that outstanding restitution claims from the 1990s totaled more than 20,000 in late 2013 – over 9,000 of which were only at the earliest stages of investigation – and the CRLR only finalized 292 cases and settled another 270 in the 2013/14 financial year, which was above its target for the year, at this pace it will take over thirty-five years just to finalize the claims from the 1990s. At that “exemplary rate,” finalizing a further 400,000 claims will take 230 years. Walker asks, “Who is doing the basic arithmetic?”⁴⁵⁷

⁴⁵³ Hall, “Reconciling the Past,” 30.

⁴⁵⁴ *Ibid.*, 31.

⁴⁵⁵ *Ibid.*

⁴⁵⁶ Cheryl Walker, “Sketch Map to the Future: Restitution Unbound,” in *Land Divided*, 235.

⁴⁵⁷ Walker, “Sketch Map to the Future,” 242.

Redistribution

In order to meet its target of transferring thirty percent of white-owned agricultural land to black farmers, the ANC government embarked on a campaign of redistribution to supplement the restitution process. Like the restitution program, the redistribution campaign followed a process of market-based land acquisition rather than expropriation; the government issued grants to beneficiaries who could then pool their money and purchase farms at market prices. This market-driven approach became known as the “Willing Buyer/Willing Seller” model. Although the 1996 Constitution allowed for expropriation for land reform purposes as well as compensation below market values, the ANC chose to pursue this market-led approach, not least to ensure continued foreign investor support.⁴⁵⁸

Willing buyers were not difficult to find in the post-apartheid era. “Many white farmers became not merely ‘willing’ but positively determined to leave the countryside.”⁴⁵⁹ The process of liberalizing the agricultural sector in the 1990s left many poorer white farmers vulnerable to market forces from which they had previously been protected by soft loans, subsidies, marketing boards and other state support. Many farmers who were dependent on these measures had little option but to sell. White farmers who lived on so-called “frontiers” with the communal lands of the former Bantustans were also often more than willing to sell their enterprises. These farmers frequently complained of the difficulties of sharing a border with black communities – mentioning theft, stock rustling, snares, broken fences, and arson among other complaints – and found that the only willing buyers for their farms were black communities using government-issued redistribution grants.

In the 1990s, those interested in acquiring land through the redistribution program could apply for a grant of R16,000 (approximately \$3,000 CAD in 1996) per household, provided the household income was less than R1,500 per month. This was known as the Settlement/Land

⁴⁵⁸ Edward Lahiff, “Willing Buyer, Willing Seller,” 1580.

⁴⁵⁹ James, Gaining Ground?, 230.

Acquisition Grant (SLAG). Beneficiaries would be required to pool their grants to purchase a farm at market value. This agenda allowed those with little or no capital to participate, but these large groups of poor beneficiaries were generally unsuccessful in maintaining the productivity of a farm.⁴⁶⁰ One redistribution project manager explained the drawbacks of this so-called “rent-a-crowd” phenomenon as:

putting 100 or 200 people together, who might come into conflict and fight with one another as they had nothing in common in the first place. We found that people were being brought together without a common goal. You’d find that only 25 percent of the people would work the land, but the other 75 percent would expect returns at the end of the year. And their hopes would be dashed. Farming is a more serious business than most of these people realise.⁴⁶¹

Recognizing that the SLAG approach was yielding poor results in terms of maintaining productivity and enhancing beneficiaries’ material well-being, it was replaced by the Land Redistribution for Agricultural Development (LRAD) model in 2001. Whereas SLAG targeted the poorest rural households, LRAD was more commercially-oriented and aimed to involve individuals who could make their own contribution to the program either in cash, labour or kind.⁴⁶² LRAD offered larger grants, usually between R20,000 and R100,000, to individuals rather than to households, and made greater use of loans through the Land Bank – the “former bastion of the white farming class, which was now in the process of being restructured and of reformulating its priorities to favour those ‘previously disadvantaged.’”⁴⁶³ LRAD targeted individuals, generally men, with larger incomes than those involved in the SLAG plan; this facilitated the participation of black business people who, it was hoped, would be more successful as commercial farmers than SLAG

⁴⁶⁰ Lahiff, “Willing Buyer, Willing Seller,” 1580.

⁴⁶¹ James, Gaining Ground?, 178.

⁴⁶² Lahiff, “Willing Buyer, Willing Seller,” 1580.

⁴⁶³ James, Gaining Ground?, 178.

participants, who were “too poor to afford farming implements and whose interest in land was simply that of a secure place to ‘lay one’s head.’”⁴⁶⁴

In 2006, the government launched the Proactive Land Acquisition Strategy (PLAS), which replaced LRAD by 2011. Through PLAS, the government purchased farms and leased them to black beneficiaries on a trial basis. In 2011, the Minister of Rural Development and Land Reform also announced a “use it or lose it” policy that threatened to remove beneficiaries from redistributed land if they failed to use the land according to the agreed business plan.⁴⁶⁵ “It is astonishing,” Ben Cousins observes, “that poor black South Africans will continue to be denied the possibility of owning land and remain perpetual lessees of the state.”⁴⁶⁶ In 2013, President Jacob Zuma announced that the government will henceforth pursue redistribution based on the principle of “just and equitable” compensation rather than the Willing Buyer, Willing Seller principle, but there has been little indication of how the government plans to proceed with “just and equitable” compensation, and it has not been attempted at the time of writing.⁴⁶⁷

Challenges with Land Reform

“The history of land reform in democratic South Africa is a history of failure.”⁴⁶⁸ Bold declarations such as this are not uncommon, as there is a general consensus that South Africa’s land reform program has failed to meet its objectives. Land reform – both restitution and redistribution – has proceeded at a glacial pace. Although the ANC government promised to transfer thirty percent of white-owned agricultural land to black owners by 1999, as of 2015 only eight percent had

⁴⁶⁴ James, Gaining Ground?, 186.

⁴⁶⁵ Ruth Hall, “Who, What, Where, How, Why? The Many Disagreements about Land Redistribution in South Africa,” in Land Divided, 138.

⁴⁶⁶ Cousins, “‘Through a Glass, Darkly,’” 253.

⁴⁶⁷ Siphon M. Pityana, “The ‘Land Question’: The South African Constitution and the Emergence of a Conservative Agenda,” in Land Divided, 166.

⁴⁶⁸ Fred Hendricks, “Rhetoric and Reality in Restitution and Redistribution: Ongoing Land and Agrarian Questions in South Africa,” in The Promise of Land: Undoing a Century of Dispossession in South Africa, ed. Fred Hendricks, Lungisile Ntsebeza and Kirk Helliker (Auckland Park: Jacana, 2013), 39.

changed hands.⁴⁶⁹ Government officials frequently lay the blame for this slow performance at the feet of white farmers, who, they claim, have been unwilling to part with their land, but as the previous section illustrated, this has simply not been the general trend. Studies of individual restitution and redistribution projects conducted over the past two decades have pointed instead to the government's inability to effectively implement such an immense and complex project as the primary source of this sluggishness.

Walker notes that the “potent symbolic significance of land in national political debate, as emblem of dispossession in the past and redress in the present, has certainly not been matched by the ANC government's commitment to land reform as a programme of government since 1994.”⁴⁷⁰ The paltry amounts allocated to land reform in the national budgets since 1994 illustrate the government's perceived apathy to effective rural transformation. For the first ten years of the land reform program, an average of less than half a percent of the annual national budget was allocated to the Department of Land Affairs, which was responsible for restitution as well as redistribution. This amounted to R7.3 billion over ten years – just over forty percent of what the World Bank recommended be spent on land reform in five years and less than half of the Department of Defence's budget for the 2001/02 year alone.⁴⁷¹ In 2010, budgetary constraints led to a moratorium on the purchase of land for restitution, and several landowners sued the Commission for failing to honour settlement agreements.⁴⁷² Some landowners have had to wait for four years to receive their compensation,⁴⁷³ which sends “the message that the ANC is not serious about land reform.”⁴⁷⁴

Cumbersome bureaucratic procedures have also slowed the pace of reform. Would-be beneficiaries, for example, must go through a lengthy and layered application process to access

⁴⁶⁹ Cherryl Walker and Ben Cousins, “Land Divided, Land Restored: Introduction,” in Land Divided Land Restored: Land Reform in South Africa for the 21st Century, ed. Ben Cousins and Cherryl Walker (Auckland Park: Jacana, 2015), 4.

⁴⁷⁰ Walker, Landmarked, 231.

⁴⁷¹ Ibid., 200.

⁴⁷² Atuahene, “South Africa's Land Reform Crisis,” 123.

⁴⁷³ Lahiff, ““Willing Buyer, Willing Seller,”” 1586.

⁴⁷⁴ Atuahene, “South Africa's Land Reform Crisis,” 124.

redistribution grants. They must secure a written agreement with the landowner detailing the purchase price that is verified as being “market-related” by an independent surveyor as well as a detailed business plan for the farm. This process can take up to two years and effectively precludes beneficiaries from “shopping around,” participating in land auctions, and securing a sales agreement within a timeframe comparable to normal sales on the open market.⁴⁷⁵ Landowners who are willing to sell through the redistribution process face abnormally long wait times for sales agreements and run the risk of having an agreement rejected either due to the lack of funds or other technicalities. “It seems reasonable to assume,” Edward Lahiff suggested, “that only a landowner who is exceptionally committed to the cause of land reform, or who cannot dispose of land by other means (because of poor location or quality of land, for example), would be likely to enter into a land reform transaction.”⁴⁷⁶

Staffing issues have added to bureaucratic inefficiency and poor data recording. The Department of Land Affairs initially allocated a mere six employees to each Regional Land Claims Commissioner, “without any provision for investigative, legal or community facilitation staff.”⁴⁷⁷ Rapid staff turnover and the reliance on private consultants who disappear when the contract expires (along, it seems, with many of the files and paperwork submitted during their tenure), certainly slows the reform process and reduces the state’s capacity to evaluate and monitor performance.⁴⁷⁸ There have also been complaints of corruption within the ranks of the DLA. In 2006, officials in the Commission’s office in Mpumalanga were found to be fraudulently inflating purchase prices of farm, and in 2007, four officials working for the Commission in Limpopo were arrested for fabricating claims.⁴⁷⁹

⁴⁷⁵ Lahiff, “Willing Buyer, Willing Seller,” 1585.

⁴⁷⁶ Ibid.

⁴⁷⁷ Walker, Landmarked, 91.

⁴⁷⁸ James, Gaining Ground, 147.

⁴⁷⁹ Walker, Landmarked, 206-207.

The pace of reform has clearly been problematic; more concerning, however, is the government's insistence at pressing ahead with a program that has failed to improve the livelihoods of beneficiaries and contribute to sustainable development and the reduction of poverty. Information concerning the performance of land reform projects is difficult to acquire, but it is clear that beneficiaries face significant challenges, and few have been able to procure economic benefits. The government's preoccupation with meeting its targets of redistributing certain percentages of land by a particular date at the expense of ensuring positive outcomes for beneficiaries overlooks land reform's critical role in providing material benefits to the rural poor. "Attention to process is particularly important if the commitment to working with the most marginal and disempowered within claimant [and beneficiary] groups, including women, is taken seriously."⁴⁸⁰

Two independent studies conducted in 2006 evaluated the successes and failures of communal restitution projects in Limpopo province.⁴⁸¹ The first study examined 179 projects and concluded:

Of the 128 projects with agricultural development aims, 83 percent have not achieved these developmental aims. Approximately nine percent have partially achieved their agricultural developmental aims but are not generating any income. A further five percent have partially achieved their agricultural developmental aims and are generating income. However, these five percent of projects are not making a profit and are not sustainable yet.⁴⁸²

The second study only examined six cases, but the conclusion was equally bleak: "The most striking finding... is that the majority of beneficiaries across all the restitution projects have received no material benefit whatsoever from restitution, whether in the form of cash income or access to

⁴⁸⁰ Walker, *Landmarked*, 38.

⁴⁸¹ These studies were conducted by the Community Agency for Social Enquiry (CASE) commissioned by the Department of Land Affairs and the Programme for Land and Agrarian Studies at the University of the Western Cape on behalf of the Commission on Restitution of Land Rights.

⁴⁸² Michael Aliber, Themba Maluleke, Mpariseni Thagwana, and Tshililo Manenzhe, "Restitution, Agriculture, and Livelihoods: National Debates and Case Studies from Limpopo Province," in *Land, Memory, Reconstruction and Justice*, 291.

land.”⁴⁸³ Cousins’ assessment is slightly brighter; he reports that about half of land reform ventures have seen some – although generally marginal – improvements in the lives of beneficiaries.⁴⁸⁴ In the 2010/11 financial year, the South African government made more than R1 billion available in an attempt to make 504 failed reform projects productive once more.⁴⁸⁵ This poor performance had led many observers to ponder the implications for the rural economy and food security, especially in provinces like Limpopo, which is facing the possibility of having two-thirds of its agricultural land transferred in restitution claims.⁴⁸⁶

There are several explanations for the inability of land reform to improve beneficiaries’ livelihoods. One pertains to the collective nature of reform projects. Land transferred through the reform program is owned collectively by a Communal Property Association (CPA) or a Trust. This is partly due to the state’s insistence that transferred farms continue to operate as a single commercial unit; subdivision of land has not garnered political support,⁴⁸⁷ despite the fact that beneficiaries claim the most secure source of livelihood improvement comes with direct access to land for stock grazing and crop cultivation for their own subsistence.⁴⁸⁸ Bringing together groups of individuals with divergent interests and experiences, who have little or no sense of themselves as “a community,” has naturally led to conflicts concerning how land is to be used, who will make important decisions, how capital will be mobilized, who can settle on the land and how income will be distributed.⁴⁸⁹ Some members of the beneficiary “community” have little interest in the daily management of agricultural activities on the land and are reluctant to participate, leaving others to do their share of the work. Beneficiary groups may appear to be united when fighting for the

⁴⁸³ Aliber, Maluleke, Thagwana and Manenzhe, “Restitution, Agriculture, and Livelihoods,” 292.

⁴⁸⁴ Ben Cousins, “‘Through a Glass, Darkly’: Towards Agrarian Reform in South Africa,” in Land Divided, 254-255.

⁴⁸⁵ Ninety-four of these projects were restitution cases; the remainder were redistribution projects. Forty-one of these 504 failed farms were in KwaZulu-Natal. Changuion and Steenkamp, Disputed Land, 293.

⁴⁸⁶ Aliber, Maluleke, Thagwana and Manenzhe, “Restitution, Agriculture, and Livelihoods,” 303.

⁴⁸⁷ Lahiff, “‘Willing Buyer, Willing Seller,’” 1589.

⁴⁸⁸ Ruth Hall, The Impact of Land Restitution and Land Reform on Livelihoods (Cape Town: Programme for Land and Agrarian Studies, 2007), 17.

⁴⁸⁹ Hall, “Reconciling the Past,” 35.

restoration of land or for a redistribution settlement, but once the land is transferred and that unifying goal fades away, “the imagined past is confronted with the practical realities of the present” and so-called communities frequently fracture.⁴⁹⁰

Another major problem is what Cousins refers to as the “uncoupling” of land reform from agricultural policies.⁴⁹¹ Land reform is the domain of the Department of Land Affairs (lately renamed the Department of Rural Development and Land Reform). Individual provincial Departments of Agriculture are responsible for state services to farmers, while municipalities are in charge of water, electricity and other local infrastructure.⁴⁹² The most apparent symptom of this disengagement between levels of government is the lack of post-settlement support. Beneficiaries consistently complain of a lack of training in agricultural practices, financial constraints, no credit, lack of long-term planning and extension services, little access to markets and other infrastructure, as well as poor communication with relevant government officials.⁴⁹³ Without adequate state support, beneficiaries cannot be expected to compete with established, capital-intensive landowners. Those who do manage to become modestly successful farmers generally have access to other sources of income to invest in the land.⁴⁹⁴ If established white farmers have struggled to remain afloat in the liberalized agricultural sector since the end of apartheid, it is unlikely that under-funded and ill-equipped black farmers will fare any better.

While many beneficiaries cannot afford to farm, others simply have little interest in farming. Many restitution claimants report that they are settled in their present circumstances, often in urban or semi-urban settings, and are reluctant to relocate their families “to return to a past way of life,

⁴⁹⁰ Derick Fay and Deborah James, “Giving Land Back or Righting Wrong: Comparative Issues in the Study of Land Restitution,” in *Land, Memory, Reconstruction and Justice*, 47.

⁴⁹¹ Ben Cousins, “Through a Glass, Darkly,” 252.

⁴⁹² Lahiff, “Willing Buyer, Willing Seller,” 1590.

⁴⁹³ Walker, *Landmarked*, 210; Lahiff, “Willing Buyer, Willing Seller,” 1590.

⁴⁹⁴ Walker, *Landmarked*, 98; Lahiff, “Land Reform in South Africa,” 592.

often lived in remote geographical locations.”⁴⁹⁵ Especially for younger claimants who have little sentimental attachment to the land under claim, the lack of services on restored land, particularly running water and electricity, is a major deterrent for occupying reclaimed land.⁴⁹⁶ For some claimants, lodging a claim was more about seeking redress for their eviction or forced removal than it was about acquiring land, as the large number of cash settlements attests. The preponderance of cash compensation in lieu of land – what has become known as “cheque-book restitution” – particularly in urban claims but also prevalent in rural cases, has rendered restitution relatively inefficient as a method of land reform,⁴⁹⁷ and has done little to alter the “tenacious geography of apartheid.”⁴⁹⁸

The fixation on reforming the white-owned areas also comes at the neglect of the rural communal areas – the former Bantustans – where about one-third of South Africa’s population currently resides. It is here, Walker argues, where “poverty is at its bleakest and the need for agrarian reform most acute.”⁴⁹⁹ Black farmers in communal areas do not own title deeds, have no access to financing, and little infrastructure, but they have been overlooked by the state, which has been focused on promoting commercial farming in the former white farming areas. Annika Classens also points to the neglect of the communal areas as a major flaw in the land reform process:

As long as post-apartheid laws entrench the boundaries of the Bantustans and prop up autocratic versions of chiefly power, they pre-empt the Constitution’s promise of land reform *and* democracy. Land reform is not only about quantifiable amounts of land – it involves tackling vested interests and confronting structural patterns of poverty and exclusion. This requires a commitment to reintegrating people living in the former Bantustans as equal citizens, on terms that acknowledge and redress their

⁴⁹⁵ James, *Gaining Ground?*, 246.

⁴⁹⁶ Walker, *Landmarked*, 98-99.

⁴⁹⁷ *Ibid.*, 217.

⁴⁹⁸ Hall, “Reconciling the Past,” 33.

⁴⁹⁹ Walker, *Landmarked*, 203.

exclusion in the past. The new laws and policies, by contrast, seek to hide and entrench both past and current inequality under the cloak of timeless custom.⁵⁰⁰

Farmworkers have also been largely overlooked in this process. Unlike those who were forced off white-owned land prior to 1994, those who managed to stay on as full-time employees are not eligible for restitution and must queue for PLAS redistribution grants, which, unlike earlier SLAG grants, have increasingly been reserved for wealthier applicants who have capital and skills to contribute.⁵⁰¹ Furthermore, farmworkers who were employed on land that was restored to claimants or sold to redistribution communities have, in most cases, lost their jobs. Little is known about what has become of them.⁵⁰²

Finally, land reform has increasingly moved away from providing land for the poorest rural residents. Despite its setbacks, the earliest redistribution model at least targeted the households with the lowest incomes and allowed greater participation by women. Studies have illustrated that now “only a small proportion of the landless and land-hungry are gaining access to the programme; that they are predominantly literate males over 40 years of age; and, increasingly, that they are those with access to wage income (including pensions), rather than the unemployed.”⁵⁰³ The reform program has not been of much benefit to those who are either unable or unprepared to pursue commercial agriculture but simply seek a secure residence. The ubiquity of struggling and failing projects has led the government to pressure claimants to lease their restored land back to the previous owners or to enter into “strategic partnerships” with external management companies, conservation groups or private contractors – often involving the previous owners – to maintain production on the farm.

Critics argue that the government’s priority on continuing production and denying claimants direct access to the land reeks of paternalism and “raises the question of whether restitution is being

⁵⁰⁰ Aninka Classens, “Law, Land and Custom, 1913-2014: What is at Stake Today?” in *Land Divided*, 84.

⁵⁰¹ Hall, “Who, What, Where, How, Why?,” 139.

⁵⁰² Hall, *The Impact of Land Restitution*, 2.

⁵⁰³ Lahiff, “Willing Buyer, Willing Seller,” 1587.

pursued in a way that maximizes its role in transforming unequal social relations and production systems in the countryside or involve as little change as possible, beyond transferring private title.”⁵⁰⁴ Land reform has not provided material benefits for rural black South Africans, and it appears to have increasingly sacrificed social justice concerns for continued agricultural productivity under the large scale commercial farming model. Although some restitution beneficiaries have reclaimed land and with it a sense of justice, the government has been largely unable to help beneficiaries translate this symbolic justice into economic security. Although beneficiaries and would-be beneficiaries are likely frustrated at the poor performance of the land reform program, given the inability of the reform process to improve the livelihoods of beneficiaries, it is unlikely rural black South Africans view gaining access to land in the present circumstances as something worth assaulting a white landowner to achieve.

White Farmers’ Perspectives

Farmers in the Midlands, like their colleagues throughout the country, experienced a massive loss of state support in the late 1980s and 1990s. State aid during times of drought or flood was also cut, and tariff protection has been eliminated, which in the Midlands has been particularly difficult for sugar cane growers who lament the cheap Brazilian sugar flooding the South African market. Farmers are now required to pay taxes from which they were previously exempt, even though they complain of poor service delivery or no service delivery at all. “The municipality sees farmers as a cow to milk,” one farmer remarked.⁵⁰⁵ In this environment, many farmers have been unable to balance their books, and have had little choice but to give up farming. A farmer in Nottingham Road commented: “there are a lot less farmers now than there were twenty years ago, about half as

⁵⁰⁴ Hall, “Reconciling the Past,” 36.

⁵⁰⁵ Interview with Underberg Farmer 9, November 2013.

many. The farm I run now used to be five farms.”⁵⁰⁶ Many of those who remain are struggling. Several times while visiting farms one of my research assistants would whisper, “Is *that* where the farmer lives?” upon approaching the farmhouse – clearly shocked at the poor financial condition of some white farmers who are barely managing to maintain production. Many farmers, for whom farming has become “an economic disaster,” have taken on a second source of income in order to sustain their agrarian endeavours.⁵⁰⁷

The Department of Agriculture, which during apartheid was almost exclusively concerned with the needs of white farmers, changed its focus in the democratic era to serve the needs of the so-called “emerging farmers” from the ranks of the “previously disadvantaged.”⁵⁰⁸ Staffing changes in all government departments after 1994 meant that many white employees within the Department of Agriculture were replaced, but many of these new (or newly promoted) employees did not receive adequate training. A respondent who has been with the Department of Agriculture since before the transition felt that the result is a situation in which the Department’s field workers were actually intimidated by white farmers: “most of these employees have a diploma at best, whereas most white farmers have degrees and a lifetime of experience. There is little the Department can actually help white farmers with anymore.”⁵⁰⁹ Assessments of the Department of Rural Development and Land Reform are equally bleak. One academic who follows agrarian affairs closely exclaimed: “The Department of Land Affairs is absolutely hopeless!”⁵¹⁰ White farmers agree with this assessment: “We get nothing from the government. In the old days you use to be able to get the extension officer and he would come and advise you but they don’t even advise their own people now.”⁵¹¹

⁵⁰⁶ Interview with Nottingham Road Farmer 9, November 2013.

⁵⁰⁷ Interview with Underberg Farmer 7, November 2013.

⁵⁰⁸ Interview with Official at Department of Agriculture, September 2013.

⁵⁰⁹ *Ibid.*

⁵¹⁰ Interview with Academic 2, Durban, June 2013.

⁵¹¹ Interview with Richmond Farmer 7, August 2013.

Despite farmers' frustration concerning the lack of government support for commercial agriculture, farmers in the Midlands generally claim they have no qualms with the notion of land redistribution, provided it is pursued through a market-based mechanism and the beneficiaries are given adequate training, credit and extension service once they have been resettled. Farmers frequently pointed to the drastically unequal patterns of landownership between white and black as an untenable and undesirable legacy of white rule; although it is possible that for some farmers this politically correct viewpoint was for the benefit of this foreign researcher and did not represent their true feelings. One farmer commented: "Redistribution is necessary! Land reform will always be a political problem until landownership is more equal... The black communal areas are busting at the seams with wide open white commercial farmland right next door. How long can this be sustained?"⁵¹² Another farmer said: "We farmers support land reform. We're happy to mentor emerging farmers. We'd love to see emerging farmers do well, rubbing shoulders with us, complaining about the price of diesel!"⁵¹³ A farmer in Wartburg concluded: "There must be land reform if black and white are going to live together in South Africa."⁵¹⁴ The problem with redistribution, as far as white farmers were concerned, is certainly not with the Willing Buyer, Willing Seller model. The argument that the Willing Buyer, Willing Seller model is holding up the process, one farmer explained, "is the biggest load of hogwash! It was the only thing that was working." He went on to say that many farmers in the Midlands are willing to sell "because they don't see a future."⁵¹⁵ Certainly many farmers are dedicated to staying in the agrarian sector and wish to support the land reform process. For these people, the problem with land reform is the way

⁵¹² Interview with Underberg Farmer 9, November 2013.

⁵¹³ Interview with Wartburg Farmer 5, May 2013.

⁵¹⁴ Interview with Wartburg Farmer 12, August 2013.

⁵¹⁵ Interview with Richmond Farmer 7, August 2013.

it has been implemented: “The ANC was trying to do good, but the way they went about it was all wrong.”⁵¹⁶

A number of farms in the Midlands have been transferred to black ownership either through redistribution or restitution projects.⁵¹⁷ A respondent from the DRDLR estimated that ninety-five percent of the reform projects in the Midlands have failed, and those that have not failed entirely are functioning at less than half their capacity.⁵¹⁸ Stories abound of vacant black-owned farms, stripped of all valuables and overgrown with weeds, which in the early days of my field research I assumed were exaggerated – there is no way it could be *that* bad, I thought. Farmers near Richmond, for example, frequently commented on the lamentable state of the former Nicholson farm. “This farm,” they told me, “was one of the most high tech dairy farms in the country and one of the nicest farms in the Midlands,”⁵¹⁹ and their story was corroborated by features of this model dairy farm in magazine and newspaper articles. The owner suffered from severe theft – a condition some Richmond farmers believed attributable to what they viewed as Nicholson’s kindness to his employees and his being too soft with his neighbours.⁵²⁰ In 2003, Nicholson sold his farm to a black politician, S’bu Ndebele, who financed part of the purchase with a loan from the Land Bank.⁵²¹ Ndebele did not maintain the farm, and “now it’s completely overgrown.”⁵²² A local police officer

⁵¹⁶ Interview with Underberg Farmer 8, November 2013.

⁵¹⁷ Concerning my research sites specifically, there have been several reform projects in Wartburg and Richmond, and a few near Underberg; I did not hear of any near Nottingham Road. Specific data concerning the amount of land transferred is difficult to attain and notoriously unreliable. An individual employed at the Department of Rural Development and Land Reform emailed the most detailed maps in the Department’s office representing reform projects, but there were very few landmarks to identify where the projects were located, no information about the amount of land transferred, nothing to identify the restitution cases that were resolved through cash compensation versus land transfer, and certainly no information regarding post-settlement evaluation of the projects. This respondent admitted that the Department suffers from poor record keeping.

⁵¹⁸ Interview with Employee at the Department of Rural Development and Land Reform, February 2013.

⁵¹⁹ Interview with Richmond Farmer 1, March 2013.

⁵²⁰ *Ibid.*

⁵²¹ Agiza Hlongwane, “S’bu’s Former Farm Falls into Disrepair,” *The Sunday Independent*, September 27, 2011, <http://www.iol.co.za/sundayindependent/s-bu-s-former-farm-falls-into-disrepair-1.1145397#.VbZHyPIViko>, accessed July 27, 2015. See this link for photos of the former Nicholson farm.

⁵²² Interview with Richmond Farmer 9, September 2013.

took me to this property; the reports of its desperate state were completely accurate. Nothing remained of the house but the brick walls, and the entire farm was covered in thick weeds.

The example of the Nicholson farm is not a terribly unusual case. Many of the farmers I interviewed told stories of failed or struggling land reform projects nearby. Despite the failures, however, land reform continues, leading one farmer to conclude that “in South Africa, transformation drives everything, not economics.”⁵²³ These failures frustrate many farmers, who report that failed land reform projects in one’s vicinity can lead to squatting, decreased security and an increase in theft and other crimes; whereas successful projects would create jobs, lower unemployment and combat crime.⁵²⁴ “This would be better for everyone. Farmers don’t want to see people suffer in poverty!”⁵²⁵ “The whole idea of land reform,” a Richmond farmer complained, “was to empower the previously disadvantaged, and it doesn’t do that.”⁵²⁶

Most white farmers felt that the majority of the beneficiaries of redistribution and especially restitution projects were more interested in a cash settlement or a place to build a home and did not want to pursue agriculture. For those beneficiaries who do want to farm, however, white farmers were irritated with the government’s unwillingness to give them the training and services they require: “People with ambition get no government support!”⁵²⁷ A farmer in Underberg expressed sympathy for emerging farmers: “Black farmers are really battling. They get sporadic aid from the government, but not enough.”⁵²⁸ Some white interviewees expressed admiration for those black farmers who are experiencing some level of success – the ones “who are really making a go of it” – but they stressed that these black farmers are succeeding through their own personal determination

⁵²³ Interview with Underberg Farmer 9, November 2013.

⁵²⁴ Interview with Dundee Farmer 1, April 2013.

⁵²⁵ Interview with Wartburg Farmer 5, May 2013.

⁵²⁶ Interview with Richmond Farmer 7, August 2013.

⁵²⁷ Interview with Richmond Farmer 11, September 2013.

⁵²⁸ Interview with Underberg Farmer 9, November 2013.

and not because of any government program.⁵²⁹ “There are success stories, but they are self-made success stories. They don’t involve the government.”⁵³⁰ An employee of the Department of Agriculture acknowledged the lack of post-settlement support, but explained that the Department simply did not have the capacity to resettle beneficiaries successfully: “They say we’ve failed, but we don’t have the time or the resources to teach 30,000 people in the Pietermaritzburg area alone how to be farmers!”⁵³¹ This informant stressed that the best way forward for emerging farmers is through partnerships with white agriculturalists. Although some of these partnerships are not fruitful due to personality clashes, in some cases black land recipients and white mentors have forged promising relationships.⁵³²

Some white farmers, in fact, felt that the country needs them “to drive development in rural areas”⁵³³ and have partnered with land reform beneficiaries. A farmer in Underberg reported having helped a group of black farmers initiate a seed potato venture. The government declined to finance the start-up costs, so he invested his own money into their project, and with his mentorship, the project was a success after the first year. The government then refunded his investment but refused to fund the project any further, and the project reportedly folded. “I’m happy to be a mentor but not a financier,” the farmer explained.⁵³⁴ Farmers saw the communal nature of redistributed land as problematic. Another Underberg farmer helped a neighbouring community grow maize (so they would stop stealing his); he helped plough and plant the crop, but he claimed that only a few members of the community tended it. At the end of the season, however, everyone in the community expected a return from the project. In the second year, nobody planted any maize.⁵³⁵

⁵²⁹ Interview with Richmond Farmer 8, August 2013.

⁵³⁰ Interview with Richmond Farmer 6, August 2013.

⁵³¹ Interview with Employee at the Department of Agriculture, Pietermaritzburg, September 2013.

⁵³² *Ibid.*

⁵³³ Interview with Underberg Farmer 9, November 2013.

⁵³⁴ *Ibid.*

⁵³⁵ Interview with Underberg Farmer 4, September 2013. This story was verified by an employee on the farm who lives nearby.

The failure of many land reform projects, coupled with the government's new "use it or lose it" policy, has encouraged beneficiaries to lease their land back to white farmers. One such case is former politician Sipho Shabalala,⁵³⁶ who leased his struggling farm in Wartburg to neighbouring white farmers to make it productive once more.⁵³⁷ Another Wartburg farmer has been leasing land from a community of beneficiaries near Table Mountain.⁵³⁸ Just outside Richmond, a farmer leases the farm adjacent to his; white commercial farmers have been leasing that particular farm ever since it was transferred to the beneficiary community. "They don't want to farm," the farmer explained, "in this case, they just want the bucks."⁵³⁹ In Underberg, a farmer spoke very highly of the efforts of one woman from the community who tried on two separate occasions to implement community farming projects to no avail. She approached the white farmer and asked him to lease the land and farm it himself rather than act as a mentor, as she had given up on the prospect of communally-owned projects.⁵⁴⁰

At the time of this research an interesting scheme was being attempted on a farm near Wartburg. The farm owner sold the land to the employees, who were issued a government grant that covered almost the entire purchase price. The farmer also sold the employees forty-nine percent of the shares in the management company, which now leases the farm. The goal was that the farm would be entirely owned and operated by the employees within ten years. The farmer said he desired "a system that recognizes the inequalities out there.... This was a mechanism that got our workers involved in the business and gave them some opportunity to develop wealth and alleviate

⁵³⁶ Sipho Shabalala was formerly the head of the KZN Treasury. In his capacity of CEO of Ithala Bank, he was accused of facilitating a R1,000,000 donation to the ANC from a businessman who received a large state tender in return. Tom Stokes, "Sipho Shabalala Knows Too Much – DA KZN," *Politics Web*, <http://www.politicsweb.co.za/news-and-analysis/sipho-shabalala-knows-too-much--da-kzn?sn=Marketingweb+detail>, accessed July 27, 2015.

⁵³⁷ Shabalala is currently leasing his land to Wartburg Farmer 8.

⁵³⁸ Interview with Wartburg Farmer 13, November 2013.

⁵³⁹ Interview with Richmond Farmer 6, August 2013.

⁵⁴⁰ Interview with Underberg Farmer 9, November 2013.

poverty.”⁵⁴¹ At the time of my visit, the project was about five years old, and had encountered some snags. Of the sixty original employees who entered into the project, about fifteen are no longer present; several left for other jobs, a few passed away, and a couple were fired. However, there was no established procedure for buying individuals out and bringing in new participants. Probably the biggest challenge they faced, according to the farmer, is a lack of education: “We seriously suffer with dealing with the fruits of apartheid education.”⁵⁴² Only one individual out of sixty had completed high school. The farmer had been sending individuals on courses, but he admitted that without more education, running the business would be a major challenge. Despite these setbacks, examples such as this suggest that there are some white farmers dedicated to working with beneficiaries to help make land reform a success.

The one aspect of the land reform program that is viewed with universal derision among the farmers I interviewed is the restitution process. Although most farmers recognize the importance of returning land to black owners in some instances, particularly black spot removals, the restitution process as a whole is seen as sowing insecurity in the agricultural sector and as being particularly unfair to white farmers. Almost every farmer I interviewed informed me: “When the settlers, our ancestors, arrived... there were no communities here. There was nobody out here!”⁵⁴³ White farmers continue to espouse the settler account that has been discarded by historians: the Zulu King Shaka had cleared the Midlands of inhabitants, and the region was only used as a royal hunting ground prior to the arrival of white settlers. Closer to Underberg and the Drakensberg Mountains, farmers also claimed the area was too cold in the winter for year-round habitation. One Underberg farmer explained that the soil in the area is of very poor quality and requires extensive fertilization to

⁵⁴¹ Interview with Wartburg Farmer 13, November 2013.

⁵⁴² *Ibid.*

⁵⁴³ Interview with Richmond Farmer 6, August 2013.

make it suitable for cultivation; Zulus hunted on it, he claimed, but they did not live on it.⁵⁴⁴ Moreover, farmers argued, black people were not the original inhabitants of the Midlands anyway; they had displaced the San. When asked about the idea that white farmers stole the land, a farmer near Richmond explained it this way:

We fought for it! When dogs are fighting over a bone, the one dog gets the bone – it's his bone! There were very few black people here, and the Zulus were moving down the east coast. They weren't a settled nation. They were sort of in transit. They were migrating. And they just had cattle; they didn't really have many crops. But they are a difficult people to convince of that.⁵⁴⁵

Several farmers pointed to the fact that their ancestors had to bring Indian workers to the farms or go beyond the Umzimkulu River in the south and the Tugela River in the north to recruit black workers as proof that the land was empty. I asked one farmer if it were possible that there were black people living in the Midlands but they simply had no need to labour for white farmers; he replied, “Huh. I've never thought about that.”⁵⁴⁶ The narrative that white settlers dispossessed black inhabitants, in the minds of farmers in the Midlands, is complete myth. “Politicians have revved up the land is stolen thing. The people who have been working on these farms, even if their families have been here for a couple generations, didn't come from here.”⁵⁴⁷ Numerous white farming families all over the Midlands have been occupying the same farm since the mid nineteenth century. Many of them have aerial photographs of their farms dating back to the late 1920s and early 1930s, and these photos show very few black homes on the farms. They therefore concur that the vast majority of restitution cases are “all unfounded.”⁵⁴⁸

One of the biggest complaints farmers level at the restitution process is the fact that once a claim is lodged, the onus is on the farm owner to disprove it, “and that's an arduous process – very

⁵⁴⁴ Interview with Underberg Farmer 2, March 2013.

⁵⁴⁵ Interview with Richmond Farmer 7, August 2013.

⁵⁴⁶ Interview with Wartburg Farmer 5, May 2013.

⁵⁴⁷ *Ibid.*

⁵⁴⁸ Interview with Wartburg Farmer 8, June 2013.

costly. And in many cases the landowner has just thrown in the towel and said ‘just give me the money.’ One almost thinks it’s a sinister way of going about it. That essentially is how a lot of land claims have been resolved. A lot of guys have just said ‘no ways.’⁵⁴⁹ One interviewee’s farm in Richmond was subjected to a claim, and although he believed the claim was illegitimate, he felt it was not worth challenging, so he sold the farm to the government on behalf of the claimants and purchased a farm in Wartburg. Two years later, he claimed, nothing was growing on that farm.⁵⁵⁰

In similar cases, farmers who have agreed to sell reported having to wait long periods for the payment, during which time they were sometimes subjected to intimidation by the claimants who were anxious to move onto the land.⁵⁵¹ An official from the Department of Rural Development and Land Affairs as well as a lawyer confirmed that this is not an uncommon situation. Frequently an agreement is reached, but the government only pays half of the purchase price upfront; the farmer is expected to maintain the farm until the government pays the remainder, which could take years. Officials in KwaZulu-Natal sign these agreements with farmers, but then the deal is forwarded to Pretoria, “where there is no urgency or responsibility.”⁵⁵² Farmers cannot afford to move to town or start a new business elsewhere and they do not want to invest the capital necessary to maintain proper production on the farm. Meanwhile, the intended beneficiaries become anxious, and sometimes they move onto the land before the deal is concluded. This causes tension between the farm owner and the beneficiaries, and is a product of the government overspending its small budgets.⁵⁵³

Approximately half of the farms I visited were under claim. Most landowners were adopting a wait-and-see attitude, but those who decided to fight the claims had spent large sums of money on

⁵⁴⁹ Interview with Wartburg Farmer 13, November 2013.

⁵⁵⁰ Interview with Wartburg Farmer 12, August 2013.

⁵⁵¹ Interview with Richmond Farmer 1, March 2013.

⁵⁵² Interview with Employee at Department of Rural Development and Land Affairs, Pietermaritzburg, February 2013.

⁵⁵³ Interview with Lawyer 2, May 2013.

lawyers' fees; some even hired anthropologists to investigate the claim on their behalf. I know of only two cases in which the landowner fought the claim and won. One was a relatively easy case involving former black landowners who defaulted on their loans and the land was repossessed and sold to a white farmer in 1914; the paperwork was available in the archives. Despite the relative simplicity of this case, it took the landowner three years to fight the claim.⁵⁵⁴ Most claims involve claimants who held "informal rights," which are much more difficult to disprove. A farmer in Richmond, for example, has been battling a restitution claim for more than ten years: "No matter how much proof you have, you can't win!"⁵⁵⁵ I attended a court hearing concerning a restitution case in Wartburg that had also been in court for more than ten years. The court session itself was painfully slow, and concluded with the decision to add more sessions in the following year, despite having indicated at earlier meetings that the case would be adjudicated by the end of that month.

Many farmers complained about fraudulent claims: "Even if there are no claims on the farm now, it doesn't mean there won't be. Many claims are illegally back-dated."⁵⁵⁶ In 2001, a farmer in Richmond applied to have his farm included as part of a larger nature reserve in the area. As part of the process, he had to acquire confirmation from the Department of Land Affairs that there were no land claims on his farm, which he obtained. In 2004, he was informed of a land claim on his farm, which was dated before December 1998. At the time of my visit, he reported that he had not received any communication from the government concerning the land claim in about five years.⁵⁵⁷

The restitution process has created massive insecurity within the farming sector, partly due to the length of time the claims have been pending. A farmer near Richmond summed it up well: "We're always under these gallows of having the farm taken away, and at the end of the day this has a *huge* impact on the cycle of farming, sustainability, succession. A lot of people, I'm one of them,

⁵⁵⁴ Interview with Underberg Farmer 3, June 2013.

⁵⁵⁵ Interview with Richmond Farmer 8, August 2013.

⁵⁵⁶ Interview with Wartburg farmer 5, May 2013.

⁵⁵⁷ Interview with Richmond Farmer 5, August 2013.

basically are looking for the quickest way out because your land, which used to be your retirement... is just not an asset anymore.”⁵⁵⁸ Farming is a long-term endeavour, and landowners are reluctant to invest in their land – build dams, fix roads, plant sugar cane or timber – if the land is under claim because they might not get to reap the benefits. Several farmers commented that the best case scenario for them would be for the government to purchase their farms for claimants or redistribution beneficiaries, and then lease it back to them. “I’d take that deal in a heartbeat,” said one farmer.⁵⁵⁹ Although in 2013 many farmers felt that Zuma’s announcement that the land claims process would be reopened was “just a vote-buying operation,”⁵⁶⁰ the consensus was that if the restitution process were reopened (which it was on July 1, 2014) “there’s going to be a lot of tension!”⁵⁶¹

Interviews with Midlands farmers in 2013 revealed that they do not view themselves as illegitimate owners of stolen land, nor do they see themselves as hindering the land reform process. On the contrary, many farmers feel they are being unfairly targeted by the government’s efforts to alter the distribution of land. The problems related to land reform have been a source of frustration for rural blacks and whites alike, and farmers expressed concern that restitution in particular can sow uncertainty in the countryside and even become confrontational in contested cases. Although there is potential for intimidation and violence in some cases, farmers do not believe farm attacks in general are connected to the challenges associated with land reform or are a function of black South Africans attempting to force the return of land.

⁵⁵⁸ Interview with Richmond Farmer 7, August 2013.

⁵⁵⁹ Interview with Richmond Farmer 1, March 2013.

⁵⁶⁰ Interview with Underberg Farmer 8, November 2013.

⁵⁶¹ Interview with Academic 2, Durban, June 2013.

Farmworker, Tenant and Neighbour Reactions to Land Reform

Interviews with black farmworkers, tenants and neighbours revealed opinions that I found quite surprising given the militant declarations of Julius Malema, the Landless People's Movement and others demanding the return of land. An overwhelming majority of respondents in the Midlands expressed a cautious approach to land reform and stressed the need for cooperation between whites and blacks to pursue rural development, suggesting little aspiration to chase white farmers off the land. Contrary to white farmers' version of the history of settler accumulation – the myth of an empty Natal when the Voortrekkers crossed the Drakensberg – many black respondents reported that land in the Midlands was stolen from black communities by white settlers: “Yes, our forefathers told us so. Even our children have learned this.”⁵⁶² An Ndaleni resident explained that, “the white settlers found our forefathers here. They took our land and we were scattered from our families.”⁵⁶³ Similarly, an informant in Trustfeed declared: “This is our land and it was taken from us. White people took it away from us and that was wrong.”⁵⁶⁴ A farmworker in Nottingham Road suggested that the failure to rectify this history of dispossession could prompt violence:

The settlers violently took the land away. Following that they demarcated land to different white people; they would say that this land now belongs to Mr. Smith and trespassers will be persecuted. And people would not go onto the land fearing for their lives. So that's how they took the land away from us. Now they don't want to part with our land. That's why there is a lot of violence.⁵⁶⁵

Evictions from white-owned farms during apartheid also held an important place in the collective memory of this group, as an interviewee in Ndaleni commented: “I don't understand how white people could evict people from a land and not give them anywhere or anything to help them survive.”⁵⁶⁶

⁵⁶² Interview with Employee 6 at Nottingham Road Farm 9, November 2013.

⁵⁶³ Interview with Ndaleni Resident 28, November 2013.

⁵⁶⁴ Interview with Trustfeed Resident 1, November 2013.

⁵⁶⁵ Interview with Employee 2 at Nottingham Road Farm 6, August 2013.

⁵⁶⁶ Interview with Ndaleni Resident 3, September 2013.

Some informants were a bit less certain that African land had been stolen by white settlers: “I wouldn’t say it was *stolen*. It was negotiated, but unfair procedures were probably followed.”⁵⁶⁷ Another respondent replied: “Most people believe the land was stolen from black people by the settlers, but when you look at it, it’s a bit confusing. My problem is that initially people were not aware of the productivity of the land. Even if they had it, they never used it productively.”⁵⁶⁸ A farmworker in Nottingham Road explained: “I think the settlers took the land from black people, but in my opinion it’s fine that they keep it since they are using it productively and are able to provide job opportunities for us. As a result, many families are supported.”⁵⁶⁹ Although most respondents felt white settlers illegitimately acquired the land, only half said they were upset that white farmers continue to own the majority of the countryside. “It upsets me a lot,” a resident of Ndaleni remarked, “all this land is ours. It was owned by black people and they took it. Even if we get our land back, we can’t use it now.”⁵⁷⁰ Another informant replied: “it upsets me that white people own more land because now we must always work for white people.”⁵⁷¹

Some of those who said they were not upset about the continued unequal distribution of land made comments about their inability to make the land fruitful given the loss of agricultural knowledge since dispossession: “No, it does not upset me. Now they have proper resources and skills to own it; therefore the land is being productive. If I were to own land right now, I wouldn’t be able to use it successfully. If I were to get land back, I would humbly ask the current farmer to stay, cooperate with me, and teach me ways to keep the business going.”⁵⁷² A farmworker in Richmond expressed a similar feeling: “the land was stolen, but we cannot rectify the past by returning the land to black people because now we are uneducated. We have lost our farming skills.

⁵⁶⁷ Interview with Ndaleni Resident 11, November 2013.

⁵⁶⁸ Interview with Employee 3 at Nottingham Road Farm 6, August 2013.

⁵⁶⁹ Interview with Employee 3 at Nottingham Road Farm 2, August 2013.

⁵⁷⁰ Interview with Ndaleni Resident 2, September 2013.

⁵⁷¹ Interview with Ndaleni Resident 8, November 2013.

⁵⁷² Interview with Employee 2 at Richmond Farm 1, October 2013.

We no longer have the capability to use the land, and we no longer own livestock.”⁵⁷³ Many respondents noted that the times have changed drastically since dispossession; commercial farming is a complex and expensive venture and, in the aftermath of apartheid, most rural black people lack the capital required to be productive stewards of commercial farmland. Certainly the difficulty of making land productive affects some people’s views on the benefits, or lack thereof, of acquiring land.

About three-quarters of black interviewees supported the government’s land reform initiative – in principle at least. One respondent replied: “This inequality in landownership echoes our oppression; apartheid has not yet come to an end.”⁵⁷⁴ Another simply declared: “We black people want our land back.”⁵⁷⁵ The majority of this group, however, as well as the one-quarter who said they do not support land reform, pointed to failed reform projects in their vicinity and insisted that the way the program has been implemented has rendered it almost useless. An employee on a Richmond farm summarized these views perfectly:

The truth is, we love owning land and having it returned to black people. But black people don’t know how to keep land productive allowing farmworkers to secure their jobs.... When land is taken from white people, we often suffer from poverty and lack of employment. A white farmer is like a lactating cow, we can all get milk from it.... There is land in this area that was returned to black people and today it is bush. People have lost their jobs and now they come to this farm job hunting.⁵⁷⁶

Farmworkers were deeply concerned that restitution claims could render them unemployed. A respondent in Underberg reported having worked on a farm that was transferred to a black community: “most of us were left jobless.”⁵⁷⁷ Respondents who worked on farms that were under restitution claim were anxious about losing their jobs and hoped the white landowners would be successful in disproving the case: “We heard that some people want to claim this farm. My heart is

⁵⁷³ Interview with Employee 10 at Richmond Farm 11, September 2013.

⁵⁷⁴ Interview with Employee 2 at Wartburg Farm 4, July 2013.

⁵⁷⁵ Interview with Employee 2 at Richmond Farm 1, October 2013.

⁵⁷⁶ Interview with Employee 1 on Richmond Farm 3, August 2013.

⁵⁷⁷ Interview with Employee 4 at Underberg Farm 9, November 2013.

broken because the younger generation on this farm seem to have a good future here.... My wish is for this court case to end and for the employers to win.”⁵⁷⁸ Another farmworker echoed this apprehension:

The problem is you often find people from the townships coming to make land claims on this property.... We heard that this farm might be already claimed. If this is true, we plead that they must have mercy on us and allow us to keep our area. We have never lived life outside the farm and have no land we can go to once evicted from this farm. Where will our children go?⁵⁷⁹

Participants agreed that the government did not provide adequate post-settlement training and services, and some argued that the government “should stop rushing to give us land. A farm comes with a lot of expenses: buying fertilizer, paying workers and transportation. So it really must be given to a capable person.... We are not educated enough about agriculture and maintaining the farm.”⁵⁸⁰ In Richmond, numerous respondents mentioned the former Nicholson farm as indication of the difficulty of maintaining commercial production: “Even S’bu Ndebele failed to manage the farm, and he’s a rich person. How much worse would we fare?”⁵⁸¹ The spectre of Zimbabwe clearly influenced many respondents’ opinions of land reform. An employee in Wartburg, for example, commented: “I think the land should be returned, but the problem is that it isn’t productive afterward. South Africa might become like Zimbabwe!”⁵⁸² The problems related to maintaining production on transferred land and extracting material benefits for beneficiaries has dampened black informants’ enthusiasm for the land reform program and their hope to acquire land.

Unsurprisingly, most respondents expressed frustration with the slow pace of land reform. Many reported that during the transition to democracy they had hoped to acquire a piece of land; half of those people say they have now given up on that dream. “After waiting for so long, I have

⁵⁷⁸ Interview with Employee 4 at Wartburg Farm 9, July 2013.

⁵⁷⁹ Interview with Tenant 4 at Wartburg Farm 4, July 2013.

⁵⁸⁰ Interview with Employee 2 at Richmond Farm 1, October 2013.

⁵⁸¹ Interview with Ndaleneni Resident 22, November 2013.

⁵⁸² Interview with Employee 3 on Wartburg Farm 5, July 2013.

lost hope,” confided an informant from Impendle.⁵⁸³ Interestingly, however, most interviewees did not hold white farmers accountable for the slow pace of reform; the vast majority of respondents said they felt the government was responsible, and many described their suspicion that government officials were corrupt, which hampered both the efficacy and the pace of reform. A Trustfeed resident explained: “Before elections, we are promised a lot of projects aiming to bring development and change. But after elections we hear that people in power have misused the money. Corruption stories are endless in government. And we are the ones who suffer the consequences.”⁵⁸⁴ Numerous respondents felt that many restitution claimants were fraudulent: “Some people did not even live on the farms but just wanted to claim the money. They don’t even know the name of the river.”⁵⁸⁵

Although many white farmers believe that most rural black people support Julius Malema and his calls to expropriate white-owned land, these interviews indicate otherwise. An overwhelming majority of black respondents said they are completely opposed to Malema’s ideas. A farmworker in Richmond exclaimed: “That’s wrong, haibo! What are we going to eat? You can see that we are faced with poverty. What will become of us? I foresee a lot of suffering if Malema gets his way.”⁵⁸⁶ Many respondents stressed the importance of the jobs white landowners provide: “I think Julius is crazy. We need them! We are benefiting from them since they create jobs for us.”⁵⁸⁷ A farmworker in Richmond was appalled at the idea of expropriation without compensation: “Julius is wrong. White people should be given money in return for their land. They have worked on it for years and kept it in good condition and have invested in it.”⁵⁸⁸ Some respondents simply snorted:

⁵⁸³ Interview with Impendle Resident 4, November 2013.

⁵⁸⁴ Interview with Trustfeed Resident 1, November 2013.

⁵⁸⁵ Interview with Trustfeed Resident 8, November 2013.

⁵⁸⁶ Interview with Employee 8 on Richmond Farm 11, September 2013.

⁵⁸⁷ Interview with Employee 1 at Nottingham Road Farm 9, November 2013.

⁵⁸⁸ Interview with Employee 1 at Richmond Farm 1, October 2013.

“Malema is ridiculous! We do not want to chase white people away.”⁵⁸⁹ Others compared Malema’s plan to Mugabe’s land reform program: “If we take the land and chase the whites away, this place will be like Zimbabwe. Zimbabweans are now filing into this country and local farms. They are desperate for jobs and will even accept getting paid less than us.”⁵⁹⁰ Far from wanting to force white farmers off the land, interviewees frequently expressed their desire to cooperate: “Malema, no! We shouldn’t chase whites away. We need to find a way to live in harmony with them and share the land.”⁵⁹¹

Reflecting their lack of faith in the government’s land reform program, approximately sixty-five percent of rural black participants said they would rather have a job than a piece of land. Exemplifying the feelings of this group, one respondent replied: “What is more important to me is having a job with good wages and good working conditions. If I get land, I am very poor and won’t be able to make it successful and productive.”⁵⁹² Another participant commented: “Land would need a lot from me which I don’t have. But with a job I can send my children to school and support my family. If I have land my children might need to drop out of school to come work on the farm.”⁵⁹³ Those who wished to pursue independent agriculture stressed their lack of capital as a barrier to effective land reform. A Nottingham Road farmworker, for example, reported: “The problem with choosing land is starting capital. If they gave me cash in order to afford fertilizer etc., I would choose land over a job.”⁵⁹⁴ Numerous respondents expressed a desire to enter into a mentorship arrangement with a white farmer. Comments such as: “I can’t maintain the land alone, so we need to work together,”⁵⁹⁵ were common. Many respondents, however, said they would choose land, but they were not interested in commercial farming; they simply wanted a place to call

⁵⁸⁹ Interview with Employee 4 at Richmond Farm 11, September 2013.

⁵⁹⁰ Interview with Employee 2 at Richmond Farm 1, October 2013.

⁵⁹¹ Interview with Employee 2 at Nottingham Road Farm 6, August 2013.

⁵⁹² Interview with Employee 1 at Richmond Farm 5, September 2013.

⁵⁹³ Interview with Employee 1 at Nottingham Road Farm 2, August 2013.

⁵⁹⁴ Interview with Employee 3 at Nottingham Road Farm 6, August 2013.

⁵⁹⁵ Interview with Employee 1 at Richmond Farm 11, September 2013.

home. A Trustfeed resident, for example, said: “We are not asking for a lot – just land for housing.”⁵⁹⁶ Similarly, a respondent in Ndalení commented: “It is enough when we have land for housing and for a small garden, but not a large piece of land like white people because we fail to maintain it.”⁵⁹⁷ These responses indicate an absence of collective desire to force white farmers out of the Midlands.

While most rural black informants did not express strong aspirations to expropriate land from white farmers, the history of dispossession, nevertheless, remains a painful memory for black people in the Midlands; ninety-five percent of respondents agreed on this point. A farmworker in Richmond explained: “It’s very painful! If you have no place to call home, you will be a nobody – a person who lives in the bushes like an animal.”⁵⁹⁸ Another farmworker commented: “if you lose your land, you lose your sense of belonging. It’s painful to know that your children will not have any inheritance.”⁵⁹⁹ An Ndalení resident disclosed: “Dispossession is still painful. Look at my yard. I, as a black person of African origin, live on marginal land while white people own land the size of this entire community. Do you think if I went overseas to their homeland I would be able to get even a small piece of land without having purchased it?”⁶⁰⁰ Several participants noted the importance of burial grounds and other hallowed spaces: “Some areas are of spiritual importance and are sacred. We need those areas back.”⁶⁰¹ Some others commented on the connection between land, particularly for cattle ownership, and cultural rites: “It is sad. We used to have land for many livestock. We knew then that as a young man, when you are ready to marry, you can go to the kraal and take the cattle to send to your in-laws. Also, livestock is a form of social status. It is not nice

⁵⁹⁶ Interview with Trustfeed Resident 1, November 2013.

⁵⁹⁷ Interview with Ndalení Resident 3, September 2013.

⁵⁹⁸ Interview with Employee 10 at Richmond Farm 11, September 2013.

⁵⁹⁹ Interview with Employee 4 at Wartburg Farm 3, August 2013.

⁶⁰⁰ Interview with Ndalení Resident 17, November 2013.

⁶⁰¹ Interview with Employee 5 at Richmond Farm 11, September 2013.

now because we don't have land for livestock."⁶⁰² These interviews suggest that Steinberg's claim in Midlands that all black people in the "Sarahdale" district had the memory of dispossession seared on their consciousness is accurate. What these interviews do not reveal, however, is a popular opinion fuelled by outrage at the slow pace of land reform that would provide an environment that justifies violence against white farmers.

After this discussion on land reform, interviewees were asked if they felt that land-related motives *could* play a motivating factor in *some* farm attacks; responses were divided. Approximately half of the respondents felt that in specific cases – certainly not in most cases – land could be a motive: "It is possible because our hearts are broken."⁶⁰³ An Impendle resident replied: "Yes, because we contemplate how our lives could have been if the land hadn't been taken away from us. Now we must buy everything at the shop – vegetables, just about everything! So the little money we have we end up using on food instead of buying things for a better life."⁶⁰⁴ A farmworker in Wartburg believed farm attacks "could be a race issue or because of the fact that the land was taken away from black people, and now they want it back. I think it creates hatred; they feel that it's unfair that one farmer owns a huge portion of land and they want a share." However, the same informant quickly acknowledged that, "it can also be criminal activities."⁶⁰⁵ Half of the respondents, however, disagreed entirely; like Steinberg's Elias Sithole, they remarked that the memory of dispossession alone is not enough to spark a farm attack. A resident of Ndaleni replied: "We would never kill white people because of land. Our lives have become too dependent on them."⁶⁰⁶ Several interviewees pointed to the futility of attacking a farmer in order to acquire land: "There is no reason to take the battle into our own hands when the government is still in place. We just need to follow

⁶⁰² Interview with Employee 6 at Nottingham Road Farm 9, November 2013.

⁶⁰³ Interview with Trustfeed Resident 7, November 2013.

⁶⁰⁴ Interview with Impendle Resident 4, November 2013.

⁶⁰⁵ Interview with Employee 1 at Wartburg Farm 3, August 2013.

⁶⁰⁶ Interview with Ndaleni Resident 2. September 2013.

the proper channels to get our land back.”⁶⁰⁷ Another participant commented: “I don’t think the land issue is an influence in farm attacks.... We can attack one farmer, but after that a new one will immediately take his place.”⁶⁰⁸

Rural black participants’ opinions regarding land reform were incredibly illuminating, and some significant themes emerged. First, there was a near universal condemnation of violent actions directed at white farmers; in fact, as Chapter Six will highlight, it seems people are absolutely fed up with violence and crime in general. Not one participant registered any sort of approval or admiration for those who carry out these attacks, and many respondents expressed their disgust at this violent behaviour. A respondent in Wartburg commented: “I think it’s important to give back the land, but not with violence.... We need to learn from Mandela who taught us that we should put our weapons down and talk.”⁶⁰⁹ In a similar vein of reconciliation, an Ndaleni resident described a time in her youth when she and her family “were chased off the farm like dogs,” but concluded that “we all have the same blood – just the skin colour is different. I think we need to sit and negotiate.”⁶¹⁰

Another theme that these interviews exposed relates to the disconnect between what rural black people in the Midlands would like to receive from the land reform program, and what the program actually offers. Respondents repeatedly stressed that without the proper state support, the large scale commercial farming model is failing badly. However, time after time interviewees said that what they would really like is a small piece of land on which to build a home, plant a garden, bury their loved ones and perhaps run a few cattle. “Land reform was not properly planned. They did not look at the possible uses that black people might have for the land.... We need land to

⁶⁰⁷ Interview with Employee 2 at Richmond Farm 5, September 2013.

⁶⁰⁸ Interview with Employee 5 at Richmond Farm 11, September 2013.

⁶⁰⁹ Interview with Employee 1 at Wartburg Farm 3, August 2013.

⁶¹⁰ Interview with Ndaleni Resident 22, November 2013.

alleviate poverty – to have gardens to feed our families.”⁶¹¹ A Trustfeed resident explained: “it would be a problem if they gave us the entire farm because we do not have the resources to maintain it. However, they should give us a portion of the land so that we can build houses. If they could just give us a piece for our gardens...”⁶¹² A worker in Richmond agreed: “Land could be returned to those who are really struggling and are without land. Not that they must give them the entire area! They could just return a small piece because we are failing to use the land.”⁶¹³ Many participants also expressed a deep lack of a sense of belonging that comes with landlessness: “People should be given housing first; I think that is the key. A person is human because they have a home that they belong to.”⁶¹⁴ Noting the relation between land alienation and vulnerability to exploitation by employers, one respondent had a novel idea: “It’s important to have land for our sense of belonging. I think land should be taken from the problematic farmers, and they should be made to go to rehab to learn to treat us well!”⁶¹⁵ Apart from sacred spaces that would be owned collectively, most informants expressed a desire for individual title to a piece of land, not large-scale communal projects.

Finally, as the previous quotation hinted, these interviews illustrated that respondents saw a very clear link between landlessness and dependence on white farmers for employment. Unemployment levels are extremely high in rural areas, and people’s reliance on jobs on farms makes them vulnerable to exploitation. Respondents also identified a connection between landlessness and poverty, which often breeds crime. Landlessness, then, contributes to the poor treatment of farmworkers as well as the high rates of crime in rural areas, which, according to

⁶¹¹ Interview with Ndaleni Resident 11, November 2013.

⁶¹² Interview with Trustfeed Resident 1, November 2013.

⁶¹³ Interview with Employee 10 at Richmond Farm 11, September 2013.

⁶¹⁴ Interview with Trustfeed Resident 1, November 2013.

⁶¹⁵ Interview with Ndaleni Resident 20, November 2013.

respondents, are the primary causes of farm attacks.⁶¹⁶ An interviewee in Nottingham Road explained: “It is hard. We work hard but get underpaid. We just keep coming back here because we have nowhere else to go. Even though we see that we are being exploited, we still come back.”⁶¹⁷ A respondent in Ndaleni stated: “We don’t mind that white people own the land, but they must not ill treat us on our land!”⁶¹⁸ This feeling was common: “It bothers me that white farmers still own so much land in South Africa but do not attend to our needs. They don’t attend to our needs, yet, in fact, the land is ours.”⁶¹⁹ Many respondents expressed a conviction that with landownership comes social responsibility and that many farmers were not meeting their obligations: “white people provide jobs. We can’t get rid of them, but they also have to show sympathy and attend to our needs *as they are supposed to*.”⁶²⁰ This echoes James’ conclusion that many farm dwellers “view the land as a site of morally-based social relationships. Holders of power and wealth, it is implied, have an obligation to protect and shield their less fortunate dependents.”⁶²¹

As Steinberg illustrated, rural black people in the Midlands continue to suffer the pain of their dispossession. The loss of independence and sense of belonging play an important role in the collective memory of rural black communities, and this historical injustice informs their perceptions of the legitimacy of post-apartheid patterns of land distribution. While most informants support efforts at transferring land to black ownership and would like to benefit from land reform, there is a practical recognition that the challenges plaguing the program have rendered it almost useless in terms of improving one’s livelihood. Most respondents believed that forcing white farmers off the land would not result in tangible benefits to black communities and reported that it is unlikely that

⁶¹⁶ When respondents were first asked what they felt motivated farm attacks, two percent of responses pointed to land-related motives, forty-five percent identified ill treatment by white farmers, and fifty-three percent of responses pointed to acquisitive criminality as the primary cause.

⁶¹⁷ Interview with Employee 1 at Nottingham Road Farm 2, August 2013.

⁶¹⁸ Interview with Ndaleni Resident 2, September 2013.

⁶¹⁹ Interview with Employee 1 at Richmond farm 5, September 2013.

⁶²⁰ Interview with Employee 3 at Wartburg Farm 3, August 2013.

⁶²¹ James, *Gaining Ground?*, 131.

issues pertaining to land ownership are the primary motive in most farm attacks. However, the fact that interviewees pointed to ill-treatment at the hands of white farmers and criminal activity as the two primary factors in this violence and linked landlessness to dependence on farm jobs as well as poverty and crime, shows the importance of finding a better way forward for the country's faltering land reform program.

Assessing Possible ANC Involvement in Farm Attacks

As Chapter One illustrated, for a minority of white farmers and their supporters, farm attacks are seen as an unofficial aspect of the government's land reform program. They argue that "the allegations that these are simply criminal deeds with no political motives just do not hold water. The indications are that they are quite possibly orchestrated actions intended to drive white farmers from their farms – as in Zimbabwe."⁶²² Certainly, land and politics are very closely related in South Africa, and farmers in the Midlands repeatedly referred to land reform as "a political football."⁶²³ One farmer commented: "Every time there's an election, there's talk about land."⁶²⁴ Another said: "Politicians beat white farmers with a big stick because it gets votes."⁶²⁵ Some Midlands farmers felt farm attacks could be a by-product of the government's unfulfilled promises and inability to better the lives of the poor, as a farmer in Wartburg explained: "many farm attacks are politically motivated – not orchestrated by politicians, but political in terms of the changing circumstances following the end of apartheid and the ANC's political promises that raised people's expectations but were not deliverable.... politics has a huge, huge impact on farm attacks."⁶²⁶ A Richmond farmer echoed this feeling: "They've been promised, promised, promised and nothing has been done."⁶²⁷ A farmer in

⁶²² Changuion and Steenkamp, *Disputed Land*, 306.

⁶²³ Interview with Richmond Farmer 11, September 2013.

⁶²⁴ Interview with Richmond Farmer 8, August 2013.

⁶²⁵ Interview with Underberg Farmer 9, November 2013.

⁶²⁶ Interview with Wartburg Farmer 8, June 2013.

⁶²⁷ Interview with Richmond Farmer 9, September 2013.

northern KwaZulu-Natal argued that politicians like Julius Malema have vilified white farmers, which could make them appear to be legitimate targets of violence: “Black people have been brain-washed into thinking the white farmers stole the land, and now they want the land back.”⁶²⁸

Despite these misgivings about the relation between politics, land reform and farm attacks, none of the farmers I interviewed in the Midlands believed the ANC was involved in organizing this violence. A farmer in Underberg, for example, commented: “There’s no ANC political organization to get farmers off the farms. Some white conservative guys like to cement that story. But there’s no truth in it.”⁶²⁹ Furthermore, none of the police officers, security company personnel or researchers interviewed felt there was any truth to these allegations. One police officer, whom I interviewed on several occasions, was the investigating officer in almost twenty cases of farm attacks in the Midlands. He interviewed each of the suspects in every case and was adamant that none of these attacks were politically orchestrated or land-related.⁶³⁰ A former high ranking police officer in Pretoria who had been studying farm attacks closely for two decades reported being frequently bombarded with the theory that farm attacks are politically orchestrated, but, he insisted, “There is no evidence!”⁶³¹ He explained:

What they’re arguing is that because there is no logical explanation for the high number of murders on farms, you have to come to the conclusion that there is some structured attempt to remove all farmers – rid our lands of all farmers! Now that’s not a very good argument, I think.... We deal with facts, and we haven’t come across any factual evidence that there is this kind of structure or organization behind it. And I did my best every time that there were these kinds of rumours to go and investigate them, and even when I was in the police I wasn’t able to find the kind of evidence that people claimed. In fact, we were able to prove that it was nonsense in every case. In every single case.⁶³²

⁶²⁸ Interview with Dundee Farmer 1, April 2013.

⁶²⁹ Interview with Underberg Farmer 9, November 2013.

⁶³⁰ Interview with Police Officer 3, Pietermaritzburg, March 2013.

⁶³¹ Interview with Former Police Officer, Pretoria, October 2013.

⁶³² *Ibid.*

He went on to explain, however, that some individuals within government have sent a conflicting message:

Of course there are people making very, very dangerous statements. There's the song "Kill the Boer." And now Julius Malema openly saying "take all the land away!" Dangerous statements! And the Ministry of Agriculture saying, not too long ago, that the land reform in Zimbabwe wasn't so bad and we can learn from it. That can create, in the minds of certain people, some justification for farm attacks.⁶³³

Although the statements of individual politicians could make white farmers appear to be legitimate targets in the minds of a minority of individuals, there is no evidence that the ANC government is organizing or encouraging the assault or murder of white farmers as a sinister segment of its land reform program.

Conclusion

Twenty years since the end of white rule, land remains a particularly contested form of property. "It is both material *and* symbolic, a factor of production and a site of belonging and identity."⁶³⁴ Although in some cases land reform has acted as a symbol of post-apartheid justice, its ability to improve material livelihoods has been much less certain. White farmers and black beneficiaries, alike, are frustrated with the slow pace of reform as well as the inability of land reform to address poverty and promote rural development. Not only has the land reform program suffered from a lack of funding, institutional inefficiency and little post-settlement support, it has also neglected the development of the former homelands and largely overlooked struggles for urban space.

James warns that interactions between black and white in the land reform process are often misleadingly characterised as being exclusively acrimonious. Although power struggles and conflicts

⁶³³ Interview with Former Police Officer, Pretoria, October 2013.

⁶³⁴ Fay and James, "Giving Land Back or Righting Wrong," 42.

have occurred, the process has also “witnessed the flowering of unexpected partnerships.”⁶³⁵ My research corroborated this perspective. On the local level, there are many examples of partnerships and benevolence between members of both races that are generally overlooked in the narrative of dispossession. Similarly, Walker reported cases in KwaZulu-Natal in which relationships between black claimants and neighbouring white farmers are “civil if not cordial and there are possibilities that this communication could be improved in the future.”⁶³⁶ It would seem the countryside is not defined by racial animosity and race relations are much more multi-faceted than they often appear.

Despite the often aggressive statements in the media accusing white farmers of having stolen the land, and the belief among some observers that farm attacks are a product of a desire to see the land returned to black owners, this research suggests that “the land question” is not the primary motivation behind the majority of farm attacks in the Midlands. Interviews with black farmworkers, dwellers and neighbours, indicate that the general attitude amongst black communities is not one that would encourage the assault or murder of white farmers in an attempt to reclaim land. Certainly, the challenges associated with land reform outlined in this chapter could play a role in black informants’ perspectives on land as a potential motive in farm attacks; the return of land seems to offer few material benefits and is likely a weak rallying cry for committing a farm attack. Nevertheless, the connection many respondents drew between landlessness and labour exploitation on the one hand, and poverty and crime on the other, signifies the importance of overcoming the legacy of colonial land dispossession, and racist apartheid policies, as well as more than twenty years of failed land reform to promote sustainable rural security. This conclusion, however, comes with two qualifiers.

First, in some situations land reform does have the potential to lead to violent and even deadly confrontations between farm owners and beneficiary communities. The Committee of

⁶³⁵ James, *Gaining Ground?*, 21.

⁶³⁶ Walker, *Landmarked*, 102.

Inquiry into Farm Attacks identified restitution cases in which the rapport between the current landowner and the claimants broke down and the farm owner was attacked, and in some cases, killed. This is generally a function of extended court battles and long wait times between a sales agreement and the actual payout of the farmer and the resettlement of the black community. These situations are usually preceded by heightened tensions and intimidation. Several respondents described situations in which they or other land owners were intimidated and even threatened in the period leading up to the resettlement of beneficiaries. Although in these cases the altercations did not lead to attacks, the potential for violence was certainly present.

The second important point to note is that the conclusion that most farm attacks are likely not linked to landownership in the Midlands, can neither be applied to South Africa as a whole, nor to other parts of KwaZulu-Natal, without conducting similar research regarding the local history of a given area. A number of farmers pointed to parts of the thornveld region – Weenan, Muden, Rietvlei – as areas where tensions over land have been much more pronounced than in the Midlands. As Chapters Two and Three outlined, the farms in the thornveld are of much poorer quality; as such, farmers historically allowed their labour tenants use of these properties, and black freehold farmers who purchased land in the late eighteenth and early nineteenth centuries tended to favour the region. With the removal of black spots and the attempted abolition of labour tenancy during apartheid, state-sponsored forced removals were particularly common in this area.⁶³⁷ Even in the early 1990s, farmers evicted tenants at an alarming rate in an attempt to avoid the land claims they feared were imminent. According to officials with the Department of Agriculture and the Department of Rural Development and Land Reform, there was much violence in Weenan and the surrounding area during the 1990s, as ownership of land in the thornveld was contested. Several white farmers were murdered, and very few currently live in the region. One farmer recalled the

⁶³⁷ Gillian Hart, Disabling Globalization: Places of Power in Post-Apartheid South Africa (Berkeley: University of California, 2002), 92.

story of a friend who told him of a farm for sale for a very reasonable price in Rietvlei. “I told him to run away from that deal as fast as he can! Rietvlei is unfarmable.”⁶³⁸ Similarly, several farmers and even some police officers – still clinging to the settler story that Natal was empty when the settlers arrived – suggested that land may be a more significant motive in farm attacks in the former Boer Republics as well as northern Natal, where land dispossession was a much more extensive, confrontational and violent process and much less land was reserved for African occupation.

Towards the end of his research into the murder of Peter Mitchell, Steinberg met with one of his black informants to discuss a series of rules Peter’s father had announced concerning the tenants’ use of the land shortly before the murder. Steinberg concludes:

There has always been a quiet struggle over who owns the countryside, and it has always boiled down to the smallest of details – the number of this family’s cattle, the building of that hut. Mitchell and his tenants were tracing the lines of an old battle, one whose contours had been shaped and reshaped over a century and a half of history.⁶³⁹

Steinberg’s informant disagrees, arguing that it was the farmer’s approach that so outraged his tenants. Steinberg is not convinced:

Would a subtle liberal of the twenty-first century have been spared his son? Or has the battle for the countryside been honed down to a lean, zero-sum affair, where every farmer risks his life to keep his farm? As much as it would comfort me to think otherwise, I am not sure the tenants were ever going to allow somebody to regain [the property] as a commercial farm.⁶⁴⁰

Perhaps in this case Steinberg was correct. It is possible that a decade and a half of failed land reform projects since Steinberg’s research has convinced many rural black South Africans that the meagre benefits of acquiring land are not worth a violent confrontation. My research suggests that, in 2013, farmworkers, tenants and neighbours throughout the Midlands do not believe assaults on white farmers are motivated by attempts to gain access to land.

⁶³⁸ Interview with Greytown Farmer 2, July 2013.

⁶³⁹ Steinberg, *Midlands*, 239.

⁶⁴⁰ *Ibid.*, 240.

Chapter Five

“Even With Democracy, We Are Still Oppressed.”⁶⁴¹

Post-Apartheid Labour Legislation, Tenure Reform and Rural Race Relations

Introduction

Beginning in late August 2012, three hundred farmworkers near De Doorns in the Western Cape Province went on strike after the farm’s new owner asked the employees to sign a contract for reduced wages. This strike sparked a series of protests that involved more than nine thousand farmworkers in at least fifteen towns in the Hex River Valley, resulting in widespread damage to farmland, violent confrontations with police, and the death of three farmworkers.⁶⁴² Scenes of disgruntled farmworkers burning tires and clashing with police were splashed on the front pages of newspapers and TV screens across the country. Protestors demanded an increase in the minimum wage for agricultural workers from R69 to R150 per day. The strikes finally subsided in early 2013. While these strikes did not spread beyond the wine and fruit producing region of the Western Cape, they did draw attention to the plight of farmworkers nationally and resulted in an increase in the minimum wage for agricultural workers to R105 per day.

The increase in minimum wage is the most recent in a string of regulations aimed at restructuring the agricultural sector to reduce the historical exploitation of farmworkers. These post-apartheid amendments include extending security of tenure to farm dwellers, enacting legislation standardizing working conditions, and implementing a minimum wage for farmworkers. State intervention is particularly vital for the agricultural sector because unions have been largely unable to organise those who live and work on farms. Despite the government’s good intentions,

⁶⁴¹ Interview with Employee 1 at Nottingham Road Farm 2.

⁶⁴² Sean Christie, “Leaderless Farm Strike is ‘Organic,’” The Mail and Guardian, November 16, 2012.

“the outcomes of legal empowerment have been bitterly disappointing.”⁶⁴³ Tenure security laws have been largely unable to stem the tide of evictions from farms and arguably led to a spate of evictions as farmers moved to pre-emptively remove anyone who could qualify for land rights. Many farmworkers have lost their jobs, as farmers cut back on their labour needs, and in-kind payments and other perquisites farmworkers previously received have largely been curtailed.

This chapter examines the interpersonal relationships between farmers and their staff, farm dwellers and neighbours in the democratic era. It begins with a discussion of the post-apartheid changes regulating labour relations on white-owned farms and how these affected the livelihoods of farmworkers, labour tenants and other farm dwellers in general. It then turns to the KZN Midlands to examine how these patterns played out in this local context – first from the perspective of white farm owners and then from the point of view of farmworkers, dwellers and neighbours. This chapter argues that grievances related to ill-treatment by white farmers are likely a greater contributor to farm attacks than the Committee of Inquiry into Farm Attacks concluded. Rural black informants reported that living and working conditions on many Midlands farms had not improved since the dawn of democracy, and it is possible that farmworkers’ unmet expectations, coupled with the dismantling of privileged state protection for white farmers (which will be further discussed in Chapter Six), has encouraged some aggrieved labourers to exact revenge on farmers in ways that would have been much less common in the oppressive atmosphere of the apartheid era. Interviews with white farmers revealed a cognisance of their increased vulnerability to retaliatory action, and some farmers reported having altered the ways in which they interact with members of the black community for the sake of their own security.

Despite these changes, many farmers continue to adhere to a settler colonial worldview in which they remain the natural proprietors of the countryside and black farmworkers continue to be

⁶⁴³ Ben Cousins, “Capitalism Obscured: The Limits of Law and Rights-Based Approaches to Poverty Reduction and Development,” *The Journal of Peasant Studies* 36 (2009): 901.

seen as lazy natives who require firm handling to extract the minimum labour required. Just as many farmers clung to the myth that the Voortrekkers found Natal emptied of inhabitants by the power-hungry King Shaka and consequently rejected the legitimacy of the land reform program, many farmers also dismissed the validity of post-apartheid labour legislation because they continued to view themselves as compassionate benefactors who employ those the rest of society has rejected. The collision of this settler worldview with the democratic discourse on rights (to land as well as basic conditions of employment) has opened a new space for contention and could, in part, explain the rise in attacks on white farmers since the early 1990s. Periods of promised reformation often have the potential to turn revolutionary when expectations are frustrated. Despite the promises of safeguarding workers' rights that the ANC pronounced in the early 1990s, farmworkers in 2013 frequently complained of farm owners who continue to disregard their humanity and rights to fair treatment, and forty-five percent of informants' responses pointed to this as the primary cause of farm attacks.

Commentators frequently refer to a "racial frontier" when discussing the South African countryside. Deborah James, for example, argues that the racial frontier is more than "a geographical border dividing white farmers from the African poor. Rather, the frontier is inscribed within the white farms themselves. It is on these farms, perhaps more than anywhere else in South Africa, that race has continued to be, or reasserted itself as, a pivot of bitter dispute."⁶⁴⁴ This chapter argues, however, that defining complex interpersonal relationships in the agricultural sector in terms of race alone overlooks the many areas of cooperation between the races as well as the areas of contention within them. This research illustrates that generalizations about race relations in rural areas of the KwaZulu-Natal Midlands are not constructive in understanding the nature of relationships between rural black South Africans and white farm owners. Conditions on farms vary

⁶⁴⁴ James, *Gaining Ground?*, 18.

enormously between farms within the same district. How individual farm owners and individual farmworkers, dwellers and neighbours interact plays a more significant role in determining the nature of that relationship and the propensity for violence within it than do generalizations about race. That is not to overlook the power imbalance inherent in these relationships; it is merely to point out that the power imbalance plays out in multi-faceted ways that overly simplistic notions of a “racial frontier” obscure.

Tenure Reform

When the ANC assumed office in 1994, approximately three million black people lived on white-owned farms with little or no tenure security.⁶⁴⁵ Anxiety over anticipated legislation motivated farm owners across the country to serve eviction notices beginning in the late 1980s, as they systematically reduced their labour forces to prevent farmworkers and tenants from acquiring land rights.⁶⁴⁶ As early as 1988, the Association for Rural Advancement (AFRA) reported that 1,500 farmworkers in the Midlands and northern Natal had already been evicted from the farms on which they lived, and a further 4,500 were under threat of eviction.⁶⁴⁷ AFRA identified Richmond as a particularly problematic region in terms of farmworker evictions. A farmer in Richmond, for example, who had recently evicted a family of eight from his farm, acknowledged that the family had lived on the property for several generations but noted that “farming costs are high and when I have more people on the land that are not productive I suffer because I have less land to farm.”⁶⁴⁸ Faced with a flood of farmworkers freshly evicted from white-owned farms, KwaZulu leader, Chief Mangosuthu Buthelezi, called for an inquiry into the “irresponsible behaviour by farmers evicting

⁶⁴⁵ Marc Wegerif, Bev Russell and Irma Grundling, Still Searching for Security: The Reality of Farm Dweller Evictions in South Africa (Polokwane and Johannesburg: Nkuzi Development Association and Social Surveys, 2005), 30.

⁶⁴⁶ “Eviction and the Land Reform (Labour Tenant) Bill,” NAUNLU, October 1995.

⁶⁴⁷ “1 500 Farmworkers Evicted, 4 500 More Under Threat,” The Natal Witness April 8, 1988.

⁶⁴⁸ Ibid.

tenants, particularly in the Pietermaritzburg area... to investigate every eviction because in many instances the reasons for evictions were invalid.”⁶⁴⁹

Farmers’ fears of impending legislation aimed at increasing occupation rights of farm dwellers were well-founded, and the government did indeed take steps to protect the tenure security of farmworkers and dwellers. This tenure legislation constituted the third segment of land reform alongside restitution and redistribution. One of the most important pieces of legislation protecting the rights of those who lived on white-owned farms was the 1997 Extension of Security of Tenure Act (ESTA), which aimed to address arbitrary evictions by legislating the terms under which farmworkers and farm dwellers could remain on farms and prescribing the process by which they could be legally evicted. ESTA laid out the entitlements rightful occupiers of white-owned farms could expect: visitation rights, burial rights, as well as access to land for grazing and crop production where this was an established practice before 1997. Evictions legally required a court order, and those who lived on land for ten years or more and were over the age of sixty could not be evicted unless they breached the terms defined in ESTA – intentionally harming another person on the farm, damaging property, or aiding in the construction of unauthorised dwellings, for example. The same conditions applied to those who lived on the farm for ten years but were physically unable to work.⁶⁵⁰ Family members of deceased farm dwellers must be given twelve months’ written notice before being evicted, and landowners must assist in locating suitable accommodation for those being evicted.⁶⁵¹ For farmworkers who have lived on a farm less than ten years, ESTA does not provide tenure security; it merely legislates the procedure by which they can be evicted.

ESTA has been a contentious piece of legislation; it is criticized by farmers and their representatives who argue that it undermines farm owners’ property rights as enshrined in the

⁶⁴⁹ “KwaZulu Calls for Probe into Evictions,” *The Natal Witness*, April 22, 1988.

⁶⁵⁰ Wegerif, Russell and Grundling, *Still Searching for Security*, 35.

⁶⁵¹ Atkinson, *Going for Broke*, 80.

Constitution and by farm dwellers and NGOs who feel it does not go far enough in protecting farm dwellers' rights. In 2003 the South African Human Rights Commission noted: "This conflict results in an environment that is not conducive to the legislative intention of ESTA being realised. There is a lack of acknowledgment and support for the human rights that ESTA strives to protect and realise."⁶⁵² Non-compliance was common in the years following the passing of ESTA. In 2000, for example, a landowner near Pietermaritzburg had recently inherited a farm and demolished the homes of the farm dwellers who resided on the property.⁶⁵³ Although ESTA continued to be poorly enforced, the South African Human Rights Watch reported in 2008 that landowners increasingly secured court orders before evicting farm dwellers.⁶⁵⁴

A similar piece of legislation was the Land Reform (Labour Tenants) Act of 1996, generally referred to simply as the Labour Tenants Act (LTA). As Chapter Three noted, labour tenancy persisted in parts of KwaZulu-Natal, Mpumalanga and Limpopo Provinces despite the apartheid government's attempts to eradicate the system, which "gives agrarian histories in these regions a particular character."⁶⁵⁵ In 2003, approximately 250,000 labour tenants remained in the country.⁶⁵⁶ In addition to protecting tenure rights of labour tenants, the LTA allowed them to lodge land claims on the land they had historically occupied, provided they could prove their position as bona fide labour tenants, which the LTA defined as someone who provided labour to the farm owner in exchange for the use of a piece of land. Labour tenants had to illustrate that their use of the land was their primary remuneration and that they had a parent and a grandparent who were labour

⁶⁵² South African Human Rights Commission, Final Report on the Inquiry into Human Rights Violations in Farming Communities (South African Human Rights Commission, August 2003), 177.

⁶⁵³ "Farmer Destroys Homes," Echo, September 14, 2000.

⁶⁵⁴ South African Human Rights Commission, Progress Made in Terms of Land Tenure Security, Safety and Labour Relations in Farming Communities since 2003, South African Human Rights Commission, 2008.

⁶⁵⁵ Marja Spierenburg and Shirley Brooks, "Private game farming and its social consequences in post-apartheid South Africa: Contestations over Wildlife, Property and Agrarian Futures," Journal of Contemporary African Studies, 32 (2014): 158.

⁶⁵⁶ South African Human Rights Commission, Final Report, 13.

tenants.⁶⁵⁷ These claims had to be registered by March 31, 2001, and approximately 20,000 were lodged, primarily in KwaZulu-Natal and Mpumalanga.⁶⁵⁸ Contested rights to land under ESTA and the LTA were referred to the Land Claims Court.

Like ESTA, there was strong resistance to the LTA from commercial farmers, and the Natal Agricultural Union threatened to fight the Bill in the Constitutional Court.⁶⁵⁹ Some farmers argued that the Act did little to increase tenure security for tenants and did much to punish benevolent farmers. A contributor to NAUNLU explained this position:

Regrettably, it is upon this group of socially-conscious and helpful white farmers that the main burden of Minister Hanekom's new scheme to endow property 'rights' on farm labourers, will fall. The callous property owner who took advantage of the apartheid rules to chase all blacks from his farm, and whose employment policies have been so harsh that none of his surviving workers has stuck with him for longer than five years will have effectively gained immunity from any responsibility to provide land for anyone. But the kind farmer, who has gone out of his way to preserve and generate rural jobs, provided his workers with good housing, offered job security, allowed retired farmworkers and their families to remain on his property rent-free and resisted the temptation to evict the families of men who have long since left for the mines (or a comfortable seat on the gravy train), is now targeted to be gouged unmercifully for his benevolence.⁶⁶⁰

The author overstated the compassionate grounds for allowing labour tenants to remain on white-owned farms and neglected to mention that farmers historically entered into labour tenancy agreements out of financial necessity – not moral consideration – and that labour tenants generally resided on land that was of relatively poor quality. Nevertheless, this passage does illustrate some of the frustration the LTA presented for white landowners.

Like the restitution and redistribution components of land reform, tenure reform has been criticized for its sluggish pace. By June 2005, only 175 of the 20,000 labour tenant land claims had

⁶⁵⁷ Wegerif, Russell and Grundling, Still Searching for Security, 36.

⁶⁵⁸ Ibid.

⁶⁵⁹ "Resistance to Labour Tenant Bill," Farmer's Weekly, September 8, 1995.

⁶⁶⁰ Symond Fiske, "Can property rights be made from political wrongs?," NAUNLU, September 1995.

been settled.⁶⁶¹ In 2013, AFRA filed a court application against the Department of Rural Development and Land Reform (DRDLR) for failing to process labour tenant land claims.⁶⁶² Even those farmers who have recognized labour tenants' right to land and supported a land claim report having to wait up to three years for the DRDLR to process the uncontested transaction.⁶⁶³ Critics also argue that tenure legislation quickened the pace of evictions, as farmers rush to remove anyone from the land who could potentially claim residential rights. In their 2005 study of the eviction of farm dwellers, Marc Wegerif, Bev Russell and Irma Grundling found that more than two million farm dwellers across the country left their homes on white-owned farms between 1994 and 2004 either of their own accord, through eviction, or through "constructive eviction" – a process through which the farm owner makes living conditions unpleasant to the extent that farm dwellers leave without an actual eviction notice. That means more farm dwellers were displaced from white-owned farms in the first ten years of democracy than in the final decade of apartheid; this is also more than the total number of people who have benefited from land restitution and redistribution projects.⁶⁶⁴ The greatest number of evictions occurred in KwaZulu-Natal.⁶⁶⁵

The lack of awareness of tenure legislation among farm dwellers has meant that most of these evictions, including those that did not follow due process, have gone unchallenged. Even those farm dwellers who are aware of their tenure rights under ESTA and the LTA receive little support from the DRDLR or the police in exercising those rights and are generally unsuccessful in maintaining their position on a farm once the landowner has decided to evict.⁶⁶⁶ In 2007, Doreen Atkinson estimated that illegal evictions may outnumber legal, court-ordered evictions by as many as

⁶⁶¹ Wegerif, Russell and Grundling, *Still Searching for Security*, 36.

⁶⁶² "Press Statement: Labour Tenants: LRC and AFRA File Court Application Against DRDLR," *Legal Resources Centre*, <http://www.lrc.org.za/press-releases/2811-2013-07-19-press-statement-labour-tenants-lrc-and-afra-file-court-application-against-drdlr>, accessed October 14, 2015.

⁶⁶³ Zanele Xaba, "Land Reform is Going Nowhere," *The Natal Witness*, April 24, 2004. Interview with Richmond Farmer 11, September 2013.

⁶⁶⁴ Wegerif, Russell and Grundling, *Still Searching for Security*, 41.

⁶⁶⁵ *Ibid.*, 58.

⁶⁶⁶ Manby, "Unequal Protection."

twenty to one.⁶⁶⁷ According to Wegerif, Russell and Grundling, the reasons for these evictions seem to be primarily economic:

Over two thirds of evictions had a direct link with employment factors on the farm, even for those evictees who were not themselves working on the farm. The biggest problem is that while farmers are making and enforcing decisions based on their best economic interests, the farmworkers – over 90% of whom are not unionised – and farm dwellers have no power to defend their own economic interests.⁶⁶⁸

Clearly ESTA and the LTA have not been successful in significantly stemming the flow of evicted farm dwellers from white-owned land. These pieces of legislation, however, have had other unintended consequences that have negatively affected farmworkers, tenants and dwellers. For many of the labour tenants who lodged land claims under the LTA, relations with the white landowner have deteriorated markedly. James notes that successful land claim cases might leave tenants “without patronage or protection. Having secure rights to land without a cash income is no security at all unless tenants can retain ‘the goodwill of the farmer’. Without this, it may be hard to retain ‘employment and the wages and other benefits which they earn’ in order to sustain cultivation of the land.”⁶⁶⁹

There are farm owners who have not opposed labour tenants’ claims to the ground upon which their families have lived for generations. In a study of a game reserve in northern KwaZulu-Natal, Brooks and Kjelstrup found that the majority of the landowners “were willing to negotiate a settlement with the farm dwellers on their land in an amicable fashion, without the necessity of an expensive law suit.”⁶⁷⁰ One farmer, however, refused to negotiate, and “during the court-ordered mediation process, the relationship between the labour tenants and the landowner deteriorated

⁶⁶⁷ Atkinson, *Going for Broke*, 82.

⁶⁶⁸ Wegerif, Russell and Grundling, *Still Searching for Security*, 185.

⁶⁶⁹ James, *Gaining Ground?*, 148.

⁶⁷⁰ Shirley Brookes and Liv Kjelstrup, “An Anatomy of Dispossession: Post-Apartheid Land Rights and Farm Dweller Relocation in the Context of a Private Game Reserve Initiative, Northern KwaZulu-Natal,” *Journal of Contemporary African Studies*, 32 (2014): 249.

further.”⁶⁷¹ According to AFRA, the disgruntled farm owner insisted the tenants reduce their numbers of livestock, impounded cattle, terminated the employment of the tenants, issued illegal eviction notices and even threatened violence in an attempt to erode the labour tenants’ “livelihood base until their ability to survive on the farm became untenable.”⁶⁷² This seems to be a common outcome of contested labour tenant claims. An AFRA fieldworker reported in 2004 that many labour tenants described a worsening situation since filing a land claim: “More people have been fired, intimidated and abused.... Cases of threatened eviction and actual eviction have increased. The relationships with landowners have broken down irreversibly in places.”⁶⁷³

Tenure legislation has made farmers reluctant to invest in farm dwellers’ housing, as ESTA dictates that farm dwellers who are legally evicted are entitled to alternative accommodation that is no less favourable than the occupier’s previous situation. Farmers avoid investing in workers’ housing, as they would be required to provide similar services at an alternate location if they evict the farm dwellers in the future. Given the difficulty and expense involved with securing the eviction of a farm dweller, many farmers hope that, with no investment in their homes, farm dwellers will find more comfortable lodging elsewhere and will voluntarily move off the farm. As farm dwellers leave the farm, “some farmers even demolish existing houses at every opportunity, in order to minimise the future risk of occupation.”⁶⁷⁴ When new employees are hired, it is unlikely that they will be offered on-farm accommodation. Farmers who continue to allow accommodation on the farm primarily offer singles’ accommodation only; farmworkers’ families are seldom allowed to take up residence on the farm as they were in the past.⁶⁷⁵ Farm owners frequently charge a nominal rent so that farmworkers residing on the property cannot claim land rights, and some farmers have added

⁶⁷¹ Brooks and Kjelstrup, “An Anatomy of Dispossession,” 249.

⁶⁷² AFRA Report, 2004, 46, Quoted in Brooks and Kjelstrup, “An Anatomy of Dispossession,” 249.

⁶⁷³ Xaba, “Land Reform is Going Nowhere.”

⁶⁷⁴ Rolf Hartwig and Lochner Marais, “Farm-Worker Housing in South Africa: An Evaluation of an Off-Farm Housing Project,” *Housing Studies* 20 (2005): 944.

⁶⁷⁵ Atkinson, *Going for Broke*, 66.

clauses into labour contracts stipulating that farmworkers will retire at the age of sixty to prevent residential rights in accordance with ESTA legislation.⁶⁷⁶ As permanent workers leave the farm, farm owners frequently choose not to replace them, if possible, and rely instead on casual or contract labourers who do not qualify for ESTA rights.⁶⁷⁷ In the face of tenure legislation, “many farmers have surprised themselves by discovering how well they can cope with fewer labourers.”⁶⁷⁸

Another consequence of tenure legislation has been farmers’ reluctance to allow burials on their properties. ESTA enshrines a person’s right to visit and maintain family graves that are located on another person’s property so long as doing so does not threaten life or property or disrupt work on the farm. “This stipulation represents a profound normative shift. As part of the paternalistic order, farmworkers have always enjoyed burial rights whereby deceased family members are entitled to be interred in on-farm cemeteries. ESTA attempts to create a rights-based, legally enforceable system.”⁶⁷⁹ This provision has made farm owners uneasy for two reasons: they believe burials on their property could “be the thin end of the wedge of ESTA-type land claims,” and increased traffic on a farm presents a security risk.⁶⁸⁰ Certainly not all farmers allowed burials prior to the passing of ESTA, but there is evidence to suggest even more now simply refuse.⁶⁸¹

Labour Laws

As Chapters Two and Three highlighted, the agricultural sector was historically notorious for poor living and working conditions, and farmworkers were excluded from legislation that governed minimum standards in other industries. Along with legislation concerning tenure security, labour policies were extended to the agricultural sector, beginning with the Basic Conditions of

⁶⁷⁶ South African Human Rights Commission, Final Report, 11.

⁶⁷⁷ Atkinson, Going for Broke, 88.

⁶⁷⁸ Theo de Jager, “Land Reform: The View from Commercial Agriculture,” in Land Divided, 123.

⁶⁷⁹ Atkinson, Going for Broke, 99.

⁶⁸⁰ Ibid., 100.

⁶⁸¹ South African Human Rights Commission, Final Report, 137.

Employment Act (BCEA) in 1993, which set the standards for conditions such as working hours, leave and overtime.⁶⁸² Labour legislation split opinion within the farming sector. The South African Agricultural Union publically resisted the implementation of the BCEA on the basis that “the legislation failed to accommodate the unique character and needs of farming and furthermore was likely to foment unrest in this traditionally peaceful sector of the economy.”⁶⁸³ Likewise, the Transvaal and Free State unions fervently rejected the need for labour legislation claiming “such legislation would disturb the comfortable relationship existing between farmers and their workers.”⁶⁸⁴ The Natal Agricultural Union, however, argued that Natal’s farmers should not resist the BCEA, as “it will dispel the many suspicions which have surrounded the conditions of service in agriculture. The farmers in Natal have little to hide in this regard and much has been done since the early eighties to introduce employment conditions that were fair and equitable.”⁶⁸⁵ This difference of opinion could hint at better working conditions on the wealthier Natal farms whose owners formed a significant portion of the Union’s membership.

Despite the NAU’s insistence that employment conditions on KwaZulu-Natal’s farms were “fair and equitable,” numerous reports indicated non-compliance with the BCEA in KZN and elsewhere in South Africa. Implementation of the terms of the Act proved difficult, especially on remote farms, and labour inspectors struggled to gain access to some farms. Human Rights Watch reported in 2001 that, despite legislation, working conditions in the agricultural sector were the worst in the country; farmworkers were frequently not provided with proper toilet facilities, and most workers’ lodgings lacked electricity and running water.⁶⁸⁶ AgriSA (formerly the SAAU) dismissed accusations of poor living and working conditions as “untested allegations that aim to

⁶⁸² R.A. Newman, G.F. Ortman and M.C. Lyne, “Farm Labour Remuneration, Labour Legislation and Commercial Farmers’ Perceptions in KwaZulu-Natal,” *Agrekon* 36 (1997): 2.

⁶⁸³ Basil O. Smith, “Impact of Labour Legislation on Farmers,” *Farmer’s Weekly*, May 7, 1993.

⁶⁸⁴ “Lack of Unity on Labour,” *NAUNLU*, November 1993.

⁶⁸⁵ “Basic Conditions for Farmworkers,” *NAUNLU*, April 1993.

⁶⁸⁶ Manby, “Unequal Protection.”

tarnish the image of farmers, cruel generalisations, broad allegations and misinformed generalisations. Where violations do occur, they can be attributed to the lack of law enforcement.”⁶⁸⁷

In addition to the extension of the BCEA to agriculture, minimum wages for farmworkers were introduced in 2003. Farmers across South Africa expressed their disgust at this development, pointing out that rather than deregulate the sector – as the liberalising campaign of the late 1980s and early 1990s sought to do – farm owners were being swamped with a barrage of new legislation that promised to make farming significantly more difficult given the removal of state support and increased foreign competition.⁶⁸⁸ The NAU argued that “the free market should permit negotiation on an individual basis and wages should be negotiated in line with demand and productivity,”⁶⁸⁹ and many farmers warned that minimum wages would negatively affect employment levels in rural areas and would result in heavier reliance on machinery and labour contractors to offset the increase in labour costs. Furthermore, farmers warned that payment in kind and other non-cash benefits traditionally afforded to farmworkers would be reduced.⁶⁹⁰

Atkinson notes that low wages in the agricultural sector have not only been a function of historically unequal power relations between farm owners and employees; “many farmers have been hard-pressed to survive financially. Droughts, debts, overcapitalisation, labour shortages, crop pests, livestock diseases and international competition have made agriculture a constant financial battle.”⁶⁹¹ The minimum wage legislation recognised the difficulty many farmers would experience in paying the augmented rate, and included a mechanism through which farmers could apply for an exemption if the farm’s revenue could not support the increase.⁶⁹² There is little evidence indicating that many

⁶⁸⁷ South African Human Rights Commission, *Final Report*, 10.

⁶⁸⁸ Carl Havinga, “Ploughing a Furrow: Towards More Unemployment,” *Farmer’s Weekly*, August 2, 1991.

⁶⁸⁹ “Basic Conditions for Farmworkers,” *NAUNLU*, April 1993.

⁶⁹⁰ Newman, Ortmann and Lyne, “Farm Labour Remuneration,” 11.

⁶⁹¹ Atkinson, *Going for Broke*, 120-121.

⁶⁹² Charles Byford-Jones, “Cash-strapped Farmers can Apply for Exemptions,” *Natal Witness*, April 24, 2004.

farmers pursued this option, suggesting that farms were, for the most part, able to support the increase in wages, or that farm owners who could not support the increase were reluctant to hand over their financials to the government. In 2009, Ben Cousins reported that most farm owners complied with the minimum wage legislation, but noted that minimum wages in the agricultural sector remained incredibly low – little more than a state pension.⁶⁹³

Implementation of Tenure Reform and Labour Laws

The tenets of the new legislation that aimed to increase tenure security and ameliorate the working and living conditions of farmworkers were not as effective as the drafters of these laws had intended. There are several reasons for this. One pertains to the difficulty in enforcing such legislation on remote farms without an adequate number of inspectors. Moreover, in contrast to the significant improvements in working conditions in industrial sectors, particularly since the expansion of the trade union movement in the early 1970s, the vast majority of farmworkers remain unrepresented by trade unions or other organizations.⁶⁹⁴ Cousins notes that “the continuing weakness of farmworker unions and the demise of the Landless People’s Movement mean that there is little countervailing power to that of farmers and landowners.”⁶⁹⁵ While most farmers’ unions have opened their doors to emerging farmers, they remain a powerful voice for white landowners and do not represent the interests of labourers. Remoteness from urban centres means farmworkers “as a class are invisible in society. A chronic powerlessness in their job situation frequently matches their lack of public profile. This powerlessness arises from the unskilled or semi-skilled nature of much of farm work, which means that one farmworker can be replaced by another relatively

⁶⁹³ Ben Cousins, “Capitalism Obscured: The Limits of Law and Rights-Based Approaches to Poverty Reduction and Development,” *The Journal of Peasant Studies* 36 (2009): 901.

⁶⁹⁴ Pam Christie and Margaret Gaganakis, “Farm Schools in South Africa: The Face of Rural Apartheid,” *Comparative Education Review* 33 (1989): 79.

⁶⁹⁵ Cousins, “Capitalism Obscured,” 901.

easily.”⁶⁹⁶ This powerlessness translates into a ubiquitous unwillingness among farmworkers to defend their rights for fear of losing their coveted jobs. Many farmworkers fear victimization if they join a union, and casual workers are difficult to organize since their time on a farm is temporary.⁶⁹⁷ Farm owners, on the other hand, have generally insisted that farmworkers are content and well-treated and that there is no need for trade unions in the agricultural sector.⁶⁹⁸

The effects of legislation regulating tenure security and labour conditions have had far-reaching consequences. “Ironically, and tragically, the post-apartheid government’s attempts to improve the situation of farmworkers have been based on a lack of understanding of the longer-term and underlying forces that shape the pressures on farmworkers and their families. The result is that most farmworkers’ circumstances have worsened.”⁶⁹⁹ Cousins concludes that “legal empowerment strategies appear to have failed almost completely to secure the tenure rights or improve the employment prospects and livelihoods of farmworkers.”⁷⁰⁰ Farmers have increasingly found methods to circumvent their responsibilities while legally complying with the terms of labour and land tenure laws. This has largely been achieved by reducing labour forces through mechanization, informalization and externalization.⁷⁰¹ Farmers who could afford to do so replaced workers with machines as a long-term cost-saving measure. Others simply terminated the contracts of anyone who was not essential to the operation of the farm and increasingly relied on informal workers – individuals who work casually rather than full-time, and are often recruited from foreign countries, particularly Lesotho, Zimbabwe and Mozambique. Foreign workers have been willing to work for lower wages than South Africans, and they seldom make demands concerning working or

⁶⁹⁶ Atkinson, *Going for Broke*, 3.

⁶⁹⁷ South African Human Rights Commission, *Final Report*, 29.

⁶⁹⁸ “SA’s Happy Farmworkers,” *The Natal Witness*, August 22, 1987.

⁶⁹⁹ Atkinson, *Going for Broke*, 4.

⁷⁰⁰ Cousins, “Capitalism Obscured,” 901.

⁷⁰¹ Kirk Helliker, “Reproducing White Commercial Agriculture,” in *The Promise of Land: Undoing a Century of Dispossession in South Africa*, ed. Fred Hendricks, Lungisile Ntsebeza and Kirk Helliker (Auckland Park: Jacana, 2013), 84-85.

living conditions. Through externalization – a process in which farmers effectively deny responsibility for workers altogether by hiring labour contractors or brokers who then supply the labour – farm owners have been able to transfer obligations to employees to external companies. In this process, “the benefits and rights of workers are often minimised even further.”⁷⁰² At a time when unemployment in rural areas is extraordinarily high, and government bodies such as the National Planning Commission have looked to the commercial farming sector as a potential source of up to a million new jobs, these reductions in permanent positions on white-owned farms carry potentially devastating consequences for rural families.⁷⁰³

Similar to relying on labour brokers to provide workers and assume the legal responsibilities for them, some farmers have turned to private security companies to conduct many of their land tenure and labour laws discussions and negotiations with employees and residents of the farm on their behalf.⁷⁰⁴ There are reports, however, of security companies intimidating residents and staff on farms, which can taint relations with the landowner despite the owner’s absence when these acts of intimidation occur.⁷⁰⁵ Another common practice on white-owned farms since the introduction of minimum wages has been the eradication of payments in kind and other perquisites farmworkers previously received. Farm owners have frequently argued that wages on farms are much higher than they first appear once payments in kind are taken into consideration. A 2013 study of farm wages in the Sundays River Valley of the Eastern Cape Province indicated that payments in kind could still make up as much as thirty percent of workers’ compensation.⁷⁰⁶ These can include rations, housing, firewood, water, electricity, farm schools or payment of school fees, transport, medical attention and payment of doctor’s fees, land for grazing livestock, veterinary services, slaughter animals, interest-

⁷⁰² Helliker, “Reproducing White Commercial Agriculture,” 85.

⁷⁰³ de Jager, “Land Reform,” 124.

⁷⁰⁴ AFRA, The Investigation of the Effects of Conservation and Tourism on Land Tenure and Ownership Patterns in KwaZulu-Natal (Pietermaritzburg: AFRA, 2004), 51.

⁷⁰⁵ Ibid., 52.

⁷⁰⁶ Teresa Connor, “Borders of Mutuality, Frontiers of Resistance: Paternalism and Working Identities of Farm Labourers in the Sundays River Valley, South Africa,” African Studies 72 (2013): 382.

free loans and other services. The importance of these provisions, Atkinson warns, should not be overlooked.⁷⁰⁷

Some farmers retracted benefits such as payments in kind out of financial necessity, but it is likely that the political effect of what many white farmers viewed as government intrusion into the affairs of the farms caused a backlash among some farmers who felt they were being unfairly targeted by post-apartheid legislation and resented the ANC government's intrusion into the agricultural sector. Already feeling the pinch of increased international competition and the withdrawal of state support, many farmers who were forced to increase wages and abide by ESTA and other new policies reacted by providing the bare minimum as required by law and denying their old paternalistic obligations to the black people residing on their land. Atkinson noted that "a rights-based approach is hardly conducive to creating positive, normative, co-operative relationships. The principle of individual rights tends to require litigation to enforce those rights, which implies conflict, not co-operation."⁷⁰⁸ Misunderstandings of what constitutes a right as opposed to a perquisite have generated new sources of conflict between farm owners and farmworkers and dwellers.

These changes have altered the ways in which farm owners and farmworkers, tenants and dwellers frame their relationships with one another. Farms provide an environment in which interaction between the races is generally much closer than in other business sectors, exemplified by the fact that more farmers can speak an African language than any other group of white South Africans.⁷⁰⁹ Relations between black and white on South Africa's farms have historically been shaped by a paternalistic social order. Certainly, power dynamics in this social order have always been highly unequal, but paternalism "offers an underestimated and neglected opportunity for

⁷⁰⁷ Atkinson, Going for Broke, 126.

⁷⁰⁸ Ibid., 89.

⁷⁰⁹ Ibid., 92.

interracial social cohesion and co-operation.”⁷¹⁰ In many ways, the imposition of legislation governing the rights of farmworkers and dwellers has eroded the ethos of paternalism that previously guided relations between black and white on many farms. “In its wake,” Atkinson argues, “the paternalistic labour system has left a disempowered, dependent labour force, poorly equipped even to articulate its developmental needs.”⁷¹¹ Farm owners have increasingly defined their landownership in terms of private property and their employment of labourers as strictly a transaction between an employer and employee, “without sentimental or normative rights being accorded to farmworkers.”⁷¹² It is because paternalistic relations contained personal connections generally absent from interactions between employers and employees in other industrial sectors that the breakdown of this relationship is so important. Lauren Segal explains:

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.⁷¹³

Although eroded, vestiges of paternalism linger on many South African farms. In her work on white-owned farms in the Free State and Northern Cape Provinces in 2003, Atkinson found that the majority of farmers “experienced the relationship with their workers as one that transcended a purely labour relationship. These farmers clearly draw on the tradition of paternalism and close social bonds that characterised many of the farms in the past.”⁷¹⁴ Noting the “benign aspects of paternalism,” Atkinson emphasizes the importance “this shared moral commitment to paternalism” can play in the future cooperation between a farm’s white owner and its black workers and

⁷¹⁰ Atkinson, *Going for Broke*, 8.

⁷¹¹ *Ibid.*, 109-110.

⁷¹² *Ibid.*, 100.

⁷¹³ Lauren Segal, *A Brutal Harvest: The Roots and Legitimation of Violence on Farms in South Africa* (Johannesburg: The Black Sash, 1991). Available at <http://www.csvr.org.za/wits/papers/papfarms.htm>, accessed October 22, 2015.

⁷¹⁴ Atkinson, *Going for Broke*, 92.

dwellers.⁷¹⁵ Indeed, both Atkinson and the South African Human Rights Commission underscore the transformation on some farms of traditional paternalism into a “kind of co-operative management relationship”⁷¹⁶ or “a form of social corporatism.”⁷¹⁷

Despite the lingering benefits of paternalism on some farms, as well as post-apartheid legislation protecting the rights of farmworkers and residents, power relations remain grossly unequal. One of the most severe symptoms of this persistent power imbalance is – as it historically has been – the violence some farmworkers and dwellers experience at the hands of white landowners, farm managers and security companies. From time to time, particularly shocking cases of farmworker assault have made headlines. In northern KwaZulu-Natal, for example, farmers Pieter Henning (also a former police officer) and Johan Potgieter were convicted in 1999 of murdering two farmworkers, Siphon Mkhize and Mandlenkosi Mabaso. The farmers murdered Mkhize after he referred to Henning by his first name rather than *baas*, and Mabaso was murdered because he ran away after seeing Mkhize’s body.⁷¹⁸ Similarly, a Richmond farm owner shot an employee following an argument in 2005. The farmer had four previous convictions, including two for assaulting farmworkers.⁷¹⁹ Advocates for farmworkers’ rights, however, stress that “it is not so much the headline cases of extreme violence as a constant lower level of abuse, often for ‘disciplinary’ reasons, that forms the daily reality of the lives of many farmworkers.”⁷²⁰ Research in the Free State Province, for example, revealed that seventy-four percent of the farmworkers interviewed felt that their relationship with their employer was good or satisfactory. Half of those

⁷¹⁵ Atkinson, Going for Broke, 92-93.

⁷¹⁶ Ibid., 96.

⁷¹⁷ South African Human Rights Commission, Final Report, 2.

⁷¹⁸ Craig Bishop, “Crowds Celebrate Sentencing: Henning, Potgieter Sentenced to 30 and 10 Years Respectively,” The Natal Witness, June 16, 1999. Henning had already been convicted of murdering another black man for allegedly spreading rumors that Henning had been engaging in sexual conduct with black women in the community.

Furthermore, Henning’s father was convicted of hiring a hit man in an attempt to kill Potgieter after the latter turned state witness, and Henning’s brother was convicted of killing farmworker Ndelwa Mgaga for allegedly stealing tools.

⁷¹⁹ Nathi Olifant, “Farmer’s Violent History,” The Natal Witness, August 20, 2005.

⁷²⁰ Manby, “Unequal Protection.”

who claimed their relationship was good also reported being verbally abused at work, and nineteen percent described physical abuse; “the expected standard of treatment is clearly low.”⁷²¹

Farmworkers and dwellers have little recourse in the event of an assault. The 1995 Labour Relations Act established the Commission for Conciliation, Mediation and Arbitration (CCMA) to help employees exert their rights and ameliorate relations in various workplaces. Access to the CCMA, however, as well as the Department of Labour can be difficult for cash-strapped farmworkers who live far from the urban centres where these bodies are located. Even accessing the local police office can be a challenge, and reports abound of unresponsive police who refuse to defend the rights of farmworkers and dwellers or open a case against farm owners. Human Rights Watch found that police station commanders “could often refer to all recent cases of ‘farm attacks’ by the name of the [white] victims, but were unaware of similarly serious cases of assault or murder of black people on the same farms.”⁷²² This reflects the emphasis police officers often place on high profile cases, such as the murder of a white farmer; but it also suggests that in many instances, farmworkers decide not to report assault or breaches of ESTA or the BCEA due to difficulties in accessing police stations as well as fear of retribution. Manby explains:

The problems of communication are probably less important than the fear that farmworkers have of reprisal should they report an incident. One official in provincial government commented: ‘You have to remember that for a farmworker to make a case of assault against his employer is a Catch 22 situation; I should think many cases are not reported.’⁷²³

In the early 2000s, South Africa experienced a boom in wildlife-based operations.⁷²⁴ In response to this growing market for ecotourism and the viewing and hunting of game, as well as the challenges associated with commercial agriculture in the democratic era, many landowners have transformed all or part of their land into game farms or nature reserves. This trend has had serious

⁷²¹ Manby, “Unequal Protection.”

⁷²² *Ibid.*

⁷²³ *Ibid.*

⁷²⁴ Helliker, “Reproducing White Commercial Agriculture,” 90.

consequences for the black people living on or near these farms and in many cases has severely aggravated tensions between them and the white landowner. Many farm residents have been evicted or relocated in the process of converting to a game farm. In Richmond, for example, six labour tenant families were given eviction notices in 1987 when a new owner purchased the property with the intention of converting it to a game farm. The landowner adopted an aggressive stance with the tenants, shot several of the families' dogs, allegedly threatened to shoot some of the tenants, and impounded their livestock.⁷²⁵ Scenes such as this have been repeated across KwaZulu-Natal as the popularity of game farming has grown, despite legislation passed to protect the land rights of farm dwellers.⁷²⁶

Fences surrounding game farms are much taller and denser than livestock fences; they not only restrict the movement of wildlife but also limit human access to the farm, thereby diminishing mobility for black residents as well as for neighbours, who utilize foot paths across the farm. Restricted access to farmland reduces people's ability to gather firewood and hunt small game – with or without the farmer's permission. Furthermore, increased security on game farms has, in some cases, led to farmworker intimidation by security companies. AFRA found that in the Midlands, “the control over the movement of farmworkers is an important aspect of establishing and managing a conservancy, however the general level of social control evident within these areas at present is unprecedented.”⁷²⁷ In the context of games farms in northern KwaZulu-Natal, Jenny Josefsson argues that:

private games farms are both conceptualised and deployed to maintain ideas of boundaries and belonging that sustain colonial ideals and identities... whilst obscuring opportunities for other ways of interpreting and using the space of the farm.

⁷²⁵ AFRA, Focus on Farmworkers: Farm Evictions in Natal (Pietermaritzburg: AFRA, January 1987).

⁷²⁶ Brooks and Kjelstrup, “An Anatomy of Dispossession,” 238.

⁷²⁷ AFRA, The Investigation, 50.

Ultimately, how the game farms are now imagined and the way they operate is counterproductive to social transformation in the rural landscape.⁷²⁸

As they require much less labour, game farms have become a common means by which farm owners have skirted legislation protecting the land and labour rights of farmworkers and dwellers. Game farms have created new areas of contention and contestation between white farm owners and black workers, dwellers and neighbours, and the boundaries of these game farms are frequently challenged by cutting fences, poaching, illegal grazing, and trespassing.

Manby argues that, “Nowhere are the huge economic inequalities in South Africa so marked as on the ‘front line’ between commercial farmland and former homeland areas, where there is great poverty and land hunger.”⁷²⁹ This boundary provides additional sites for potential grievances. The fragmented nature of the former homeland of KwaZulu created a landscape in which white-owned farms all over present day KwaZulu-Natal share borders with communally-owned land, and interactions between white farmers and their black neighbours have historically provided potential for confrontation and even violence. Stock theft and other property crimes, trespassing, impounding stray livestock, denying access to roads and pathways that bisect a farm, cutting fences, illegal hunting – these are but a few of the possible points of conflict between farmers and their neighbours. Rather than rely on the criminal justice system, which many farmers view as slow and ineffective since the demise of the apartheid state, some farmers have been tempted to take the law into their own hands, which could lead to violent altercations and trigger retaliation.

Midlands Farmers’ Perspectives

Farmers who participated in this study generally felt that tenure security measures and labour legislation have been particularly taxing for farm owners. A Richmond farmer explained: “Now,

⁷²⁸ Jenny Josefsson, “Safe-Guarding the Colonial Present: Game Farms on the Frontier in KwaZulu-Natal’s ‘Battlefields Route,’” *Journal of Contemporary African Studies* 32 (2014): 258.

⁷²⁹ Manby, “Unequal Protection.”

with all the legal implications, even if you fire someone with good reason, you end up in the blooming CCMA. This whole labour legislation is just so negative. Instead of encouraging employment, we're just going the other way."⁷³⁰ Like their counterparts elsewhere in South Africa, farmers in the Midlands anticipated the changes in tenure security for farmworkers, and many farmers reduced the number of farm dwellers living on their land before the implementation of ESTA. Numerous farmers reported they (or their predecessors) "started getting them off the farm early,"⁷³¹ but few went into detail as to how, exactly, they went about doing so. A common response was: "We spoke to the families living on the farm in the mid-90s, and most of them agreed to move."⁷³² Some reported methods of "subtle eviction,"⁷³³ such as encouraging farm dwellers to quit the farm by helping them build a nicer home elsewhere or purchasing land for them in rural townships.

A few farmers reported taking more aggressive action to force farm dwellers off their properties. A farmer outside Wartburg, for example, explained that his farm previously housed about one thousand farm dwellers, while only seventy of them worked on the farm. He claimed he purchased plots in a nearby town as well as building materials for the farm dwellers: "It cost me heavily financially, but it's better in the long run to have them off the farm."⁷³⁴ He did encounter several people who wished to remain, and he employed some creative tactics to force them off the property. One woman had many dependents living with her, and she refused to move. The farmer built a hostel for young migrant female workers next to the woman's home. Visitors to the hostel stole many of the woman's livestock, and the commotion from the hostel eventually forced the woman to accept the farmer's offer to move her off the farm. In another case, the farmer involved

⁷³⁰ Interview with Richmond Farmer 7, August 2013.

⁷³¹ Interview with Wartburg Farmer 6, June 2013.

⁷³² Interview with Wartburg Farmer 7, August 2013.

⁷³³ Interview with Wartburg Farmer 2, May 2013.

⁷³⁴ Interview with Wartburg Farmer 5, May 2013.

lawyers and the CCMA to evict a man from the farm. “It didn’t work. I ended up paying him fuck off money to get rid of him.”⁷³⁵

Many farmers expressed extreme frustration with ESTA, as they now find it difficult to evict farm dwellers when they deem such action necessary. “Why should we be saddled with two hundred people living on our farm? That should be the municipality’s responsibility” a Richmond farmer complained.⁷³⁶ A farmer in Nottingham Road said he could relate to Arthur Mitchell’s experience in Midlands. He had been struggling with several farm dwellers who were not employed on the farm but wanted to build more rooms and bring more family members onto the property. The farmer also complained of alcohol abuse among some of the farm dwellers. “It can get very aggressive,” he explained.⁷³⁷ Like the tenants described in Midlands, it is often the dependents of the older dwellers – many of whom do not live on the farm full-time – and not the older farm dwellers themselves that ignite the frustration of the farm owners. “It’s almost impossible to evict people. We’re just hoping the houses will fall down and they will go elsewhere.”⁷³⁸

Many farmers explained that as soon as a farmworker’s house becomes vacant, they will demolish it to prevent anyone else from moving onto the premises; “slowly the number dwindles.”⁷³⁹ A farmer in Wartburg reported that 128 farm dwellers legally reside on the farm, but many of those people have invited relatives to move in with them, and the farmer no longer knows how many people live on the land. “There are no problems right now,” he noted, “but it could become a big problem down the road.”⁷⁴⁰ Although he has not taken any measures to pressure the farm dwellers to move, this farmer refuses to perform any maintenance on farm dwellers’ homes, “much to [his] wife’s disgust,” as ESTA dictates that he would have to provide the same amenities at

⁷³⁵ Interview with Wartburg Farmer 5, May 2013.

⁷³⁶ Interview with Richmond Farmer 9, September 2013.

⁷³⁷ Interview with Nottingham Road Farmer 9, November 2013.

⁷³⁸ Ibid.

⁷³⁹ Interview with Richmond Farmer 6, August 2013.

⁷⁴⁰ Interview with Wartburg Farmer 8, June 2013.

an alternate site if he were to move the dwellers in the future. “It just gets too expensive,” he explained.⁷⁴¹ Farmers’ unions and lawyers advise landowners not to extend any benefits to farmworkers, such as allowing cattle grazing or planting crops, as this could give the impression they have legal rights to the land.⁷⁴² “Kwanalu told farmers not to put two bricks on top of each other for farmworkers,” a Wartburg farmer explained.⁷⁴³ Some farmers lamented the removal of farm dwellers from the farm, as there are many benefits of having workers live on site: transportation costs and travel time are reduced, workers can respond quickly in the event of a fire or other emergency, and farmworkers can help improve the security of a farm by reporting suspicious behaviour.⁷⁴⁴

While many farmers removed farm dwellers and labour tenants as quickly as possible, others seemed content to allow long-time residents to remain on the farm. A young farmer near Greytown, for example, reported having about four hundred farm dwellers living on his land. One of the farmer’s white neighbours (who had no farm dwellers remaining on his property) commented: “He inherited a big problem. He’s not even trying to get them off. And now that ship has sailed. It’s too late for that... That could be productive land. He could have another 350 cattle. He might have a huge problem on his hands in the future. I would never have people live on my farm.”⁷⁴⁵ The young farmer admitted there are challenges involved with having so many people on his property: “They don’t watch their cattle, and they lose track of where they are. I know where they are – they’re in my fields eating my seedlings!”⁷⁴⁶ Nevertheless, he noted that the farm dwellers had lived on the farm for many years, and he felt he had little reason to encourage them to leave.

⁷⁴¹ Interview with Wartburg Farmer 8, June 2013.

⁷⁴² Interview with Underberg Farmer 9, November 2013.

⁷⁴³ Interview with Wartburg Farmer 5, May 2013.

⁷⁴⁴ Interview with Wartburg Farmer 3, May 2013.

⁷⁴⁵ Interview with Greytown Farmer 2, July 2013.

⁷⁴⁶ Interview with Greytown Farmer 1, July 2013.

A few respondents claimed that white farmers and black workers, dwellers and labour tenants lived fairly harmoniously for generations before the government passed legislation guaranteeing land rights, and “with the stroke of a pen, things changed overnight.”⁷⁴⁷ Although this is almost certainly overstating the state of relations on farms before this legislation, there clearly have been many cases in which relations between farm owners and farm dwellers were damaged in the aftermath of ESTA and the LTA. This has particularly been the case on farms with contested labour tenant claims. Government officials and NGOs, such as AFRA, encouraged labour tenants to apply for the land upon which they reside, and in many cases, the farm owner supported the claim. In other instances, however, the farm owner either disapproved of the claim or was unaware of its application, and in those circumstances, relations generally worsened. A farmer near Wartburg, for example, described how labour tenants on his land filed a claim with the help of AFRA. Since that time, he has refused to conduct any maintenance on the tenants’ homes and stopped aiding them with ploughing their fields and other services he once provided. He claimed he felt betrayed by the land claim, and he insisted that if the tenants want to own the land they must be responsible for maintaining it. The farmer has also been reluctant to invest in his own home in recent years due to the application of a restitution claim on his farm (in addition to the labour tenant claim), and his own home is showing signs of neglect.⁷⁴⁸ The DRDLR has been especially slow in resolving labour tenant claims, and in cases such as this when relations have become resentful and nothing has been resolved in a decade, allowing feelings of frustration and bitterness to ferment could be a recipe for violent confrontations.

Farmers in the Midlands were also frustrated with the imposition of minimum wages for farmworkers, and for the most part, they agreed that the increase in the minimum wage “is not

⁷⁴⁷ Interview with Nottingham Road Farmer 6, September 2013.

⁷⁴⁸ Interview with Wartburg Farmer 4, May 2013.

doing the people any favours.”⁷⁴⁹ The minimum wage increased from R69 to R105 per day in early 2013, and although some farmers noted that R69 per day was too little, most resented what they considered to be the government’s heavy handed approach in imposing an increase for the entire agricultural sector. Pointing to the higher profit margins of the wine and fruit growing regions, a few farmers in the Midlands argued that a minimum wage should reflect farm owners’ bottom line. Some farmers claimed they simply could not afford to pay the increased wage, but extremely few were willing to apply to the government for an exemption. An Underberg farmer lamented: “I often wonder how they live on that small amount, but we just can’t afford to pay them more.”⁷⁵⁰ A Richmond farmer argued that if the government had implemented the new minimum wage in cooperation with farmers and given them more time to put it into effect, the negotiated outcome would have been much more beneficial to farmers and their staff, “but this is a disaster! The government has done farmworkers an injustice.”⁷⁵¹ Interviewees also pointed out that the increase in the minimum wage affected their relationships with their staff: “The agro has been exacerbated by the increase in minimum wage. There’s a feeling like ‘you should have paid us this before.’ There’s resentment. They believe they are entitled to the wage without doing any extra work.”⁷⁵²

Frequently farmers pointed to the many perquisites farmworkers historically received that employees in other sectors generally did not: rations, transportation, housing, land for grazing livestock, veterinary services, etc. “People don’t realize how much farmers do for their workers.”⁷⁵³ Many of these “extras” were reduced with the implementation of the minimum wage in 2003, and those that remained were curtailed further with the increase in 2013. Farmers noted that rescinding perquisites created tension, as staff blamed farm owners for changes like deducting rent from wages,

⁷⁴⁹ Interview with Underberg Farmer 7, November 2013.

⁷⁵⁰ Interview with Underberg Farmer 8, November 2013.

⁷⁵¹ Interview with Richmond Farmer 11, September 2013.

⁷⁵² Interview with Underberg Farmer 8, November 2013.

⁷⁵³ Interview with Richmond Farmer 11, September 2013.

but farmers believed the blame should be placed on the government. “There was an inherent morality that people looked after their staff as much as they could. We are now having the minimum wage *imposed* on us, so we give only as much as the government tells us we have to, and they have to sort the rest out,”⁷⁵⁴ admitted a Richmond farmer.

Farmers generally felt they were unfairly targeted regarding wages. A respondent complained: “Farmers employ the people no one else will employ. But it’s interpreted that we exploit them.”⁷⁵⁵ Several farmers stressed that the pace of work on most farms is quite slow, and the productivity levels of farmworkers is low compared to other sectors. When labour was cheaper, this was not a major concern; farmers would simply hire more people. But with the increase in minimum wage, farmers now attempt to squeeze more productivity out of each employee. There is certainly a pervasive opinion among farm owners that most farmworkers possess a poor work ethic: “Our blacks don’t want to work for the money. But they still get angry when you employ foreigners to do the work they don’t want to do.”⁷⁵⁶ This is sometimes expressed as a generational problem; older generations of farmworkers were regarded as more disciplined and hard working. “This generation is rubbish,” was a common refrain.⁷⁵⁷ The extent to which this reflects an actual change in work ethic or a better understanding of workers’ rights in the post-apartheid era is debatable. Several farmers also complained that the drastic increase in the minimum wage made it necessary to adjust the salaries of those who earned above the previous minimum wage. An Underberg farmer noted: “It’s harder to properly reward those who are skilled and the harder workers.”⁷⁵⁸

Farmers in the Midlands have found methods of circumventing the new minimum wage legislation. Some farmers chose to reduce working hours and cut back on new hires. A few farm

⁷⁵⁴ Interview with Richmond Farmer 6, August 2013.

⁷⁵⁵ Interview with Richmond Farmer 8, August 2013.

⁷⁵⁶ Interview with Richmond Farmer 10, September 2013.

⁷⁵⁷ Interview with Wartburg Farmer 4, May 2013.

⁷⁵⁸ Interview with Underberg Farmer 6, November 2013.

owners admitted to hiring illegal foreign workers, primarily from Lesotho, who accepted less than the minimum wage.⁷⁵⁹ Others have reduced their permanent staff numbers and rely on labour contractors to provide workers during busy seasons. A farmer near Richmond admitted: “You just find other ways to get around the minimum wage. And, unfortunately, the main one is just reducing numbers.”⁷⁶⁰ Most farmers reported that they were reducing the size of their labour force: “Big time – there have been big time retrenchments!”⁷⁶¹

Noting the desperate need for more job opportunities in rural areas, farmers frequently commented: “We really don’t want to retrench. We want to employ as many people as possible.”⁷⁶² Farmers are also reluctant to retrench due to the potential risks to their property when aggrieved workers are dismissed – particularly in the form of arson. Some police officers even warned farmers not to terminate workers in the dry winter months when fires are especially destructive.⁷⁶³ Many farmers reported having to fight fires for weeks after having dismissed an employee; a farmer in Underberg lost over one hundred bales of hay the night after he fired a worker and almost two hundred more the following night, which he attributed to arson.⁷⁶⁴ According to several farmers near Wartburg, the timber company Mondi experienced terrible bouts of arson following the retrenchment of more than five hundred staff. Arson has historically been a common means by which aggrieved employees expressed their displeasure with a white farmer. “Behind the fire is a message,” a Greytown farmer explained. “He is actually telling you something. You just have to figure out what the message is.”⁷⁶⁵ There was also a sense in which retrenching made farmers feel more vulnerable in the long run: “I think it hardens the relations. It has to! It’s the knock on effect. One person working supports ten others. I don’t think we’ve yet seen how bad it’s going to

⁷⁵⁹ Interview with Wartburg Farmer 7, June 2013.

⁷⁶⁰ Interview with Richmond Farmer 7, August 2013.

⁷⁶¹ Interview with Underberg Farmer 6, November 2013.

⁷⁶² Interview with Greytown Farmer 1, July 2013.

⁷⁶³ Interview with Police Officer 2, March 2013.

⁷⁶⁴ Interview with Underberg Farmer 4, September 2013.

⁷⁶⁵ Interview with Greytown Farmer 2, July 2013.

become. I think the thefts are going to increase.”⁷⁶⁶ Farmers who were interviewed towards the end of 2013 reported noticing an increase in theft and break-ins on farms since the minimum wage increase and the resulting retrenchments.

Concerning the manner in which white farmers manage their staff, most farmers insisted that, although most employees are treated better now than during the apartheid era, “it’s not like we treated people terribly before.”⁷⁶⁷ Others, however, felt labour conditions “have improved by leaps and bounds.”⁷⁶⁸ A police officer who spent his career in the Midlands explained that during apartheid, “people were terrible to blacks.”⁷⁶⁹ For the most part, farmers were willing to admit that farm owners were tougher on their employees in the past. An Underberg farmer noted that even fifteen years ago, many farmers still beat their workers as punishment; although this practice has primarily become a thing of the past.⁷⁷⁰ Some pointed out that those who treated their staff badly were a minority. A farmer in Richmond explained: “Some guys in Richmond were shocking to their labour.”⁷⁷¹ But, he clarified, these were simply “not nice people – not even to other white people.”⁷⁷² A particularly forthright informant described how farmers would “wallop” their workers at times – “really give an oke [person] a good smack”⁷⁷³ – while an Underberg farmer admitted that thirty years ago it was not unheard of for a farmer to use a *sjambok* (a heavy leather whip) to discipline workers.⁷⁷⁴

The end of apartheid and the passage of labour legislation seem to have greatly diminished the worst abuses of white farmers’ authority. Some farmers felt the white farming community has changed its attitude towards black workers, partly because the government forces them “to mind

⁷⁶⁶ Interview with Richmond Farmer 6, August 2013.

⁷⁶⁷ Interview with Wartburg Farmer 7, August 2013.

⁷⁶⁸ Interview with Underberg Farmer 8, November 2013.

⁷⁶⁹ Interview with Police Officer 2, May 2013.

⁷⁷⁰ Interview with Underberg Farmer 9, November 2013.

⁷⁷¹ Interview with Richmond Farmer 11, September 2013.

⁷⁷² *Ibid.*

⁷⁷³ Interview with Wartburg Farmer 6, June 2013.

⁷⁷⁴ Interview with Underberg Farmer 1, March 2013.

their Ps and Qs,” which has encouraged more compassion in labour relations over time.⁷⁷⁵ A farmer in Richmond commented: “White people have changed – we’ve become more enlightened.”⁷⁷⁶ Nevertheless, as another Richmond farmer noted: “some of us are still very antiquated in terms of how we treat people,”⁷⁷⁷ and an Underberg farmer acknowledged that “a lot of old timers still refer to black people as *kaffirs*, but it’s changing.”⁷⁷⁸ There were frequent subtle admissions that verbal and physical abuse has not been entirely eradicated from farms in the Midlands: “Not all farmers are squeaky clean,”⁷⁷⁹ said a Wartburg farmer, and a farmers’ union representative admitted: “Farmers don’t have both their [angel] wings.”⁷⁸⁰ An Underberg farmer explained: “We are a threatened breed. We do tend to be arrogant – maybe even patronizing. Add to that the ignorance of black workers, and it can be a problematic situation.”⁷⁸¹ Concerning corporal punishment, a Wartburg farmer said that “it’s much different now. It still happens sometimes, but only when there’s no one around.”⁷⁸² When asked if some workers could harbour hard feelings for ill-treatment at the hands of white employers, without hesitation this farmer answered, “Absolutely!”⁷⁸³

Several times, farmers made comments about their white neighbours that revealed much about their own thoughts on farmworkers’ rights. On a farm near Wartburg, the farm owner, his family, and the farmworkers referred to each other by their first names. This farmer also provided clean, secure housing for the staff, for which he charged rent, and offered courses such as drivers’ training and high school equivalency classes. He expressed exasperation at the callous manner in which some farmers continue to treat their employees; he explained that several of his neighbours,

⁷⁷⁵ Interview with Underberg Farmer 1, March 2013.

⁷⁷⁶ Interview with Richmond Farmer 8, August 2013.

⁷⁷⁷ Interview with Richmond Farmer 10, September 2013.

⁷⁷⁸ Interview with Underberg Farmer 9, November 2013.

⁷⁷⁹ Interview with Wartburg Farmer 7, August 2013.

⁷⁸⁰ Interview with Farmers’ Union Representative, February 2013.

⁷⁸¹ Interview with Underberg Farmer 8, November 2013.

⁷⁸² Interview with Wartburg Farmer 6, June 2013.

⁷⁸³ *Ibid.*

for example, continued to refer to staff as *kaffirs* in their presence.⁷⁸⁴ Some of this farmer's neighbours, however, felt he is too cozy with his staff. One viewed the practice of referring to the farmer by his first name as inappropriate; farm owners, he declared, should be referred to as *nkosana* or *baas* in order to maintain a strict employee-employer relationship.⁷⁸⁵ A white manager on another nearby farm snorted: "He treats his staff like fucking royalty."⁷⁸⁶ This manager, however, seemed particularly rough with his staff, referring to them as *kaffirs* and declaring in front of several employees, "my labour don't dare give me any trouble," as he lifted his shirt to reveal a pistol tucked into the waistband of his pants.⁷⁸⁷

In Nottingham Road, similar comments were made by white farmers who felt their neighbours "spoil their Africans."⁷⁸⁸ In the Wartburg case, the farmworkers clearly lived and worked under better conditions than most farm labourers in the Midlands. The reference to spoiled Africans in the Nottingham Road instance, however, was much different; those employees worked for a poor farmer, and their working and living conditions reflected their employer's lack of resources. One can only assume the reference to spoiled Africans refers to the farmer's reluctance to resort to verbal or physical abuse. Indeed, during interviews with the farmworkers, they reported they very much appreciated that the farmer did not yell at them and that he was always kind. The farmers who accused their neighbours of spoiling their Africans made excuses for not allowing their employees to participate in this research.

Reflecting continuity with white colonists' perceptions of African labourers, there was a pervasive opinion among the white farmers interviewed that black people, and Zulus in particular, respect and require firm handling: "You must be tough, but fair."⁷⁸⁹ An Underberg farmer put it this

⁷⁸⁴ Interview with Wartburg Farmer 9, July 5, 2013.

⁷⁸⁵ Interview with Wartburg Farmer 11, August 2013.

⁷⁸⁶ Interview with Manager at Wartburg Farm 6, June 2013.

⁷⁸⁷ *Ibid.*

⁷⁸⁸ Interview with Nottingham Road Farmer 1, April 2013.

⁷⁸⁹ *Ibid.*

way: “Africans understand violence. They don’t understand an arm around the shoulder. They respect strength. That’s what works with them.”⁷⁹⁰ “You don’t need to be aggressive,” another Underberg farmer explained, “but you mustn’t be weak. If you’re weak, you will be attacked.”⁷⁹¹ A few farmers, however, particularly women farmers and wives of farmers,⁷⁹² expressed remorse at the manner in which farmworkers and other black people were treated in the apartheid days: “We ask ourselves how we could be so gullible and not listen to our hearts and consciences.”⁷⁹³

Farmers described areas of tension that frequently arose between themselves and their black neighbours and farm dwellers. Respondents often commented that, although most black neighbours are entirely law-abiding, there is often a “bad element” residing on communal land near white-owned farms.⁷⁹⁴ Theft was the most common complaint. “Anything that isn’t tied down,” including scrap metal, tools, fertilizer and other farm implements could be stolen.⁷⁹⁵ Poaching, stock theft and trespassing were also common grievances, and some farmers reported cases of arson and other forms of retaliation if they confronted criminals or called the police to report trespassers. Farmers, however, did not view theft in general as a form of retaliation for ill-treatment. “Stealing is a way of life,” a Richmond farmer explained. “Some people in the community just live by stealing... It’s not an act against me personally, but it’s still irritating. Sometimes I worry I won’t be able to control my finger on my gun.”⁷⁹⁶ Some farmers expressed extreme exasperation in their dealings with their neighbours: “You can talk and talk, but it makes no difference; they are still on your farm. But if you take action they get very upset.”⁷⁹⁷

⁷⁹⁰ Interview with Underberg Farmer 5, September 2013.

⁷⁹¹ Interview with Underberg Farmer 3, June 2013.

⁷⁹² In most cases, the farmer interviewed was male. In some cases, husband and wife were equally involved in the management of the farm and both were interviewed; in other cases, the wife did not have an active role on the farm.

⁷⁹³ Interview with Richmond Farmer 8, August 2013.

⁷⁹⁴ Interview with Underberg Farmer 4, September 2013.

⁷⁹⁵ Interview with Wartburg Farmer 4, May 2013.

⁷⁹⁶ Interview with Richmond Farmer 10, September 2013.

⁷⁹⁷ Interview with Nottingham Road Farmer 9, November 2013.

Stray livestock are another source of contention, especially along the borders of black communal land and white-owned farms. A farmer in Greytown described how some communal settlements have become so congested that there is little room for grazing livestock. Out of desperation, some people cut the fences of white-owned farms to allow their animals to graze, especially in the winter months when there is little vegetation left in overcrowded communal areas.⁷⁹⁸ In other cases, especially with smaller livestock like goats, animals are not intentionally herded onto white-owned land, “but they don’t look after them, so they just roam. It’s unbelievable where you see them!”⁷⁹⁹ These stray animals often end up eating and trampling white farmers’ crops. Farm dwellers’ animals likewise stray into farmers’ fields, causing friction between the farmer and the tenants: “We’ve had lots of run-ins. I’ve illegally shot a lot of goats.”⁸⁰⁰ But, like theft, farmers do not view stray animals on their property as an intentional act to send a coded message to the farmer. “They do it for the grazing, not to tick you off. They don’t worry about their animals until you put them in a pen because then they know you’re going to take them to the pound, which we try not to do unless we have to, but sometimes they keep pushing and pushing and you have to take that step.”⁸⁰¹ Reflecting their concerns of retribution in the post-apartheid environment in which white farmers are no longer immune from potentially violent acts of vengeance, several farmers expressed their reluctance to impound stray livestock: “We’re allowed to impound, but there’s no reason to. It makes you look like the bad guy and causes more problems with your neighbours.”⁸⁰²

Hunting with dogs is a particularly sore spot for white farmers – as it was during the colonial and apartheid eras – and many farmers complained of illegal hunters trespassing on their farms. These hunts target wild game, but domestic livestock are sometimes attacked in the process.

⁷⁹⁸ Interview with Greytown Farmer 1, July 2013.

⁷⁹⁹ Interview with Richmond Farmer 6, August 2013.

⁸⁰⁰ Interview with Wartburg Farmer 8, June 2013.

⁸⁰¹ Interview with Richmond Farmer 7, August 2013.

⁸⁰² Interview with Underberg Farmer 8, November 2013.

Known as “taxi hunts” because the participants arrive in taxis, this hunting is a form of gambling and attracts participants from as far away as Durban. Each participant pays an entry fee, and the owner of the dog that brings down the game wins the cash.⁸⁰³ If the dogs are not under the control of their handler, farmers can legally shoot the animals, but many farmers admit that shooting a dog only creates more trouble for the farmer. A prize hunting dog is a valuable commodity, and arson tends to be a common form of retribution for a farmer who shoots a hunting dog. An Underberg farmer described an incident in which he and several white neighbours encountered illegal hunters on his farm and shot seven dogs. He was subsequently charged with attempted murder, while the hunters, who were trespassing and poaching, were not charged.⁸⁰⁴ “In the old days,” one farmer explained, “we would just shoot the dogs. Now we have to ask if it’s worth taking the risk to myself. Because either you end up with fires or you and your family become vulnerable.”⁸⁰⁵ The demise of exclusive state protection for white farmers in rural areas has changed the ways in which farmers react to confrontations with black neighbours. Farmers’ authority is no longer paramount, and statements from white farmers reflect their personal insecurity to potential retaliation in the democratic era.

Many farmers have turned to security companies to protect their properties from thieves, and some farmers use their security companies to mediate in labour disputes and to explain new policies such as the implementation of the increased minimum wage. There is certainly a sense that a farmer must be cautious in approaching certain topics. “You must talk through the bushes,” several farmers stated; being too forward or confrontational could lead to a dispute.⁸⁰⁶ An Underberg farmer explained: “You need to remove the point of conflict. If you need to fire

⁸⁰³ Lloyd Phillips, “Illegal Dog Hunting, the Landowner and the Law,” *Farmers Weekly*, March 8, 2013.

⁸⁰⁴ Interview with Underberg Farmer 6, November 2013.

⁸⁰⁵ Interview with Richmond Farmer 7, August 2013.

⁸⁰⁶ Interview with Wartburg Farmer 11, August 2013.

someone, it's better for you to use a third party. Then there's less negativity aimed at you."⁸⁰⁷ Another farmer admitted delegating all disciplining of employees to his *induna* (black supervisor): "I don't ask how he does it. It's not my business as long as it gets done."⁸⁰⁸ Some interviewees, on the other hand, argued that "farmers have done themselves an injustice by relying on someone else instead of taking responsibility themselves."⁸⁰⁹ The tactics these third parties employ could create additional grievances within the black community.

Farmworkers, Dwellers and Neighbours' Perspectives

Farmworkers, dwellers and neighbours' responses to the line of questioning regarding labour conditions on farms in the Midlands revealed a wide array of opinions and experiences, reflecting the radical differences in working conditions and labour relations on individual farms. Many respondents reported that life on the farms had improved a great deal since the end of apartheid: "Life has changed. People could not express themselves, but now we are able to bring matters to our farmer. At times he overreacts, but he does apologise when he is at fault. We are able to call meetings with him when we want to discuss issues, as does he."⁸¹⁰ Another farmworker commented: "I think life on farms has improved. We earn higher wages and our bosses respect us now. During apartheid, if you went against their will, they would fire you and evict you.... People were even insulted and were overworked."⁸¹¹ Several interviewees stressed how much they value their ability to communicate openly with their employer: "We are able to express our displeasures now, while such opportunities did not exist previously."⁸¹²

⁸⁰⁷ Interview with Underberg Farmer 8, November 2013.

⁸⁰⁸ Interview with Underberg Farmer 3, June 2013.

⁸⁰⁹ Interview with Greytown Farmer 2, July 2013.

⁸¹⁰ Interview with Farmworker 1 at Wartburg Farm 8, July 2013.

⁸¹¹ Interview with Farmworker 2 at Richmond Farm 4, September 2013.

⁸¹² Interview with Farmworker 5 at Underberg Farm 2, November 2013.

Many respondents, however, expressed extreme disappointment at the little change they have experienced since 1994: “There is not much difference on farms, and I don’t think we will ever see the end of apartheid.”⁸¹³ “No, no, no! Not at all!” exclaimed a farmworker in Richmond when asked if life has improved. “The salaries, the living conditions.... All has not changed. White farmers have hatred. They ill-treat their workers badly.”⁸¹⁴ Another Richmond farmworker commented: “No, it has not changed. Employers still do as they please saying that it is their land, so you have no say.”⁸¹⁵ An Underberg farmworker agreed: “We are still experiencing apartheid and oppression. The farmer has no respect for the workers. He still verbally assaults us.”⁸¹⁶ Comments such as, “apartheid is over, but racism is far from ending,” were common.⁸¹⁷ There was a widespread recognition, however, that some farmers treat their staff very well and that conditions have advanced on many farms, even if they were stagnant on others: “On some farms things have improved, but not for us here. We talk to other workers, and we see that their working and living conditions are better. This hurts us a lot to know that some people work well and are getting well paid.”⁸¹⁸

Some respondents complained of being overworked: “The working conditions are bearable. At times it’s okay and other times it’s really bad.... We get overworked – one person doing the job of three people. We have no say under these circumstances.”⁸¹⁹ A Wartburg employee commented: “Life on the farm is harsh. We do not get days off or leave. When we ask for leave or a day off it’s like we’re starting a fight.”⁸²⁰ Others commented on the lack of protective clothing provided to farmworkers: “We are still oppressed. As you can see, we don’t even have work wear. I am wearing

⁸¹³ Interview with Impendle Resident 6, November 2013.

⁸¹⁴ Interview with Farmworker 2 at Richmond Farm 5, September 2013.

⁸¹⁵ Ibid.

⁸¹⁶ Interview with Farmworker 4 at Underberg Farm 2, November 2013.

⁸¹⁷ Interview with Farmworker 4 at Richmond Farm 3, August 2013.

⁸¹⁸ Interview with Farmworker 4 on Wartburg Farm 8, July 2013.

⁸¹⁹ Interview with Farmworker 1 at Warburg Farm 5, July 2013.

⁸²⁰ Interview with Farmworker 2 at Wartburg Farm 8, July 2013.

my own jeans.... I work with poison and spray pesticides, but I am not given anything to cover my mouth and nose in the process. They don't care about our safety as long as we get the work done."⁸²¹ Toilet facilities were lacking on some farms. A farmer's union representative accompanied me to an interview with a Nottingham Road farmer and excused himself to find a washroom while the farmer had stepped out to take a phone call. He found the staff washroom and later declared: "That was the most disgusting thing I have ever seen in my life! I cannot believe the farmer makes his staff use that washroom. I am so disappointed."⁸²² That farmer did not allow his employees to be interviewed. Domestic workers in farmhouses reported receiving better treatment and easier workloads than their colleagues who work outside. A domestic worker in Richmond noted: "They get more work compared to us and have to deal with abusive supervisors."⁸²³ Perhaps unsurprisingly, many interviewees said they would prefer not to work on a farm, but jobs are scarce: "I am not happy with the working conditions, but I have a family to support."⁸²⁴

Many respondents who resided on a farm reported poor living conditions. One of the Nottingham Road farmworkers a white neighbour felt was "spoiled" described his living conditions: "The living conditions are not good. There is a lot of noise. We live close to the road so we are exposed to a lot of things. I am not happy with the water; we are far from water sources so we rely on water tanks. We don't pay rent though. I am not happy with the living conditions, but I like the job."⁸²⁵ A farmworker in Wartburg described her living arrangement: "The living conditions are bad. We live in tin, single room houses. We only have one common toilet that doesn't flush."⁸²⁶ Another worker reported: "It is not good. We do not have tap water or toilets. We pay rent for the

⁸²¹ Interview with Farmworker 4 at Wartburg Farm 8, July 2013.

⁸²² Discussion with Farmers' Union Representative, May 2013.

⁸²³ Interview with Domestic Worker at Richmond Farm 3, August 2013.

⁸²⁴ Interview with Farmworker 4 at Underberg Farm 8, November 2013.

⁸²⁵ Interview with Farmworker 2 at Nottingham Road Farm 2, August 2013.

⁸²⁶ Interview with Farmworker 6 at Wartburg Farm 6, July 2013.

house and we pay for electricity, which we don't have. We have to fetch water from the streams.... I don't enjoy it here but there are no job opportunities.”⁸²⁷

Some farm residents complained they could not receive visitors: “People who do not work on the farm are not allowed to visit and are treated as trespassers. Say a girl on the farm is in a relationship with a guy who wants to come see her. The farmer doesn't allow this. People get irritated because the farmer has a wife, but he doesn't allow others to enjoy their relationships.”⁸²⁸ A Richmond farmworker captured the predicament of many farmworkers: “As much as our rooms are in poor condition, since we are homeless, there is nothing we can do but appreciate what we get.”⁸²⁹ On a few farms, workers' housing was very well maintained. A Wartburg farmworker explained that on this particular farm, “we stay comfortably. I have everything I need. The security is good, and we have water. In fact, everyone is happy. All houses have taps and we have a lounge that is fully equipped with cable TV.... The houses are of a high standard.... We pay R225 per month for rent.”⁸³⁰ For the most part, however, farmworkers clearly felt there was room for much improvement in working and living conditions on most farms and many were discontented with the circumstances they felt they were forced to accept.

The most common complaint among farmworkers was in relation to wages. “The work is tough, but we are not paid as we should be.... We work very hard, but we don't make enough to support our families, send our children to school and still afford the things we need in life.”⁸³¹ An employee on a Wartburg farm reported: “The working conditions are fine, but money-wise it's not nice.... The pay is not good; we are very unhappy about that.”⁸³² Another Wartburg employee divulged: “We get paid monthly, but we are ripped off when we work extra hours. Sometimes we

⁸²⁷ Interview with Farmworker 5 at Nottingham Road Farm 9, November 2013.

⁸²⁸ Interview with Farmworker 1 at Wartburg Farm 12, August 2013.

⁸²⁹ Interview with Farmworker 1 at Richmond Farm 2, September 2013.

⁸³⁰ Interview with Farmworker 1 at Wartburg Farm 9, July 2013.

⁸³¹ Interview with Farmworker 3 at Richmond Farm 3, August 2013.

⁸³² Interview with Farmworker 1 at Wartburg Farm 3, August 2013.

work for five weeks and only get four weeks' pay. We also work on holidays. Our employer is not very open about the working hours, and no one dares question him."⁸³³ Several respondents expressed their frustration that they were expected to start paying (or pay more) for things like rent and transport to and from the farm when the minimum wage went up.

Many informants complained they were not receiving the increased wage of R105 for a nine hour workday: "The government said we should get R105 per day, but he gives us R69 and says he cannot afford more or he will quit farming and just leave us here."⁸³⁴ Another worker confided: "We are not happy with the salary. The farmer did not give us an increase based on the recent regulations. The farmer is very oppressive. A couple people have already left.... We stay because we have nowhere else to go."⁸³⁵ A resident of Ndaleni argued: "It's not that farmers do not have the money and cannot afford to pay us well; they just refuse! They retrench labourers and refuse to increase the wages according to the government regulations."⁸³⁶ Another interviewee pointed out that, "the government has called forward all farmers who do not make enough money to pay at the new rate, and the government will conduct an inquiry to verify this. Our farmer did not do this, which means he is making enough money, yet fails to pay us properly."⁸³⁷ Another informant reported: "The farmer tells you that the farm is his and not Zuma's, so we all have to work by his rules. Farmers talked among themselves and decided not to give us a raise. Instead they give us the option to work fewer hours or retrench some people. We don't want to lose jobs, so we go for fewer hours."⁸³⁸ Some farmworkers were uncertain what the new minimum wage stipulated: "No

⁸³³ Interview with Farmworker 6 at Wartburg Farm 6, July 2013.

⁸³⁴ Interview with Farmworker 1 at Wartburg Farm 4, July 2013.

⁸³⁵ Interview with Farmworker 2 at Underberg Farm 8, November 2013.

⁸³⁶ Interview with Ndaleni Resident 4, September, 2013.

⁸³⁷ Interview with Farmworker 4 at Underberg Farm 8, November 2013.

⁸³⁸ Interview with Ndaleni Resident 22, November 2013.

information was given to us about how much we are supposed to be paid. We have to find out from the radio and newspapers.”⁸³⁹

Many farmworkers had their hours reduced when the new minimum wage came into effect. Some complained, however, that they were still expected to do the same amount of work in fewer hours: “He called us and explained that he cannot increase the wages, rather we will work fewer hours and we agreed. But the workload is still the same although the time to perform this has been reduced!”⁸⁴⁰ Those farmworkers who were able to meet with the farm owner to discuss these changes seemed to be less bothered by them. A farmworker in Richmond explained:

When the increase in salary came, the farmer came peacefully to us and told us that he would rather cut working hours instead of retrenching people and paying the remaining workers more. Some people complained about their payment, so the boss decided to fetch people from the Department of Labour. The Department clarified the situation about cutting hours, and everyone returned to work the following morning. All was resolved just fine and no one lost their job because of it.⁸⁴¹

This is in notable contrast to farmworkers who had not been afforded the opportunity to openly discuss the new legislation, as was the case on another Richmond farm: “In our case, we are very unhappy about the payment issue. The farmer promised to call the Department of Labour to come explain to us our terms and conditions of employment. But he still hasn’t called them to date. We are afraid to speak up and ask about this because we are all afraid of losing our jobs.”⁸⁴²

When farmworkers were asked to describe their interpersonal relationships with the white farmers for whom they worked, some respondents gave glowing reviews. On a farm in Wartburg, employees happily reported that the farm owner “treats us like family. He even visits us in our households and chats with us!... Today some workers are registering for driving lessons and will

⁸³⁹ Interview with Farmworker 2 at Wartburg Farm 8, July 2013.

⁸⁴⁰ Interview with Farmworker 2 on Richmond Farm 2, September 2013.

⁸⁴¹ Interview with Farmworker 3 at Richmond Farm 11, September 2013.

⁸⁴² Interview with Farmworker 3 at Richmond Farm 3, August 2013.

soon be getting their driver's licences, which will be paid for by our employers."⁸⁴³ Other respondents reported slightly less lustrous yet still amenable relationships with their employers: "My relationship with my employer is good. If there are important details to discuss, he speaks to us in a respectful manner. Even when you are wrong, he tells you politely and does not fire you."⁸⁴⁴ Several compared their employer to a parental figure: "I look to him like my father because my father is no longer. He helps me. If I need money, he lends it to me, and when my child is sick, he helps me take the child to the doctor. He has never turned me away."⁸⁴⁵ A resident of Ndaleni, where the political violence between ANC supporters and proponents of the Inkatha Freedom Party was especially intense, described a touching story of a local white farmer who took her family in and protected them from the violence. Her parents began working for the farmer, and she found employment on a neighbouring farm.⁸⁴⁶

Sadly, not all – or even most – respondents had such positive experiences to report. Many interviewees complained of verbal abuse:

This farmer and the white manager do not know how to speak to their employees... We are used to it; we are not respected but belittled. They call us *kaffir* all the time. Maybe it's because we don't know our rights and the law. They swear at us all the time.... I tell them I don't like it. I am old now and need to be respected, but they just treat me like a child.⁸⁴⁷

Another respondent on the same farm admitted: "We never show any frustrations. We are scared of our employers. We never say anything. We're afraid of losing our jobs."⁸⁴⁸ Similarly, an informant in Underberg stated: "There is no relationship. He shouts at us even for a minor mistake. He doesn't talk like one who is our employer but shows a lot of disregard and disrespect for us.... We are not allowed to express ourselves. We are always afraid of him due to his vicious character, so it's

⁸⁴³ Interview with Farmworker 3 at Wartburg Farm 9, July 2013.

⁸⁴⁴ Interview with Farmworker 2 at Richmond Farm 11, September 2013.

⁸⁴⁵ Interview with Farmworker 2 at Wartburg Farm 10, August 2013.

⁸⁴⁶ Interview with Ndaleni Resident 18, November 2013.

⁸⁴⁷ Interview with Farmworker 2 at Wartburg Farm 6, July 2013.

⁸⁴⁸ Interview with Farmworker 3 at Wartburg Farm 6, July 2013.

not easy to approach him about anything.”⁸⁴⁹ Many workers reported that when they approached their employer with concerns, rather than address the issue, “he always says I can leave if I am unhappy.”⁸⁵⁰ Several respondents noted that their relationship with the farm owner is amicable, but most of their dealings are with the farm manager, who is much more demanding. None of the participants reported being physically abused any longer, but a few noted that it still happens on some farms.

A few respondents complained of unfair dismissal: “We cannot express ourselves. We get accused of things and get fired for small mistakes. But they will drive you to resign so they don’t have to pay for unfair dismissal.”⁸⁵¹ Some respondents recalled specific incidents that irreparably harmed their relationship with their employer:

I was once injured by a tractor, and the tractor driver had no licence. I was never given any money after the injury. I threatened to sue him, but I did not do it. He also did not fire me. I continued working but the working relationship changed. He insulted me and called me a fucking fat lazy woman. I desperately needed the job, so I kept working. Finally I left... he did not pay me for the last month that I worked... I am still upset at him because I was badly injured on his farm and he did not pay a thing! I wanted to have him arrested, but then I realised I am poor and cannot do anything about it.⁸⁵²

Most respondents who reported strained interpersonal relationships with their employers also reported feeling helpless and voiceless. One respondent said: “If you bring important matters to them, they say we voted for Mandela, so if we have needs we should go report to our government not to them.”⁸⁵³ Concerning unions, a few informants claimed: “We could join, but they failed to deliver along the way.”⁸⁵⁴ Several respondents explained that “if it happens that he does you wrong,

⁸⁴⁹ Interview with Farmworker 4 at Underberg Farm 8, November 2013.

⁸⁵⁰ Interview with Farmworker 1 at Nottingham Road Farm 9, November 2013.

⁸⁵¹ Interview with Farmworker 2 at Wartburg Farm 8, July 2013.

⁸⁵² Interview with Ndalen Resident 1, September 2013.

⁸⁵³ Interview with Farmworker 2 at Wartburg Farm 8, July 2013.

⁸⁵⁴ Interview with Ndalen Resident 22, November 2013.

and you want to take him to the authorities, he threatens to fire you!”⁸⁵⁵ Many workers feel they have little alternative but to keep quiet and endure their circumstances: “We die inside; if you cannot bear it, you leave. I feel we do not have a voice. We don’t have meetings, and no one ever asked for our opinions on things.... The government says we are the responsibility of the farmer; the farmer refuses to help. Talking to either is like pouring water on a duck. It’s useless.”⁸⁵⁶ Another employee commented:

We don’t do anything if we are unhappy with rules or wages. Other people strike, but we don’t. We don’t really have power to influence decision making; once a decision is passed, we can’t change it. Even with the salary issue, we didn’t do anything. The truth is that if we get together to express our opinions, the farmers always ask who started the confrontation, and that person is likely to be evicted from the farm. So nobody is willing to be in such a spot, so we don’t do anything. We don’t even have meetings with the farmer to discuss issues affecting us.⁸⁵⁷

Several respondents expressed their belief that white farmers can easily bribe the Department of Labour and the CCMA, so approaching those bodies is not worth the trouble of raising the ire of one’s employer.⁸⁵⁸

Some respondents described being evicted from farms in the 1990s and early 2000s. An Impendle resident recalled:

I stopped working on farms when Nelson Mandela came into power... simply because my entire family was evicted from the farm then. We were harshly evicted; the farmer gave us one week’s notice to pack all we have and leave. He said if we didn’t leave he was going to throw our things onto the side of the road. He made us take all our livestock as well.... He evicted everyone and converted to forest plantations. There were more than fifty families living on that farm, but all were evicted. He even tore down our houses and never gave us land to relocate on.⁸⁵⁹

⁸⁵⁵ Interview with Farmworker 2 at Wartburg Farm 4, July 2013.

⁸⁵⁶ Interview with Farmworker 3 at Wartburg Farm 4, July 2013.

⁸⁵⁷ Interview with Farmworker 4 at Richmond Farm 3, August 2013.

⁸⁵⁸ Interview with Trustfeed Resident 18, November 2013.

⁸⁵⁹ Interview with Impendle Resident 11, November 2013.

A farmworker near Wartburg, whose employer claimed to have built homes for all the farm dwellers he evicted, reported: “The farmer evicted everyone saying that he would provide us with building materials and that we must move off the farm [in 2003]. To date, nothing has been provided.”⁸⁶⁰

Some respondents resented having been moved, even if building material for a new home was provided:

Some farmers moved their workers and built them houses off the farm. This is not fair because the person has worked all their life on that farm, and their heritage and sense of belonging is on the farm. They should have the right to live on and be part of that farm. But the farmer does not want to allow people the right to own land and influence decision making, so he sent them away.⁸⁶¹

Labour tenants who had applied to own the land on which they live under the Labour Tenants Act, corroborated farm owners’ description of soured interpersonal relationships. A labour tenant near Wartburg complained:

Our housing is poor. We don’t even have glass on the windows. I cannot say we have a good relationship because he is not helping with anything. If I tell him that my roof is leaking, he tells me his is also leaking. When I say that my wall is cracked or part of it has collapsed, he says he also has the same problem.... If we want to bury one of our family members, he tells us to go out and find another place that is not on his farm. He took away the land we used to plough our vegetables and he planted sugar cane, leaving us on marginal land. I think people are able to express themselves on other farms, but here you are told to leave if you are unhappy.... When we approach the farmer for land or services, he says we tried to harm him with this land claim, and he has proof since our names are on the list. He always uses that against us.⁸⁶²

Other labour tenants confirmed that they have lost many of the perquisites they used to receive from the farmer once they signed a land claim. In several cases, however, the labour tenants claimed they did not know exactly what they were signing. Some claimed fieldworkers from AFRA came to the farm and explained that the application was for government housing. AFRA could not

⁸⁶⁰ Interview with Farmworker 1 at Wartburg Farm 5, July 2013.

⁸⁶¹ Interview with Farmworker 2 at Nottingham Road Farm 6, August 2013.

⁸⁶² Interview with Farmworker 2 at Wartburg Farm 4, July 2013.

comment on the validity of this statement, as a decade had passed since the event and there has been a large turnover in fieldworkers. Nevertheless, the farm owner and the labour tenants agreed that in the ten or more years since the application was filed, their relationship had become increasingly antagonistic.

Residents of rural communities bordering white-owned farmland also expressed grievances with their white neighbours. As white farmers explained, hunting dogs are a particularly contentious issue. A resident of Ndaleni explained the frustration from the dog owners' perspective:

Currently, I am unemployed. I have my dogs that are trained for hunting. When I walk in the mountains and I come across any of the farmers, they shoot and kill my dogs. We make a living from hunting. Plus, we don't have guns, so this is the only way we can catch the animals. They say the wild animals die a brutal death and that's why they get rid of our dogs.... Even if you go and report at the police station... and explain that you had the dogs tied and were walking them, it becomes a white man's word over a black man's, and we never win.⁸⁶³

Other neighbours complained that white farmers impounded their livestock: "If it happens that maybe your goats break into the fields, the farmer then takes them and sells them as compensation for the damaged crop. People get frustrated under such circumstances."⁸⁶⁴ Others complained that white farmers refused to allow people to use foot paths that cut across their land even though it adds a great distance to a person's journey to walk around the perimeter of the farm. Furthermore, neighbours who approached a farm owner for work have often left feeling insulted and rejected: "It would be better if they put a sign saying there are no jobs available so people don't have to bother them and have them verbally assault innocent people."⁸⁶⁵ Interviews with farmworkers, dwellers and neighbours revealed that many rural black people have grievances with white farm owners.

⁸⁶³ Interview with Ndaleni Resident 3, September 2013.

⁸⁶⁴ Interview with Impendle Resident 6, November 2013.

⁸⁶⁵ Interview with Ndaleni Resident 3, September 2013.

Assessing the Potential of Personal Grievance as Motive in Farm Attacks

Many rural black respondents described various forms of retribution that some people employed when they felt a white farmer had ill-treated them. Theft is sometimes used as a form of retribution: “There is no way of expressing your displeasures. Then farmers find that they wake up and their livestock is missing. It’s not like it was an outside job; it’s the people who are unhappy and have no means of expressing themselves verbally.”⁸⁶⁶ Arson is another common form of retribution. A respondent reported that his hunting dogs were shot by a white farmer and explained how easy it would be for him to exact revenge:

We do not work, and we are very spontaneous with the ideas we get. We can even sleep during the day because we know he sleeps at night.... I saw that he is growing sugarcane. I could wait until just close to harvest and plant candles at the edges of the cane plantation to make sure it burns down. I can walk from there to my place without him noticing, and he would wake up to sugar-filled air. He knows us by now; he knows he always shoots our dogs.... All we ask is for farmers to work together with us. If they can do that, then we are happy.⁸⁶⁷

Many respondents reported that attacking a farmer, either with the intent to inflict bodily harm or simply to rob him, could be another form of exacting revenge and expressing displeasure with what they felt was unfair treatment. When rural black respondents were first asked why they felt white farmers were attacked, forty-five percent of the responses pointed to ill-treatment at the hands of the farmer as the primary explanation, which is a drastic discrepancy from the conclusion drawn by the Committee of Inquiry which attributes less than two percent of farm attacks to labour grievances and another seven percent to a form of intimidation. A farmworker in Wartburg explained: “It happens that employees work and get oppressed and find themselves thinking of assaulting the farmer. We are verbally abused and not given the opportunity to express ourselves,

⁸⁶⁶ Interview with Ndaleni Resident 3, September 2013.

⁸⁶⁷ Ibid.

and we are falsely accused of some things.... The way farmers handle issues is not good, and they are not kind to us.”⁸⁶⁸ Similarly, an informant in Trustfeed noted:

At times, people who worked on the farm got unfairly dismissed and didn’t receive their wages. They are the ones who know the security and the workings of the farm in and out. They then come and take revenge by killing the farmer. In other cases, the former employee will lead a gang of thieves, showing them where the firearms, tools and money are kept.⁸⁶⁹

A common response was simply: “It is the farmers who cause this because of how they treat the employees.”⁸⁷⁰ An employee near Warburg commented: “Yes, ill-treatment motivates some attacks. People hold grudges and want to get revenge for the bad treatment they receive. These white people treat us like dogs. Even a pet owner knows how to treat its pet and take good care of it. But I feel that we are treated worse than pets!”⁸⁷¹

Responses concerning relations with white farmers in the democratic era varied distinctly from the ways in which informants described their relationships with farmers under apartheid. Farmworkers, dwellers and neighbours reported being too fearful to challenge the authority of farm owners during the apartheid years, as doing so risked losing one’s job or other forms of reprisal. Likewise, many farmworkers claimed that even in 2013 they remained too fearful of losing their jobs to approach their employers with a complaint. Nevertheless, a number of participants’ responses reveal that some rural black people have a newfound sense of power and the ability to affect change if a farm owner pushes the boundary of accepted behaviour. For example, describing a farmer who “has only been around for two months but has already caused so much havoc and displeasure,” an Ndaleni resident commented: “I don’t think he will be around for too long with the way he treats people around here.”⁸⁷² Responses such as this suggest that forms of retribution – the most extreme

⁸⁶⁸ Interview with Farmworker 1 at Wartburg Farm 6, July 2013.

⁸⁶⁹ Interview with Trustfeed Resident 5, November 2013.

⁸⁷⁰ Interview with Farmworker 4 at Wartburg Farm 12, August 2013.

⁸⁷¹ Interview with Farmworker 4 at Wartburg Farm 8, July 2013.

⁸⁷² Interview with Ndaleni Resident 3, September 2013.

possibility being a farm attack – could be a way to relay a message to white farmers for those people who fear the risks of openly communicating with a white landowner. This is a possibility farmers themselves often identified when they stressed that they now consider the potential repercussions to themselves or their families when deciding on how to best engage black employees and neighbours on contentious issues. Taking action against a farmer, then, could be a means by which at least some rural black residents who feel they have been wronged can protest their continued voicelessness in the democratic era and either demand a farmer’s attention or exact punishment for perceived wrongdoing.

One farmworker admitted that he considered murdering a farm owner. His family was evicted from a farm when he was young, and his father was struck by a car and died as he walked from farm to farm in search of employment and a new home for his family. The man explained:

I still feel the pain that my father died a miserable death.... The farmer who evicted him no longer lives on that farm, and I have no idea if he is alive or not. If he still lived on that farm, or if I knew where to find him, we wouldn’t both be alive. He hurt us. My family is scattered now because we lost our home. I thought of killing him to pay revenge for the sorrow he caused my family. He is the reason for all the suffering we are faced with today.⁸⁷³

Numerous respondents pointed out that farm attacks often involve a current or former employee, which police reports verify. This, informants argued, could suggest labour-related motives: “There is almost always a connection with someone from inside the farm. In some cases, maybe it is because their bosses mistreat them to the point workers want to see them suffer and even die.”⁸⁷⁴ A farmworker near Wartburg commented: “Yes, it is the treatment. Farmers instil hatred and evil thoughts in our hearts. After some time, you don’t have good thoughts towards them but have this violence building up inside.”⁸⁷⁵ A farmworker in Richmond explained it this way: “It is possible that

⁸⁷³ Interview with Farmworker 2 at Richmond Farm 5, September 2013.

⁸⁷⁴ Interview with Farmworker 3 at Richmond Farm 11, September 2013.

⁸⁷⁵ Interview with Farmworker 2 at Wartburg Farm 4, July 2013.

mistreatment of workers might lead to attacks on farmers. Some of us, when we go home, we tell our friends and relatives that our boss is bad and mistreats us. People – even some who are not farmworkers – can get together and decide to go attack the white boss.” He added, however: “If I were mistreated, I would rather just leave the farm and go work somewhere else.”⁸⁷⁶

Respondents identified unfair dismissal, eviction and not receiving their proper compensation as common grievances that could motivate attacks. An Ndaleni resident commented: “Farmers are unfair with us. Then people act out of hurt and harm the farmer. It’s painful when you work hard, get underpaid and then get fired on top of that. I agree there is crime, but these attacks can be linked to treatment as well.”⁸⁷⁷ A farmworker in Underberg noted: “Some white people still cannot live in harmony with black people. Some fire their workers for minor mistakes that could have been talked through. So when the worker comes back, he does not come in peace but comes to fight.”⁸⁷⁸ In some cases “the victim could hire people to attack the farmer and steal from him.”⁸⁷⁹ Another Ndaleni resident noted the pain associated with being evicted “from the farm that you love and enjoy. Then people are forced to leave and go to some other place, where, at times, you find life is very different from where you came from... so they decide to be violent towards the farmer like he was when he was evicting them.”⁸⁸⁰

A central theme that emerged from these interviews is the importance of communication. Many respondents reported that when employees feel they have no other means to express their concerns or displeasures with farm owners, they could turn to violence: “I think bad treatment might lead to farm attacks. When there is no communication and the boss is disrespectful, people get annoyed and want to get back at the owner.”⁸⁸¹ Another respondent replied: “The way farmers

⁸⁷⁶ Interview with Farmworker 1 at Richmond Farm 1, October 2013.

⁸⁷⁷ Interview with Ndaleni Resident 22, November 2013.

⁸⁷⁸ Interview with Farmworker 5 at Underberg Farm 2, November 2013.

⁸⁷⁹ Interview with Farmworker 2 at Underberg Farm 8, November 2013.

⁸⁸⁰ Interview with Ndaleni Resident 14, November 2013.

⁸⁸¹ Interview with Ndaleni Resident 1, September 2013.

treat their staff can motivate attacks because some people have to fight for their freedom of expression. They want to be heard and express their displeasure.”⁸⁸² In the same manner, respondents who felt their employers listened to their concerns reported they would have no need to turn to violence or other forms of retribution to express any displeasure: “Our farmer is approachable, so we talk. We never kill his horses or break equipment.”⁸⁸³ In several cases, farmworkers expressed their admiration for farmers who can converse in Zulu: “Our bosses do not insult us. They speak Zulu, and even their children speak Zulu. They are all very good to us and respectful of us.”⁸⁸⁴ In this sense, some farm attacks could be viewed as an expression of extreme exasperation when all others modes of communicating have broken down.

Nevertheless, even some respondents who felt ill-treatment by farmers can be a primary motive also noted that it does not explain all – or even most – attacks. A Trustfeed resident who felt that labour-related grievances can motivate attacks explained: “Some farmers are good, and they treat their workers with respect, yet they are attacked. Meanwhile, some abusive farmers are left alone. Much of the violence is mere crime, not revenge per se.”⁸⁸⁵ Similarly, a farmworker in Richmond argued that “in areas where white farmers still mistreat people, that poor treatment might be the reason for attacks.” He stressed, however, that the attack on his employers was simply a robbery with no revenge motive: “Long ago, people once came to this farm looking to rob, but they did not want to kill anyone. They only shot the dog, but they left without physically harming anyone.”⁸⁸⁶

Even some white farmers felt that a farm owner’s attitude and approach when interacting with staff and black neighbours plays an important role and some farm attacks could be motivated

⁸⁸² Interview with Farmworker 6 at Wartburg Farm 6, July 2013.

⁸⁸³ Interview with Farmworker 1 at Nottingham Road Farm 2, August 2013.

⁸⁸⁴ Interview with Farmworker 1 at Richmond Farm 4, September 2013.

⁸⁸⁵ Interview with Trustfeed Resident 5, November 2013.

⁸⁸⁶ Interview with Farmworker 1 at Richmond Farm 4, September 2013. This story matched the description the farm owner gave of the same attack.

by a desire for revenge: “A whole lot of trouble you create for yourself.”⁸⁸⁷ A farmer in northern KZN exclaimed: “The way some guys treat their workers – it’s amazing they’re still alive.”⁸⁸⁸ Pointing out that some farmers continued to treat their staff unfairly, an Underberg farmer said: “There are some that I wouldn’t be surprised if they were attacked. They would get what’s coming to them.”⁸⁸⁹ “They could even hire a hit man,” noted one farmer. “You can get a hit man for R500.”⁸⁹⁰ A farmer near Greytown similarly claimed that “anyone who lifts his hand to a farmworker is a fool. He’s not going to be farming for long.”⁸⁹¹ This marks a distinct change in the outlook of many farmers who no longer see themselves as immune to the potentially violent repercussions of their actions. This is largely a function of the changed security environment in the aftermath of white rule. As farmers no longer enjoy privileged state protection, they view themselves as much more vulnerable to retribution, which seems to have affected the ways in which they interact with black labourers, farm dwellers and neighbours. Many black and white informants thus agreed that revenge for perceived mistreatment by white farmers could be the primary motive in more attacks on white farmers than the Committee of Inquiry concluded.

Most of the farmers who participated in this study who had been – or had close relatives who had been – victims of a farm attack, felt the primary motive was robbery. This opinion is perhaps unsurprising given that admitting the potential for retaliation as the motive would be tantamount to admitting ill-treatment of staff. Nevertheless, interviews with farmworkers and investigating officers involved with these cases, for the most part, support this theory, although it must be noted that several cases in which I interviewed the farm owner, access to interview farmworkers was refused and I was unable to gain an alternate point of view. In several of these

⁸⁸⁷ Interview with Underberg Farmer 3, June 2013.

⁸⁸⁸ Interview with Dundee Farmer 1, April 2013.

⁸⁸⁹ Interview with Underberg Farmer 8, November 2013.

⁸⁹⁰ Interview with Underberg Farmer 9, November 2013.

⁸⁹¹ Interview with Greytown Farmer 2, July 2013.

cases, however, interviews with farmworkers, neighbouring white farmers, and security company personnel hinted at the possibility that the robbery was motivated by a desire to exact revenge. In a high profile case near Nottingham Road that resulted in the murder of the farmer's wife and two employees, a disgruntled employee led a small group of young men in carrying out the attack. The employee had recently been demoted, and he subsequently deserted the farm in anger. All the criminals were arrested, and although the investigating officer believed the group did not intend to commit murder but planned merely to rob the home, he did note that the robbery was motivated by a desire for revenge.

In another case, a farmer and his wife were attacked and badly injured near Richmond. Both the farm owner and the investigating officer believed the motive was robbery; young men who had once worked on the farm and knew the security features took advantage of that knowledge to rob the home. Interviews with employees on the farm, however, suggest there may have also been a labour-related motive. One employee confided: "Things are slowly improving on some farms, but on some – like this one – things are still the same. It once happened that this farmer was attacked, but the main reason was that some people were hired and were underpaid for the job and decided to come back and attack the farmer."⁸⁹² According to this farmworker, the two men came back to the farm several times asking for the money they said they were owed, and the farmer sent them away empty-handed each time. Even this farmworker, however, felt that in the majority of cases, farm attacks "have nothing to do with treatment; it's just crime."⁸⁹³

In another case near Wartburg, a farmer and his wife were murdered in their home. The perpetrator stole very little, but the investigating officer in this case also reported that the motive

⁸⁹² Interview with Farmworker 1 at Richmond Farm 2, September 2013. I could not ask the farmer or the investigating officer – who introduced me to the farmer – about the possibility that the criminals in this case were not fully paid for the work they performed, as it could have made the farmworkers who participated in this study vulnerable to questioning and possibly punishment.

⁸⁹³ Interview with Farmworker 1 at Richmond Farm 2, September 2013.

was robbery. Several farmers in the area, however, noted that this farm owner was particularly violent and hard on his staff, and a security company employee explained a theory circulating among some members of the local community that the farm owner punished the domestic worker for some minor infraction by setting his dogs on her. Following the incident, she fled to her home in Msinga, where she described the event to a family member who had recently been released from prison, and this family member attacked the farmer in retribution.⁸⁹⁴ A close family member of the murdered couple explained in an interview that the family later found *muti* (traditional medicine) on the farm, which was intended to bring misfortune to the family. When I asked if anyone could have reason to harbour malice towards the family, he replied: “Plenty. Plenty!”⁸⁹⁵

Although it seems unlikely that most farm attacks are primarily motivated by revenge, interviews with black rural participants suggest that labour relations play a much larger role in violence directed against white farmers than most previous research has indicated. Farmworkers, dwellers and neighbours explained that, in some cases, robbery could be a secondary motive for someone wishing to exact revenge for ill-treatment (or perceived ill-treatment) by a white farmer. Even white farmers noted the changed security environment in the post-apartheid period that made them much more vulnerable to retaliatory actions by those who have been aggrieved by their actions. Although many farmers have altered their relations with their staff and black neighbours, interviews with black respondents clearly demonstrate that many continue to feel they are not treated by their employers in accordance with the dictates of democracy.

Like the discussion on land reform in Chapter Four, there is evidence to support the idea that local histories of relations between white farmers and black workers, tenants and neighbours in other parts of South Africa vary from those found in the Midlands and could play a larger motivating factor in farm attacks in other regions of the country. In 1991, Lauren Segal noted that

⁸⁹⁴ Interview with Wartburg Farmer 13, November 2013.

⁸⁹⁵ Interview with Wartburg Farmer 6, June 2013.

in regions where agriculture is more capitalized and workers are strictly wage labourers, working conditions seemed to be better than elsewhere in the country and there was less evidence of violence directed towards employees. Segal explicitly mentioned the Natal Midlands, along with the Western Cape and the Western Transvaal, as such regions where violence and poor working conditions were less evident. This could be explained, in part, by the presence of larger corporations in these regions for whom “poor conditions and brutal violence on their farming operations could be a grave source of embarrassment.”⁸⁹⁶ However, in the less capitalized areas of “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.”⁸⁹⁷

The South African Human Rights Commission reported similar findings. Although it found evidence of violence against farmworkers in KwaZulu-Natal, it noted that, “in some provinces, such as North West, Limpopo and Mpumalanga, the incidences are of such a nature and frequency as to indicate a culture of violence in which acts are perpetrated in an environment of impunity.”⁸⁹⁸ Likewise, retired farmer Eugene Roelofse, often referred to as “the white *kaffir*” by other white farmers due to his liberal tendencies, noted the violence present on some white-owned farms and the propensity for other farm owners – particularly among the Afrikaner community – to turn a blind eye to these acts of violence:

The damage [farmers who resort to violence] do is great. But far greater is the damage done by ordinary, decent farmers who never lift a hand to help but side with fellow farmers whatever their misdeeds. This gives the totally false impression that all farmers are oppressive. This attitude particularly applies to Afrikaner farmers who have the additional bonds of culture and the Calvinistic theology to emphasise the need for an *omerta* (code of silence).⁸⁹⁹

⁸⁹⁶ Segal, *A Brutal Harvest*.

⁸⁹⁷ *Ibid.*

⁸⁹⁸ South African Human Rights Commission, *Final Report*, 187.

⁸⁹⁹ Mariechan Waldner, “Farm Security Must be Grown at Grassroots Level,” *City Press*, April 13, 2003.

Some interviewees in the Midlands also believed that relations between farmers and workers, dwellers and neighbours have historically been, and continue to be, much more antagonistic in other parts of the country than in the Midlands and suggested that farm attacks in those areas were more likely to be motivated by personal grievances. Several Midlands farmers expressed their belief that some farmers in other parts of the country “treated their staff very badly,” and, although robbery is the motive in most attacks in the Midlands, the motives could be quite different elsewhere.⁹⁰⁰ A security company owner who worked in the Midlands explained that he spent some time working in Northwest Province, where he claimed farm attacks tended to be of a more violent nature and labour relations were typically more strained than in the Midlands, leading him to conclude that labour-related grievances could play a larger motivating role in other parts of the country than they do in the Midlands.⁹⁰¹

Conclusion

Following the election of the ANC in 1994, the government aimed to increase tenure security for farm dwellers and improve working conditions for farm labourers. Despite the passage of new legislation, however, “black people living on farms in South Africa remain amongst the most vulnerable people in society.”⁹⁰² The unintended results of government intervention into agriculture have included a drop in agricultural employment, increased use of seasonal, casual and even illegal migrant labour, eviction, the reduction in the provision of on-farm housing, rations and other perquisites, and reduced working hours. Legislation regulating tenure security and labour standards have largely been unable to improve the livelihoods of most farmworkers and dwellers, and in many

⁹⁰⁰ Interview with Richmond Farmer 3, May 2013.

⁹⁰¹ Interview with Security Company Owner, April 2013.

⁹⁰² Wegerif, Russell and Grundling, Still Searching for Security, 35.

cases, this legislation has actually worsened relations between farm owners and their staff and have made the plight of some farmworkers even more desperate.

Making generalizations about the nature of relationships between farm owners and their staff in the post-apartheid era is difficult. Atkinson argues that “it is almost impossible to overemphasize the enormous differences between individual farms and between areas of the country, in a multitude of aspects of farm life.... General claims about farm labour trends should therefore be used cautiously, as the exception is sometimes as important as the rule.”⁹⁰³ This research suggests that many farmers and their staff, farm dwellers and neighbours in the KwaZulu-Natal Midlands felt that aspects of labour relationships in the post-apartheid era have improved. Others, however, felt “farmworkers have yet to receive freedom,” and their frustrations could boil over into acts of retribution: “It cannot be that after being abused during apartheid and in democracy that you keep quiet. You want to fight back! Your parents were ill-treated and now it’s passing down. The wounds all come back.”⁹⁰⁴ Many farmers expressed their belief that “blacks hold a grudge... A farmer can be murdered today for something that happened decades ago.”⁹⁰⁵ Interviews with farmworkers, dwellers and neighbours, however, reveal that their grievances with white farmers are much more immediate. Disputes over wages, verbal and physical abuse, unfair dismissal, eviction and other ill-treatment by white farmers sometimes frustrates people to the point of wanting to commit some form of retribution, but historical grievances passed down over generations alone do not seem to be enough to motivate an attack on a white farmer.

Black respondents expressed their frustration with the farmers who continue to subscribe to the colonial settler worldview and fail to meet their expectations for improved relations in the democratic era. Although the grievances with white farmers have not changed drastically since

⁹⁰³ Atkinson, *Going for Broke*, 11.

⁹⁰⁴ Interview with Farmworker 2 at Richmond Farm 5, September 2013.

⁹⁰⁵ Interview with Greytown Farmer 2, July 2013.

apartheid, what has changed is the political and policing climate that privileged the protection of white farmers. As the following chapter will discuss in more detail, the government no longer prioritizes the security of white farm owners over that of their black neighbours, and in the context of unmet expectations, there is certainly a strong possibility that labour-related grievances play a much larger role in farm attacks than has previously been acknowledged.

Chapter Six

“They’ll Kill You for Five Rand:”⁹⁰⁶ Fear, Crime and Policing Since 1990

Introduction

In 2002, a twelve year old boy was awakened in the night by a commotion; an intruder had broken into his home on a farm near Wartburg. The boy saw both his mother and his father shot dead in front of him, and he was forced at gun point to help load some of the family’s possessions into their *bakkie* and act as the get-away driver for the man who had just murdered his parents. As they approached Trustfeed, the nearby rural township, the man forced the boy to hide in the sugarcane and warned him not to come out until morning. The boy spent the next ten years living with various family members until he finished school and took over the farm he had left a decade before – bullets holes still marking the place where his parents were murdered. After this young man had very calmly described that fateful night and the years of hardship that followed, I asked if he were not incensed about farm attacks and the plight of the white farming community. He replied: “No. It’s just part of living in South Africa.”⁹⁰⁷

This young man’s perception of farm attacks as a facet of the broader problem of violent crime in South Africa is in stark contrast to that of some observers who argue that farm attacks are motivated by something other than acquisitive criminality. Concerns with violent crime are not new in South Africa. As Steinberg notes: “For as long as we’ve kept written records, South Africans have expressed panic about the current crime wave.”⁹⁰⁸ Historical documents support his assertion, but the increase in violent crime that accompanied the transition to democracy, particularly the violent crime that, for the first time, affected white South Africans in large numbers, was something

⁹⁰⁶ Interview with Richmond Farmer 6, August 2013.

⁹⁰⁷ Interview with Wartburg Farmer 7, June 2013.

⁹⁰⁸ Jonny Steinberg, “Introduction: Behind the Crime Wave,” in Crime Wave: The South African Underworld and its Foes, ed. Jonny Steinberg (Johannesburg: Witwatersrand University Press, 2001), 43.

remarkable. Antony Albeker argued that “it is hard to overstate how important the post-liberation crime wave has been in shaping attitudes to the new South Africa among the (predominantly white) middle classes.”⁹⁰⁹ What many white interviewees in the Midlands seem to have forgotten, however, is that the crime from which all South Africans now suffer is largely a product of the racist policing, dispossession, forced removals, lack of education and other discrimination to which black people were subjected throughout the colonial, segregation and apartheid periods as described in Chapters Two and Three.

This chapter outlines the rise in violent crime in the 1990s, and argues that most farm attacks are a function of this criminality rather than a unique phenomenon aimed specifically at white farmers for political or land-related motives. When discussing crime in South Africa, “the race and class of the victim play a crucial role in the interest factor.”⁹¹⁰ Consequently, farm attacks have occupied a position of great national concern. However, farm attacks are primarily motivated by the same factors that make victims of other South Africans, especially the poor. “Although they are less audible in the national conversation on crime, working-class and poor households – without access to private security or alarm systems – actually experience crime more frequently and more severely.”⁹¹¹ Interviews with farmworkers, dwellers and neighbours also reflect the assertion that “the problem of farm crime is more complicated than is commonly reported, and the focus on farmers as victims reflects once again the disproportionate attention paid to crimes against whites. Farm owners and managers are themselves sources of violence, sometimes very extreme.”⁹¹²

The first half of this chapter provides an overview of the rise in violent crime in the 1990s, the restructuring of the police force from an apartheid institution aimed primarily at the suppression

⁹⁰⁹ Antony Albeker, *A Country at War with Itself: South Africa's Crisis of Crime* (Jeppestown: Jonathan Ball Publishers, 2007), 67.

⁹¹⁰ Gail Super, “The Spectacle of Crime in the ‘New’ South Africa: A Historical Perspective (1976-2004),” *Brit. J. Criminal* 50 (2010): 165.

⁹¹¹ Colin Bundy, *Short Changed?: South Africa since Apartheid* (Athens: Ohio University Press, 2014), 123.

⁹¹² Diana Gordon, *Transformation and Trouble: Crime, Justice and Participation in Democratic South Africa* (Ann Arbor: University of Michigan Press, 2006), 100.

of black dissent to an organization that protects all South Africans, and the challenges associated with post-apartheid crime prevention and detection in isolated rural areas. It then examines the rise of farm attacks in this context and the government's response, including its decision in 2003 to close the commandos, followed by an examination of the ways in which these processes have affected those who live and work on white-owned farms in the Midlands. The history of dispossession and oppression is an important factor in post-apartheid rural crime, and, as interviews with rural black informants indicate, an effective land reform program that improves the livelihoods of beneficiaries could go a long way in providing opportunities for rural dwellers and reducing rural crime levels.

The Rise in Violent Crime Since 1990

Although fear of violent crime often dominates discussions on post-apartheid challenges in South Africa, and many – primarily white – South Africans believe post-apartheid crime is a direct function of the loosening of control over non-whites, levels of crime were deceptively high under the apartheid regime. These crimes, however, were largely unseen by white observers, as they were generally restricted to poor black communities. Rather than work to prevent crime and protect black community members from criminality, the apartheid government, like the segregationist governments that preceded it, acted instead to restrict the movement of black people and contain violent crime to non-white communities. The process of legally separating the races created new genres of crime that only non-whites could commit, and created criminals out of otherwise law-abiding individuals. It has been estimated that only one out of every ten apartheid-era police officers was tasked with crime detection and investigation; the rest were devoted to maintaining apartheid's strict racial boundaries.⁹¹³ Enforcing pass laws and other racially specific regulations took

⁹¹³ Mark Shaw, Crime and Policing in Post-Apartheid South Africa: Transforming under Fire (London: Hurst and Company, 2002), 1.

precedence over crime prevention and detection and, in so doing, incubated the growth of violent crime in poor communities.⁹¹⁴

As crime in black communities was largely unpoliced, it is difficult to determine with any accuracy the extent to which these communities were victimized by criminals. There is evidence to suggest, however, that forced removals, relocations and the rapid construction of poor neighbourhoods in which residents were unknown to one another, community ties were weak, and children were often left alone while both parents worked in the nearby towns and cities, encouraged the growth of criminal activity. By the late 1950s, “an unparalleled upsurge of lawlessness in African townships, particularly those of Johannesburg” was reported.⁹¹⁵ “Just as coloured and black men were disproportionately criminalized under apartheid, so, too, were coloured and black crime victims largely ignored by white South Africans.”⁹¹⁶ Based on the little data available, officials estimated that crime in black townships escalated from the late 1950s until the early 1970s when crime levels appeared to plateau.⁹¹⁷

Crime levels began to climb again in the early 1980s. “The decade from 1980 to 1990, when the apartheid state was most strongly challenged, showed significant increases in all forms of crime despite the common perception that crime only began to (slowly) increase from 1990 with the political transition.”⁹¹⁸ During this period, police resources were often siphoned from white districts and tasked with suppressing political dissent; as a result, crime began to seep into the towns and cities that had previously been largely immune from the criminals who preyed upon poor black

⁹¹⁴ Antoinette Louw, “Surviving the Transition: Trends and Perceptions of Crime in South Africa,” Social Indicators Research 41 (1997): 141.

⁹¹⁵ Shaw, Crime and Policing, 5.

⁹¹⁶ Gail Super, “The Spectacle of Crime in the ‘New’ South Africa: A Historical Perspective (1976-2004),” Brit. J. Criminal 50 (2010): 166.

⁹¹⁷ Shaw, Crime and Policing, 2.

⁹¹⁸ Antoinette Louw and Mark Shaw, Stolen Opportunities: The Impact of Crime on South Africa’s Poor (Pretoria: Institute for Security Studies, 1997), 7.

communities.⁹¹⁹ The elimination of pass laws and other regulations restricting the movement of non-whites into the urban areas in the 1980s resulted in a significant increase in recorded levels of most categories of crime, and political liberalization from 1990 to 1994 opened new prospects for the expansion of criminal activity into urban areas.⁹²⁰ To make matters worse, as South Africa's borders became more porous with the dismantling of apartheid, firearms were smuggled into the country in ever greater numbers during the 1990s, which had an enormous effect on the violence associated with crime.⁹²¹ Increased access to firearms augmented the lethality associated with burglaries. "Indeed, firearms have increased the violence and reduced the skills required to carry out many crimes of property."⁹²² Shaw highlighted the drastic uptick in the number of guns lost or stolen, from 15,309 in 1994 to double that in 1998, which correlates almost precisely with the increase in armed robbery in that period.⁹²³

It is difficult to determine the extent to which crime escalated with the fall of apartheid. Apartheid-era statistics do not reflect the lived experiences of the vast majority of the population; black people were unlikely to report illegal activity to the apartheid police, and crimes committed in the former homelands were excluded from national police records.⁹²⁴ To its credit, with the advent of democracy in 1994, the police service made crime statistics publicly available for the first time. "These are remarkable achievements, considering the history of policing in this country," lauded Antoinette Louw and Martin Schönteich.⁹²⁵ This is certainly a commendable development; nevertheless, South African crime statistics have been fraught with inconsistencies and omissions. Compiling crime statistics from nearly 1,200 police stations, many of which continue to suffer from

⁹¹⁹ Shaw, *Crime and Policing*, 2.

⁹²⁰ Louw and Shaw, *Stolen Opportunities*, 9.

⁹²¹ Segal, Pelo and Rampa, "Into the Heart of Darkness," 110.

⁹²² Shaw, *Crime and Policing*, 56.

⁹²³ *Ibid.*

⁹²⁴ Louw and Shaw, *Stolen Opportunities*, 7-8.

⁹²⁵ Antoinette Louw and Martin Schönteich, "Playing the Numbers Game: Promises, Policing and Crime Statistics," *Crime Wave: The South African Underworld and its Foes*, ed. Jonny Steinberg (Johannesburg: Witwatersrand University Press, 2001), 43.

a lack of necessary equipment and properly trained personnel, is a monumental task. Anecdotes abound of miscoded crimes such as pick-pocketing on taxis being classified as cash-in-transit heists.⁹²⁶ Police stations and their personnel also intentionally manipulated crime statistics to boost their image, especially once crime statistics began to be utilized as performance indicators. Altbeker described this trend:

This was something I saw myself in 2003 when a senior officer in Johannesburg told me she regretted the arrest her officers had made of a mugger because “robbery is a serious crime. Now we will have to open a docket and our crime stats are going to look bad.” Even before that experience, a senior officer responsible for compiling crime statistics for the Police Service told me of a station commissioner who’d been caught running two systems to record crime. One was run on a stand-alone PC which kicked out a case number the victim could use for insurance purposes, but whose data would never be entered on the national database.⁹²⁷

Although the extent to which crime increased with the loosening of racial control measures in the 1980s and 1990s remains unknown, the evidence does suggest that “whites, while undoubtedly suffering higher victimization rates than most communities around the world, do not constitute the majority of victims of South Africa’s staggeringly high level of crime. Those who continue to suffer the most from both violent and property crimes are poor and black.”⁹²⁸ Even carjacking, “widely assumed to be aimed at fancy cars belonging to whites, victimizes more blacks.”⁹²⁹ In 1998, the government conducted a nation-wide survey concerning the extent of crime in the country, which determined that black people faced greater risk of being victimized by violent crime than other South Africans.⁹³⁰ “Little acknowledged, then, is the impact of crime on millions

⁹²⁶ Louw and Schönsteich, “Playing the Numbers Game,” 43.

⁹²⁷ Antony Altbeker, A Country at War with Itself: South Africa’s Crisis of Crime (Jeppestown: Jonathan Ball Publishers, 2007), 60.

⁹²⁸ Shaw, Crime and Policing, 43.

⁹²⁹ Diana Gordon, “Crime in the New South Africa: One of Apartheid’s Legacies is a National Habit of Violence,” The Nation (1998): 18.

⁹³⁰ Shaw, Crime and Policing, 50.

of South Africans with scant access to the media or to pressure groups and government. It is these people – the country’s poor – who arguably bear the brunt of high crime levels.”⁹³¹

Post-Apartheid Police Reform

Transforming the apartheid-era South African Police (SAP) force was a monumental challenge that was central to dismantling apartheid. For decades, the SAP had “bullied and intimidated” South Africans to enforce segregation and stamp out protest, and hundreds of thousands of people were arrested in the process.⁹³² Even before the election of the National Party in 1948, the police and the courts were essential to enforcing white dominance for almost three centuries.⁹³³ “Together with the prison, the police was arguably the apartheid institution black South Africans reviled most. Changing the manner in which it engaged with civilians was among the most potent projects a democratically elected government might accomplish.”⁹³⁴ When the ANC assumed leadership of the country in 1994, it was acutely aware of the challenges it faced concerning the police. Eleven separate police forces, including those from the former homelands, had to be amalgamated into a single entity.⁹³⁵ More importantly, this entity had to be transformed “from an authoritarian past into a future in which its practices and operations marched in step with human rights and democracy,” and it had to do so in the context of rapidly rising crime rates.⁹³⁶ Making matters worse, reform initiatives were hampered by severe financial restraints.⁹³⁷

⁹³¹ Louw and Shaw, *Stolen Opportunities*, 5.

⁹³² In 1967 alone, 700,000 people were arrested for breaking pass laws. Colin Bundy, *Short Changed?: South Africa since Apartheid* (Athens: Ohio University Press, 2014), 110.

⁹³³ Diana Gordon, *Transformation and Trouble: Crime, Justice and Participation in Democratic South Africa* (Ann Arbor: University of Michigan Press, 2006), 50.

⁹³⁴ Jonny Steinberg, “Policing, State Power, and the Transition from Apartheid to Democracy: A New Perspective,” *African Affairs* 451 (2014): 173.

⁹³⁵ Shaw, *Crime and Policing*, 119.

⁹³⁶ Bundy, *Short Changed?*, 113.

⁹³⁷ Gordon, “Crime in the New South Africa,” 188.

Faced with these problems inherited from the apartheid state, the ANC government pursued a reform program that aimed to create a police service that benefited from community support. The police force was renamed the South African Police Service (SAPS), and the military ranks were replaced with civilian ranks in 1995, reflecting the new focus on preventing crime rather than enforcing unjust laws and minority rule.⁹³⁸ Although not all township residents immediately welcomed police into their communities, and police officers routinely patrolled townships in groups for their own protection, for the first time, black South Africans could call on the police in times of need – a development that “must surely take an important place in any examination of the phenomenology of citizenship in the early days of South African democracy.”⁹³⁹ These changes were embodied in the 1996 National Crime Prevention Strategy (NCPS), which attempted to identify the causes of crime and develop the means by which the state could intervene to address these root problems.⁹⁴⁰ It envisioned a competent police service engaged with an active citizenry to ensure the safety and security of all South Africans.⁹⁴¹

As the 1990s progressed, crime rates continued to climb, and with the election of Thabo Mbeki to the presidency in 1999, the government adopted a much tougher stance on crime. In 2000, the government took the surprising step of announcing a moratorium on the release of crime statistics that lasted for eighteen months, presumably to ward off public scrutiny over the escalating crime epidemic.⁹⁴² Reflecting the government’s determination to deal fiercely with criminals, the National Crime Prevention Strategy was replaced with the National Crime Combating Strategy (NCCS), which differed from its predecessor “by one word and an ocean of ideology.”⁹⁴³ The

⁹³⁸ Julia Hornberger, “From General to Commissioner to General – On the Popular State of Policing in South Africa,” Law and Social Inquiry 38 (2013): 598.

⁹³⁹ Steinberg, “Policing, State Power, and the Transition from Apartheid to Democracy,” 183.

⁹⁴⁰ Bundy, Short Changed?, 114.

⁹⁴¹ Elrena van der Spuy and Clifford Shearing, “Curbing the Killing Fields: Making South Africa Safer,” The ANALS of the American Academy of Political and Social Science (2014): 199.

⁹⁴² Louw and Schönsteich, “Playing the Numbers Game,” 42.

⁹⁴³ Bundy, Short Changed?, 115.

NCCS reflected a more aggressive approach to crime that portrayed criminals as legitimate targets of force and “advocated an approach that in its twenty-first century guise has come to be associated with a ‘shoot to kill’ policy.”⁹⁴⁴ In 2010, the civilian ranks adopted shortly after the ANC came to power were abandoned, and military ranks were reinstated.⁹⁴⁵

There have been various investigations surveying public perception of the SAPS in the democratic era, with mixed results. On the whole, these studies have indicated that, despite the many adaptations the police service has made over the past two decades in an attempt to combat crime while respecting and protecting citizens’ rights, public opinion concerning the SAPS remains dismal. Corruption is seen as a widespread problem within the SAPS, and many question the police service’s ability to prevent and detect crime in an effective and professional manner.⁹⁴⁶ The poor performance of the police service can, in part, be explained by budgetary cuts and a severe lack of resources at station level. In 2013, for example, only seventy-nine of 1,125 police stations had access to the electronic docket system that had been implemented over the course of a decade.⁹⁴⁷ Furthermore, a shortage of trained personnel has hampered the ability of the police to prevent, detect and investigate crimes.

In 1994, white police officers dominated the middle and senior ranks of the police force and represented a large portion of the institution’s skill and experience. Many of these officers accepted severance packages in the early years of democracy, and this experience and skill was lost to the police service.⁹⁴⁸ Despite a significant increase in the size of the SAPS since 1994, deficiencies in skills, training and experience remained a problem. By the end of the 1990s, the Minister of Safety

⁹⁴⁴ van der Spuy and Shearing, “Curbing the Killing Fields,” 199.

⁹⁴⁵ Hornberger, “From General to Commissioner to General,” 598.

⁹⁴⁶ van der Spuy and Shearing, “Curbing the Killing Fields,” 194.

⁹⁴⁷ *Ibid.*

⁹⁴⁸ Altbeker, *A Country at War with Itself*, 24.

and Security reported that thirty percent of the SAPS members were functionally illiterate.⁹⁴⁹ In 2002, a massive recruitment campaign was launched, and over the course of the next decade the police service swelled by sixty-five percent, but, as then Police Commissioner Bheki Cele announced in 2010, the new recruits were seldom skilled, experienced or properly trained: “we have not been big on quality, we have been big on quantity.”⁹⁵⁰ The decline in policing standards has led to a situation in which, “even among senior officials within the police, there is now open admission of a yawning deficit in command and control throughout the organization.”⁹⁵¹

Commentators often refer to a “national crisis of police (dis)organization” that has prevented the SAPS from effectively dealing with the country’s crime epidemic.⁹⁵² The challenges facing the police on a national level, however, are compounded in rural areas. In 1994, seventy-four percent of the country’s police stations were in white – primarily urban – districts.⁹⁵³ The resource and capacity constraints experienced in urban precincts, then, are all the more acute in geographically isolated rural regions. Making the police visible on the streets, as is common strategy in urban areas, is practically impossible in vast rural areas where personnel are scarce. “The limited police presence in the rural areas and infrastructural constraints mean that more interaction between the police and those whom they serve, occurs at the police station when police assistance is sought.”⁹⁵⁴ Crime prevention efforts are, in many rural districts, almost non-existent.

The police station at Tugela Ferry on the northern edge of the KwaZulu-Natal Midlands offers a prime example of the challenges of policing rural districts. Riddled with political violence in the 1980s and 1990s, the region surrounding Tugela Ferry, known as Msinga, continues to experience periodic violent clashes between various power holders, high rates of stock theft and

⁹⁴⁹ Eric Pelser, Antoinette Louw and Siphon Ntuli, Poor Safety: Crime and Policing in South Africa’s Rural Areas (Pretoria: Institute for Security Studies, 2000), 55.

⁹⁵⁰ van der Spuy and Shearing, “Curbing the Killing Fields,” 194.

⁹⁵¹ Ibid.

⁹⁵² van der Spuy and Shearing, “Curbing the Killing Fields,” 194.

⁹⁵³ Pelser, Louw and Ntuli, Poor Safety, 57.

⁹⁵⁴ Ibid., 53.

armed robbery. As of 2000, the Tugela Ferry police station contained a mere thirty staff – only half the recommended number according to the SAPS’s national standard. This amounts to only one police officer per 50,000 residents.⁹⁵⁵ Factoring in shift work, vacation and sick leave, and other forms of absenteeism, “in terms of actual operational policing, a more accurate ratio would probably be closer to one police officer per 75,000 residents, spread over 70 square kilometers of rough terrain.”⁹⁵⁶ As of 2000, the police station owned ten vehicles, but only four members of the staff had driver’s licences; it was estimated that approximately twenty-three percent of the police officers in KwaZulu-Natal were not licensed to drive.⁹⁵⁷ Interviews with police officers in the Midlands indicate that many criminals flee to Msinga after committing crimes elsewhere, including farm attacks, as it is less likely they will be detected given the lack of resources and trained personnel at the Tugela Ferry police station.

The Rise in Farm Attacks and the Government’s Response

The incidence of farm attacks followed a similar pattern as other forms of violent crime in the country: increasing significantly in the 1980s and skyrocketing in the early 1990s. By 1997, farm attacks were gaining national attention to the extent that the Crime Information Analysis Centre (CIAC) of the SAPS recognized attacks on farms and smallholdings as a distinct crime code. Organized agriculture petitioned the government to address these crimes committed against white farmers, and the government responded by implementing the Rural Protection Plan (RPP) at the behest of Nelson Mandela in October 1997. The RPP sought to engage and coordinate all relevant roleplayers to monitor and combat crime in the country’s rural areas. These roleplayers included the

⁹⁵⁵ Pelsler, Louw and Ntuli, Poor Safety, 55.

⁹⁵⁶ Ibid.

⁹⁵⁷ Ibid.

SAPS, the South African National Defence Force (SANDF), agricultural unions, provincial and local governments and any other groups or individuals who could work to promote rural safety.⁹⁵⁸

One key component of the RPP was the participation of the SANDF's Territorial Reserve, commonly known as the commandos. The commandos were "almost as old as European settlement in southern Africa," but their modern form emerged in the 1960s when they were tasked with rear area defense during wartime and mobilizing to aid state institutions in times of crisis.⁹⁵⁹ By the mid-1990s, the commandos had two sections. The area bound units were made up primarily of white farmers; they gathered information and intelligence, aided the SAPS with patrols and road blocks, and maintained a rapid response capacity, which was critical in sealing off escape routes and apprehending suspects following farm attacks and contributed to the high conviction rates of farm attackers. In many remote areas, commandos were the only rapid response body that could react in times of emergency. The non-area bound units, on the other hand, were staffed almost entirely by black members who, unlike the white members of the area bound units, were paid for their participation and did not function without the presence of the police. These black members were recruited in the 1990s, as the commandos worked to change their image from an almost-exclusively white apartheid-era force concerned with the protection of white farmers to a democratic-era institution serving all rural residents. The Group 9 Commando, headquartered in Pietermaritzburg, consisted of five units: Weenan/Klip River in Ladysmith, Midmar in Howick, Umkomaas in Pietermaritzburg, East Griqualand in Cedarville and Umvoti in Greytown.⁹⁶⁰ The work of the commandos in the Midlands has been described as "pockets of excellence surrounded by large

⁹⁵⁸ Jonny Steinberg and Martin Schönreich, Attacks on Farms and Smallholdings: An Evaluation of the Rural Protection Plan (Pretoria: Institute for Security Studies, 2000), 19.

⁹⁵⁹ Jonny Steinberg, After the Commandos: The Future of Rural Policing in South Africa (Pretoria: Institute for Security Studies, 2005), 3-4.

⁹⁶⁰ Niall Aitcheson, "Farmers on the front line," The Natal Witness, July 23, 1992.

stretches of poor and sporadic organisation.”⁹⁶¹ The effectiveness of commando units varied considerably, as it was highly dependent on the dedication and organization of individual members.

The Rural Protection Plan was effective in mobilizing civilian resources, and statistics indicated that the rate of increase in farm attacks lessened with the implementation of the strategy.⁹⁶² The RPP was criticized, however, on several fronts. The rural security forces worked “under severe resource constraints,” which detracted from their potential efficacy.⁹⁶³ The plan also failed to include farmworkers, dwellers and other rural black residents in its security mechanisms, and it prioritized the protection of white farmers over black rural dwellers. One community leader complained:

The farmers are under threat from criminals, but they don't organize to protect all who live on the farm, just themselves. If it were inclusive it would be OK, but it seems just to be for the white farmers. As a result the criminals have an easy time, because the workers say we don't care, and if someone is killed no one on the farm will come forward.⁹⁶⁴

Farmworkers and their advocates pointed out that the RPP overlooked the violence some farmworkers experienced at the hands of their white employers. Statistics were kept on attacks on white farmers, but no similar statistics were kept on violence perpetrated against black farmworkers and dwellers – by white farmers or outside criminals.⁹⁶⁵ In their evaluation of the RPP, Steinberg and Schönsteich note that the plan would be strengthened if the employees and residents of farms and smallholdings were included in the operation of rural security measures; furthermore, they highlight that the RPP “has failed to address, or even to acknowledge, a brewing crisis in labour

⁹⁶¹ Steinberg and Schönsteich, *Attacks on Farms and Smallholdings*, 55.

⁹⁶² *Ibid.*, 87.

⁹⁶³ *Ibid.*, 88.

⁹⁶⁴ Bronwen Manby, “Unequal Protection: The State Response to Violent Crime on South African Farms,” *Human Rights Watch*, August 2001, <http://www.hrw.org/reports/2001/safrica2/>, accessed October 15, 2012.

⁹⁶⁵ Bronwen Manby, “A Failure of Rural Protection,” *Transformation* 49 (2002): 94; Gordon, *Transformation and Trouble*, 100.

relations.... Why the plan has failed to address the relationship between black and white communities is not clear.”⁹⁶⁶

In 2003, then President Thabo Mbeki announced that the commandos were to be phased out over a six year period and replaced with the ill-defined concept of sector policing under the command of the SAPS. “The reasoning behind this was that crime prevention was not the mandate of the SANDF, but the responsibility of the SAPS.”⁹⁶⁷ This announcement elicited a mixed response. Many farmers who depended on the commando system as the backbone of the RPP interpreted this as an attack on their security, while others praised the government for putting an end to a system that protected whites at the expense of the rights of blacks. Some commando units, such as the Wakkerstroom Commando in Mpumalanga, were notorious for disregarding the rights of black residents. In October 1996, members of the commando assaulted thirty people in a single operation, and some of those assaulted suffered permanent injuries. Fourteen members of the commando were charged, but the case was eventually withdrawn due to insufficient evidence.⁹⁶⁸ Serious cases of abuse by commando members were also frequently reported in northern KZN.⁹⁶⁹

In his examination of the role of the commandos and the implications of their closure, Steinberg concludes that “Commandos can indeed be destructive of social harmony and wellbeing, but when deployed correctly they are both effective and benign.... the policing of agricultural crimes, and of the rural sectors of small town police stations more generally, is likely to deteriorate after the closure of the Commandos.”⁹⁷⁰ In areas where commandos functioned well, the SAPS was able to devote more of its attention and resources to combating urban crime and these commandos provided “a lifesaving resources for the police station;” furthermore, black members of the non-area

⁹⁶⁶ Manby, “A Failure of Rural Protection,” 83.

⁹⁶⁷ Mistry, “Ploughing in Resources,” 9.

⁹⁶⁸ Manby, “A Failure of Rural Protection,” 91.

⁹⁶⁹ Manby, “Unequal Protection.”

⁹⁷⁰ Steinberg, *After the Commandos*, v.

bound units were provided with valuable employment.⁹⁷¹ He concluded that, “the closing of the Commandos will see a transfer of policing resources from rural to urban sectors of police stations throughout the country. The result will be a deterioration in the policing of rural sectors, and in particular of agricultural crime.”⁹⁷²

With the closing of the commandos between 2003 and 2009, and the failure of the SAPS to implement an effective program in rural areas to compensate for this withdrawal, many farm owners who could afford it increasingly hired private security firms. In parts of the country “where rainfall is low, farms are very large, and profit margins small,” private security options were often prohibitively expensive, and farm owners tended to rely more heavily on the commando system until it was disbanded.⁹⁷³ In other regions, however, including the wealthier, smaller farms of the Midlands and the coastal sugarcane growing region of KZN, farmers began employing private security companies long before Mbeki’s announcement that the commandos were to be phased out. In 1998, for example, farmers near Greytown claimed they were already collectively spending more than R30 million on private security companies.⁹⁷⁴ Research conducted by the Association for Rural Advancement (AFRA) illustrated that more than forty companies operated out of the Midlands at one point, although many had since closed their doors and others had undergone name changes as the number of assault cases against these companies mounted and farmers grew anxious about being associated with the more notorious among them. An informant told AFRA that private security companies in the Midlands functioned “like the old police.”⁹⁷⁵ In some instances, private security firms have all but replaced the SAPS, “yet there is a lack of mechanisms to ensure their

⁹⁷¹ Steinberg, *After the Commandos*, 29.

⁹⁷² *Ibid.*, 58.

⁹⁷³ Manby, “A Failure of Rural Protection,” 93.

⁹⁷⁴ Bob Aldridge, “Security costing farmers R30 mln,” *The Natal Witness*, September 23, 1998.

⁹⁷⁵ AFRA, “The Investigation of the Effects of Conservation and Tourism on Land Tenure and Ownership Patterns in KwaZulu-Natal,” (Pietermaritzburg: AFRA, 2004), 50.

accountability to the constitution in the same manner as the State.”⁹⁷⁶ For farm owners, private security companies offer “an arm’s length relationship,” which allows farmers to distance themselves from any illegal actions – as well as any legal responsibility and culpability – that the security company personnel may take while protecting and defending the farmer’s interests.⁹⁷⁷

Security company employees have often been charged with assault and murder. In 2001, three members of the newly opened KZN branch of the notorious Mapogo a Mathamaga faced assault and attempted murder charges for their role in assaulting two men who were accused of stealing meat near Empangeni. “We took them to an open veld and worked them out,” one of the accused admitted.⁹⁷⁸ Mapogo founder, John Magolego, has stated that his group “will never hand criminals over to the police before beating them up. ‘It’s our way of treating crime. African’s don’t listen until they are beaten up, and that you can never change,’ he said.”⁹⁷⁹ Another Mapogo employee was charged with the murder of two farmworkers in the Midlands: one in Howick who was suspected of killing a farmer and one in Nottingham Road who was considered a troublesome tenant and refused to leave the farm. The accused claimed that in each case he was hired by the farm owner who paid him R5,000 for the murder.⁹⁸⁰ Members of Enviro Watch were likewise charged with murdering farmworkers in Howick and Mooi River.⁹⁸¹ A district surgeon near Greytown reported to Human Rights Watch that he treated approximately thirty people each year who were abused by members of private security companies.⁹⁸²

Despite the implementation of the Rural Protection Plan, there has been consistent criticism from some elements within the white farming community of the government’s failure to ensure the

⁹⁷⁶ South African Human Rights Commission, Final Report on the Inquiry into Human Rights Violations in Farming Communities (South African Human Rights Commission, August 2003), 190.

⁹⁷⁷ AFRA, “The Investigation of the Effects of Conservation,” 51.

⁹⁷⁸ Bongai Hans, “‘Africans don’t listen until they are beaten up,’” City Press, September 30, 2001.

⁹⁷⁹ Ibid.

⁹⁸⁰ Ingrid Oellermann, “Assassin fingers farmers,” The Natal Witness, November 5, 2008.

⁹⁸¹ “Enviro Watch guard arrested for murder of suspected thief,” The Natal Witness, October 1, 2001.

⁹⁸² Manby, “Unequal Protection.”

safety of its food producers. In 2013, AfriForum, an interest group that advocates the rights of minorities, particularly Afrikaners, slammed police minister Nathi Mthethwa, arguing that “the minister’s continued refusal to address farm murders was tantamount to collusion and ‘is bordering on complicity.’”⁹⁸³ KwaZulu-Natal’s agricultural union, Kwanalu, also repeatedly criticized the government for a “lack of political will and departmental inefficiencies in tackling rural crime.”⁹⁸⁴ Some members of government have been known to downplay the severity of crimes committed against white farmers and their families. In 1996, then safety and security spokesman Bheki Cele remarked that white farmers in the Midlands were “‘crying like babies’ about their security situation.”⁹⁸⁵

Despite accusations of government indifference, farm attacks have captured a significant proportion of government and media attention considering they make up a relatively small portion of the country’s violent crime. Shaw reported that farm murders comprised less than one percent of the murders committed nationwide in 1998.⁹⁸⁶ Conviction rates for farm attacks have also been consistently much higher than for similar crimes. Farm attacks were declared a priority crime in 1998; as such they were often investigated by seasoned police officers in the specialised Serious and Violent Crimes Units.⁹⁸⁷ The Committee of Inquiry put conviction rates for farm murders at ninety percent, and in other studies, investigators have estimated that conviction rates for farm attacks ranged between fifty and ninety percent – certainly well above the average conviction rate for other forms of violent crime.⁹⁸⁸ A police officer in the Midlands claimed a ninety-five percent conviction rate in the twenty farm murder cases that he investigated during his thirty year career.⁹⁸⁹ The Crime Information Analysis Centre (CIAC) in the Eastern Cape put these convictions rates into

⁹⁸³ “Mthethwa remains silent, despite continued farm killings,” *Farmer’s Weekly*, October 25, 2013.

⁹⁸⁴ “Union slams govt’s inefficiency in dealing with crime,” *Farmer’s Weekly*, October 13, 2013.

⁹⁸⁵ Nicola Jones, “The Relative Value of Lives,” *The Natal Witness*, November 30, 1996.

⁹⁸⁶ Shaw, *Crime and Policing*, 50.

⁹⁸⁷ Mistry, “Ploughing in Resources,” 9.

⁹⁸⁸ Duxita Mistry, “Ploughing in Resources: The Investigation of Farm Attacks,” *SA Crime Quarterly* 6 (2003): 7.

⁹⁸⁹ Interview with Police Officer 3, March 2013.

perspective: forty-three percent of home robberies on farms resulted in a conviction whereas only six percent of home robberies in urban areas saw convictions.⁹⁹⁰ It must be noted, however, that since “farm attacks” ceased being recorded as a distinct crime category, they have often been handed to local police stations for investigation rather than to the more experienced specialized units that previously dealt with priority crimes. A police officer in the Midlands suggested this could be because the government does not want to appear to favour white victims of violent crime.⁹⁹¹ It is thus possible that conviction rates for farm murders will decline.

Robbery as Primary Motive in Farm Attacks

The Committee of Inquiry into Farm Attacks identified robbery as the primary motive in most violent crime committed against white farmers, and numerous other reports compiled by personnel within the SAPS and SANDF have consistently come to the same conclusion.⁹⁹² In 1998, for example, after examining 305 farm attack cases and interviewing 191 suspects arrested in connections with these attacks, Assistant Commissioner Suiker Britz and Director Errol Seyisi, the head and deputy head of the SAPS’ Serious and Violent Crimes Unit, came to the following conclusion:

Irrefutable evidence exists that the motive for approximately 99% of the attacks on farms and smallholdings is common criminality, with robbery being the prime incentive.... At this stage no evidence is available to suggest that any sinister forces are responsible for the attacks. However, there have been a few incidents where

⁹⁹⁰ Mistry, “Ploughing in Resources,” 7.

⁹⁹¹ Interview with Police Officer 3, March 2013.

⁹⁹² In 1998, the Crime Information Analysis Centre (CIAC) of the South African Police Service (SAPS) found that financial gain motivated eighty-three percent of attacks, while another three percent were aimed at stealing firearms, and that the “vast majority of attacks are committed by strangers who are unknown to the victims, which means that farm attacks can be considered as mainly belonging to the category of stranger crimes.” Likewise in 1999, a SANDF Joint Operations Report concluded that the motive in eighty percent of farm attacks was theft of property, particularly firearms, vehicles and cash. See Steinberg and Schönsteich, Attacks on Farms and Smallholdings: An Evaluation of the Rural Protection Plan 34.

racial tension, dismissals and conflict between employer and employee played a contributing role in the attacks.⁹⁹³

In their assessment of the Rural Protection Plan, Steinberg and Schönsteich also conclude that “the motivation for the majority of the attacks researched was the theft of firearms, cash or vehicles.”⁹⁹⁴

Similarly, interviews conducted in 2013 with police officers (both active and retired), security company personnel, state advocates and magistrates as well as active and retired members of the SANDF who worked on rural security issues in the Midlands revealed a common conviction that farm attacks in the Midlands are primarily motivated by a desire to rob the farm owner. One expert on rural security stressed: “This farm attack thing is a huge problem, but our crime in general is a big problem. Crime has increased in almost every category. And the police are fighting just to survive.”⁹⁹⁵ Most farmers agreed with this assessment. An Underberg farmer noted: “They don’t attack to kill; they just want gain.”⁹⁹⁶ Similarly a farmer near Richmond commented: “It’s mostly opportunistic crime in this district. That’s how I perceive it.”⁹⁹⁷ Another farmer explained: “Unemployment is a huge problem.... And we mustn’t forget that black people are the victims of most crime. We have the money to afford a security company and security precautions.... Only two white farmers have been murdered here since 2000, but black on black crime is going through the roof.”⁹⁹⁸ Many farmers and police officers remarked on the role frequently played by current or former employees, but most felt that, although in a minority of cases revenge could play a role, the participation of farmworkers was a function of opportunism rather than revenge.

Many of the farmers who participated in this study had been victims of farm attacks or had close family members who had been victimized. Apart from the cases discussed in Chapter Five

⁹⁹³ K.J. Britz and M.E. Seyisi, Attacks on Farms and Smallholdings, August 1998, quoted in Steinberg and Schönsteich, Attacks on Farms and Smallholdings, 34.

⁹⁹⁴ Steinberg and Schönsteich, Attacks on Farms and Smallholdings, 85.

⁹⁹⁵ Interview with Researcher and Retired Police Officer, Pretoria, October 2013.

⁹⁹⁶ Interview with Underberg Farmer 7, November 2013.

⁹⁹⁷ Interview with Richmond Farmer 6, August 2013.

⁹⁹⁸ Interview with Greytown Farmer 1, July 2013.

that hinted at possible revenge motives, most of these attacks, as described by the farmers or their family members, appear to be robberies with no evidence to suggest ulterior motives, and many of the perpetrators of these attacks had pre-existing criminal records. In Richmond, for example, a farm owner described how she and her elderly husband had been attacked twice, and on both occasions the attackers did not seem interested in harming them; they simply demanded guns and money.⁹⁹⁹ In Wartburg, a family was attacked on their farm, and the farmer was badly beaten as the attackers dragged him through the house demanding to know where the valuables were kept. They left once they emptied the safe. Not far from the site of this attack, a farmer's wife returned home from her shop in town when she was robbed of her day's earnings and killed by a man who, it seems, had been awaiting her return.¹⁰⁰⁰ In Nottingham Road, a farmer and his wife were held at gun point for nearly two hours while the assailants, whom they did not recognize and suspected of being under the influence of drugs or alcohol, ransacked the house. They fled when neighbours arrived.¹⁰⁰¹ Similarly, an Underberg farmer recalled how his wife was attacked when she was home alone; she was tied up with bed sheets while the intruders robbed the house.¹⁰⁰²

Although Chapter Five illustrated that many farmworkers, farm dwellers and black neighbours believed farm attacks can be a product of the ill-treatment some employees receive at the hands of farm owners, the explanation most often cited by this group of respondents is that farm attacks are primarily intended as robberies. An Ndaleni resident explained: "Farmers are attacked because it is known that white people always have money. They are rich."¹⁰⁰³ A respondent near Richmond agreed: "I think robbery is the main motivating factor in farm attacks. Farmers have money, so that is why they are attacked more. We are very poor, so there are fewer chances of us

⁹⁹⁹ Interview with Richmond Farmer 4, August 2013. In this case, however, the intruders did return fire in the second attack after the couple shot at them. No one was injured in either attack.

¹⁰⁰⁰ Interview with Wartburg Farmer 8, June 2013.

¹⁰⁰¹ Interview with Nottingham Road Farmer 5, May 2013.

¹⁰⁰² Interview with Underberg Farmer 7, November 2013.

¹⁰⁰³ Interview with Ndaleni Resident 4, September 2013.

getting attacked. They also attack white farm owners in order to get guns to commit more crime.”¹⁰⁰⁴ It must be stressed, however, that this group of respondents identified labour-related motives as almost as influential in motivating farm attacks as robbery, and many interviewees noted the possibility of both motives. For example, when asked what motivates farm attacks, a worker in Wartburg answered: “There could be two reasons. It could be robbers, or it could be the way the farmer treats the workers.”¹⁰⁰⁵ An employee in Richmond responded: “I think attacks are mostly robberies – crime to get money. And, yes, they always have connections with people from inside the farm. In some cases, maybe their bosses mistreat them to the point the workers wish they would die.”¹⁰⁰⁶

The fact that the victims of farm attacks are primarily (although certainly not exclusively) white and the offenders are black, does not necessarily suggest an element of racial animus; rather this trend reflects patterns of wealth distribution within the country. Duxita Mistry, working with the Institute of Human Rights and Criminal Justice, interviewed sixty farm attack offenders serving jail sentences and used the data to compile an offender profile. Mistry concluded that the motive in more than ninety percent of the cases was robbery and that “farm attacks are not politically or racially motivated. Rather, for the criminally inclined in depressed rural areas, farms are local targets of relative wealth.”¹⁰⁰⁷ This trend is consistent with that identified by Antony Altbeker, among others, who noted that robbers in urban settings often actively seek out the targets where they are likely to acquire the most loot: “the result has been that the annual number of armed robberies – a category that includes hijacking – recorded at police stations in South Africa’s richest suburbs doubled, tripled and, in some cases, quadrupled between 1995 and 2003. There, it shook South

¹⁰⁰⁴ Interview with Ndaleni Resident 2, September 2013.

¹⁰⁰⁵ Interview with Employee 2 at Wartburg Farm 12, August 2013.

¹⁰⁰⁶ Interview with Employee 3 at Richmond Farm 11, September 2013.

¹⁰⁰⁷ “New insight into farm attacks,” The Natal Witness, March 14, 2001.

Africa's middle classes to their roots.”¹⁰⁰⁸ Police officers were also unanimous in their belief that farmers are not targeted because of their race, and many interviewees stressed the fact that black people are victimized by violent crime at much higher rates than whites. “Take murder for example,” said one retired police officer. “Eighty percent of our murders [in South Africa] happen in township areas where the victims are black.”¹⁰⁰⁹ Farm attacks also affect black farmers. Since 1990, according to the conservative figures compiled by the TAU, seventy-one black commercial farmers have been murdered – a high number given that there are comparatively few black commercial farmers in the country.¹⁰¹⁰

Not only is it likely that farm attack offenders and perpetrators of urban robberies have similar motives, it is likely that many criminals who attack farm owners also attack victims in their homes and businesses in towns and cities. Police officers in the Midlands suggested that, in some instances, criminals living and operating in urban vicinities returned to the rural area in which they grew up in order to acquire a firearm by attacking a farm owner, and many of those who have been arrested and convicted for farm attacks already had a criminal record and had spent time in prison.¹⁰¹¹ Steinberg and Schönteich also identify this trend: “This rural/urban interface mirrors the lives lived by many South Africans who participate in both urban and rural society.”¹⁰¹² The offender profile of farm attackers resembles the profile of other violent criminals. Mistry highlighted that farm attack offenders and urban criminals are both generally “young, single, unemployed black South African male[s] between the ages of 15 and 35 with an unstable family background.”¹⁰¹³ Only thirty-one percent of farm attackers had completed high school, and seventy-

¹⁰⁰⁸ Altbeker, *A Country at War with Itself*, 63.

¹⁰⁰⁹ Interview with Researcher and Retired Police Officer, Pretoria, October 2013.

¹⁰¹⁰ *Ibid.*

¹⁰¹¹ Interviews with Police Officer 2, Richmond, March 2013 and Police Officer 3, Pietermaritzburg, March 2013.

¹⁰¹² Steinberg and Schönteich, *Attacks on Farms and Smallholdings*, 85.

¹⁰¹³ “New insight into farm attacks,” *The Natal Witness*, March 14, 2001.

one percent were unemployed when they committed the crime;¹⁰¹⁴ “in other words a common criminal, not a political activist.”¹⁰¹⁵

For those farmworkers, dwellers and neighbours who felt most farm attacks are robberies, many pointed to the fact that they are also victimized by the same criminals: “It’s robbery, and it affects the surrounding communities as well.”¹⁰¹⁶ An Ndaleni resident argued: “Robbery is the main motivating factor in farm attacks. People steal not only from white people, but also from us black people. Unemployment leads to crime and the kids we raise nowadays are not disciplined.”¹⁰¹⁷ A farmworker in Wartburg complained that “thugs come and steal our livestock too. We get robbed of our belongings.... We are scattered and surrounded by sugar plantations. When we’re at work, nobody watches over our homes, so it’s easy for criminals to help themselves.”¹⁰¹⁸ Opinion was split among this group, however, concerning the cause of crime. Many people pointed to unemployment and poverty as the root cause of these robberies: “I think people are hungry and struggling, so this is the motive behind these attacks – to make a living.”¹⁰¹⁹ Others felt poverty and unemployment alone do not explain the crime epidemic; they argued that the younger generation “is lazy and doesn’t want to work to earn a living.”¹⁰²⁰ An Ndaleni resident commented: “I can’t say it’s because of poverty. Some children are just called to be criminals because they decide at a young age.... There are lazy people who do not want to do anything.”¹⁰²¹ Some noted the role of drugs and alcohol in farm attacks and other crime: “Many boys are encouraged by drugs to commit crimes.”¹⁰²²

¹⁰¹⁴ “New insight into farm attacks,” The Natal Witness, March 14, 2001.

¹⁰¹⁵ Farhana Ismail, “Convicted farm attackers tell interviewers: Keep the land, just give us the money,” Sunday Tribune, March 18, 2001.

¹⁰¹⁶ Interview with Impendle Resident 5, November 2013.

¹⁰¹⁷ Interview with Ndaleni Resident 1, August 2013.

¹⁰¹⁸ Interview with Employee 2 at Wartburg Farm 8, July 2013.

¹⁰¹⁹ Interview with Trustfeed Resident 1, November 2013.

¹⁰²⁰ Interview with Employee 2 at Wartburg Farm 3, August 2013.

¹⁰²¹ Interview with Ndaleni Resident 16, November 2013.

¹⁰²² Interview with Ndaleni Resident 2, September 2013.

Describing young unemployed men, one interviewee explained: “They turn to crime and alcohol and drugs. Now they even smoke *whoonga*, which makes them crazy!”¹⁰²³

A claim commonly espoused by those who believe farm attacks are politically or racially motivated is that farm attacks are “extremely brutal, unlike most murders and assaults in South Africa.”¹⁰²⁴ This belief seems to overlook the notoriously violent nature of South African crime. Shaw noted that the fear of crime in South Africa is often a result of the brutality and vicious nature of the crime rather than of the overall scale of the epidemic.¹⁰²⁵ Furthermore, as Steinberg and Schönsteich conclude, evidence suggests that the violence used in the course of a farm attack is generally “tactical and instrumental, rather than gratuitous.”¹⁰²⁶ Interviews supported this conclusion. Violence was typically used as a means to force the victim to open a safe or disclose the location of valuable items, to overpower the victim, or to prevent the victim from calling for help. In some cases, it is possible that the perpetrators killed the victims to ensure they would be unable to identify their attackers to the police. Investigators have noted that farm attackers generally have more time to commit the crime due to the isolation of farm houses. This gives them more time to assault their victims if they feel there are more valuables they have not yet located. It also provides more time for confrontation and argument between the perpetrators and the victims, which could turn violent and even deadly.¹⁰²⁷ Black respondents pointed out that black victims are also subjected to high levels of violence. “Crime has become very animalistic,” a Nottingham Road farmworker explained. “Criminals will do anything for money. Sometimes they only get a thousand rand and they will take your life for that.”¹⁰²⁸

¹⁰²³ Interview with Ndalen Resident 7, November 2013. *Whoonga* is a street drug that is said to contain antiretroviral medications.

¹⁰²⁴ Moolman, “Hatred triggers farm attacks.”

¹⁰²⁵ Shaw, *Crime and Policing*, 5.

¹⁰²⁶ Steinberg and Schönsteich, *Attacks on Farms and Smallholdings*, 85

¹⁰²⁷ Schönsteich, “Focus Group Interview with Investigators of Farm Attacks.”

¹⁰²⁸ Interview with Employee 1 at Nottingham Road Farm 2, August 2013.

The presence of firearms in a farmhouse is likely an important motive for many farm attack offenders. A police officer in Wartburg, for example, stressed that individuals intent on committing a crime, especially a robbery, will seek to arm themselves beforehand, and they often do so by attacking a farm house. “Criminals know farmers have firearms! This is a big reason farmers are targeted.”¹⁰²⁹ Firearm ownership could also play a role in the level of violence associated with farm attacks.¹⁰³⁰ Not only are guns highly sought after by criminals, but many farmers fight back when confronted by a home invader, and if an intruder suspects a farmer owns firearms, he could use violence to immobilize or even kill the farmer to prevent him from retrieving his firearm to ward off the intruders. A Richmond farmer commented: “criminals know we are armed, and we aren’t going to take it lying down.”¹⁰³¹ Another farmer commented: “attackers know there will be a fight if they don’t take the farmer out first. They know he will be armed.”¹⁰³² Many black respondents felt farmers were often killed during these attacks to prevent them from identifying the perpetrators, or, “seeing that white people have guns and they might be shot and killed, what they do is they kill the farmer first.”¹⁰³³ If farm attacks are more violent than other forms of crime, which is uncertain, these factors may account for this.

There are notable differences between homes on farms and homes in metropolitan areas that make farms softer targets for criminals and help account for the high rate of robberies on farms. Farms are vulnerable because of their isolation from police stations and other farms from whence help could be called in times of crisis. Their proximity to large populations of unemployed and impoverished citizens of the former homelands could also increase their chances of being robbed. But of key importance is the fact that farmers tend to take fewer security precautions than

¹⁰²⁹ Interview with Wartburg Police Officer 1, July 2013.

¹⁰³⁰ Although eighty-one percent of farmers who were interviewed during the course of CIAC research on farm attacks in 1999 reported that they did not carry a weapon while they worked, more than half had five firearms or more in their homes. Steinberg and Schönleich, *Attacks on Farms and Smallholdings*, 29.

¹⁰³¹ Interview with Richmond Farmer 11, September 2013.

¹⁰³² Interview with Greytown Farmer 2, July 2013.

¹⁰³³ Interview with Trustfeed Resident 5, November 2013.

their white counterparts in urban areas. Mistry's interviews with perpetrators of farm attacks indicated that "security measures on some farms leave a lot to be desired. Many farmhouses have no burglar bars on their windows or security gates on their doors. Windows and doors are left open, and in some cases there is no fence around the homestead."¹⁰³⁴ When asked about security measures, or lack thereof, and the effect this has had on the incidence of farm attacks, a researcher and retired police officer explained:

It's crazy – gates and doors standing open. But when an attack is carried out, they will blame it on the police or the military who may be many, many miles away and completely unable to stop that attack.... Criminals do carry out reconnaissance; they do observation. They watch and see, and they know what the weaknesses and the risks are in attacking a particular home. So that is a problem, but I know from my own experience by talking to organized agriculture groups and farmers that they get angry when you point this out to them. They don't want to hear about their responsibilities; they just want to remind you about your responsibilities. You're the police. You're the military. You must protect us. Although they say they accept some responsibility, the argument from most of them is that they don't want to live in a prison. The farm is a business. They need to move around on the farm. Of course all of that is true, but you have to do that with a certain measure of responsibility for your own safety as well.¹⁰³⁵

Farmers also hire many short-term casual workers without vetting them. As interviewees told Human Rights Watch, "they work for one or two months and are laid off again. Some of these could get involved in attacks. They know the place but they are not long term residents with a relationship with the farmer. If there's a group of four or five involved in an attack, you often find that one of them has been on the farm."¹⁰³⁶ A frustrated police officer in Mooi River snarled: "Farmers' precautions are, to say the least, pathetic.... They are not protecting themselves!"¹⁰³⁷ Although the farms that can afford to do so have hired security companies, these companies are generally only called in times of need and do not patrol the farm regularly.

¹⁰³⁴ Mistry, "Ploughing in Resources," 11.

¹⁰³⁵ Interview with Researcher and Retired Police Officer, Pretoria, October 2013.

¹⁰³⁶ Manby, "Unequal Protection."

¹⁰³⁷ Interview with Mooi River Police Officers 2, Mooi River, July 2013.

Far from the tight security that I expected to encounter when visiting farms in the Midlands, the farm owners I interviewed were, for the most part, extremely lax about their security measures. In Nottingham Road, for example, a woman was murdered in the course of a farm attack; the family subsequently had a few burglar guards installed, but they admitted there was still very little security on the farm: no fence around the home, many windows without burglar bars, poor external lighting, and a dog that, if an intruder were to gain access to the home, “might lick them to death.”¹⁰³⁸ There is a pervasive feeling among many farmers that if criminals are intent on robbing one’s home, they will find a way regardless of the security precautions, so there is little point in living “in a prison.”¹⁰³⁹ The majority of farmers who participated in this study were interviewed on their farms, and instructions to the farms were often less than clear. One farmer, for example, instructed me to “turn left at the wood pile. Sometimes there’s no wood there. Turn left where it looks like there *should be* a wood pile.”¹⁰⁴⁰ Following similarly vague directions, I arrived at a farm in Nottingham Road. The house had no gates or fences, and no dogs announced my arrival. I approached the door and found it was open, so I knocked and greeted the farmer who happened to be standing in front of his open refrigerator. He was startled to see me, as it was his neighbour, not him, who was expecting me. If it was that easy for me to gain access to this farmer’s home, it would not be difficult at all for someone who is familiar with the property and the farmer’s routine to plan a robbery. Only a few of the farms I visited had security measures comparable to those protecting urban dwellings.

Some farmers seemed as if they were bragging about their bravery by noting the laxity of their security precautions. One interviewee noted that her son was murdered when his shop was robbed, her mother had been attacked in her home twice, and she and her husband had been

¹⁰³⁸ Interview with Nottingham Road Farmer 4, May 2013.

¹⁰³⁹ Interview with Richmond Farmer 2, April 2013.

¹⁰⁴⁰ Phone conversation with Wartburg Farmer 1, March 2013.

attacked on their farm twice: “but I’m not nervous. I’m often on the farm on my own. We have burglar guards, but not good ones. And no alarm system.”¹⁰⁴¹ Another farmer continued to live alone without burglar bars on her home’s doors and windows despite having recently lost her mother in a farm attack. “They’ve taken enough from me already,” she replied after I asked about her limited security measures.¹⁰⁴² Several farmers claimed they did not even lock their doors,¹⁰⁴³ and another admitted that, although he was aware that it made him a potential target for thieves, he continued to pay his employees in cash.¹⁰⁴⁴ One farmer claimed he had actually removed the burglar guards from his home simply because he did not like to see the bars when he looked out the window.¹⁰⁴⁵ Following an attack, farmers generally heighten their security – “they retreat into a laager mentality”¹⁰⁴⁶ – but most farmers admitted that only lasts a short while. “It’s going to take another farm attack to wake people up again.”¹⁰⁴⁷

Police, Rural Security and Farm Attacks

Almost everyone interviewed for this research agreed that post-apartheid policing has been ineffective against the rise in violent crime and that, although the police now function to serve the entire population rather than only the white minority, the quality of crime detection and prevention has declined significantly. A police station commander confided: “In terms of service delivery, the SAPS is better now. In terms of discipline, it’s terrible. There’s very little training or discipline or work ethic.”¹⁰⁴⁸ An academic who has closely studied the workings of the SAPS in KZN reported a staggeringly high level of illiteracy and incompetence within the police service and concluded: “the

¹⁰⁴¹ Interview with Richmond Farmer 4, August 2013.

¹⁰⁴² Interview with Nottingham Road Farmer 3, April 2013.

¹⁰⁴³ Interview with Underberg Farmer 1, March 2013; Underberg Farmer 8, November 2013; and Wartburg Farmer 4, May 2013.

¹⁰⁴⁴ Interview with Underberg Farmer 2, March 2013.

¹⁰⁴⁵ Interview with Richmond Farmer 11, September 2013.

¹⁰⁴⁶ Interview with Underberg Farmer 9, November 2013.

¹⁰⁴⁷ Interview with Underberg Farmer 4, September 2013.

¹⁰⁴⁸ Interview with Wartburg Police Officer, July 2013.

police aren't doing their jobs.”¹⁰⁴⁹ To illustrate the apathy and ineptitude of many SAPS members, one police officer described his own experience with the police service when he reported a theft on his smallholding. An officer from the local police station – oblivious to the fact that the complainant was also a SAPS member – returned his call and assured him that the police were investigating and were doing all they could to locate the thieves and recover his stolen property. “But they didn't even know where I live! Nobody came to the farm; nobody talked to people who live along the border of my property where the fence was broken.... I never heard back from them.... Now I have two hired guards to patrol the fence line.”¹⁰⁵⁰ Another police officer reported that he once called his local police station several times, but no one answered. He continued to call from his cellular phone as he drove to the station. Upon his arrival he claimed he found the officer on duty talking on her own personal phone while the station phone went unanswered.¹⁰⁵¹

Interviews with farmers reflected their frustration with the police and the criminal justice system. A farmer near Underberg whose property falls within the Bulwer police station's jurisdiction explained the problems he had been having with some neighbours who had been poaching on his property and stealing his equipment: “Do I think the police are any good? Not at all! They are the most useless things under the sun.” When I asked if the Himeville station was better, he replied: “It's one percent better.”¹⁰⁵² Concerning the police in Wartburg, a farmer divulged: “The police here are friendly, but useless.”¹⁰⁵³ A neighbour echoed this conclusion: “[The station commander's] police are not of the caliber we need. No farmer here has any faith in him. We rely on ourselves or private security firms.”¹⁰⁵⁴ Several interviewees felt that “the law protects criminals now. If a robber breaks into your house, you can't shoot if he's unarmed.... I put the

¹⁰⁴⁹ Interview with Academic, Durban, June 2013.

¹⁰⁵⁰ Interview with Police Officer 3, Pietermaritzburg, March 2013.

¹⁰⁵¹ Interview with Police Officer 2, Richmond, February 2013.

¹⁰⁵² Interview with Underberg Farmer 4, September 2013.

¹⁰⁵³ Interview with Wartburg Farmer 8, June 2013.

¹⁰⁵⁴ Interview with Wartburg Farmer 9, July 2013.

blame [for the level of crime in South Africa] squarely on the government of the day. If the government had the political will, it could put an end to crime.”¹⁰⁵⁵ A farming couple in Underberg complained that even if a criminal is apprehended by the police, “the moment they go to court it becomes a farce.”¹⁰⁵⁶ Many respondents expressed their belief that the threat of prison is not a deterrent to criminals – partly because criminals doubt they will be caught and partly because prison is not seen to be such a terrible punishment. Mistry’s interviews with convicted farm attack offenders confirm that, despite the high rate of conviction in cases of farm attacks, most believed that the poor performance of the SAPS meant that their crimes would go undetected.¹⁰⁵⁷

There were only two police station commanders of which farmers spoke highly. Farmers in Nottingham Road were unanimous that the local station commander, a white woman, was honest, hard-working and effective. Likewise, the black male commander at the Harburg police station near Wartburg received high praise from the farmers falling under his jurisdiction. A few farmers felt that “the police are only as good as your relationship with them,” and that if farmers support the police, they can be much more effective in responding to crime in rural areas.¹⁰⁵⁸ Most farmers noted that there were some effective and dedicated officers at any given station but their commitment was overshadowed by their lazy and incompetent colleagues. A Greytown farmer, for example, said: “There are a handful of police trying to make a difference. Most of the guys couldn’t actually give a shit.”¹⁰⁵⁹ Several respondents reported long delays before police arrived at the scene of a farm attack or other serious crime. When a farm supervisor was murdered in Wartburg, for example, the farm owners called the police who said they could not send an officer because their police vehicles were picking up the staff who were coming on shift, as the night shift staff were due

¹⁰⁵⁵ Interview with Richmond Farmer 10, September 2013.

¹⁰⁵⁶ Interview with Underberg Farmer 5, September 2013.

¹⁰⁵⁷ “New insight into farm attacks,” *The Natal Witness*, March 14, 2001.

¹⁰⁵⁸ Interview with Richmond Farmer 11, September 2013.

¹⁰⁵⁹ Interview with Greytown Farmer 1, July 2013.

to go home.¹⁰⁶⁰ No interviewees said they would call the police first in times of crisis. Most responded that they would first call a neighbour or their security company, and then “whatever number you can find in your cell phone,” and only last – if there is time – the police.¹⁰⁶¹

Most black respondents also felt the SAPS was ineffective against post-apartheid crime. An Ndaleni resident explained: “Crimes are not investigated thoroughly. My husband was murdered; I opened a case, but I have since been awaiting justice. When I followed up, the police officer said I was trying to teach him how to do his job and he will let me know once they found the suspect.”¹⁰⁶² A farm employee in Underberg commented: “Even if we go to report a crime to the police, it’s just to get the satisfaction that you reported it, but nothing ever happens.”¹⁰⁶³ Another Underberg resident made a similar statement: “I don’t see why we even have police officers in this region. They are not doing anything to serve us.”¹⁰⁶⁴ A resident of Ndaleni declared: “The police help the people they want to help. You can call the police in the morning and they arrive in the afternoon. They say they are also afraid of criminals.”¹⁰⁶⁵ Many people expressed their frustration that, even if arrested, “the police have a tendency of releasing guilty people. Even if the person has committed murder; they are kept in custody for a day and no further investigation is done.”¹⁰⁶⁶ There was a common belief that the constitution “limited the power of the police, making them ineffective.... The government has protected criminals.”¹⁰⁶⁷

There was also a widespread perception among all respondents that corruption was rampant within the SAPS. A farmer in Underberg exclaimed: “You don’t tell the police if you’re going away;

¹⁰⁶⁰ Interview with Wartburg Farmer 12, August 2013.

¹⁰⁶¹ Interview with Richmond Farmer 6, August 2013.

¹⁰⁶² Interview with Ndaleni Resident 16, November 2013.

¹⁰⁶³ Interview with Employee 5 at Underberg Farm 2, November 2013.

¹⁰⁶⁴ Interview with Employee 1 at Underberg Farm 8, November 2013.

¹⁰⁶⁵ Interview with Ndaleni Resident 2, September 2013.

¹⁰⁶⁶ Interview with Ndaleni Resident 3, September 2013.

¹⁰⁶⁷ Interview with Ndaleni Resident 28, November 2013.

your house would be burgled for sure!”¹⁰⁶⁸ Another Underberg farmer observed: “half the police here are good; the other half are working with the criminals to import *dagga* [marijuana] from Lesotho.”¹⁰⁶⁹ A Richmond farmer likewise complained that the police have worked alongside poachers on his farm.¹⁰⁷⁰ A senior police officer disclosed that the level of criminality within the police service itself has swelled to the point that he had arrested more police officers in the past five years than in the rest of his thirty-year career combined.¹⁰⁷¹ A farmworker in Wartburg confided: “We have a problem with the Wartburg police. They are very corrupt. We hide from them at night.”¹⁰⁷² A Nottingham Road farm employee reported harassment by the police:

The police come late in the evening. We asked the farmer if he knew they were coming to search our homes, but he says he didn’t. They come looking for guns and knives, and they don’t find anything. They will take cigarettes from the guys who smoke, and they are always assaulting us. It would be better if they came in the day to turn the house upside down. They often don’t find anything, and you get ill-treated like that. Even if you are innocent, to have a man of authority in the house is really terrifying.¹⁰⁷³

Reports of assault at the hands of the police were not uncommon: “They are brutal to harmless boys. South African police lack investigative skills. They are quick to charge at a person. They beat them up without verifying their facts. They don’t investigate the accusations, and they end up abusing people for no valid reason.”¹⁰⁷⁴

Part of the problem with the SAPS, many white and black police officers explained, is that in the aftermath of apartheid, the organization moved too quickly to install black officers in senior level positions without adequate training and experience. Even new recruits are ill-chosen and poorly trained. “There are serious problems within the academy,” a station commander explained.

¹⁰⁶⁸ Interview with Underberg Farmer 5, September 2013.

¹⁰⁶⁹ Interview with Underberg Farmer 3, June 2013.

¹⁰⁷⁰ Interview with Richmond Farmer 11, September 2013.

¹⁰⁷¹ Interview with Police Officer 3, Pietermaritzburg, March 2013.

¹⁰⁷² Interview with Employee 2 at Wartburg Farm 12, August 2013.

¹⁰⁷³ Interview with Employee 1 at Nottingham Road Farm 2, August 2013.

¹⁰⁷⁴ Interview with Ndaleni Resident 17, November 2013.

“Lecturers have never even been policemen!”¹⁰⁷⁵ A black security company employee explained that he left the police service after five years out of frustration at the level of apathy and incompetence within the SAPS. “Security companies do much of the work the police should be doing,” he explained. “It used to be that a junior officer would spend at least a couple years just observing. He would attend crime scenes with his superiors to learn the protocol.” He described situations in which “a youngster” with no experience would be sent out to investigate the scene of a murder. “That’s how they end up making such a mess of so many crime scenes.”¹⁰⁷⁶ This informant was the first to respond to the recent murder of a black farm supervisor. The police, according to him and the farm owners, were incredibly late to arrive and trampled on important evidence when they finally did turn up. No suspects were apprehended in this case.

All white police officers and military personnel interviewed reported that white officers do not receive promotions; some reported that they had not been promoted in almost two decades despite their dedicated service and excellent performance.¹⁰⁷⁷ Others claimed that police are prevented from properly carrying out their investigative responsibilities – especially if their investigations lead them to politically well-connected individuals – due to the level of political interference and corruption within the upper ranks of the police service and government. One officer reported that he was once taken off a high profile case when his investigation led him to suspect an ANC official in a serious crime.¹⁰⁷⁸ Station commanders reported feeling pressured to manipulate crime statistics by lessening charges, failing to open cases brought to them or dropping charges altogether.¹⁰⁷⁹ A researcher working closely with the police found extreme frustration within the ranks of senior police officers: “Some of them are telling me that all they do is just try to survive

¹⁰⁷⁵ Interview with Himeville Police Officer, March 2013.

¹⁰⁷⁶ Interview with Security Company Employee, Wartburg, November 2013.

¹⁰⁷⁷ Interview with Himeville Police Officer, March 2013.

¹⁰⁷⁸ Interview with Pietermaritzburg Police Officer, July 2013.

¹⁰⁷⁹ Interview with Himeville Police Officer, March 2013.

– not make any waves. Just come to work very quietly and slip home later. When you ask a chap how are you? ‘I’ve got 54 days left.’ They are counting the days [to retirement].”¹⁰⁸⁰

Whereas white police officers often felt they are unfairly passed over for promotion because of their race, many rural black respondents expressed their belief that white people receive better treatment by black and white SAPS officers. A respondent in Nottingham Road complained: “Police don’t investigate crimes well. I think they have favourites. For white people they do a thorough investigation, while for us they hardly follow up.”¹⁰⁸¹ A Wartburg farmworker commented: “We often don’t get equal opportunity to report crimes and express our right to security and safety. Instead we are asked silly questions and are left regretting your decision to go to the police in the first place.”¹⁰⁸² A farmworker in Richmond agreed: “There is a difference between a case reported by a black person and a white farmer. Farmers have money, and they are able to bribe the police, while we are sent away and never get the issue solved.... When a black person reports a case, the investigation is very slow, but with whites it has extra momentum.”¹⁰⁸³

All those interviewed said that there are very dedicated individuals of all races within the SAPS. After spending time in many police stations and being introduced to aspects of the investigations officers were conducting, I was of the same opinion. Many intelligent and diligent officers were carrying out difficult and dangerous work for relatively little pay. The high conviction rates in farm attack cases indicate a high level of competency within the criminal justice system that is often overlooked. However, it must be noted that many farm attacks, particularly farm murders, are high profile cases, and as such were often assigned to more experienced investigators and state advocates.¹⁰⁸⁴ The priority the police have placed on farm attacks contradicts the accusation by

¹⁰⁸⁰ Interview with Researcher and Retired Police Officer, Pretoria, October 2013.

¹⁰⁸¹ Interview with Employee 2 at Nottingham Road Farm 2, August 2013.

¹⁰⁸² Interview with Employee 2 at Wartburg Farm 8, July 2013.

¹⁰⁸³ Interview with Employee 10 at Richmond Farm 11, September 2013.

¹⁰⁸⁴ Interview with State Advocate 2, May 2013.

some white farmers that there is political support for the violence directed at white farm owners. Rather, the evidence suggests that farm attacks and farm murders have garnered proportionately more government and police attention than similar crimes committed against the rural black population or in urban areas.

The problems associated with the SAPS have severe consequences for rural safety. A security company employee pointed out that “many police officers don’t even know where the farms are. They don’t know the area at all, which, in a rural setting, is imperative!”¹⁰⁸⁵ Reflecting how out of touch some police officers are with their rural jurisdictions, one station commander reported that there were no land claims in his district, but interviews with nearby farmers and an official at the Department of Rural Development and Land Reform indicated that more than half of the farms surrounding that police station were under claim. This same station commander also claimed that his officers conducted at least three random farm visits each day; farm owners in the area claimed this was entirely false and that the police were not welcome on their properties. Officers in Mooi River reported that they no longer do patrols on farms after one farmer attempted to have a police officer charged with trespassing when he went onto the farm, “so now we stick to the roads. We don’t patrol the farms.”¹⁰⁸⁶ These difficulties have created a situation in which there is very little cooperation between rural residents – both black and white – and the SAPS in many areas. Farmers seldom participate in Community Police Forums (CPFs), and one station commander said he did not blame them, as these meetings are generally “a waste of time. Farmers have to get there at their own expense and nothing gets accomplished.... It’s a waste of a day for them.”¹⁰⁸⁷

The challenges facing the SAPS in the post-apartheid era have also meant that black farmworkers, dwellers and neighbours often feel unprotected. Some respondents reported feeling

¹⁰⁸⁵ Interview with Security Company Employee, Wartburg, November 2013.

¹⁰⁸⁶ Interview with Mooi River Police Officers 1 and 2, July 2013.

¹⁰⁸⁷ Interview with Himeville Police Officer, March 2013.

safe living and working on farms, as one farmworker in Richmond confirmed: “I love this farm, and I feel very safe.”¹⁰⁸⁸ “We are lucky that we live in a very secure farm,” said an employee in Wartburg. “We have CCTV cameras everywhere and the security is very high.”¹⁰⁸⁹ This level of security was unusual, however, and many farmworkers and dwellers reported that they felt extremely vulnerable on the farm. “No, we are not safe. If thugs come, they won’t just pass by and pretend not to see me. They would want something from me, and they kill everyone to get rid of any potential witnesses.”¹⁰⁹⁰ Those who were living and working on farms that had recently been attacked were particularly fearful for their own well-being: “The attack was a sad thing. We were very upset.... We live in fear because we don’t know how the people got in and where they were from. We really live in fear.”¹⁰⁹¹ Another employee answered: “I don’t feel safe. I am grateful when morning comes.”¹⁰⁹² After a farm supervisor was murdered in Wartburg, a former co-worker commented: “the recent incident of the *induna* being murdered shook us all. We live fearing for our own lives.”¹⁰⁹³ Many respondents pointed out that some farmers have taken steps to boost their own security, but have left farm dwellers exposed: “There is no security for us.... he is not concerned about our wellbeing and security.”¹⁰⁹⁴

The responses of several black informants to questions regarding their safety and their views on crime revealed their feelings of insecurity and fear – not of criminals as the questions were intended, but of their employers and of the consequences of losing their jobs. When asked if he felt safe on the farm, an employee in Nottingham Road replied: “No, I don’t feel safe. I might get hurt and would not get a pay-out. The farmer wouldn’t even attend my funeral. Once you get hurt, you

¹⁰⁸⁸ Interview with Employee 1 at Richmond Farm 3, August 2013.

¹⁰⁸⁹ Interview with Employee 1 at Wartburg Farm 9, July 2013.

¹⁰⁹⁰ Interview with Employee 1 at Underberg Farm 8, November 2013.

¹⁰⁹¹ Interview with Employee 3 at Wartburg Farm 10, August 2013.

¹⁰⁹² Interview with Employee 4 at Nottingham Road Farm 2, August 2013.

¹⁰⁹³ Interview with Employee 1 at Wartburg Farm 12, August 2013.

¹⁰⁹⁴ Interview with Employee 2 at Wartburg Farm 4, July 2013.

lose everything.”¹⁰⁹⁵ Similarly, when an employee in Wartburg was asked if farm labourers report crimes to the police, he responded: “We do not report to the police. Even the verbal abuse, we just endure it for the sake of keeping our jobs. Otherwise we would get fired.”¹⁰⁹⁶ Similarly, this person’s response to whether the employees felt safe on the farm reflected their fear of their employer: “I don’t feel safe here. This place is very violent, and we are not happy. There is never a good day at work. You just need to be a persevering person. The manager physically assaults some employees, and they just leave when they’ve had enough. No one has ever gone to any authority for help.”¹⁰⁹⁷ In Richmond, when an employee was asked if he felt the police were effective, he answered: “No. I have heard other employees complain that they did not get help from the police. When we follow up to find out the reason for the delay, we learn that the farmers pay a bribe so the police will drop the case or say there is not enough evidence. Some cases are reported and never attended to.”¹⁰⁹⁸ An employee at the same farm echoed this frustration: “Yes, we report crimes to the police like if we are not paid on time, but this continues over and over and white farmers always get away with it. The police are not effective. I am not sure if they are also scared of these white farmers, but such cases never receive justice.”¹⁰⁹⁹ Clearly many farmworkers feel they are victimized by their own employers as well as criminals, which underscores the challenges associated with reforming the historically exploitative relationships on farms.

Concerning the role of the commandos in protecting rural areas and the capacity for crime prevention and detection that was lost when they were disbanded, interviews with members of the criminal justice system and farmers supported the conclusion drawn by Steinberg and Schönsteich regarding the commando units in the Midlands – “pockets of excellence surrounded by large

¹⁰⁹⁵ Interview with Employee 1 at Nottingham Road Farm 9, November 2013.

¹⁰⁹⁶ Interview with Employee 2 at Wartburg Farm 6, July 2013.

¹⁰⁹⁷ *Ibid.*

¹⁰⁹⁸ Interview with Employee 4 at Richmond Farm 1, October 2013.

¹⁰⁹⁹ Interview with Employee 3 at Richmond Farm 1, October 2013.

stretches of poor and sporadic organisation.”¹¹⁰⁰ Some officers – black and white – felt the commandos did contribute to fighting crime in rural areas. One black officer noted: “When I was in Weenan, we used to work with the commandos there often, and they were one hundred percent! We never had a single problem with them. They were helpful to us.”¹¹⁰¹ A white officer commented on the valuable role the commandos played in helping the police with road blocks and helicopter searches, as well as locating illegal weapons, stolen stock and drugs: “They used to provide us with information. Now there is no information coming in from the farming areas where the commandos used to patrol.”¹¹⁰² A Richmond farmer declared: “Our safety really depended on the commandos.”¹¹⁰³

Other informants, on the other hand, felt the commandos contributed relatively little to rural security. A retired white police officer, for example, claimed that the commandos he encountered were not very helpful: “All they wanted to do was party. We wouldn’t be on patrol or at a road block for fifteen minutes and they were breaking out the *braai*.”¹¹⁰⁴ Many informants noted that some commandos resorted to violent tactics that were unacceptable in the new South Africa. A white station commander commented that, although the commandos were helpful, he felt they also overstepped their boundaries by assaulting suspects and concluded that “it’s a good thing the commandos have been abolished.”¹¹⁰⁵ Some farmers also noted that the commandos did, at times, utilize methods that violated the rights of black suspects: “It was rule by fear up until ‘94. It wasn’t fair in so many ways.... If you were a black person and you were accused of a crime, you were going to have a pretty tough time.”¹¹⁰⁶ An Underberg farmer admitted: “On balance, it was probably good to close them. The problem was that farmers with automatic weapons and bad tempers were out

¹¹⁰⁰ Steinberg and Schönteich, *Attacks on Farms and Smallholdings*, 55.

¹¹⁰¹ Interview with Harburg Police Officer, March 2013.

¹¹⁰² Interview with Mooi River Police Officer, July 2013.

¹¹⁰³ Interview with Richmond Farmer 9, September 2013.

¹¹⁰⁴ Interview with Retired Police Officer, Pietermaritzburg, February 2013.

¹¹⁰⁵ Interview with Himeville Police Officer, March 2013.

¹¹⁰⁶ Interview with Richmond Farmer 7, August 2013.

chasing stock thieves.”¹¹⁰⁷ Most respondents acknowledged that there were cases of abuse, but maintained that these were exceptional cases and not the norm.

One interviewee was formerly a high ranking SANDF official who worked with the commando system in the Midlands, and he was remarkably open regarding the work of the commandos. He acknowledged that, up until the late 1980s or early 1990s, the commandos were concerned exclusively with protecting the white community. In the 1990s, he explained, the commando organization incorporated a substantial number of black members, and “we developed a strategy where we looked after the whole area. Now if there’s a township in there, that was part of the plan, and whatever we did, we did it there as well. That I can vouch for.”¹¹⁰⁸ This respondent admitted that violence was utilized by commando units in their operations: “We had our ways and means of getting information. And the very famous tubing [a process of suffocating an individual with a piece of rubber to extract information] we had a lot of. I’m telling you, I’ve done it. It’s wrong, but I’ve done it. We had a lot of cases [of assault] against us.” These methods, he insisted, were justified, as they were often the only means of gathering intelligence and successfully completing missions. He described how he explained his use of violence to a superior who questioned him about it:

This one general sat in my office here in Maritzburg, and went on that we are this and we are that. I said General, when last have you been on the ground? Collected information and taken out illegal weapons? And catching thieves and murderers and what, what?... If we’ve got information that in a *kraal*, in which there’s something like three hundred huts, there’s weapons – illegal weapons – what do you suppose we do? Walk in – in our fucking safari suits and plukkies – and just knock on the door and say, “Hello! I’m just coming to collect the illegal weapons that you’ve got here.” It doesn’t work like that. Unfortunately you have to be dirty as well. There’s no other way of doing it. And we [in the Midlands] were extremely effective.¹¹⁰⁹

¹¹⁰⁷ Interview with Underberg Farmer 6, November 2013.

¹¹⁰⁸ Interview with SANDF Member, August 2013.

¹¹⁰⁹ *Ibid.*

Although a small number of rural black respondents remembered hearing of the commandos, very few had any encounters with them, although it is possible they were known by another name. One respondent recalled: “During apartheid my brother was shot in the leg by those white commandos. That caused resentment towards white people. So my family did not like white people after that.”¹¹¹⁰ Several respondents did, however, recall the apartheid-era police. One reported: “I cannot point to one incident, but they used to come in at night and beat people up.”¹¹¹¹ However, some informants noted that during apartheid, “yes, we were oppressed, but during those times we never experienced any crime. Over livestock was kept outside, and we used to walk at night with no fear.”¹¹¹²

Most police officers, military personnel and farmers believed closing the commandos weakened rural security – certainly for the white farming community, but, they argued, also for the black communities who were often beneficiaries of the commandos’ patrols and operations such as stock recovery efforts. When asked if the closure of the commandos left a security vacuum, a Pretoria-based researcher who was a member of the SAPS when the commandos were disbanded replied: “Absolutely!”¹¹¹³ The police were never provided with additional personnel or equipment to fill the security vacuum disbanding the commandos left behind; “It just never happened.”¹¹¹⁴ The SANDF member quoted above agreed: “I was part of developing the plan in the Midlands, and I was also part of the work groups writing this transitional plan how we were going to hand over [to the police]. None of it happened.”¹¹¹⁵ Along with the closure of the commandos, it was also announced in 2003 that the SAPS were to take over responsibility for patrolling the borders as well as the coastline from the SANDF – a task for which they were not properly equipped, staffed or

¹¹¹⁰ Interview with Ndalen Resident 4, September, 2013.

¹¹¹¹ Interview with Ndalen Resident 3, September 2013.

¹¹¹² Interview with Ndalen Resident 15, November 2013.

¹¹¹³ Interview with Researcher and Retired Police Officer, Pretoria, October 2013.

¹¹¹⁴ Interview with Himeville Police Officer, March 2013.

¹¹¹⁵ Interview with SANDF Member, Pietermaritzburg, August 2013.

trained.¹¹¹⁶ A police station commander whose station abuts South Africa's border with Lesotho complained that when the 270 SANDF members who had previously patrolled the border had been removed, the SAPS had to take over this responsibility but was provided no additional support. His station, he admitted, is not capable of this task.¹¹¹⁷

Most respondents from the SAPS and the SANDF believed that the commandos could have been transformed into an inclusionary rural force that was both effective and suitable for the democratic era. Although most of these interviewees disagreed with the decision to close the commandos, many said they understood why Mbeki made the decision to do so. Despite the reform measures that had been implemented and those that were in the works, the commandos continued to be led primarily by armed white men, and there was a perception that the commando organization was "still part of the old regime. The new government could not be seen to be favouring a white minority group."¹¹¹⁸

An important reason closing the commandos resulted in a security vacuum in rural areas is the failure of former commando members to join the SAPS reserves. For black members of the non area bound units, for whom participation in the commando was in most cases their sole form of income, recruitment into the police reserves would only be attractive if it meant continued income. The SAPS, however, "made a huge mess of this," and funds were seldom made available: "so, of course, you lost the interest of many of those ex-commando members. They were not going to work for free."¹¹¹⁹ For their part, white farmers were also largely uninterested in trading in their SANDF reserve uniforms for SAPS reserve uniforms.¹¹²⁰ A former police officer explained his

¹¹¹⁶ Interview with SANDF Member, South Coast, July 2013.

¹¹¹⁷ Interview with Himeville Police Officer, March 2013.

¹¹¹⁸ Interview with SANDF Member, Pretoria, October 2013.

¹¹¹⁹ Interview with Researcher and Retired Police Officer, Pretoria, October 2013.

¹¹²⁰ *Ibid.*

frustration at white farmers' reluctance to participate in the SAPS reserves once the commandos had closed:

When I spoke to those farmers [at a meeting in the Free State Province], I said I cannot understand this for the life of me. This is really a question of life and death. The question is how important is your own safety to you. If this is really the question you wouldn't mind what colour uniform you wear and if there are these little obstacles about funding and finance. You will sort that out and if necessary get on without them. But you would have at least the structures at your disposal, and you would have the law behind you if you were a reservist. So I would rather make the structure my own and exploit it to my own benefit. But they weren't interested. So I lost a lot of sympathy for some of them at that specific location.¹¹²¹

A retired police officer in the Midlands expressed similar sentiments. He felt white farmers could do so much more to organize themselves – join the SAPS reserves, start a farm watch or a community watch, arm themselves with a network of radio systems – but instead many remain apathetic about their own safety.¹¹²² Farmers admitted they had little interest in joining the SAPS reserves once the commandos were disbanded. One farmer claimed that the “police were too politicized. We were only interested in protecting our farms, and it was a good social and networking exercise for us.”¹¹²³ Most farmers recognized the need for organization and connection among themselves, but in most areas, there was little done to this effect. When a farmer near Richmond was asked about any form of local organizing, he replied: “No. There used to be a farm watch, but it closed some time ago. I think we as farmers are one of the most disorganized groups of people. We've got radios, but nobody uses them. It's a major problem.”¹¹²⁴ Farmers in Nottingham Road complained that the many smallholding owners in their midst – “the rich

¹¹²¹ Interview with Researcher and Retired Police Officer, Pretoria, October 2013.

¹¹²² Interview with Retired Police Officer, Pietermaritzburg, February 2013. In a few areas, however, farmers have organized themselves to great effect. In Underberg, for example, the farming community came together as a Community Watch. This will be discussed in more detail below.

¹¹²³ Interview with Wartburg Farmer 4, May 2013.

¹¹²⁴ Interview with Richmond Farmer 6, August 2013.

weekend farmers” – pose a security threat to the area.¹¹²⁵ Many of them are absentee landowners who vacation in Nottingham Road and come “to feel the love; they aren’t vigilant and aren’t concerned with security. This creates space for criminals to operate.”¹¹²⁶ Many of these smallholding owners do not join farmers’ associations or participate in security meetings, making it difficult to encourage organization among landowners.

Only in two areas were farmers well connected: Underberg and Greytown. In Underberg, farmers have organized a Community Watch. They are connected by a radio system – “the finest radio network in South Africa!”¹¹²⁷ – and the manager of Community Watch works full-time to organize the community to conduct patrols and respond to crime, stock theft, fires and any other community issue. Community Watch is funded primarily by white farmers, but, they stressed, it also responds to calls for assistance from the local black communities as well. Most farmers were convinced that the Community Watch was responsible for the relatively low levels of crime in the district. By responding quickly to farm attacks and other crimes, “a statement is made – don’t mess with these farmers.... I’m convinced that is why this district is so quiet.”¹¹²⁸ Several farmers simply answered “Community Watch,” when asked why there have been so few farm attacks in Underberg compared to other parts of KZN. Some also noted that Underberg is not located on a main thoroughfare, such as the N3 highway that runs from Durban to Johannesburg. Also, farmers noted, there are few black settlements near the town – the closest being Impendle approximately seventy kilometers away. Furthermore, the black residents near Underberg tend to be more stable; it is the transient residents of black communities near the larger cities, several farmers noted, that tend to engage in crime.¹¹²⁹ Farmers near Underberg certainly seemed to take more proactive steps in

¹¹²⁵ Interview with Nottingham Road Farmer 9, November 2013.

¹¹²⁶ Interview with Underberg Farmer 6, November 2013.

¹¹²⁷ Interview with Underberg Farmer 3, June 2013.

¹¹²⁸ Interview with Underberg Farmer 4, September 2013.

¹¹²⁹ Interview with Underberg Farmer 6, November 2013.

terms of being connected to their neighbours through the radio system and organizing themselves to respond to emergencies than in other areas of the Midlands. As one farmer stated: “The problem in a lot of areas is that farmers aren’t willing to do anything. They expect the police to do it... You must take some responsibility. You just must be awake. One must have reasonable security.”¹¹³⁰ Nevertheless, the security precautions many Underberg farmers have taken to safe guard their own homes leave much to be desired. Even the manager of Community Watch himself admitted he often neglects to lock his doors at night.¹¹³¹ Although there had been no farm murders in the Underberg area between 2001 and the time I began my research in early 2013, in late 2013 two Underberg farmers were murdered in separate incidents.

Farmers in Greytown appeared to be similarly organized. Like Underberg’s Community Watch, the Greytown 911 Centre organizes farmers’ response to farm attacks and other crimes as well as other crises such as wildfires: “We knew we needed to rely on ourselves. We can’t rely on anyone else.”¹¹³² Farmers near Greytown reported that the operation of the 911 Centre has reduced the number of farm attacks in the area – “without a shadow of a doubt.”¹¹³³ Greytown farmers also rely on a radio system: “When you make a call over the radio, a thousand people hear it! It’s much better than calling on a cell phone or calling the police.”¹¹³⁴ When many farmers react quickly to a call, “it sends a psychological message – people think twice about committing a crime when they know the neighbours are going to respond very quickly.”¹¹³⁵

¹¹³⁰ Interview with Underberg Farmer 3, June 2013.

¹¹³¹ Interview with Underberg Farmer 1, March 2013.

¹¹³² Interview with Greytown Farmer 1, July 2013.

¹¹³³ *Ibid.*

¹¹³⁴ Interview with Greytown Farmer 2, July 2013.

¹¹³⁵ Interview with Greytown Farmer 1, July 2013.

Conclusion

It seems clear that South Africa's crime wave has "metastasised into one of the most significant and poisonous political developments of the past decade, largely because [it] is a deeply divided nation."¹¹³⁶ Altbeker made a poignant observation concerning post-apartheid crime:

It is also true, I think, that the fear of crime has sometimes become a conveniently "apolitical" vehicle through which a disenfranchised elite can mourn its loss of power without sounding nostalgic for an unjust past. But there is an equal and opposite truth: crime, and the fear it generates, has helped to sustain the racist fear of black people the president bemoans, and has made the quest for ever-improving levels of domestic and foreign credibility harder to achieve.¹¹³⁷

Perhaps none of the disenfranchised elite mourn their loss of power by lamenting the current crime wave like white farmers who complain of political indifference in the battle against farm attacks. Some observers, such as the TAU members quoted in Chapter One, emphasize the black-on-white nature of farm attacks and suggest this indicates a racial or land-related motive. That stance, however, overlooks the historical processes that created a situation in which the holders of land and wealth are primarily white while the rural black majority – who also comprise the majority of those victimized by violent crime – remain landless and impoverished. To stress the racial element of this violence, then, overshadows other motives that are more important in driving the violence. Although, as Chapter Five argued, there are indications that personal grievances are likely a greater motive in farm attacks than is often assumed, evidence from the Midlands suggests that most farm attacks are primarily robberies.

In the aftermath of apartheid, the SAPS has struggled to contain crime in rural areas, and farm owners, in general, have taken few precautions to protect their homes from criminals. As the former homelands of rural South Africa have "become dumping grounds for the illiterate and the unskilled, and since the only sites of opulence in these districts are the white farms, these have

¹¹³⁶ Altbeker, *A Country at War with Itself*, 61.

¹¹³⁷ *Ibid.*, 66.

become the targets for property crime and, in the process, sites of a murderous but casual violence.”¹¹³⁸ Interviews with rural black South Africans suggest their belief that, in most cases, farmers are targeted because of the likelihood criminals will find valuable goods, particularly cash and firearms. However, interviews also suggest that the history of African dispossession and oppression outlined in Chapters Two and Three has contributed to the post-apartheid crime problem by denying black communities of land, education and employment opportunities, which has bred poverty in rural areas and led some to a life of crime. Black informants did not condone violence directed against white farmers; rather, they understood farm attacks primarily as a symptom of the history of white privilege that has created a situation in which, even after two decades of democracy, white farmers are still the holders of wealth, while rural blacks generally remain impoverished.

Interviews with farmworkers, dwellers and neighbours added another element to the discussion on rural crime: the crimes to which some farmworkers and dwellers are subjected by white farm owners as well as outside criminals and the challenges many black people experience when attempting to navigate the criminal justice system. As early as 1987, farmers were advised to ensure the safety and security of their staff and earn their trust in order to enhance the security of all who resided on the farm, but this advice was seldom heeded.¹¹³⁹ “Ultimately, in law enforcement as in other areas, a durable solution to the wider problems will depend on a reduction in the stark economic inequalities so obvious in the South African countryside.”¹¹⁴⁰

¹¹³⁸ Deborah James, *Gaining Ground? ‘Rights’ and ‘Property’ in South African Land Reform* (New York: Routledge: 2007), 20.

¹¹³⁹ *The Natal Witness*, August 31, 1987.

¹¹⁴⁰ Manby, “A Failure of Rural Protection,” 101.

Chapter Seven

Conclusion

Two days before my flight back to Canada after ten months of fieldwork in the Midlands, a farmer's wife whom I had recently interviewed in Underberg telephoned me with a terrifying tale. Her husband was visiting friends on a farm near Johannesburg, and they were attacked during the night. Her voice cracked as she described how the attackers tied her husband to a chair and covered his head with a blanket. "He said the entire time he was just waiting for the bullet." But it never came. Instead, the attackers loaded their vehicle with goods stolen from the home and retreated without harming anyone. This incident could have been a terrible tragedy for this Underberg family, but it also could have been a horrendous blow to the farm's staff and the nearby community. My research assistants and I agreed that this farm was a model for emulation. The staff spoke highly of their relationship with their employers; they were given opportunities to take various training courses, they were paid well, and they were treated fairly. The farm owner also partnered with members of the neighbouring black community to help them with their own agricultural endeavours as well as fundraising and planning for the development of the local school and other projects. The murder of such a farmer would have had devastating effects for those who live and work on the farm as well as those who had partnered with him in these community projects.

Farm attacks are an important area of research, as they affect such a vast number of people including the victims, their families, and the farm's employees who are sometimes assaulted during an attack and risk losing their jobs in the aftermath of a farm murder. This violence also reverberates within the wider community. South Africa's rural areas are struggling to find a way forward, but it is difficult to plan for a brighter future when farm attacks continue to contribute to racial division and insecurity in the countryside. This study suggests that addressing farm attacks would be best accomplished not only when policing strategies focus more heavily on rural crimes,

but also when land reform strategies and labour relations are ameliorated, which are important goals in themselves.

Gary Kynoch notes that “nothing drives white fear more than the stories that circulate about the excessive violence associated with crime. It is not crime per se that so horrifies whites and feeds the trope of black savagery but the abuse and even torture often associated with black criminals.”¹¹⁴¹ Although it is uncertain if farm attacks are, on the whole, any more violent than other forms of crime in South Africa, in the post-apartheid era white farmers no longer enjoy privileged state protection and their susceptibility to violence since the advent of democracy certainly plays a role in how many white farmers view farm attacks. Johan Burger illustrates that farm owners are particularly vulnerable to violent crime:

The relative remoteness of farms, the absence of close neighbours, such as in urban settings, and the consequent slow response times of the police and private security companies, allows criminals more time and space to commit their crimes than is normally the case in urban areas. It is primarily for these reasons that the farming community is in need of a strategy that is focused on their particular security needs.¹¹⁴²

This study supports many of the conclusions drawn by the Committee of Inquiry into Farm Attacks that help dispel some of the misconceptions about the violence affecting the white farming community. Contrary to allegations from the TAU, farm attacks did not begin with the unbanning of the African National Congress and other anti-apartheid organizations in 1990. Farm attacks were certainly not a common occurrence during apartheid, but archival research illustrates that the frequency with which white farmers and their staff were the targets of violent crime increased along with the rise in other forms of criminal activity in the 1970s and 1980s and grew exponentially in the 1990s. Furthermore, contrary to the assertion that acts of torture during farm attacks are an

¹¹⁴¹ Gary Kynoch, “Fear and Alienation: Narratives of Crime and Race in Post-Apartheid South Africa,” *Canadian Journal of African Studies* 47 (2013): 430.

¹¹⁴² Burger, “Why it is more dangerous to be a farmer than a policeman in South Africa.”

indication of genocide,¹¹⁴³ the use of torture seems to be tactical – to force victims to disclose the whereabouts of valuables. These findings, coupled with the fact that at least one-third of farm murder victims are not white, help dismiss notions of ANC orchestration or government support for these attacks.

Deborah James purports that farm attacks “could be seen – in light of the sheer weight of intersecting and accumulating factors – as inevitable. The social, political and economic context conspires, even if human agents do not do so, to make such violence unavoidable.”¹¹⁴⁴ Certainly, as this dissertation has argued, robbery seems to be the primary motive of the majority of farm attacks in the KwaZulu-Natal Midlands. Isolated residents – white and black – of commercial farms are vulnerable to victimization by criminals. But, as James’ quotation suggests, the motives driving farm attacks are more complex than mere acquisitive criminality. What is often overlooked in the discussion on farm attacks is the role that discordant relationships between farm owners and farmworkers, farm dwellers and neighbours can play in this violence. Interviews with farmworkers and black neighbours indicate that revenge could motivate robberies, and the fact that items are stolen during the course of an attack could conceal ulterior motives. Moreover, although very few respondents initially identified land-related concerns as the primary motive in most farm attacks, dissatisfaction with land reform and continued landlessness could underpin much of the instability in the South African countryside. Many black interviewees linked their landlessness to their dependence on labouring for white farmers as well as to the high rates of poverty and crime in rural areas. Thus criminal and revenge motives should be considered in the context of continuing challenges related to access to land and the history of dispossession and marginalization in the Midlands.

¹¹⁴³ Henk van der Graaf, “State Sanctioned Murder of White Farmers in South Africa,” February 3, 2012, <https://www.youtube.com/watch?v=SKG72AviEFw>, accessed March 10, 2016.

¹¹⁴⁴ James, *Gaining Ground?*, 20-21.

The end of apartheid in 1994 is often viewed as a distinct turning point in South African history, but this study revealed that, although there have been many improvements in terms of land ownership for black South Africans, working conditions on white-owned farms, and replacing the repressive apartheid-era police force with a more representative institution, much remains unchanged in some parts of the Midlands. As a farmworker in Underberg noted, “life has not changed since 1994. Although it is not as apparent, there is still apartheid, and white people continue to oppress blacks.”¹¹⁴⁵ This recognition is essential to an examination of farm attacks. Many observers claim that farmers are targeted because of their race, when it is more probable that their continued position as landowners, employers and wealth-holders makes them likely targets. It is imperative to understand farm attacks as symptomatic of the history of oppression that must be overcome if the victimization of farm owners, their families and their staff is to be curtailed.

As Chapter Six argued, most farm attacks in the KZN Midlands appear to be motivated by acquisitive criminality. Crime rates soared in the early 1990s, and the rate of farm attacks seems to have increased apace. The South African Police Service attempted to contain this crime wave while simultaneously struggling to transform from a force concerned primarily with the protection of the white minority to one that serves the entire population equally. The turn away from preferential policing for whites, coupled with the disbanding of the commandos, had severe consequences for white commercial farmers, and many turned to private security companies for protection. Although many white farmers complain bitterly of the poor performance of the SAPS, few have endeavoured to fortify their properties with security precautions similar to those protecting homes in urban areas, which, coupled with their isolation from police stations and neighbours as well as their proximity to impoverished rural black communities, renders them soft targets for criminals. When farmworkers, dwellers and neighbours were asked what they believed was the motive driving the violence directed

¹¹⁴⁵ Interview with Farmworker 3 at Underberg Farm 2, November 2013.

at white farmers, fifty-three percent of the responses pointed to robbery as the primary culprit, and many respondents noted that black people in rural areas are also vulnerable to criminals for similar reasons. Informants frequently observed that “poverty gives people the courage to do crime.”¹¹⁴⁶

Forty-five percent of black informants’ responses identified retribution for ill-treatment by white farmers as the primary cause of farm attacks, which was one of the most surprising findings of this research; the Committee of Inquiry into Farm Attacks reported labour-related motives in only 1.6 percent of cases.¹¹⁴⁷ Living and working conditions on white-owned farms were historically appalling, as Chapters Two and Three illustrated. Post-apartheid legislation aimed to ameliorate these conditions, but “black people living on farms in South Africa remain amongst the most vulnerable in society.”¹¹⁴⁸ Arguing for an approach that targets “farm safety” rather than “farm attacks,” Marc Wegerif stresses that many farmworkers continue to experience “various forms of abuse and attacks by farmers and private security companies.”¹¹⁴⁹ The definition of farm attacks, Wegerif argues, is flawed: “A farmworker attacking a farmer is defined as a ‘farm attack.’ But a farmer assaulting farmworkers or evicting a worker and causing damage to the latter’s property... is not recorded as a farm attack.”¹¹⁵⁰ Cheryl Walker and Ben Cousins report that working conditions and wages “have improved off a very low base but generally remain extremely poor.”¹¹⁵¹ Although some farmworkers interviewed for this study described amicable relations with their employers, others claimed that “apartheid on farms has not ended. They still call us names and racially

¹¹⁴⁶ Interview with Farmworker 3 at Nottingham Road Farm 2, August 2013.

¹¹⁴⁷ Committee of Inquiry Into Farm Attacks, Report of the Committee of Inquiry Into Farm Attacks, July 31, 2003, <http://www.issafrika.org/CJM/farmrep/index.htm>, 419.

¹¹⁴⁸ Wegerif, Russell and Grundling, Still Searching for Security, 7.

¹¹⁴⁹ Marc Wegerif, “Briefing to the Independent Committee: Farm Attacks,” June 19, 2001.

¹¹⁵⁰ Ibid.

¹¹⁵¹ Walker and Cousins, “Land Divided, Land Restored,” 5.

discriminate us.”¹¹⁵² This is not terribly surprising given that many farm owners reported the need to deal firmly with black labourers, as “soft people get hammered.”¹¹⁵³

Steinberg argues that “those who murdered Mitchell did so in order to push the boundary back, a campaign their forebears had begun in the closing years of the nineteenth century, and which their great-grandchildren believed it their destiny, as the generation to witness apartheid’s demise, to finish.”¹¹⁵⁴ However, as Chapter Four illustrated, very few participants identified land as playing an important direct role in motivating farm attacks. Nevertheless, the significance of the loss of land during the colonial and apartheid years was often identified as the underlying root cause of rural poverty and crime. A resident of Ndaleni, for example, highlighted the relationship between landlessness and crime: “If people are crowded in places like this, they cannot farm.... If we have enough land to produce our own food, the level of poverty and crime would drop drastically because most people will be have enough food for their families. I am sure that if we address the food security issue, we can address the crime problem.”¹¹⁵⁵ Black informants also stressed the connection between landlessness and farmworkers’ dependence on poorly paid work for white farmers who often ill-treat them. A farmworker in Wartburg, for example, complained: “We cannot do as we please. We are dependent on the farmers for livelihoods, so life is hard.”¹¹⁵⁶

This finding underscores the importance of making land available to black individuals, but to date the land reform program has been fraught with difficulties, and there has been little material advantage for beneficiary communities. Most participants of this study felt beneficiaries’ lack of capital and training rendered the land reform program almost useless. As Edward Lahiff observes, “there can be no doubting the enduring symbolic importance of land for millions of South Africans,

¹¹⁵² Interview with Farmworker 9 at Richmond Farm 11, September 2013.

¹¹⁵³ Interview with Underberg Farmer 6, November 2013.

¹¹⁵⁴ Steinberg, *Midlands*, ix.

¹¹⁵⁵ Interview with Ndaleni Resident 11, November 2013.

¹¹⁵⁶ Interview with Farmworker 3 on Wartburg Farm 5, July 2013.

but it is not at all clear how that political imperative can be married with meaningful socio-economic transformation that addresses the livelihood needs of the rural poor.”¹¹⁵⁷ This was apparent in interviewees’ responses. A farmworker in Wartburg, for example, explained that “land reform is a good thing; it makes me both happy and sad because those who get the land do not know how to use it. We don’t have the capital to operate the farm, instead people want to build houses and we lose production. People also lose their jobs and source of income for their families.”¹¹⁵⁸

It is likely that comments concerning “land” and the desire to see land returned to black ownership refer to more than gaining access to ground on which to graze livestock and build a home and a garden; rather “land” seems to be a metaphor for all that was lost through colonial rule and apartheid: independence, heritage, identity, a sense of belonging, dignity and family unity. The extreme inequality between the races, the lack of opportunity for rural black South Africans, and feelings of helplessness and hopelessness seem to be tied together with respondents’ yearnings for a return of land. However, twenty years of failed land reform projects have taught them that, as it is, the government’s land reform program is unlikely to restore what was lost. This realization, Walker and Cousins argue, is a signal that land reform alone cannot overcome the legacies of dispossession and oppression outlined in Chapters Two and Three.

Other interventions are also urgently needed, including substantial investment in education, health, infrastructure and other services in rural areas, and making “the right to the city” real for millions of marginalised people. Yet a holistic land reform programme remains of crucial importance for revitalising the countryside, given the depth of the crisis of unemployment in contemporary South Africa and the large numbers of rural people for whom secure access to land continues to underpin livelihood strategies. There are, in addition, significant numbers of black South Africans who wish to farm and who could, with appropriate support, make a major contribution to the wider economy. Land reform policies that succeed in creating tenure security and real economic opportunities for substantial numbers of black households will also go a long way towards addressing the smouldering discontent

¹¹⁵⁷ Lahiff, “Land Reform in South Africa,” 592.

¹¹⁵⁸ Interview with Farmworker 4 at Wartburg Farm 6, July 2013.

over historical land and other racialised inequalities that permeates so much of contemporary public life.¹¹⁵⁹

A significant theme that emerged throughout this research is the need, and in many cases the desire, for cooperation between the races – not only to reduce crime rates in rural areas, but also to encourage productive models of land reform and to improve working conditions and race relations. Although farm attacks are often viewed as a function of racial hatred, many interviews expressed compassion, forgiveness and an aspiration for cooperation between the races. Steinberg describes black informants expressing “satisfaction at the news of Mitchell’s death, [which] is probably the most disturbing thing I encountered during the course of researching this book.”¹¹⁶⁰ Conversely, none of the more than one hundred fifty rural black participants interviewed for this research registered any sort of approval or support for violence committed against white farmers. This research suggests that many discussions and comments on farm attacks, land reform, labour relations and rural crime place too much emphasis on racial conflict and overlook the many areas of cooperation and goodwill between the races. That is not to say that racial discord is non-existent; one does not have to look too hard to find examples of racial animosity in the countryside. It seems, however, that assertions of racial conflict paint an incomplete image of race relations and, in the process, contribute to a hardening of associations between black and white.

As Kynoch notes, “the crime epidemic is the most visceral reminder for fearful whites of their diminishing status, and protestations against crime can provide an outlet for articulating anxieties about the new order without openly resorting to racist attacks.”¹¹⁶¹ Many whites tend to disregard the fact that most victims of violent crime are black, and combating crime is an area that could benefit greatly from cooperation between the races. A farmer near Richmond identified this possibility: “what we don’t realize is that black people are the victims of crime most of the time.

¹¹⁵⁹ Walker and Cousins, “Land Divided, Land Restored,” 15.

¹¹⁶⁰ Steinberg, *Midlands*, 219.

¹¹⁶¹ Kynoch, “Fear and Alienation,” 439.

Stock theft! They are the hardest hit!... We should forge links with those guys because they are definitely our allies.”¹¹⁶² At a rally protesting two recent farm murders in Underberg at the close of 2013, one farmer estimated that at least one-third of the protestors were black: “And it was the black ladies who made the most noise about the murder!”¹¹⁶³ Many black respondents also expressed a desire to cooperate with white farmers. An employee of a Nottingham Road farm confided: “My hope is that we make peace with the past. We cannot change or restore what we lost during the apartheid years. Therefore we need to strive for equality and not discriminate each other. That’s what democracy is all about.... We need to make peace with the past and move on.”¹¹⁶⁴

Another important theme that emerged is the importance of history in understanding farm attacks as well as other forms of crime in rural areas, land reform initiatives and race relations. The history plays an important role because it explains how farmworkers and neighbours came to be so dependent on white farmers or – in the case of rural community members – how they came to be so marginalized on overcrowded and unproductive land. This is a history most white farmers either do not understand or do not acknowledge. An employee of a small farmers’ association in the Midlands, for example, after her colleague explained that he would not hire or even speak to a black person unless he absolutely had to, told me to ask my black informants why they are so angry. Steinberg identifies a “host of unwritten rules” that farmers sometimes unwittingly break. Although I believe farmers are not as oblivious to these rules as Steinberg suggests, I agree that farmers do not fully comprehend why acts as small as impounding a stray cow can spark such deep-seated feelings of resentment and anger – feelings that can only be explained by comprehending the oppression that followed the systematic destruction of the black peasantry to provide land and labour to white farms and industries.

¹¹⁶² Interview with Richmond Farmer 7, August 2013.

¹¹⁶³ Interview with Underberg Farmer 5, November 2013.

¹¹⁶⁴ Interview with Farmworker 3 at Nottingham Road Farm 6, August 2013.

As Chapters Two and Three outlined, white farmers were among the more ardent supporters and beneficiaries of the historical processes that stripped Africans of their land and their ability to choose where and for whom they would work. An observer noted the role of this history in an article in The Natal Witness in 1998:

[Farmers'] role was active, and when it slipped into brutality, they were assured of the protection of the police, the courts and the state. It was politics then and it's politics now.... there are scores, thousands of people on whose collective memory is imprinted poor wages, evictions, beatings, forced removals, rape, murder, poverty, hopelessness, shame and anger.... This does not make every farmer responsible for all or even any of these things.... But one does expect them to face facts, and the facts are that everyone is in the cowpat. Everyone is vulnerable, although some more than others.¹¹⁶⁵

It seems this is a history many farmers either do not understand, or chose to ignore, and it perhaps addresses Jonathan Jansen's question: "Why are South Africans so angry? We not only protest, we also burn down and break down... we threaten, and yes, we kill.... Where does this deep-seated anger come from?... The anger comes from somewhere deep within ourselves and our history.... nothing compares with the anger and brutality of the rainbow nation."¹¹⁶⁶

Many black respondents pointed to this oppressive history as an explanation for violence directed towards farmers. An Impendle resident explained: "white farmers were racist towards us. They used to assault us both physically and verbally, calling us the K word.... It's the poverty and the grief of what happened to black people in the past that fuels these attacks."¹¹⁶⁷ Meanwhile some farmers refuse to transcend the colonial mentality in which blacks are merely servants, as a Dundee farmer observed: "The TAU has an attitude problem. They're not prepared to accept black people as more than carriers of water and hewers of wood.... The country is not advancing socially or

¹¹⁶⁵ Yves Vanderheagen, "Farmers are not a breed apart," The Natal Witness, August 15, 1998.

¹¹⁶⁶ Bundy, Short Changed?, 131.

¹¹⁶⁷ Interview with Impendle Resident 4, November 2013.

economically because we're too focused on the past."¹¹⁶⁸ Comprehending the history of African dispossession and oppression could go a long way in fostering understanding between the races that would help rural communities find a productive way forward for black and white alike.

Towards the end of my fieldwork, I was driving through a black communal area of the Midlands with a contact I had befriended who frequently insisted that colonialism and apartheid were not as bad as I made them out to be. He was silent for an unusually long period of time as he looked at the impoverished homes cramped together on unproductive land far from any urban center or source of employment. Finally he said, "you know, now that I think about it, I wouldn't be very happy if I were sent to live out here by the apartheid government. I would probably still be upset about it... We whites have a lot to answer for. A lot to answer for."

¹¹⁶⁸ Interview with Dundee Farmer 1, April 2013.

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