

## Chapter Twelve

### THE NORTH WEST PROVINCE

*Yes, it's a queer thing about wanting to get into history. Take the case of Manie Kruger, for instance. Manie Kruger was one of the best farmers in the Marico. He knew just how much peach brandy to pour out for the tax collector to make sure that he would nod dreamily at everything that Manie said. And at a time of drought, Manie Kruger could run to the Government for help much quicker than any man I know.*

- From "The Music Maker" by Herman Charles Bosman, 1935

**S**outh African author Herman Charles Bosman

**immortalized the Marico district in what is now called the North West Province. In his day, life was simpler and Bosman's whimsical tales of the people of that part of the world are all the more evocative when one considers what is taking place on a daily basis to farmers in this special and beloved part of South Africa.**

A member of organized agriculture in the district recently sent out a questionnaire to local farmers regarding their problems with crime, land claims and other matters. What came back was astonishing – there were few if any who could say they were not living under serious duress. Some situations were so bad, farmers had abandoned their properties. Others were living on their nerves, frustrated with what they were seeing around them and unable to do anything about it.

The land reform and restitution process plays out in North West as it does in the other South African provinces. We were regaled with the same tales of stock and crop theft, intimidation, vandalism and even murder. The map of North West land claims as at December 1998 is quite an eye opener. More than half this provincial map is blanketed with dots.

One of the more controversial land claims in the province is that of Putfontein. With land restitution, the state has three options in the event of a successful land claim. The claim can be settled as follows:

- ◆ The return to the claimant of the specific land in respect of which a claim was lodged;
- ◆ Other land may be made available to the claimant; or
- ◆ Compensation may be granted to the claimant for the loss that was suffered.

If the State grants financial compensation, this is paid from the Treasury. The third party is the landowner. He plays no part in the action but is merely an interested party. But if the landowner is affected insofar as the claimants want his land, he becomes involved in the claim and must pay his own legal costs. It is not possible for him to obtain an order for costs against one of the other parties.

If the restitution claim goes to court, the court must decide in what way the claimant will be compensated, i.e., in which of the above three ways.

Section 2.2 of the Restitution Act says that if the claimant had previously (at the time of his removal) received compensation, *he or she may not apply again.* (Italics ours). Many claimants in terms of the Restitution Act have in fact received compensation, yet they lodge claims all the same. Most claims are lodged in respect

of specific land to which claimants want to return, irrespective of whether other land or compensation had been granted in the past.

Should the State wish to return the specific land to the claimant, and the present landowner must be evicted, *the claimant must give up the existing land that was given to him before occupying the new land*. This latter point is often ignored, and everything possible is done to return the original land to the claimant, *whether they vacate their compensatory land or not*.

Up to September 2001, for example, seventeen such claims had already been settled countrywide. Not one of the cases where land was returned resulted in successful agricultural production. Virtually all have resulted in failed settlements.

As mentioned, a perfect example of this anomaly is Putfontein, near Coligny in the North West. The claim took six years from the time the claim was approved to the time the farmer was paid out. It should be noted that as soon as a claim is approved, a farmer's security is affected: all production aid and financing are suspended. This places the landowner under enormous financial pressure.

The community which claimed Putfontein had already received ample reparation at the time of their previous dispossession, in the form of compensatory land and monetary compensation. The land they were living on at the time they made the claim against Putfontein possessed a good infrastructure. Yet the 6613 ha farm Putfontein was bought out for R13 million and given to the claiming community. Now this community owns Putfontein and the compensatory land they were originally given. They have in other words received double compensation.

Only a quarter of the original community came back to live at Putfontein, which had excellent irrigation and boreholes. Now nothing is happening at Putfontein, just subsistence farming and squatting. Some parts of the farm are being hired out to white farmers because the claimants cannot farm.

They steal from their neighbours – cattle and grain - which they sell because they cannot make a living on the farm.. There is no electricity, no fencing, and the boreholes are not working.

The original Putfontein farm was highly successful, cultivating mealies and peanuts. There was an excellent beef herd with a dairy, plus successful sheep farming. One of the farmers said he spent a lifetime and thousands of rands nourishing the soil on his farm, On his particular 372 ha farm (there were seven farms on the original Putfontein), only six people are now living. The rest stayed in their old homes.

Previously, Putfontein created a combined income of R7 million a year, on which taxes were paid. Now there is nothing, and R13 million of taxpayer's money is down the drain. The claimants now own two excellent pieces of farm land in the North West Province which produce absolutely nothing.

At a handing-over ceremony in the year 2000, Land Affairs Minister Thoko Didiza urged the Batlounge tribe to keep to their promise on land utilization. "It is important that this land be put to production instead of being turned into a squatter camp. You should not fail us. After a year I will visit this place and I want to find it in its current state or better".<sup>(1)</sup>

We are not sure if she did visit Putfontein after a year, but after three years nothing is happening on the 372ha portion, where only six people are now living.

## **Questionnaire**

These questionnaires mentioned above were divided into sections which were to be answered - the ESTA legislation, the undermining of land rights by crime and

intimidation, black empowerment land transfers, injudicious or ill-considered land reform, and willing seller, willing buyer (black farmers) transactions.

*(The ESTA legislation – the Extension of Security of Tenure (Occupiers) Act 62 of 1997- became law on 28 November 1997 and affords all persons who are not labor tenants (and a few exceptions pertaining to persons using land for commercial purposes and having a certain level of income) security of residence from 4 February 1997 on property they occupy which belongs to another person. This right is also applicable to persons who occupy such property (whether as tenants or not) with the permission of the owner, and to persons in charge of the property (thus obviously not squatters). The Act gives these occupiers the life-long right to occupy land which is not theirs.*

*The object of the Act is to protect people who are faced with eviction or who want to strengthen the newly-defined “rights” of occupiers of property. In a nutshell, this Act gives persons occupying rural or peri-urban land, with the consent of the owner or person in charge, a right of residence that can only be terminated in accordance with the provisions of the Act.*

*The Act further regulates the day to day relationship between owners, persons in charge and persons who occupy the owner’s land. The Act is enforceable through the magistrates’ courts, the Land Claims court and, in certain instances, the provincial high courts.*

*Occupiers may therefore obtain security of tenure on someone else’s land at the expense of the owner and/or at cost to the taxpayer.*

*Chapter III of the Act covers the “fundamental rights” of occupiers. The language of the Act is seen to favor the occupiers. The use of the word “fundamental” implies that the occupier has basic rights to occupy land which is not his.*

*Thus those who wrote this law have decreed that occupying someone else’s land (even though with the consent, tacit or not, of the owner) conveys on the occupier a fundamental and even an inalienable right. Surely this is a first in the world!*

*An occupier’s right of residence can only be terminated if such termination is “just and equitable”. Further, the courts will not grant an eviction order unless the owner makes alternative accommodation available – Chapter IV, Section 9. What represents “suitable” accommodation is also set down in the Act, and in most cases the farmer is unable to find this “suitable” accommodation and he simply buys a piece of ground somewhere else and gives the occupier building materials with which to build a house.*

*Another problem inherent in evictions is that the farmer must be subjected to a departmental investigation as to whether an eviction “will affect the constitutional rights of any affected person, including the rights of children, if any, to education”. (Section 9, Clause (3) (b).*

*This Act’s raison d’etre is to facilitate long-term security of land tenure to a person who has resided on land as an occupier (even if he has not worked or does not work for the person who owns the land). The Act makes it extremely difficult to evict an occupier.*

*The Act states unequivocally that this “situation” (where someone occupies land which is not his) is “in part the result of past discriminatory laws and practices”. This seems to refer to the fact that South African commercial farmers of European descent have “caused” the homelessness and rootlessness of many indigenous peoples and that this “past practice” gives those now without land a “right” to occupy land not theirs.*

*Another factor to be considered is the security risk involved in evicting occupiers. In some instances, occupiers threaten the farmer with violence, or the farmer learns through the grapevine that he would be ill-advised to evict an occupier. For the sake of his family's security, he leaves the occupier and family where they are.*

*The Act has come in for some criticism in the courts. In October 2000, Deputy Judge President of the Witwatersrand High Court Hermanus Flemming declared that the Act was unconstitutional. "Allowing people to choose to stay at another's property whenever they choose and simply because they so choose, at the expense of others' lawful rights, is clearly not land reform." <sup>(2)</sup>*

*Thus the South African farmers, in not mechanizing and being consistently encouraged to adopt a labour-intensive farming operation to absorb South Africa's huge mass of unemployables, is now penalized for his actions. Occupiers are referred to as "vulnerable" in the preamble to the Act.*

*The wording throughout the Act gives the impression that the farmer would, if he could, exploit the occupier who is posed as something of a victim. The reality is that the South African farmer who has farmed labor-intensively instead of capital-intensively as a result of demographics, is now the victim of his benevolence, unlike his contemporaries throughout the Western world.).*

As well as details of one's farm, the questionnaire solicited comments on crime, the environment, whether the police were involved in solving crime, and a section called "details". The devil is in the details in this instance! It was under "details" that the real story of the North West's turmoil was revealed.

Mrs. Louise Viljoen (not her real name) is the owner of a North West farm. In October 2000, her husband was murdered in his study by five young black men. They took nothing. The five men were from Alexandra Township, near Sandton in Gauteng. (Mrs. Viljoen believes the killers were especially brought in for the job). They cut the telephone lines and looked for her to attack as well, but she managed to escape. They knew the house's layout well.

One of the five had lived on her property, without her permission, for a month before the killing. Two months before her husband died, this young man visited her husband saying he was the local secretary of the ANC and that he represented the farm workers. He sat in their living room and her husband gave him tea, drove him to the nearest town after their meeting and paid for his taxi fare back to Johannesburg. He told her husband his workers "hated" him.

Mrs. Viljoen tried to remove some antagonistic former workers from her farm. She paid them off and even offered to build dwellings in town for them, but they wouldn't budge. They informed her the houses on the farm which her husband built "belong to the state".

Before her husband died, he received phone calls at night where nothing was said but there was clearly someone on the line. After he died, an ANC councilor from the Klerksdorp municipality informed Mrs. Viljoen that she must now allow the people working on her farm to have her farm.

In answer to our question – was there a connection between the murderers and the ANC, she replied: "Definitely. The police checked the telephone number one of them gave my husband – it was the ANC's Shell House number. The ANC then informed the police they were no longer in Shell House and that they did not know that person". (We print both Mrs. Viljoen's statement and the ANC's reply.)

The Department of Land Affairs continues to ask Mrs. Viljoen if she wants to sell her farm. She continues to refuse, because the farm was built up for her children's

inheritance, she says. Then she was told she would have to give a piece of land “as a donation”. Intimidation increased. She then received a letter dated 10 September 2003 from “Scorpion Legal Protection (Pty) Ltd.” acting on behalf of “Our clients: your employees – water and electricity ” (which was the heading of the letter).

The letter said Scorpion’s clients advise “that their water and electricity have been cut without any valid reason. According to the Tenure Act of 1997, Chapters 3, 5 and 6, our clients should enjoy their privileges.” The letter was signed by Mr. T.J. Gaanakgomo.

Eighty hectares of her grazing land was set on fire in 2003. Mrs. Viljoen’s son saw men in a car who set fire to the ground, and gave the police the registration number but the police appear to have done nothing with this information. Her 700 ha farm is typical of a good commercial farm in the area, producing mealies and sunflowers, and an excellent Angus stud herd.

Since her husband was murdered, she left the farm and members of her family stay there. They have dropped the crop farming and now only farm with the Angus herd.

She experiences endless trouble with people who occupy her worker’s houses and won’t get out. They throw stones at the people who run her farm and squat outside her farmhouse front gate, making it difficult for the farmhouse’s occupants to come and go.

There is much antagonism and continual belligerence, and she feels this is part of the program to move her and her family off the farm, to make it so unpleasant that they will give up and go. Her own farm workers must be fetched from neighbouring farms every day and taken back.

There are always confrontations, she reports. At one stage she had to bring in the SA National Defence Force to remove the workers’ cattle off her farm. These workers nearly killed the SANDF personnel. Recently, expensive bull semen was stolen and the thieves broke her fence.

She confirms the Department of Land Affairs continues to pressure her to allow people to farm on her land. She told us a black man phoned her one day and said “they” are going to shoot two of her workers.

As in so many other crime cases in South Africa, friends or relatives of a crime victim find it unfathomable why that particular person was chosen.

“My husband was such a kind person. He was always the one at meetings who said we must negotiate with the black people. He wanted to help them: he believed in training. He went out of his way to help the black people, he always wanted to have good relationships”.

### **Farmer Gert Pretorius, Lichtenburg**

Under the questionnaire section “Details” (Omstandighede is the word used in Afrikaans. The literal translation is “circumstances”), Mr. Gert Pretorius’ “details” were as follows: “Twelve farm workers have occupied his workers’ houses for the past three years under the protection of the ESTA legislation. (See an explanation of ESTA under the Putfontein story.)

As a result, Mr. Pretorius must fetch and return his own workers on a daily basis from Lichtenburg. Theft is a serious problem on the farm, and there is a severe security problem.

We spoke to Mr. Pretorius. He has two farms and these workers who were fired years ago are still on his farms. The police informed him he must supply these

workers with water. These “ex-worker/occupants” steal his maize and slaughter his cattle.

They steal the calves and slaughter them in his sheds and then leave the residual flesh there to rot.. They only consume around 20% to 30% of the meat. His staff must clean up after these “occupants”.

Mr. Pretorius cannot catch them at this slaughter. If he turns the lights off in the sheds, they slaughter at night. They intimidate anyone he puts in the sheds to keep watch. He cannot leave anything unlocked, even if it is used regularly.

He caught someone stealing his maize and took him to the police station. The man told the police he brought the maize from his own place.

At the police station he – Mr. Pretorius – was accused of wrongful arrest of a citizen. He then had to pay the transport of the thief who stole his maize. In order to get rid of the “occupants” of his workers’ houses, he must supply them with homes.

The Department of Land Affairs told him they must approve the homes. It would cost him between R100 000 and R200 000 to build them, he states, and he doesn’t have the money.

### **Farmer Jannie Bezuidenhout (not his real name)**

His “details” section of the questionnaire says it all! “Here is a typical ESTA case”, says the report. Mr. Bezuidenhout bought the farm, and the former owner’s workers and their families (around 50 people) stayed on. Mr. Bezuidenhout had lived in town for many years and knew nothing about the ESTA legal provisions.

He encountered his first problem when he brought his own workers on to the farm. They were chased out and some were assaulted. Mr. Bezuidenhout himself was taken prisoner by the “occupiers”. A fire was made around him and these squatters commenced toyi-toyi-ing around him. He luckily used his cell phone to call the police who came and rescued him.

What is interesting about this intimidation of the farm owner by these “occupants” is how the intimidation is structured. Banners were wielded (how can the people afford banners who need to steal maize to live?). It was clear to Mr. Bezuidenhout that political activists were behind the threats and terror.

This particular farmer had to receive psychological counseling, and was severely traumatized. He is afraid for his life on the farm. To try and salvage the situation, he has consulted attorneys about what to do. In the meantime, these attorneys received a letter from the Department of Land Affairs making an informal offer for the farm. They have claimed it on behalf of the very workers who terrorized Mr. Bezuidenhout.

He told us that the farm, a productive operation of around 400 ha cultivating crops and rearing cattle, was in white hands since 1902. The ground was never tribal ground so the claim is not a restitution claim but a “handover” according to local observers.

A neighbour asks: is this now the modus operandi of the Department of Land Affairs and/or their proxies, to terrorize someone until he can’t stand it any more and gives in? This happens all over the country, and a pattern has definitely manifested itself.

### **Mr. Johan Botha (not his real name)**

“I really don’t know what to do. I’m damned if I do and damned if I don’t. We are criticized whatever we do”. Thus spoke Mr. Botha after two and half years of exasperation, frustration and defeat at the hands of a worker who simply refused to move despite being fired. That one man could cause so much trouble is astounding. Only in South Africa!

The Botha family has farmed near Potchefstroom for fifteen years on 1 000 ha. They farmed cattle and had a small dairy. One worker made their lives a misery: he was a regular drunkard, abusive and violent. He was fired by Mr. Botha and paid out, but he would not move. He and two other workers took the farm car one day and crashed it. The worker was hospitalized, and the farmer paid R20 000 for repairs to the car.

He felt sorry for the worker. He gave the family food and money. He tried to obtain a social pension for the worker, but the man’s wife harassed the family for a long period of time.

This is a small example of the pitfalls of ESTA. Even when a worker is a threat to one’s safety and livelihood, you cannot get rid of him.

Many workers have abused this law. Was this the goal of the legislation, that farmers would be at the mercy of people who are not only of no use to the farm operation but who are a danger to the whole farming venture?

There are scores of names on the questionnaire and their stories are quite similar. Under the section “Undermining of ground rights through intimidation and crime”, numerous names appear. A serious problem in this regard is the proliferation of squatter camps in their midst.

A farm is handed over and is ruined, but the damage doesn’t stop there. Surrounding farms suffer because of environmental problems (no water, electricity, or rubbish and sewage removal), crime, broken fences and the theft of cattle, and the lowering of farm values in the market.

### **Some of this section’s stories**

#### **Farmer Malan**

The DLA bought the farm next to mine, he said. No impact study was completed. There is very little water – the boreholes are dry. There are no roads, no sanitation, no rubbish removal.

Houses were built but they were constructed in a low-lying pan and when it rains, they are flooded out. Seventy families complained to the Department of Land Affairs that the surrounding farmers “tried to get rid of them”.

“They steal from us and they affect all the farms around them. They live from what the old pensioners receive each month. They regularly throw stones at farmers passing in cars. There is drinking and crime within the community, and their cattle are diseased. More than R800 a hectare was paid for this farm.”

He refers to another farm nearby, recently transferred to fifty five families, a 300 ha property with irrigation. Nobody from the DLA came to the surrounding farmers to discuss the environmental impact of possible squatting on the farm, or whether the farmers could help in any way (which they were prepared to do). Again, no impact study was completed. Surrounding farmers give the new residents water because pumps are broken. Now the municipality has to deliver regular water to the new owners at the rate of 20 litres per house per day, by water tank. “You cannot wash with 20 litres”, says Mr. Malan.

The case of Mr. P.J. Meyer

This farmer abandoned his Hartbeesfontein farm two years ago. It produced beef and had excellent grazing, with a good strong water supply and some boreholes. Mr. Meyer's problem was the positioning of his farm – it was near a location. (A neighbour told us that in South Africa, the closer to a location or a tribal rural area, the greater the crime. This doesn't say much for the people in those areas, he says wryly.)

Farmer Meyer's cattle were stolen and slaughtered, and his fencing was stolen. His trees were cut down and burnt for firewood. The water pumps were stolen, the cattle pens were stripped. Despite abandoning the farm, he still had to pay tax on the land because it was shown on his balance sheet as an "asset".

The thieves broke his cement dam and the wind pumps. They stole the pipes from the boreholes and removed every piece of equipment on the farm.

He sees this as unambiguous intimidation, and this is why he eventually abandoned the farm. His family was threatened and told "not to come back".

Nearby black farmers are also robbed of their crops, said one of Meyer's neighbours. Many really tried but the crime was too much for them. They have the same problem as the white farmers. There is no law and order, they say. There's no prosecution of the criminals. The police are simply incapable of handling the problems. Foreign cattle are allowed to roam through private property and when property owners go to court to try and remove the cattle, the court is told the miscreants did not know it was private property. Sometimes the sentence is 30 days, and we have to spend time in court, said Mr. Meyer. Then the criminals are out the next day.

Mr. J.J. Coetzee (not his real name) farms near Delareyville. He loses four to six head of cattle a week, while his sheep losses were seven to eight a day until he gave up sheep farming altogether. His farm is unfortunately near a squatter camp, and his fate was sealed because of this condition. Neighbouring white farmers sold out to black farmers who then "farmed" with squatters.

Shops on these "squatter" farms were closed, and the NoordWes grain silo wants to close down because of the conditions of the roads on which they transport the grain. Mr. Coetzee says big farmers don't support these silos any more because the roads are in such a state of repair they damage the lorries. Some of the roads have gone from tar to dirt.

Roads in the North West are collapsing. Some main roads in Malopo have deteriorated to the point where it is feared long stretches are already beyond repair.<sup>(2)</sup> Private transport companies refuse to enter the area to transport cattle to the market, and farmers are now forced to buy their own cattle trucks.

Mr. Giel Theron, chairperson of the Molopo West Agricultural Union, says various discussions with the North West provincial administration have been fruitless.

The roads department has only three bulldozers to cover 2 000 km. Cattle farmers in the surrounding area say the rot set in two years ago when all planning seemed to go to pieces. Farmers have planted sticks to warn motorists of unsuspected dongas and potholes. Cattle trucks often get stuck in the loose sand, contributing to the time and cost of transportation to the market. The nearby squatter camp residents steal Mr. Coetzee's electricity cables and illegally connect their houses. When it rains everything is shorted. The power is out sometimes three to four hours at a time. Mr. Coetzee says it is a waste of time to complain to Eskom.

The squatters cut down the farmer's bluegum plantation – they cut the trees at night, as well as some of his indigenous trees.

He loses around R 1 200 per year because of the theft of petrol and fertilizer, and loses R6 000 to R8 000 in stolen green mealies (corn) and R4 000 to R6000 in ordinary mealies each year. These mealies are then sold at markets and pension pay-out points. According to him, you can write off up to 10% of your mealie harvest per annum because of this type of theft.

Farmer Coetzee has approached the Department of Land Affairs to buy his farm. His neighbour's farm was sold to the DLA for R2 000 per ha. The DLA unofficially offered him R1 800 per ha, but he tells us he'll now sell for as little as R1 000 per ha just to get out. They steal his diesel in 20 litre cans. The can is worth R100 but they sell it for R20 a can in the squatter camp. His own workers and the neighbouring squatters work together

He sees his agricultural environment turning into one big squatter camp, "what happened when the whites left Bophuthatswana". Prestigious buildings built during the homeland era have been vandalized. The boreholes are plugged with stones. The people are living in dams there. They have broken the dam walls and put corrugated iron roofing on the dam. Seven black farmers who took over an area after the homeland was abolished have been reduced to three now. They also suffer from theft.

"There is great potential if people want to work", says Mr. Coetzee. "They prefer stealing to working, and I cannot live in such an environment. But where will I get work?" he asks.

On the same list are the Viljoens, the Pretorius's and the Oosthuizens (not their real names). All their complaints are similar. They farm near Sannieshof and Fochville. Crop and stock theft, stock gates opened at night, high unemployment surrounding their farms. All of these farms were family farms. The Oosthuizens farmed in the area from 1908. Their 4 500 ha family farm was productive in beef and grain.

Black families were given R15 000 each under the old "Derek Hanekom scheme" as it is called by local farmers, and nearby farms were purchased. Now they are squatter camps feeding off productive farms nearby. (Where is Mr. Hanekom now? Has he visited these areas?)

The squatters steal anything they can lay their hands on – copper valves, steel gates, even the feeding troughs. The police caught some of them red-handed and they were charged but given bail. They stole again, were caught, charged and given bail again.

Out for the second time, they stole again, were caught, charged, and given bail for a third time. The police tell the farmers confidentially that some courts ruin their policing by letting the criminals off. The police are discouraged. Who wouldn't be?

The Pretorius family abandoned their farm in August 2003. Everything was stolen. Members of the family were threatened with death. Eight percent of their harvest of 60/80 tons of grain was stolen. The local municipality bought the neighbouring farm for a black empowerment group. It is now a basic, subsistence operation. The farm is full of weeds, and there is no labour evident. The new empowerment farmer says he can't afford to pay labour. Mr. Pretorius made an interesting comment to us – "despite the failures", he says, "they (the Department of Land Affairs) do not stop with their hopeless policy. They simply make things worse. They don't learn from their mistakes. Maybe they think next time they'll be lucky!"

Farmer T. Viljoen placed costly electric fencing around his 1250 ha Lichtenburg farm. He has already asked the Department of Land Affairs to buy his land. He tells us of a neighbouring farm which was bought for a black empowerment group for R1 million. Six hundred hectares in size, it had a flourishing dairy and beef

herd and excellent water. Today nothing is happening at that farm. There are no implements, no tractors. Sixty or seventy families occupy the farm and they have no income. Mr. Viljoen promised the DLA in Lichtenburg he would help these new black neighbours - the DLA just had to tell him what to do. The department never came back to him.

As for the old Bophuthatswana tribal land into which so much money was pumped in the old National Party days, blacks do not farm there anymore and whites are renting some of the farmland.

His brother Hennie Viljoen farms at Sannieshof, on 800 ha. His fencing has been cut and he is robbed on average of R30 000 worth of grain per annum. The thieves rode his prize horse around the property looking for what they could steal, and then stole the horse! He says some neighbouring black farmers who are trying to make a go of it are also stolen blind.

And so the list goes on. There are scores more names, with the same complaints. One particular story caught our attention. A 700 ha insolvent chicken farm outside Lichtenburg was bought by the Department of Land Affairs (DLA) in May 2003. Five ANC youth members formed a Community Property Association (CPA) and the farm was given to them.

The road to the property was rebuilt, the farm buildings were spruced up and the house was painted and refurbished. There was a spirited handover ceremony attended by at least 500 people. Two air force helicopters were used to bring in dignitaries, and many policemen attended the ceremony. One hundred and twenty cows were given to the youth as a kick-off present from the government. We believe the young men are looking for funding to salvage this operation which is not running well.

Mr. Danie Oosthuizen sold his property at Schuinsdrift to the DLA two years ago. It was given to 31 families. There were six farms altogether, 3 000 ha in all. The Oosthuizens cultivated mixed crops – tobacco and maize – and ran a dairy herd. The water supply was good, with boreholes and irrigation canals from the Marico Dam 10 km away, previously constructed under a state water scheme. The total amount paid by the government for these farms was R7 million.

The new owners divided the irrigated sections of the farm into 10 ha plots. Today nothing is happening on that farm. There was no business plan. Various organizations tried to help. The surrounding farmers and Mr. Oosthuizen himself wanted the new owners to succeed.

There was an excellent chicken farm on the premises, and Eskom offered electricity so the owners could obtain a contract with Rainbow Chicken. But there was no management or planning from the government's side.

“The extension officers were not up to standard”, said the farmer. “In the old days, extension officers were qualified specialists. This is not the case today”.

The farm was eventually over-grazed and has turned in parts to bushveld. It was reported that the tribal leader who headed the community ran off with the operating capital.

The following stories are of special interest for the specific detail which emerged in the telling.

### **Mr. Van Vreden of Leeukuil**

Ben van Vreden, formerly of the farm Leeukuil in the Devondale district, is Secretary of the Broedersput Boerevereniging (the Broedersput Farmers Union). He sent us copious correspondence criticising the government's land reform policy. He has written to organized agriculture repeatedly complaining about the desecration of the neighbouring agricultural environment by new farm "restitution/redistribution" owners, and their atrocious treatment of the animals bequeathed to them.

He and other farmers in the area question the logic of a farm restitution policy which destroys rather than builds. He refers particularly to the farm Enkeldoring, a 300 ha property on which 70 new families were supposed to farm. An impact study was apparently completed, but was found unsuitable for this particular project. (One farmer told us the extension officers have a total lack of knowledge of commercial agriculture). There is no provision for sewage, van Vreden wrote, and this has resulted in serious health implications for the new owners as well as the surrounding areas. The water supply is weak, and who is going to remove the rubbish created by these 70 families, he asks. There is no electricity, so how can the families cook and warm up water?

He wants to know if it is Mr. Thabo Mbeki's grand land reform plan to turn productive farmland into squatters' camps? Farmers' properties bordering this new handover project have put their farms on the market because of – as usual – crop and stock theft. One of the unoccupied farms bordering this new squatter camp has had its house simply taken away, and farmland in the area has drastically decreased in value as the result of these new land owners.

Mr. van Vreden's complaints are no different to the thousands of others throughout South Africa. But what made his file so shocking were the newspaper clippings he sent us about the treatment of animals by the new owners.

The mind simply boggles and is even numbed at how human beings can treat animals – God's creatures – in such a horrific manner, especially animals which are supposed to be their livelihood.

Headlines of the *NoordWes Streeknuus* of 15 February 2003 declared "Farm has twenty owners but the animals remain uncared for". The next paragraph is shocking:

"Broken fences, an empty dam. Leaking water from pipes. A wind pump from which water exits drip by drip if the wind blows hard enough. And animals which like dogs storm the wind pump to try and lick a few drops of water from the pipe to drink. No, this is not Zimbabwe. Here on our doorstep, on a farm between Vryburg and Devondale on which twenty people live, there exists such a situation."

The article informs us that the poor animals have basically been left to their own devices by the new "owners". Farmers in the area say it is heartbreaking and traumatic to see how the poor creatures walk round and round the wind pump to try and drink a little water. Some have even broken through the wire to get to neighbours' water supplies.

*StreekNuus* spoke to some of the new owners about the situation. They said that someone from their group was always on the farm but in any case, *it was nobody else's business if their animals died of thirst.*

A nearby farmer told *StreekNuus* he hadn't seen anyone on the farm for the past four weeks, and the animals were not being looked after. They were not being injected and had developed diseases, and no lick had been set out for them. Another farmer told the newspaper that he had crops growing up against the fence between the two farms. The poor animals had stormed the fence to try and obtain moisture from the crops.

This farmer told the newspaper he had told the new owners on a number of occasions that he would be prepared to give water to the cattle if they would place a drinking trough on their side of the fence. The new owners said this wouldn't work because the animals would have to walk through a vleis to get there, and if it rained, they would get wet! They actually found an excuse not to take up this offer!

Many people in the area phoned the SPCA: they were sick to the stomach at the way the new owners treated the animals. The SPCA warned the owners that water must be supplied and gave them a date on which they must react to the warning. The owners did nothing and now the SPCA must obtain a court order against these people. At the time of going to press, the newspaper wasn't sure whether the court order had been granted.

In the meantime, the new owners of Leeukuil accused those concerned at the animals' plight of stealing the cattle which had died of thirst!

A later report in the same newspaper said the new owners were "angry" at the previous press report and had laid a charge with the Department of Land Affairs against the newspaper and the local farmers for complaining about their treatment of the animals!

DLA told the owners they must start "working" on the farm. While the representative was there, they saw a neighbouring farmer apparently taking some of the cattle to his farm to try and give them water. The owners immediately laid a charge of theft against the farmer with the DLA, but it was later discovered the farmer was simply taking back his own cattle.

The cattle theft unit of the SA Police Service was called in and repaired the water pipes so the cattle could drink. After that the new owners simply disappeared and the animals were again left to their own devices.

People in the area told us they cannot live near people like the new owners. "How can we share the same planet with them? What do we have in common with human beings who treat their very own animals in such a way? There is absolutely no compassion whatsoever in their hearts for anything. They are selfish, lazy and uncaring. How can the government use taxpayers' money to give a beautiful farm to people like that?"

This animal incident caused great soul searching in the community. The horror which this engendered in the hearts of people who love animals and the environment can never be erased. And this incident will probably always be remembered by our readers.

## **The Bray Story**

The Department of Land Affairs published a glossy booklet entitled "LandInfo". Edition No. 2 of the year 2000 shows a picture of President Thabo Mbeki congratulating Mr. Bob Namusi, new chairperson of the Bray farm project, after receiving title deeds to this scheme.

A Mr. Jaap de Bruin is seen in the DLA book "addressing the crowd" with President Mbeki. De Bruin owned a 1 300 ha cattle farm Sonning in the area and allegedly experienced financial problems with the farm.

According to people in the area, Mr. de Bruin devised a scheme to firstly sell his farm to 74 recipient families, some of whom were his workers, and secondly, to set up a new housing project of 150 dwellings at Bray for the 74 families and others. Bray is a small town right on the South Africa/Botswana border.

The DLA publication says Mr. De Bruin entered into a joint venture with the government and the community of 74 families. But he would not allow any of the 74 families on to his farm.

He went ahead with millions of rands granted by the government to commence the building of the houses at Bray, and had completed around 30 of them when his money for the farm came through.

He then upped and left, saying there was no more government money to continue with the Bray housing project. (Farms in the area usually obtain around R750 per ha in the market. He would have thus received nearly a million rand for his farm.)

Locals told us that absolutely nothing is going on at the farm Sonning. Meanwhile, the uncompleted housing project at Bray has resulted in hundreds of people moving onto the land allocated for the 150 houses, where they have put up shacks. The place is now a squatter camp. The people at the Bray housing project have water and electricity, supplied by the municipality.

From where does the municipality obtain the money to give free services when there are only a few people paying rates and taxes in the area, we asked. We were told the government subsidizes this council.

The DLA publication's article reflects fulsome praise for the various schemes with grandiose names – there is the Bray Housing Development, the Bray Farmworkers Equity Scheme and the Bray Cooperative Enterprise. North West premier Popo Molefe promised financial support to the projects and “in that gesture, he was supported by the President”, said the publication.

Mr. de Bruin has taken his money, the people have no houses, the farm is inoperative and the R250 000 cheque donated by President Mbeki at the handover ceremony for the people to buy cattle has simply disappeared! Nobody today knows what happened to that money. It also seems that nobody is accountable.

At present, the raw sewage from the Bray squatters camp runs into the Molopo River which is the drinking water source for the area's residents. Local farmers have complained verbally and in writing to the ANC-led municipality which says it can do nothing “because we do not have the money”.



*Pages from the Department of Land Affairs publication, Landinfo, showing the celebrations at the handover of the North-West Province Bray area by president Thabo Mbeki. Despite grandiose plans, the project has to date produced nothing except a squatter camp. Raw sewage from the Bray squatters camp runs into the Molopo River which is the drinking water source for the entire area's residents.*

### **Kafferskraal**

This is the story of Mr. Kerneels van Rensburg who, with four other farmers, owned a 3 900 ha property called Kafferskraal. On his 700 ha portion he produced 800 tons of mealies per annum and as much meat needed to feed 20 000 people.

A land claim on these farms was completed in July 2001. In September 2001 the farmers left and there has been no movement on the farms since then, except that one of the previous owners is renting his particular property back. No business plans were produced, although Mr. Van Rensburg said he'd help the new owners.

Since he left, his beautiful house has been vandalized: toilets, taps and pipes were removed, and doors and cupboards throughout the house were broken off from their hinges and taken away. Some of the roofing has disappeared. The farm's dams and camps are now inoperative. Nobody wants to pay the electricity to work the pumps.

This was one of the best and most productive farm groups in the area. It cultivated mealies and ran an excellent dairy herd. Altogether the taxpayers paid R5 070 000 for these four farms.

What makes this story exceptional is how the farmer ran around taking photos of his farm, his house and his furnishings, as if expecting the whole thing to sink into chaos. Which it did! Which is to say nobody expects any more than chaos these days with these handovers. It is almost a given that the project will fail, as most of them do.

### **Last but not Least**

We cannot possibly mention this farmer's name, nor where he farms. Suffice it to say it is in the North West Province.

We telephoned him with regard to reports we had heard about the continual and relentless theft he experiences on his farm. He answered the telephone in a soft voice. We thought he was ill, and asked him if we could call back. No, he said, I'll talk to you now. He confirmed the nearly R350 000 worth of theft he had experienced in one year. We asked him about an attack on his person some years ago, and how was he managing today. Yes, he said, I was stabbed several times in the throat with a long spike. Hence his difficulty in speaking - his vocal chords had been damaged. Stunned, we said goodbye and put down the phone.

So this is farming in South Africa today. A good decent man who, if his forefathers had gone to any other new world country, would be living the life he deserves, after all the years of hard and dedicated work on the land. No, fellow South Africans, this is not how it should be. Something must be done!

## Chapter Thirteen

### THE PROVINCE OF GAUTENG

*If a man does away with his traditional way of living and throws away his good customs, he had better first make certain he has something of value to replace them.*

- Basuto proverb

**G**auteng province includes the huge industrial and residential complex of Johannesburg , Pretoria and the southern areas of Johannesburg, what used to be known as the PWV area – the Pretoria/Witwatersrand/Vereeniging complex.

One of the most serious social problems of this, South Africa's most populous province, is human squatting and land invasions. On the outskirts of the cities, in the peri-urban and small-farming areas, farms have been invaded, while formerly-productive farmland lies fallow and untended.

In an October 2003 address on land reform to the Council for Scientific and Industrial Research (CSIR), Professor Lawrence Schlemmer of the Helen Suzman Foundation discussed property rights and the government's stand against land reform that would undermine property rights.

The real danger, says Schlemmer, does not lie in formal policy but in the government's capacity to enforce property rights.

He referred to the Duvenhage case which captured the attention of, particularly, city and peri-urban dwellers in South Africa. This type of farming land on the outskirts of South African increasingly attracts invasions and take-overs which, if large enough in size, take on a momentum of their own.

The extraordinary phenomenon of squatting has become a hallmark of the new South Africa, with urban "land grabs" a permanent blot on the geographic landscape. The principle of the right to defend one's property, and win, took second place in the case of farmer Braam Duvenhage.



*The face of land reform in Gauteng: massive squatter camps, housing millions of people who for the greatest part have turned their backs on farming and have left agriculturally potentially rich areas to settle in urban and semi-urban areas.*

## **The farm Modderklip, Benoni, East Rand**

In September 2000, Braam Duvenhage reported the illegal squatting of 50 people on his farm to the local police. Some arrests were made but eventually he was told that “the jails were full” and no more arrests could be made.<sup>(1)</sup> This opened the floodgates for more squatters to move on to the farm.

Duvenhage farms commercially – the farm is his livelihood. He bought the farm in 1965 and grows soya beans, sorghum and maize. He spent his life developing the farm - 2 300 ha in size – and now squatters have occupied 40 ha of it. He bought the property from a mining company and there was no land claim on the farm.

Eventually the squatter figure rose to 40 000 and included Mozambicans and Zimbabweans. Duvenhage blames the squatters’ boldness on the contemporary Bredell incident where members of the Pan African Congress (PAC) sold plots for R25 on a piece of private land. Two farmers, the government, Transnet and Eskom jointly owned the occupied Bredell land, also on the East Rand.

In Duvenhage’s affidavit to court, he declared that in May 2000, 400 squatters had erected 50 shacks and had unlawfully occupied his land. *Local police tried unsuccessfully to remove the squatters* (italics ours) until a final court order was granted against the squatters in April 2001.<sup>(2)</sup> They were to go within two months, but they never moved. Duvenhage then called on the government to act in terms of the sheriff’s order to have the squatters removed.

He was informed it would cost him R1,8 million to have the 40 000 people on his farm removed, money that Duvenhage certainly did not have.

In September, the farmer asked the High Court to enforce the order handed down in the Witwatersrand High Court to evict the people from his land. But the case was defended by the State President, the ministers of agriculture and land affairs, housing and safety and security, the commissioner of police and the local municipal council.

The squatters have illegal electricity connections and for water, they tapped into a pipe line from a nearby settlement. “For food they pinch crops from my farm”, said the 73-year-old farmer.<sup>(3)</sup> “Recently we traced a ton of maize worth R70 000 stolen from my farm.” One of his tractors simply disappeared and he receives threatening phone calls. In May 2001, Duvenhage was already out of pocket by R200 000 for legal fees. He was forced to go to the higher court to get the local court order enforced. Because of these legal delays, more squatters arrived by the busload. For practical purposes, says Duvenhage, a private property owner in South Africa who cannot afford to pay to remove illegal squatters has in effect lost his land.

Duvenhage’s farm borders on the Daveyton township where “crime is rife and an ever-expanding morass of shacks and filth has swallowed once-fertile fields”.<sup>(4)</sup> He now finds the farm a trap, as do so many other South African farmers. What was planned as a nest egg for his sons has now become a burden, and he would sell it tomorrow if – and it’s a big if – someone would buy it.

“At least Mugabe tells the farmers straight ‘I’m going to take your land’. But in South Africa, a High Court judge orders that the squatters be removed and the government ignores it”, complained Duvenhage.<sup>(5)</sup> “President Mbeki keeps on saying that what’s happening in Zimbabwe won’t happen here. But it’s happening. If this is not a farm invasion, then I don’t know what is!”

## **Court**

In November 2002, Judge William de Villiers found that government had failed to carry out its constitutional duty to protect Mr. Duvenhage's property rights and to carry out an eviction order which the farmer had won. The judge ordered the SA government to present a comprehensive plan to court by February 28 2003 to either evict the squatters and rehouse them, or to buy the affected land.<sup>(6)</sup>

Government's comment on the ruling was interesting. Land Affairs minister Thoko Didiza said that if the government upheld the court order, it would encourage "queue jumping", allowing illegal squatters access to housing ahead of people on waiting lists for houses. The government decided to appeal against the High Court judgement to the Appeal Court in Bloemfontein.

There could be a long delay before the case is heard. Meanwhile, the squatters are still on Mr. Duvenhage's farm.

### **Squatting All Over The Country**

In the Bredell case mentioned above, the government was granted an order to evict the squatters from what was, in part, government land. But other cases have not been so easily solved. Squatter camps have completely encircled Johannesburg and its suburbs. Further north, in March 2003, squatters made themselves at home right in the heart of the up-market suburb of Kosmos, on the Hartebeespoort Dam.

The Johannesburg Central Business District's buildings are full of squatters. Some simply seized control of buildings from landlords. In the Hillbrow area, now virtually under the control of Nigerians and known informally as "little Lagos", drugs are sold openly and home-made abattoirs have mushroomed in hotel and apartment rooms.

Pretoria's parks are a haven for squatters who camp out near streams and rob nearby houses. Many come from other countries, including Lesotho and Swaziland. The Alberton railway station was reported as home to squatters. Nearby factories are regularly vandalized and/or burgled.

The Ekurhuleni municipality on the East Rand used taxpayers money to give free water to squatters.<sup>(7)</sup> There are 205 squatter camps in this municipality alone, of which 68 are illegally on private ground.

A businessman north of Johannesburg told the press his business had gone from being worth R15 million to nothing, adding that he had lost R64 000 income a month.<sup>(8)</sup> Squatters occupy an adjacent property to his place of work. In December 2002, the businessman found a corpse on his property with a gunshot wound, and two days later police picked up another corpse in the next-door squatter camp with stab wounds. This citizen has already spent more than R750 000 to try and remove the squatters. He is said to be suing the local council for R2,5 million.

Some years ago, residents of Kempton Park on the East Rand built a deep trench 2m wide, 2m long and 9 km long to prevent crime from neighbouring areas. (Vryheid, KZN farmers have built the same size trenches to stop cattle theft. South Africa's urban residents build the same trenches to stop car hijacking!)

These Kempton Park residents were the victims of a relentless crime wave. One car was stolen every day. Women were raped when they drove past in their cars, while people no longer stopped at stop streets for fear of being attacked.

The place looked like a war zone, according to a journalist who visited the area.<sup>(9)</sup> Watchtowers had been built and were manned 24 hours a day. Houses looked like forts and many had been sold for a song. One couple told the journalist they had

had thirteen break-ins over the past four years. In one two week period, they were broken into eight times. Insurance companies have for years now refused to insure properties and contents in the area.

An “idyllic retirement farm” became a “putrid nightmare” for Mr. Blackie Swart when squatters invaded his property. “They have used my home, my farm as a toilet”, he lamented<sup>(10)</sup>. Mr. Swart sold his working farm and bought his retirement property at Hartebeespoort where he believed he would be able to live in peace and quiet.

A nearby squatters camp has made his life a misery. “They walk through my farm as if it were a public thoroughfare. They slaughtered my cattle and broke the wire fence. They use our farm and its buildings as a huge toilet and shower ground. When the wind changes, the smell is unbearable”, declares Mr. Swart. More than twelve telephone calls to the Madibeng municipality were completely ignored.

Because he complained about the squatters, his animal forage was burned, so much so that the whole farm nearly burnt down. Despite his visits to the police, nothing has happened to the case he opened.

Other squatters in the area received free water from another farmer “so they won’t steal”. But on other neighbouring farms, water is stolen using buckets in a queue to the borehole. “They even stole the sleepers off the nearby railway line”, complained Mr. Swart.

Mrs. Poeka Eckard, a lady farmer in the area, says the squatters do what they want.<sup>(11)</sup> “We have stopped farming with sheep. They are stolen day after day and we find the legs in the veld. The pipes from our borehole was stolen three times this year”.

Sometimes the court’s judgments encourage squatters. In July 2001, a judgment in the Witwatersrand High Court left the door wide open for other land invaders to legally challenge eviction orders. After a four-year wrangle, the Northern Metropolitan Local Council lost its move to rid Kya Sands and Houtkoppes, north of Johannesburg, of squatters. Judge J. Mlambo found that officials had no authority to apply for the eviction and that eviction notices should have been served in the home language of the squatters!

Since this particular judicial outcome, hundreds more squatters have moved in with alacrity. A local resident claimed “it is an open secret that many of the so-called squatters own one or more houses in Soweto and other townships, bought with government first-time buyer’s subsidies. They rent out these houses, and then come and squat in our area.”

“If the eviction notices must be served in the squatter’s own language, then they should be written in Shona (from Zimbabwe) and Portuguese (from Mozambique). It is also known the local warlord is a Nigerian, so maybe the court should have issued an eviction order in that language too!”

### **Brick By Brick**

It is not unusual in South Africa to see whole residences plundered and carried off brick by brick. Residents of the small-holdings at Mapleton, near Boksburg on the East Rand were tormented day and night by more than 200 squatters who stole everything that moves, and fixed property as well.



***The remains of a house – literally dismantled brick by brick by squatters – in the Mapleton small agricultural holdings area on the East Rand. Similar scenes are to be found up and down the province.***

Anyone who goes on vacation can find their house gone when they come back. Mrs. Lorraine White who lived in the area for 50 years said it used to be a veritable paradise.<sup>(12)</sup> It doesn't help to put up fences, she said. They are broken within hours. Dogs are poisoned, and everything is stolen. People who couldn't sell their houses simply left, and the empty houses were dismantled brick by brick. The police were informed, but nothing was done.

Two years ago, squatters armed with hacksaws, spades, forks and hoes invaded privately-owned plots near the Rietvlei Dam outside Pretoria, but were forced off by public order police and private security guards hired to keep them away.<sup>(13)</sup>

Leaving behind them the poles they had brought to demarcate stands (plots), the group marched back to where they came from. They informed the police they were the "advance party" sent to clear the land and threatened the residents that they'd be back "with 10 000 people". This was the third time the squatters had tried to occupy the private small-holdings.

On a previous occasion, a High Court interdict was obtained to prevent an invasion and 4 000 structures which had been set up, were removed. It was discovered that many squatters came from as far away as KwaZulu/Natal. During the latest invasion, the squatters told security guards they were "testing the water to see what happens".

Land is not the only refuge for squatters. In October 2003, it was reported an empty house in Johannesburg's trendy suburb of Melville has been occupied by squatters for two years. The house has no electricity, water or sewage service. All the furniture, kitchen cabinets and wooden doors have been used for firewood.<sup>(14)</sup> It is believed more than 100 people stay in the house.

A local resident says she has complained numerous times to the authorities about the squatters, but the authorities say they are "looking into the matter". Various officials have visited the house, but could not find the owner.

Early in 2003, the Johannesburg City council had to evict squatters from an empty clinic in the city. More than 400 people were found there, and firearms were discovered in the building. <sup>(15)</sup> Only two floors of the nine floor building were occupied until evictions occurred. Medical refuse such as swabs, used syringes, bandages and bloodied gloves were among the debris carried out of the building by officials. Rentals were charged by self-appointed “landlords” to live in the building.

In a final insult to injury, a January 2003 report revealed a Mogale City councilor had called upon police to protect illegal squatters on a farm in the Magaliesburg district, north west of Johannesburg. Neels Oosthuizen, attorney for property owner Richard Theron\* (1) said it was clear the Mogale city councilor had encouraged squatters to seize his client’s farm.

“Councilor Mabe\*\* (2) has actively incited the illegal land seizure to the point of calling in armed and uniformed municipal police to intimidate my client, after he has succeeded at great personal financial cost to resolve the illegal settlement issue. This is an extremely ominous development as the farm seizures in Zimbabwe started the same way, with groups of squatters seizing land with official ruling-party support”, Mr. Oosthuizen said..

On that note we end the squatter stories. Can any civilized country imagine that its citizens would have their property rights treated with such contempt? What would George W. Bush do if his farm were invaded? Unthinkable! But in South Africa, anything goes without law and order and good policing.

\* (1) Update: Richard Theron and his wife were murdered on 5 June 2004.

\*\* (2) Councilor Mabe is on record as saying to the now murdered Richard Theron “Your attitude will be the reason for another farm murder”. Numerous death threats were received by Theron, and despite pleading for protection via calls & letters to local Police, Police headquarters and several other parties, both were brutally murdered.

## **The Farm Debacles**

An agricultural holding at Orange Farm, south of Johannesburg - meant for use by veteran former soldiers – is lying idle because the beneficiaries do not have the capacity to take it over.<sup>(16)</sup> The Doornkuil Agri-Business Industrial Park has a newly-completed building for manual workshops and equipment for poultry rearing, welding, fence making and farming. It has two horse and trailers, three tractors and two trucks. There is a dairy and two milking cows which were, until recently, part of a herd of 12. One night 10 of these cows were stolen. This “park” was the brainchild of the Airborne Trust, which received R5 million from BAE Systems, the firm awarded the government contract to supply aircraft to the South African Air Force. This was one of the offset/reinvestment projects promised by those who won contracts under the arms deals.

The farm was handed over in 2002 but it was found the recipients were unable to “capacitate” it, said the Airborne Trust’s spokesman Michael Chemaly. (This new euphemism in the South African lexicon – to capacitate – is interesting. It means people are unable to do something because they don’t have the ability to do it.)

## **Rust de Winter**

The Rust de Winter land, 75 km from Pretoria, was originally an irrigation scheme created by the old National Party government. Around 100 plots of approximately 25 ha each were sold to commercial farmers who cultivated cotton, tobacco and vegetables.

It was a highly successful and productive scheme. In 1978, the government bought out the farmers and in the eighties, this land was incorporated into the newly-formed Bophuthatswana homeland, under the SA Development Trust.

Today this land has turned to dust. There is nothing but a barren landscape, and the former post office, co-op, local store and filling station have disappeared. Empty houses dot the landscape.

At present the water from Rust de Winter dams is supplying nearby townships. This was very well-developed, irrigated land which now lies in ruins. The government should resuscitate this land for its land restitution beneficiaries instead of taking productive farm land for the purpose.

### **Farming with Squatters**

An interesting phenomenon has manifested itself east of Pretoria. The farm Kleinsonderhout between Bapsfontein and Bronkhorstspuit was sold by a white farmer to a black gentleman who now “farms” squatters. There are now more than 2 000 people on this once-productive farm, each paying rent to the new owner. There is no sewage, no potable water, no electricity. Naturally, the residents are stealing from the neighbouring farms. Now the squatters are demanding “services”, although they are 28 km from Bronkhorstspuit.

In Kekana Gardens, near Hammanskraal, a 1 000 ha cattle and game farm belonging to a Mr. Roos is under siege. Mr. Roos wished to sell but couldn't get his price. A local warlord is believed to have supported the invasion of squatters onto Mr. Roos' farm. There are now 4 000 people there, living in shacks with no sewage or electricity. The Standard Bank is believed to have spent R45 000 to connect a water pipeline for the residents.

The above reveals under what pressure South Africa's cities and peri-urban areas are. We have quoted Gauteng examples but the pattern is the same, to a greater or lesser degree, in all South Africa's cities and towns. Squatting is here to stay, as are land invasions and intimidation of those who resist.

## Chapter Fourteen

### **BLYDEVOORUITZICHT NO MORE: KWAZULU / NATAL**

*Blydevooruitzicht: Dutch for “Joyous Prospects” - the name given to the land of Natal by the Boer trekkers in the 1830s on account of the rich potential of that region.*

**We** have dealt with Vryheid and Kranskop and the

**Dunns of Northern Natal as separate chapters, which says much for the province of KwaZulu/Natal as a contentious region where four of South Africa’s peoples – the Zulus, the whites, the coloureds and the Indians live side by side in the cities, but share an uneasy truce in the rural countryside.**

It is also fitting that we end our provincial stories on land reform in KwaZulu/Natal. So much of South Africa’s world image is formulated around this part of the country – the Zulu wars, the British imperial expeditions, the Afrikaners and their treks, the oft-forgotten struggle of John Dunn’s descendants to gain title to land given to them by Zulu kings, and of course the Indians, most of whom call KZN their home.

Land reform in the province is a sorry story. As with the other provinces, we have collected scores of stories and anecdotes and have made so many personal connections with people involved in a thwarted and skewed land restitution and handover process that this book could go on forever.

We will tell three stories to end our provincial tales. The first is about two examples of animal cruelty – mindless, pitiless sadism against defenceless creatures. The people who committed these acts of savagery have votes in our legislature and, by extension, have a say in the future of our country. It’s something to think about.

Mr. Serfie Serfontein farms cattle at Newcastle. Six of his young cows and a stud bull worth R24 000 were cruelly stabbed with spears on his farm. We noticed this in a Johannesburg newspaper <sup>(1)</sup> and telephoned him. He sent us some gripping photos which we have printed.

Mr. Serfontein said it took 50 years of breeding to get close to the perfect Bonsmara bull, ‘which mine nearly was. Now I’ve not only lost him but all the calves he would have sired. I can’t afford to buy another bull’, he said. The bull had been shot, as were three heifers.

His cows were herded into the cattle pens and then stabbed with spears near their hearts. Only one carcass had part of its hind quarters missing, a sign of vindictive killings not for the pot. He believes he is being chased off his 940 ha farm where he has to contend with young Zulu men hunting his animals with dogs

And the police, we asked? The newspaper report said Police Captain Polla Paulsen declared the police were investigating the slaughter. “We are doing everything in our power to bring the culprits to book”, he told the press.

So what happened? Nothing, said Mr. Serfontein. They took photos and opened a docket and that’s the last I heard of them. One policemen told him “if you know or suspect who they are, you must catch them for us”.

Mr. Serfontein believes the mutilation of cattle echoes the Zimbabwean farmer’s troubles at the beginning of the land grab era. We would also mention that

the cruel mutilation of cattle and pets was a hallmark of the Mau Mau era in Kenya's terror tactics against the mainly white farming community before independence.

In another instance, farmer Roy Ferguson of Vryheid noticed that the tails of seven of his stud cattle had been severed. The tails were "savagely hacked off" according to Mr. Ferguson. He said it appeared the culprits "swung a machete in the general direction of the cows' tails in the dark". In the process they inflicted severe wounds on the back of the cows' legs.<sup>(2)</sup> One cow had to be destroyed, five had to be sewn up and treated by a vet for infection. Another cow disappeared, and probably died.

Mr. Ferguson offered a R10 000 reward for information leading to the capture of the miscreants. We telephoned him to ask what had transpired. "Nothing" he said. Nobody came forward to claim the reward. So he consulted a witchdoctor, taking his herdboys along to see the sangoma. He received muti (medicine) from the witchdoctor, which transaction was witnessed by the herder, and no further mutilations took place.

Some of Mr. Ferguson's pigs' tails were also cut. Through the grapevine he discovered the thieves use these animal tails as whisks – they push a stick up through the tail skin – and that this purportedly provides immunity from being caught while stealing cattle. They sell these tails as fly whisks for this purpose.

The farmer now puts bells and reflector tape-covered cable around his cows' necks. As with Mr. Serfontein, farmer Ferguson reported the matter to the police who took some photographs, took the names of the perpetrators (yes, the farmer knew who committed the deeds), and weren't heard of again.





*In scenes reminiscent of the 1960s Mau Mau in Kenya, cattle on farms in Kwa Zulu Natal are mutilated and killed for no other purpose than attempting to drive the farmers off their land. A selection of pictures from the farm of Mr. Serfie Serfontein, Newcastle, KwaZulu/Natal.*

### **The Makhatini Flats**

We had heard rumblings about the Flats for some time, but it was difficult to find anyone who would talk to us. Eventually we found someone in Swaziland who had become disillusioned with the ANC-led local council. He told us the 10 000 ha flats had been Crown land, and that the old National Party government had allocated it to commercial farmers. The land was then incorporated into Kwa Zulu as part of a proposed homeland consolidation.

There was much activity – extension officers were appointed, small-scale farming was started with sugar cane and maize. An experimental station was built.

With the advent of the ANC government, most of the people from the “old order” were thrown out and replaced with political appointments. They were not trained, declared our contact. “The place had great potential, but it was underutilized” he said. “The new management was supposed to have business plans but we didn’t see them.” Then the real rot set in. There were severe water supply problems and eventually all the machinery was auctioned.

A mentor/manager/joint venture partner has now been brought in to get things right. We are told that no new sugar cane had been planted for 8 to 10 years. Because of these problems brought about by the new political correctness, only 65 tons of cane

was being harvested per hectare as opposed to the previous 120 tons per hectare. Over the past few years under the new government, hundreds of emerging farmers tried to make a living but failed due to a collapse of infrastructure, the lack of technical support and proper financial underpinning.

We were also informed that Tongaat Hulett is to invest R600 million in new sugar cane growing “only if the new extension officers will be part and parcel of the deal, and the whole project is controlled by the new venture capital group”.

Much has been written about the Flats and it remains to be seen whether the current projects can restore this area to its former glory. It has great potential, with a sub-tropical climate and deep and fertile ground.

In the meantime, it is reported that Tongaat-Hulett’s 120-job Entumeni sugar mill is closing due to drought. The company’s total sugar production from plantations throughout South Africa in 2002 increased to 1,3 million tons, 16% up on 2001.

### **Piet Greyling, Mkuze farmer**

Piet is a South African small farmer. He owns a 1 100 ha farm in Mkuze. Originally he farmed sisal and employed 142 people. The government’s new labour laws affected the relationship between him and his staff. He took up the sisal crop and replaced it with vegetables and fruit and downsized to 55 employees. Then a new law was announced - if you have more than 50 employees, some of them must serve on your board. Then came the minimum wage legislation. He laid off more than half his work force, ending up with 22 employees, farming tomatoes and running a game farm.

He downsized from 142 to 22 employees because of labour and wage laws. His game is now the victim of theft and poaching. His fence wires are regularly cut – he is next to a location and he wants to sell out. His son was attacked on the farm and emigrated.

That in a nutshell is the latter-day “story of an African farm”. It is just an example, in Piet’s own words. Some will say Piet is pessimistic. Maybe he is. But he used to employ 142 people and now he doesn’t, and he believes it was through no fault of his own. He is the victim of theft, poaching and trespassing. His children are not interested in carrying on farming. In fact, they have left the country. Is Piet a typical example of a South African farmer in 2003? There may be thousands of farmers who are better off than he is, who are richer and more confident. But there are thousands who live similar lives to Piet. And this doesn’t augur well for the future of farming in South Africa.