

## Palaver on aspects of the land question in contemporary KwaZulu-Natal.

Notes from a CLP discussion of Andries du Toit's: "The farm labour question: Fifty-fifty shades of obfuscation"

So much of the politics of the state and the ruling party is a kind of theatrical device to distract from what's really happening. It's important then to read its machinations and pronouncements critically and carefully.

There are some important connections between the sort of underlying dynamics that du Toit says are actually shaping land and agriculture in SA, and the analysis and experience of farm-dwellers and -workers in our province. From discussions with farm-dwellers recently, we see clear elements emerging. They describe a situation that, twenty plus years after apartheid, is still not substantially improved and is in fact more hostile and tense, with growing inequality, insecurity, division and frustration. Some farm-dwellers are part of quite small communities that live, but are not necessarily employed, on commercial farms. Families like these generally trace their arrangements with particular farm-owners back over a number of generations. Those arrangements often include not just a right to a place to live but also access to some additional land for both cattle ranging and food crop production at small and subsistence scales. In some cases it also extends to the establishment and use of family housing units, 'farm' schools (at primary level), and even communal facilities like sports fields. There's no denying that these conditions reflect the parameters of the massive historical injustice that haunts the land question in our country. For the overwhelming majority of black people in commercial farming areas access to life and land is not abundant, indeed it is precarious. Arrangements for such basics as shelter, food, and private and communal space, can depend on the whim and good will of a farm-owner or manager whose primary accountability is to productivity and profitability. Ongoing struggle and strategising are required of farm-dwellers in order to secure, defend and extend the spaces for life they have fashioned and hold on to. But even these spaces are increasingly under threat. In addition, for those families who did historically work, even if part-time, on the farm, that employment is being displaced in favour of seasonal workers who often come from neighbouring countries like Lesotho. In one illustrative case, a farmer had built 4-bedroomed family housing units for the people living on farm. Now those families have been told they can only use one room in the house and all other rooms are allocated to be shared among the seasonal workers.

Often these kinds of developments happen when a farm is either sold to a new owner or the management of a farm is taken up by a new incumbent – and one or both of these circumstances seems a characteristic trend on farms currently. The resultant changes undermine arrangements and expectations that have been in place in the past and they are creating significant and widespread tensions. One tension is tending to consolidate black working class anger against owners and managers who remain mostly white – but there are also tensions that divide 'established' families and communities living on farms from 'outsiders' providing seasonal work at super-exploitative rates. Stories pointing to similar effects and dynamics are coming from farm-dwellers in various places. So these cannot be explained simply as the unfair actions of individual farm-owners and -managers – they probably also reflect and point to underlying factors and trends.

For example, farm-dwellers are being told the land they have historically been allowed to use for household food production or cattle can no longer be spared and must be planted with cash crops along with the rest of the farm land. In large parts of KwaZulu-Natal province the dominant cash crop is sugar cane. The cumulative effect is to further squeeze out any remaining pockets of diversified land use for local food production and consumption and to speed up the dominance of chemical- and energy-intensive industrial mono-cropping for export- and market-oriented crops.

The same trends also further exacerbate the ongoing displacement of labour from farms and further concentrate land-based production and profit into the hands of agro- and finance-capital at the expense of non-owners, dwellers, and workers in farming areas. As CLP (2011) summarised in our short piece “The Land Question: A Statement of Belief”:

in rural areas, particularly in areas of commercial agricultural production, the consolidation of land ownership continues apace, driving staggering numbers of farm tenants, farm workers and even farmers<sup>1</sup> off the land whilst strengthening the grip of agro-industrial and -financial interests, and large-scale, energy- and input-intensive mono-crop farming predominates.

For many living on farms, the aggressive displacement of existing arrangements with new measures that reduce their living and security in favour of profit and control for the owners and managers is connected with the arrival of a new owner or manager. But, as farm-workers and -dwellers share their stories across different locations and farms, so many are so similar at the moment that it seems more likely that this is really a characteristic mode of management now. Certainly such a mode of farm management fits the requirements of commercial agriculture under the broadly neo-liberal framework that the post-apartheid South African state has adopted. It's important to recall that since 1994, the ANC-led government has stripped away protective marketing, trade and agricultural support measures in favour of a broadly neo-liberal package pushed through with astonishing speed. Already by 2004, CLP had concluded the following with regard to post-apartheid state land and agrarian policy and action:

Under enormous pressure from powerful economic interests and ideologies – globally and within the country – the real priorities of land and agricultural reform are being directed away from the interests of the poor. Restructuring of the agricultural economy, through dramatic de-regulation and market liberalisation, serves the interests of the corporate and agri-industrial elite. It will favour commercial farming sectors that can ‘cut it’ in brutal global, competitive markets through exports, efficiencies, mechanisation and the like. It will result in continuing concentration of power and land ownership (especially corporate ownership) and the displacement of both farm labour as well as household (let alone national) food security. It fits with, and reinforces, agricultural production technologies and methods that are resource intensive and ecologically exploitative, and which re-produce the subordination of the farmer to the (global) power of the agri-industry (CLP, 2004. “*Land in South Africa: Gift for All or Commodity for all?*”, p18).

In addition, owners' and managers' anxieties may be being fuelled by threatening-sounding proposals from the current ANC government (as outlined by du Toit) – for example, those that appear to promise long-term farm-workers a greater stake in the commercial enterprise may incentivise actions to get rid of them and feed into larger tendencies to reduce, casualise and render precarious, all farm labour.

1 Even Omri van Zyl, head of agribusiness at pro-business consultancy Deloitte said recently that “Food-producing farmers in South Africa are a dying breed. The average age of farmers is in the 60s, significantly older than their global counterparts. And as they retire they're not being replaced because the political, security and economic challenges are too daunting”. The article goes on to say inter alia: “Van Zyl believes that corporate farming will determine our food security going forward. New entrants cannot afford to buy farms using bank loans because “there is no way he [sic] can farm profitably enough to return the loan”. ... Corporatisation of farming has already started, he says. (<http://m.timeslive.co.za/businessstimes/?articleId=14193661>)

Ironically, as du Toit's piece makes clear, the kind of populist trickery of the current government's pronouncements on the land (like the 50/50 deal for long-term farm workers) will do absolutely nothing to shift the underlying issues – even though, as pieces of cynical propaganda, they are designed to appeal to those most frustrated and worst affected by their material impacts!

So some features of the situation facing people living on the land take new forms and new twists. But in other ways, there are saddening continuities with much longer histories of land and life in our region. When exclusive rights of ownership together with extractive profit-seeking use-patterns are the overriding factors that determine how people relate to land and its possibilities of life, then the masses of the people will, again and again, be rendered essentially redundant, superfluous – as 'waste' (see Achille Mbembe 2011). And as (or if) capital-intensity, hyper-mechanisation and neoliberal managerialism all accelerate and continue to transform the countryside, even greater numbers of people will be laid waste who had hitherto carved out spaces for life in the commercial farmlands. Pithouse' (2014) comment regarding Mbembe's work is pertinent here:

The idea of reclaiming the human is also central to Achille Mbembe's work on the rendering of the human as waste in the post-colony. He argues that 'the human has consistently taken on the form of waste within the peculiar trajectory race and capitalism espoused in South Africa' and that 'for the democratic project to have any future at all, it should necessarily take the form of a conscious *attempt to retrieve life and "the human" from a history of waste*' (Mbembe 2011a: n/p, italics in original). For Mbembe, this would require that '[t]echno-managerial reason will have to be supplanted by the rehabilitation of the political itself' (2011b: 9)

Richard Pithouse, 2014. "The Shack Settlement as a Site of Politics: Reflections from South Africa", *Agrarian South: Journal of Political Economy*, 3(2) 179–201.

Identifying broader patterns and underlying structures that give us a better understanding of the real situation that people are facing does not necessarily mean that the struggle/s against their resultant injustices should not be taken up in particular places and farms and against particular farm owners and managers. Leftist outsider activists and analysts often insist that grassroots militants are 'wrong' to fight injustice where they are, on terrain where they have built their autonomous fighting strength, and against particular agents or targets. This approach assumes that to take up struggle at the place where it impacts is 'parochial' and that its militants are either uninterested in any 'bigger picture' or simply wrong and blinkered in their analysis of the situation. While this contempt for people's political thought is common to many elites across the political spectrum, it is emphatically wrong, tactically useless (except for the ruling class insofar as they benefit when popular struggle is re-directed away from actually-effective targets to nebulous enemies like 'neo-liberalism!'), and best abandoned. In an earlier note, CLP outlined our thinking on the issue of solidarity as follows:

A living solidarity means to be with the people in their life and struggles, to walk with them and experience with them. ... It is meaningful and effective when it is:

- on the terms set by militants themselves;
- concrete and directly connected to actual and specific struggle (not reduced to abstract ideas in petitions that anyone can easily sign);
- 'divisive' in the sense of forcing a decision to take sides in a real fight/struggle.

In relation to the "Platform against evictions" project, CLP thought through some of these issues in 2009 and suggested that civil society platforms of solidarity: 'are usually designed and implemented as a mechanism to enable easy action by others/outside, without necessarily actually strengthening movements – but using the struggles of poor people to strengthen the outsiders and the organisations and empires.

We have all seen many examples of this kind of work where emails and internet and other elite-NGO ways of networking allow do-gooders to sign petitions, write letters and take positions that are quite abstracted from the actual and particular struggles people are waging. Even when these initiatives 'involve' local people's organisations, the kinds of 'action' they favour have the effect of moving people's struggles onto terrains where their own organisations are weaker and where the civil society elites are stronger (and anyway, these terrains seldom deliver concrete victories for the actual people facing crisis) – typical examples are to encourage things like more civil society networking; lobbying in the corridors of power; making policy proposals; and so on'. (Church Land Programme, 2013. "What CLP Believes". See: <http://www.churchland.org.za/wp-content/uploads/2013/11/what-clp-believes-final.pdf>)

Speaking with people from rural areas of Zululand in the northern part of KZN province we learn about other new pressures. These seem to be related to speculation about untapped coal reserves in that part of the world. As a result of which, a number of amakosi [chiefs] are asserting a resurgent and aggressive authoritarian version of 'traditional authority' that claims proprietary rights to land and is also deeply intolerant of any forms of autonomous or popular organisation or power. We even hear of cases where people connected to a Communal Property Association (CPA – the legal land-holding entity created in terms of post-apartheid Land reform processes) have been forced to flee their homesteads in the face of the threats and claims of traditional authorities who are determined to extinguish any rival claims to land and the resources beneath it! Globally, this would fit a much wider patterns of resource extraction where big mining capital buys off local chiefs and their dependent local elite (for a relative pittance compared to mining profits) in order to secure mineral rights and repress popular resistance. The political consequences for the people are clearly disastrous, as are their prospects for land access and use-rights but it's unhelpful to simplistically associate traditional authority with un-freedom and contrast that with an assumed association of freedom with representative and liberal democracy. The predatory and authoritarian form of traditional authority people describe is precisely *the* form emergent under conditions of representative democracy in contemporary SA – and it's a terrible distortion of any pre-capitalist or pre-conquest form of 'traditional authority'.

The environmental consequences of a resource-extraction boom in this region are likely to be disastrous as well. The litany of impacts experienced by the people of the Vaal Triangle and other pollution hotspots with intensive dirty coal mining and energy generation are probably indicative. Aside from the air pollution impacts of coal-based energy generation, water resources will certainly be negatively impacted. Water flows that people have depended on like springs, streams, rivers and wetlands may dry up, disappear or at least become less reliable in times of water-stress. Additionally, mining invariably compromises the quality of groundwater and aquifers.

The continued and accelerated exploitation of coal for energy also reproduces the underlying political economy of South Africa's 'mineral energy complex' that is ecologically unsustainable and makes the country Africa's leading greenhouse gas polluter relative to our population. [see David Hallows, 2013. *Unpacking Climate Change: Background notes to the catastrophe*, Groundwork.)

Notwithstanding the predictable negative consequences, the elites and their agents pushing this new grab for resources will promote it, cynically playing on people's real frustrations and needs – usually promising jobs and development whilst painting resistance and the defence of livelihoods and lives as an anti-development agenda condemning rural people to poverty and backwardness.

Furthermore, Zuma's ANC-led government clearly sees advantage in a more assertive 'traditional authority' mobilised to contain and when necessary, actively suppress, any autonomous popular politics that is potentially against elite power and economic interests of big capital and the state.

## Forward?

Regarding the situation of the farm-workers and dwellers in our province, the way forward is obviously in their collective minds and hands. As CLP we continue to affirm their right to think, speak and act for themselves. In addition to affirming the people in their thinking and their commitment to action, CLP could also continue to facilitate connections between communities of (actual and potential) resistance across different geographic locations but facing similar situations. Struggle/s led by the thinking and action of the people themselves are the only possible basis for a decent politics to emerge. We remain mindful that organising and building militancy in the countryside is notoriously challenging – and the tendencies people are telling us about now indicate its getting tougher at the moment anyway.

From what we've learned already there are some obvious parameters worth noting as we look ahead. It will be vital not to allow false divisions to weaken the political imagination and fighting power of all those who are exploited and oppressed by the current system. For instance, the changing conditions on farms are not the fault of newly-arrived 'outsider' seasonal workers. Indeed they are being hired precisely because of their relative vulnerability to super-exploitation and rightslessness – and that in a context where the ruling party's populist rhetoric is probably making employers and managers feel skittish about any farm-dwellers with possibly-enforceable rights. It's clearly not desperate and impoverished migrants who are 'stealing jobs' but a modernising capitalist agro-economy that is shedding meaningful employment at a massive scale.

A politics of transformation in that context simply has to connect concrete struggle of resistance against what *is* with the inauguration of a radically new living politics of the countryside. A living politics begins and ends in the practical manifestation of the principle of absolute egalitarianism – i.e., the idea that everyone counts. Finally that means that the rational conversation necessary to transform South African countrysides, rural areas and farms includes the thinking and the action of *all* who were are there. That principled assertion has to be held in a way that is 'indifferent' to claims of history, ethnicity, class or race in the sense that a new liberatory politics can only ever to prosecuted by new and liberated human beings in collective assemblies of deliberative thought and action.

But the concrete steps and struggles of that politics are of course made in the particularities of people's lives and places. Those lives and places they inhabit are marked precisely by their history, ethnicity, class, race and so on. In our South African place/s the militant movement from what is to what must and can be, requires the building of popular power through effective struggles by the historic and continuing 'victims' of the systems that produce the conditions against which struggle is necessary. For the end result to be a communal conversation involving everyone on the basis of genuine egalitarianism, the histories of dispossession, conquest, racism and exploitation have to be confronted and overcome.

Du Toit, “The farm labour question: Fifty-fifty shades of obfuscation”

<http://www.dailymaverick.co.za/article/2015-02-17-op-ed-the-farm-labour-question-fifty-fifty-shades-of-obfuscation/>

**Government is pushing ahead with the policy on ‘strengthening the relative rights of people working the land’, an idea that has been caught in the wave of the SONA furore. Here’s a little more on the (troubling) political context.**

Media attention on the content of the 2015 State of the Nation address has focused (among other things) on the announcement that government will push ahead with the controversial “fifty-fifty” policy on strengthening the rights of farm workers.

This policy proposes that those who have worked and lived on a farm for ten years or more should by law get a proportional share in the ‘land’ or ‘equity’ on the farm.

This has not been one of the South African government’s most well received or popular proposals. In fact, when it was initially announced it was met with consternation, and condemned by a wide range of stakeholders. Commentators pointed out that it was badly drafted, probably unconstitutional, difficult to implement, and unlikely to benefit farm workers in any case.

Even organisations representing farm workers or speaking for their interests did not support it. At the South African Land Tenure Summit, a consultative conference organised by the Department of Rural Development and Land Reform in September 2014, the draft policy was rejected out of hand by two separate commissions, and the Department was told to go back to the drawing board.

But in spite of these objections, government appeared determined to implement it. At the Summit, the minister refused to accept commissions’ negative feedback and told them to go back to work, revising their recommendations to engage more seriously with the detail of the proposal. And in his State of the Nation Speech on Thursday, President Zuma announced that the ‘fifty-fifty policy’ would be piloted on 50 farming enterprises in the coming year.

Why is this happening? Why are the president, the party, and the Department continuing to push a policy that has been roundly rejected by experts, opposed by key stakeholders in the agricultural sector, and which does not even seem to be supported by the farm workers it is supposedly intended to benefit?

For an answer, it is necessary to look further afield. The rationale for the policy does not lie in its supposed benefits for those who work the land. Rather, it lies in the political theatre currently unfolding in South Africa as a whole, and the government’s need to appear to outflank its critics on the left. In this political theatre, the government’s failed land reform policy is a sore and vulnerable point.

The problem is that ‘the land question’, as it is commonly known, is not simply a problem with its roots in the distant, Apartheid past. It is a current and ramifying issue. Agrarian livelihoods are shrinking and disappearing – not only for farm workers, but for small and subsistence farmers in the former homelands and elsewhere.

For decades now, poor and marginalised people have been leaving land-based livelihoods, often ending up in peri-urban shantytowns, rural slums and poverty traps. The end of Apartheid did not reverse this process of jobless de-agrarianisation: in fact, it has continued and even accelerated over the last 20 years.

What is driving it is not the laws and policies of the past, but the brutal realities of economic life in our present-day food system. The deregulation of agriculture and the growing power of processors, retailers and agribusiness bring about harsh conditions for farmers and producers. New farm labour and tenure legislation increase the pressure even further. The name of the game in primary production is 'get big or get out' and to push down costs as far as possible; and often the path of least resistance is to pass on costs and risks to employees.

Farm workers and the rural poor have been the chief victims. Reliable statistics are hard to come by, but the trends are clear: the most rigorous report on farm evictions, done 10 years ago by the Nkuzi Development Association, estimates that 2.3 million people were displaced from farms between 1994 and 2005 – far more than gained access to land through land reform programmes. (1)

The majority of those who 'work the land' are now in reality no longer farm dwellers. They are seasonal workers and the employees of contractors and labour brokers, living in a wide variety of formal and informal housing: some in RDP settlements, but many in shantytowns and shack settlements on the outskirts of rural towns and under the authority of traditional leaders. And they are the ones who still have work. Most of those who leave the farms and the former homelands end up un- or under-employed, eking out a living in the informal sector or subsisting on social grants.

This is a development with far-reaching effects. To mention just one example, the growth of informal settlements without sanitation is one of the factors contributing to the deteriorating quality of water in South African river systems. In some horticulture-producing areas concentrations of faecal micro-organisms are thousands of times higher than the standards set by the WHO and our Department of Water Affairs; a development with severe implications for the local and international trading status of South African producers. (2) This is a problem for the broader population and a grave threat to the horticultural industry that depends on these rivers. But the most severe burden of jobless de-agrarianisation falls on the marginalised and vulnerable poor themselves, who have to survive under grim and often hopeless conditions.

This situation is clearly politically, economically and morally unsustainable.

But dealing with it will be challenging. It will require a rethink of the policies that shape our food system as a whole, and that determine who benefits, and who does not. It will require a coherent response, not only on farm workers' rights, but on how to create rural economies that sustain the livelihoods of poor and marginalised people. Answers will not be easy to find, and will require political courage.

In this context, it is easy to see why the "fifty-fifty" policy is so attractive.

One thing is clear. It will *not* solve the problems faced by farm workers. In fact, it has very little chance of making any positive difference at all. The policy will only benefit workers who have rendered disciplined service on one farm for ten or more years; so the vast majority of farm workers (all those who live off farm, and most farm dwellers) will be excluded anyway. And the tiny minority who do conform to its requirements will get a paper entitlement that means very little in practice.

Farm owners, in contrast, stand to gain quite a lot. For many of them, cash-strapped and in need of a capital injection, the “fifty-fifty” policy could be a lifesaver. Government will be constitutionally bound to pay them compensation; and in return they will give very little away. This has been shown fairly unequivocally by the patchy track record of farm equity share schemes which, with one or two notable exceptions, have not resulted in any real empowerment for farm workers.

But the main beneficiary will be the government itself. Because the biggest advantage of the policy is that it obfuscates the issue. It directs attention away from the real humanitarian, developmental and economic disaster of jobless de-agrarianisation. It directs millions of Rands of taxpayers’ money towards an ineffectual charade and cosmetic, symbolic change. It avoids the danger and the risk of making difficult policy choices. It allows land-owners to line their pockets.

But best of all, it does all this while allowing the ANC to look more radical, and to silence its critics on the left. What’s not to like?

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