Farm Workers & Farm Dwellers in South Africa: Tenure, Livelihoods and Social Justice

[with research findings from Limpopo province]

Ruth Hall, with acknowledgement to Poul Wisborg, Phillan Zamchiya and Shirhami Shirinda

Presentation to the Portfolio Committee on Rural Development and Land Reform
16 March 2011
Farm workers & farm dwellers in South Africa

- About 46,000 commercial farms in South Africa

**DWELLERS and WORKERS**

- **HOME**: About 3 million living on farms in 2002
- **WORK**: 1 million employed on farms in 2002
  - 800,000 in 2007 – most recent data from StatsSA
  - 11% of formal employment and 39% of rural incomes

**SEARCHING FOR SECURITY**: as many people displaced from farms after 1994 as before
Government policy is aimed at securing tenure rights for people living on farms
- tries to balance the interests of landowners and people living on farms – and to regulate their relations.

Does not aim to stop evictions, but regulates when and how evictions can happen.
- Any eviction without an order from the magistrate’s court is illegal.

Provides options for long-term tenure
- For farm dwellers to benefit from land redistribution, to acquire land and housing of their own, including through upgrading their tenure in situ (Chapter 4 of ESTA) – almost entirely unused.
<table>
<thead>
<tr>
<th>Year</th>
<th>Displaced from farms</th>
<th>Evicted from farms</th>
</tr>
</thead>
<tbody>
<tr>
<td>1984 to end 1993</td>
<td>1,832,000</td>
<td>737,000</td>
</tr>
<tr>
<td>1994 to end 2004</td>
<td>2,351,000</td>
<td>942,000</td>
</tr>
<tr>
<td>Total</td>
<td>4,183,000</td>
<td>1,679,000</td>
</tr>
<tr>
<td>Now on other farms</td>
<td>469,000</td>
<td>93,000</td>
</tr>
<tr>
<td>Permanently off farms</td>
<td>3,716,000</td>
<td>1,586,000</td>
</tr>
</tbody>
</table>

Changing nature of agriculture

South Africa’s commercial farm sector, 1930-2007

Source: agricultural censuses, various (with thanks to M. Aliber)
Long-term trend towards job shedding in agriculture

Source: agricultural censuses, various (with thanks to M. Aliber)
## Selected figures on commercial farms, 1971 to 2007

<table>
<thead>
<tr>
<th>Year</th>
<th>Commercial farms</th>
<th>Employment</th>
<th>Average employees / farm</th>
<th>Average remun / employee (R/worker/year)</th>
<th>Wage bill (R mn)</th>
<th>Average wage bill / farm</th>
<th>Average expend on fixed impls &amp; machinery / farm</th>
</tr>
</thead>
<tbody>
<tr>
<td>1971</td>
<td>90,422</td>
<td>1,516,013</td>
<td>16.8</td>
<td>3,586</td>
<td>5,437</td>
<td>60,126</td>
<td>85,786</td>
</tr>
<tr>
<td>1985</td>
<td>65,880</td>
<td>1,323,694</td>
<td>20.1</td>
<td>5,385</td>
<td>7,128</td>
<td>108,200</td>
<td>116,142</td>
</tr>
<tr>
<td>1993</td>
<td>57,980</td>
<td>1,093,265</td>
<td>18.9</td>
<td>5,985</td>
<td>6,543</td>
<td>112,856</td>
<td>89,281</td>
</tr>
<tr>
<td>2002</td>
<td>45,818</td>
<td>940,820</td>
<td>20.5</td>
<td>8,219</td>
<td>7,733</td>
<td>168,773</td>
<td>177,729</td>
</tr>
<tr>
<td>2007</td>
<td>39,982</td>
<td>796,806</td>
<td>19.9</td>
<td>10,807</td>
<td>8,611</td>
<td>215,378</td>
<td>211,060</td>
</tr>
</tbody>
</table>

Note: All Rand figures are in constant 2007 Rand. 
[with thanks to M. Aliber]
Limpopo study: Research Questions

- **Economic context**
  - What are the main trends and changes in agricultural production, technology, employment and service provision (province, sector, farm)?

- **Policy and legislation**
  - How have laws and policies approached the rights of farm workers and dwellers and based on what assumptions?
  - How are these experienced at farm level?

- **Policy response**
  - How do actors see the causes of and responsibilities for problems, policy changes and impact?
  - How have they responded in relation to labour, land rights, gender equality and rights to health?

- **Social justice analysis and strategies for change**
  - What future scenarios (farming, landscape, property rights, settlement, services and social relations) do actors envisage?
Farm worker & dweller study: Key words

Social justice
- Fulfilment of human rights
- Freedom, equality and dignity
- Agency: plan, cooperate and change
- Priority for those who are worst off

Livelihoods
- Wages
- Social grants
- Own production
- Trade

Tenure security
- Housing
- Land
- Water and services
Our study

AIM: To understand local conditions and processes, rather than to generalise

- Review policies
- Study farms in Vhembe, Limpopo
- Interview people there
- Give feed-back and discuss
Limpopo Province, South Africa

- About 5.4 million people (2007)
- 89% live in rural areas (82% in communal areas)
- Restitution
  - Estimated 70% to 90% of farm land under claim, but validity is disputed
  - In 2006, 2,580 claims settled (1,263 rural and only 181 gave land back)
- Employment in agriculture declining over time and shift from regular to temporary employment

## High & rising unemployment

<table>
<thead>
<tr>
<th>Year</th>
<th>Vhembe district</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1998</td>
</tr>
<tr>
<td>Number of people economically active</td>
<td>271 454</td>
</tr>
<tr>
<td>Number of people employed</td>
<td>123 271</td>
</tr>
<tr>
<td>Percent of people unemployed</td>
<td>49.3%</td>
</tr>
</tbody>
</table>

Source: PGDS 2004: 15
Study sites

- Limpopo River: Vegetable farm
- Waterpoort: Game farm
- Vhembe
- Tshipise: Citrus
- Receiving communal area
- Levubu: Fruits/nuts

Zimbabwe

Limpopo Province
Case 1

Game farm in transition

- Spanish investor
  2003: from six farms to one (4 500 ha)
- From livestock, to game
- About 10 workers and 35 dwellers
- Conflict over livestock/grazing
- Restitution claim
- Investment halted due to restitution and other factors

Game farm, Waterpoort. September 2008 (R. Hall)
Case 1

Game farm in transition
Case 1

Game farm in transition
But... tenure without livelihood?

‘I told them this is mine, and I’m not moving anywhere, and even my graves are here’
Case 2

Vegetable farm on the Limpopo

- Diverse vegetable production
- Peak season, 2008: 480 workers (of whom about 230 temporary)
- 50 Zimbabwean workers (permits)
- Minimum wage. Labour costs is 37% of turn-over
- Climate stress

Google Earth 10 April 2008
Case 2

Vegetable farm on the Limpopo

Farm on the Limpopo, September 2008. (P. Wisborg)
Case 2

Vegetable farm on the Limpopo

Farm compound:
- Decorated houses: Sense of care ("home")
- Gardening for food security

Photos: P. Wisborg
Case 2

Vegetable farm on the Limpopo

Farm worker and craftsman. Farm on the Limpopo, September 2008 (P. Wisborg)
Case 2

Vegetable farm on the Limpopo

Farms play important role in the livelihoods of migrants

Woman from Zimbabwe (21) working as nanny
Case 3:

Levubu: Horticulture farms under restitution

"Together we manage your future". Levubu, May 2007 (R. Hall)
Case 3: Levubu: Horticulture farms under restitution

- Communities have received land under restitution
- To maintain investments, management and training communities work with “strategic partners”
- Labour:
  - “Old workers” may have reduced by as much as 40% in the long process
  - “New workers”: from claimant communities will eventually provide all labour and management
Case 3:
Levubu: Horticulture farms under restitution

Worker concerns:
- Work
- Lack of rights / information about unions
- Wages
- Clothing and equipment

Levubu, Limpopo, September 2008 (R. Hall)
Case 3:
Levubu: Horticulture farms under restitution

"Old" farm dweller household, Levubu. Graves from three generations. September 2008 (P. Wisborg)
Case 3:

Levubu: Horticulture farms under restitution

- Long history on the place – “they found us here”
- Ownership and attachment
- Problems: housing, water, electricity and transport
- New owners expressed support for their right to stay

Father and son. Farm dweller household, Levubu. September 2008 (P. Wisborg)
Case 4: A citrus farm in Tshipise
Case 4:

**A citrus farm in Tshipise**

- 5 340 hectares of which 430 under citrus
- Labour
  - 800 workers, estimated 550 seasonal and 250 permanent (2008)
  - About 80% of work force are from Zimbabwe
  - Wages are about one third of farm turnover
- Under claim by Nzhelele Valley communities:
  - Owners are negotiating Strategic Partnership with communities
  - Some new workers from here (esp. junior management positions)
- Workers and families try to expand livelihoods – own production, small trade etc.
Case 4:
A citrus farm in Tshipise
Case 4:
A citrus farm in Tshipise
Study sites

Zimbabwe

Limpopo River: Vegetable farm

Limpopo Province

Waterpoort: Game farm

Vhembe

Tshipise: Citrus

Receiving communal area

Levubu: Fruits/nuts
Three drivers of change:

- **Economic restructuring**: rising exports, mechanisation, shift to less labour-intensive production and more reliance on seasonal labour.

- **Restitution**: all farm study sites under claim; complex and overlapping claims, some include farm dwellers, but they are ignored as interest group in settled claims.

- **Migration**: combination of old patterns of labour migration, and new wave of economic and political refugees; leads to flexible labour arrangement and insecurity.
Two major trajectories of change on commercial farms

- **Horticultural intensification**: expansion in cultivation and irrigation responding to growing domestic and international markets for high-value crops.

- **Conversion to game farming**: consolidation of farms, reduction in employment and more need to control the land (no residence outside compounds, no own production).
TENURE & LIVELIHOODS

- Tenure does not just refer to the right to live on the farm but entails the utilisation of assets to make a livelihood.
History of changes of tenure
(gradual & uneven proletarianisation)

- There is an evident historical trajectory of wholesale and gradual evictions through unilateral changes to tenure. - limiting land for grazing, livestock and crops - destruction of self-built houses; building compounds

- This deprivation of land to farm forced some farm dwellers to move off farms.
  - Others entered into new tenure arrangements based on employment relationships.
  - This new dominant paradigm means that losing one’s employment means losing one’s right to live on the farm.

- Land is still a source of control which can reproduce relationships of dependency, patronage, exploitation and domestic governance.
We used to plough; my father had lots of cattle, goats, and sheep. We were ploughing kaffirkorn – makaha [sorghum] – and watermelon.

- elderly farm evictee, communal area, Venda
Evictions

- There is still an evident trend of people being moved off farm
- Striking is the ‘normalisation’ of forced movement; nobody used the word ‘eviction’.
- In most cases no legal processes were followed.
Evictions

- The four most vulnerable groups are the elderly, children, women and the unemployed.
- Some of them are not active in farm production so they are targets because most farm owners prefer farm places to just resemble a work place.
  - typified by the case of an elderly man who died a destitute in the Levubu area after losing his job due to old age.
  - elderly woman (then 80) with daughter evicted from farm in Waterpoort area 1996.
- Lack of knowledge and officials’ inability to enforce the legislation has led to most evictions going unchallenged.
Evictees

- We were staying well there; we were getting firewood… milk… and meat for free. Here there is nothing for us. (evictees, husband and wife).

- Here we don’t have ploughing fields and we don’t have livestock or grazing land. (evictee)
Contestations over tenure & livelihoods

There are contestations where farm owners are at odds with the dwellers’ livelihood strategies:

“I would have loved to keep more pigs but there is not enough land and the farm owner does not like many animals on his farm” (farm worker, citrus farm, Tshipise).

They [farm workers] have no right to have animals or to start their own farming. No mine worker can mine gold for an hour for his own pocket. He gets paid a salary. This is not a social welfare environment, this is a business. (farm owner, citrus farm, Tshipise).
Contestations over tenure & livelihoods

On one farm the management has given a directive to all farm dwellers to sell their donkeys –

“This is not a blood donkey farm” (farm manager, livestock & game farm, Waterpoort)

This has created conflict as the donkeys are an important asset of the dwellers’ livelihoods – and a crucial means of transport (esp to school).

Despite the contestations farm dwellers use their agency to engage in multiple livelihood strategies i.e.

- crop production in gardens or open spaces adjacent to their houses.
- keeping donkeys, pigs, chicken and ducks.
Contestations over tenure & livelihoods

- Some farm dwellers are also involved in some micro-trading activities
  - Buying and selling goods
  - Sheebens
  - Spaza shops
  - Barber shops.
Restitution: opportunities and threats to tenure

- Restitution is creating opportunities for stronger rights for claimant communities and new threats to non-claimant groups.
- The farm dwellers are being gradually replaced by members of the claimant communities both at Levubu and at Tshipise farms.

“When workers are brought in from the owner communities, certain others will not get (re-) employed. Now that we will no longer take them, others feel expelled.” (liaison officer, Levubu)
Access to services

- The private ownership of land has an impact on provision of social services
  - Water
  - Electricity
  - Housing etc
- Unlike for poor or indigent people in towns & cities
- Access to service provision depends on the farm owners’ will.
- External activities (like trade unions) that seek to undermine the cycle of dependency and exclusive control of the farm owners depend on the farmers’ willingness to collaborate.
For some, the farm is ‘home’

‘Yes it is long [that we have stayed here]. This is the 6th home on the same farm. I came here with my father, my mother, and my grandmother… I was born here [on the farm] myself. It was a big farm and many black people were staying there.. They [the blacks] had livestock – goats, cattle… It was before I was born; that was in 1946.’ – man, game farm, Waterpoort
For some it is their secondary home

“No, it is not my home, it is my workplace. Every Friday I go home and come back every Sunday [approx 15 kms]. No-one considers this place home; some go home only once a month. Even the Shigalo go home to visit” (woman farm worker, horticulture farm, Levubu)
Some are unsure

‘I was born here… I enjoyed living here; it was great ‘cos I had my mum and my dad and my friends…. No, I don’t have another home. It is my home. I have a right to stay here, but no, if I am not working then I don’t have a right. – woman farm worker, horticulture farm, Musina
Competing visions

The farm owners and managers prefer a situation where farm dwellers would stay in Agri-villages (in formalised rural settlements on or off the farm):

- The idea I have got on this farm is to create one or two villages and then break down all the other old compounds… This village idea is something that we have to do. [The municipality] must come and help us. ... But to build a village is a lot of money. (manager, horticulture farm, Levubu).

- It’s better to bring them [farm workers] in a small town where there are shops. Wherever you go there are little agri-villages in the world. (Farm owner, citrus farm, Tshipise).
Outcomes

- Farm dwellers’ access to farms now is mainly based on a labour relationship – this was not always the case.
- Farms are places of contestations over tenure and livelihoods.
- Limited tenure reforms have failed to secure their occupation rights, access to land or livelihoods.
- Despite tenure legislation, farm dwellers’ experiences of life and livelihoods on farm continued to be marginalised in the context of rapid change and impending restitution.
- In isolation, tenure reform, even if effectively enforced, cannot address the crisis of livelihoods of farm dwellers.
- Next there is need for a more nuanced understanding of family, gender and children within this dynamic context.
FAMILY, GENDER & CHILDREN
Farms as communities

- Farms are places where people live.
  - For some, their **only home** (may have lived there for generations)
  - For some, their **primary home** (but have another home somewhere else)
  - For some, their **secondary home** (only there as workers)

- Also a place of business – but unlike others, because
  - workers and their families live there
  - people who are not employed live there

- This fusion of the place of employment and of residence is the main source of landowners’ control over the lives of workers & their families.
  - Relations of **trust**, but also **control** and **conflict**
Family life

- Substantial disputes arise over who has a right to be on-farm

- Distinctions between ‘family’, ‘visitors’ and ‘squatters’ are often unclear – and disputed.
Family life

‘Visitors should be allowed to stay. Only our wives are allowed, but not others or friends. Children can only stay when they visit their mothers. When the children visit their fathers, they say they are not allowed, that they will steal. Because when the men are at work the children will start misbehaving.’ – man farm worker, horticulture farm, Levubu

‘Visits? I cannot interfere and I will not interfere in a person’s private life, so if his grandmother comes to stay with him for three-four days I do not even know it, we do allow it. But we don’t allow families to stay for a period of time in the compound. Visits and staying for a long time I do take that as separate... There is a grey area there... But we do not stop visits to the compounds... No, this is not a military camp.’ – manager, horticulture farm, Levubu
Discipline & security

- Disciplinary committees address cases of abusive and anti-social behaviour.
- Security staff ‘police’ the perimeter – but also the compounds, to identify those without permission to be there.
- Blurred lines between (external) security and (internal) discipline
The ‘split family’

- Prevalence of the ‘split family’,
- This is not merely an old established pattern, but is being created (and reproduced) in new ways.
- It arises from concerns about
  - **Children** – access to education
  - **Teenagers** – their ‘bad influence’
  - **Spouses and lovers** - sexuality & security
  - **Elderly** – old age and burial.
Children: access to education

- Young children are often sent away to relatives or friends.
- Causes: closure of farm schools, and the absence of secondary schools, transport or affordable boarding facilities.
Different responses from farm dwellers

- One response is resistance to having their children taken away, concerned about conditions in the villages:

  - The police came here to take up the children with some papers; they told us the papers were from Pretoria. They told us the government was saying it is not wanting children on the farms who are not going to school, so they were going to all the farms to collect them.’ – man, game farm, Waterpoort
Different responses from farm dwellers

- Agreement that children must go away to get an education and have a better life.

- ‘While I am still alive, I want my children to go to school. I don’t want them to come and work here. The reason is that there is no school here; the one here is only up to Grade 7.’ – woman farm worker, Levubu
Children: access to education

- But it is not always government, or the choice of farm dwellers themselves, but farm owners & managers, who make these decisions

- ‘As a security I try to look to those hostels, to find if there are some intruders, those who are not working on the farm, coming only to stay there… Even today I instructed my people to go around to the hostels, to find out if there are little children, those who are above six years and up, so that they report them to me. So that I can talk to their parents, so that they must take them to school. They must not keep them here on the farm, because I don’t see them having a good future.’ – security manager, horticulture farm, Levubu
Teenagers: a ‘bad influence’

• Eviction of teenage children and young adults, derided as thieves and sexually promiscuous.
• Workers are divided on whether this is right.

‘Children need to go to school. Those here are naughty; they drink, they smoke, it is not a good environment.’ – woman, farm worker, Levubu

‘Young girls who are now attracting boys are told to leave – if boys come here, they will start stealing things…’ – man, farm worker, horticulture farm, Levubu
Spouses & lovers: sexuality & security

- Widespread practice that:
- Male workers may live with a wife or girlfriend, and children.
- But women workers may not have husbands or boyfriends stay with them, if not also employed there.
- In this context:
  - Domestic violence is quite widespread
  - Limited options for women to leave their husbands without losing their homes – and jobs – on farm.
‘A woman cannot keep a man’

Only married people are allowed to stay together. A man’s wife who is not working can stay with him, but a woman cannot keep a man [who is not working].’ – woman, farm worker, Levubu

‘He does not allow boyfriends to stay or visit us but he allows girlfriends to stay for two weeks. He told us that a woman cannot marry a man; it is a man who marries a woman. This is unfair and it discriminates against women.’ – woman farm worker, horticulture farm, Musina
‘This is where the villages must come in’

This is where the villages must come in, because if you have got men and women who are not married… it is just a month or two months along the line and you have got problems, because there is a new girlfriend and there is this problem and that problem’ – manager, horticulture farm, Levubu
Rentals – paying per person

- Another factor impacting on family life is the practice of charging rent per person.
- Instituted since the sectoral determination (minimum wage provision) in 2003.

- We were told that anyone staying with one child has to report to the office and will pay R30 per month and failure to report will be charged R500. Occupiers are opposed to this but some are already paying R30. (woman farm worker, horticulture farm, Musina)

- If you stay with another person, even your spouse, and the person is not employed on this farm, the owner will deduct R85 from your salary. This is on top of the R180 monthly deductions. So if you stay with two people you pay R170 [extra]. It’s not fair. (man farm worker, citrus farm, Tshipise).
The elderly

- The practice of evicting the elderly – or ‘asking them to leave’ – is widespread.
  - Despite provision in Section 8(4) of ESTA for long-term tenure security for the elderly (over 60 years),
  - Avoiding further burials on farms is one factor, from farmers’ point of view.
The elderly: where can they go?

- Rights to remain on farm are not recognised by many owners
  - ‘They will go back to their former homelands with their houses and their pensions and they will stay there’ – manager, horticulture farm, Levubu

- Unclear what is to happen where there is no ‘other home’.
causes -> practices -> outcomes
causes

Closure of farm schools → Children evicted / told to leave

Minimum wage → Deductions for housing

Security concerns → Regulation of family life of teenagers / lovers / spouses

Fears of claims → Eviction of elderly & children

outcomes
Outcomes

- Residence on farms becoming more limited to those employed.
- Divide between ‘white’ commercial farming areas and ‘black’ former homelands / Bantustans is being reinforced.
- ‘Split families’ pattern of apartheid – migrancy and remittances – is being reinforced.
- Distance from spouse and family contributes to multiple partners and may be a factor increasing exposure to HIV/Aids (and to abuse / violence?).
Right to ‘family life’

- Are people aware of this right?

- Are there, or should there be, limits on the right to ‘family life’ on farms?

- What would it take to enable farm dwellers to enjoy the right to ‘family life’?
CONCLUSIONS & THOUGHTS FOR THE FUTURE
Big policy choices

1. Whether the aim is to provide **homes, jobs and livelihoods** for as many people as possible on farms – or for this population to dwindle over time and move into **communal areas, agri-villages and towns**

2. Whether the rights that people living on land owned by others have to secure tenure (as in the constitution and in land law) is **to be realised** – or abandoned

3. Whether provision of services and development planning are to encompass commercial farming areas and the needs of people on privately owned land should be done by **the state, by or via farmers** – or not at all

4. Whether ‘farm workers’ and their families are to be able to **diversify their livelihoods on farms** – or be limited to **wage employment**
Future scenarios

**SCENARIO 1**
‘CONTINUATION OF CURRENT TRENDS’
(low enforcement & service provision)

**SCENARIO 2**
‘THE STATE COMES IN’
(the state enforces & provides services)

**SCENARIO 3**
‘MORE CARROTS, LESS STICKS’
(the state leverages change, sharing costs with farmers)

**SCENARIO 4**
‘RADICAL RESTRUCTURING’
(the state forces change, overrides farmers & market)
SCENARIO 1
‘CONTINUATION OF CURRENT TRENDS’
(low enforcement & service provision)

- Farmer is only provider of services on farms
- People live in own houses or compounds on farms
- Few have access to their own land
- ESTA not enforced
- More job losses overall
- Displaced where restitution claimants get priority access to jobs

Likely if there is little political will and little pressure from farm dwellers themselves
SCENARIO 2
‘THE STATE COMES IN’
(the state enforces & provides services)

- Government provides services
- People live in closer settlements in agri-village model (on or off-farm)
- Some have access to land off-farm
- ESTA gets enforced; fewer evictions (but too late for many)
- More job losses overall
- Farm workers protected in restitution process

- Likely if there is political will for service delivery but not much pressure from farm dwellers
Livelihoods combine employment with own use of land, subsidized by state and leveraged through tax breaks

State provides services through farmers as intermediaries, sharing costs

Improved, more secure rights, and a range of tenure options

State incentivises job creation; possibly reducing rate of job losses (probably not reversing it)

Likely if there is mobilisation and demand for land and jobs, and responsive government prioritising rural development

SCENARIO 3
‘MORE CARROTS, LESS STICKS’

(the state leverages change, sharing costs with farmers)
Farm dwellers become small-scale farmers, through rapid restitution / redistribution

State services closer settlements, but not dispersed settlements

Private property crushed; occupiers have strong, heritable rights in law

Employment retained on a core of commercial farms, but greatly reduced elsewhere

Likely if a massive mobilisation by farm dwellers and leftward shift in national politics

SCENARIO 4
‘RADICAL RESTRUCTURING’

(the state forces change, overrides farmers & market)
Future scenarios

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