



DIFFERENT REALITIES AND NARROW RESPONSES IN A SHIFTING AGRICULTURAL SYSTEM



IN THIS EDITION

DIFFERENT REALITIES AND NARROW RESPONSES IN A SHIFTING AGRICULTURAL SYSTEM

- WORKER ORGANISATION DURING THE WESTERN CAPE FARM WORKER PROTESTS
- DAVID AND GOLIATH – THE STORY OF FARM WORKERS AND FARM EMPLOYERS IN THE BREEDE RIVER VALLEY
- THE AGREED MINIMUM WAGE IS UNDER THREAT
- THE ECONOMIC IMPLICATIONS OF FARM WORKER STRIKES: AGRI SA'S PERSPECTIVE
- FUTURE OF AGRICULTURE AND THE RURAL ECONOMY PROCESS
- NEW PUBLICATIONS
- LEGISLATIVE UPDATES
- RESEARCH UPDATES
- PLAAS UPDATE



Protests by farm workers in De Doorns in the Hex River Valley of the Western Cape in November 2012 – and the subsequent responses by organised agriculture, as well as attempts by unions to support the workers – illustrate the complexities of a defective agricultural sector with little effective state attention given to its inequities. The protests, sparked by frustrations over wages as low as R69 per day, also emphasised the uneasy history of labour relations in the agricultural sector and brought to light different versions of realities, which were subsequently hotly contested by both labour and large scale commercial agriculture. The agricultural industry as a whole went through major shifts since the marketing of agricultural goods was deregulated and markets were liberalised in the 1990s. Further changes in the fiscal treatment of agriculture led to the substantial reduction in the direct budgetary expenditure. Research (Barrientos and Visser, 2012) indicates that these shifts had a differentiated impact and, for export orientated farmers, the playing field was not level and it manifested with varying consequences, which allowed some farmers to remain competitive while others struggle to survive or have been forced out of agriculture – the 'winners' and 'losers'. The progressive deepening of inequalities between (white) producers and (black) workers is as intricate in these shifts as it is a legacy prior to these shifts. Despite progressive labour legislation and regulations in the 1990s for

wider and stronger rights for farm workers, as well as expectations of protected tenure and employment rights, it had little impact in the light of the state's failure to enforce these regulations and in a context of job-shedding and mechanisation.

Instead, the sophistication and modernisation of the sector led to a decrease in secured agricultural employment and subsequent casualisation (increasingly off-farm seasonal labour and use of labour brokers) replaced the large permanent on-farm work force. The number of farm workers, reduced to under 1 million, with skills largely unrecognised (and to a degree undervalued), remain a neglected area in agriculture production where the least concrete investments had been made, both by government and the industry. More farm dwellers lost their security of tenure on farms (evidently seldom legal and mainly illegal). Displaced farm workers' wages continue to be under enormous pressure due to high food prices and expenses for basic services. The on-farm situation for current farm dwellers has also gradually shifted. Employers are under pressure to adhere to minimum-wage regulations, and increased labour bills shifted to the valuation of all services, which were previously included as the in-kind proportion of workers' wages. In addition, the inflow of migrant workers from neighbouring states in the region intensified competition for jobs as preference to employ foreign migrant workers are on the rise.

On the surface it appears the strike was narrowly focused on unacceptably low wages. Yet, in a wider context, the farm worker question had been cautiously and narrowly addressed in incoherent and insufficient policy priorities concerned with farm worker settlement – for example, the Extension of Security of Tenure Act 62 of 1997 (ESTA), Share Equity Schemes and the Draft Land Tenure Security Bill. What remains largely unresolved in policy priorities is the further development of other forms of land-based livelihoods for farm workers and other aspects of the rural economy.

The 52% wage increase that followed pushed farm workers' wages up to R105 per day, and was met with varying responses from different interest groups. Employers projected the sharp increase would lead to considerable job losses, which are anecdotally evident since the announcement of the wage increase. Are workers

caught between two uncomfortable positions – low, exploitative wages and continued employment or higher liveable wages and increased unemployment? What does this mean for farm workers, for the commercial sector and the rural economy at large? And what does it mean for farm workers given the current trend of accelerated consolidation of farms into even fewer hands? Where and how do we reposition farm workers? Should a different agricultural sector, which contributes to the equitable and comprehensive growth of the rural economy, invest in skills, create sustainable jobs, enable equitable land access, and allow for well-supported and diverse farming models not be part of a bigger vision?

The farm workers' protests draw attention to a long-standing unresolved matter and also highlights the danger in side-stepping the challenges within the agricultural sector. It clearly indicates that some 'impossi-

ble' action is possible if change is inevitable. Should the agriculture sector allow the dust to settle on this matter before the fundamental problems facing the sector has been tackled? A momentum has been created by the protests to negotiate a comprehensive arrangement that tackles the political and economic organisation of agriculture and the obstacles it poses for farm worker livelihoods and the equitable development of the industry. This special edition considers how seemingly unorganised workers were mobilised and what sparked the farm worker protests – the first of its kind in agriculture. It also shares the different experiences and positions of those affected by the farm worker protests. Finally, this edition considers related research projects and important legislative updates.

Karin Kleinbooï, Editor

WORKER ORGANISATION DURING THE WESTERN CAPE FARM WORKER PROTESTS

The workers who initiated the strike and the vast majority of those who joined them did not belong to a trade union, but it does not mean that they were not organised. In order for us to understand how workers organised themselves during the strikes, we have to focus on the substance of agency, on what it is and what it does in principle, even if it does not conform to the prevailing norms that characterise organisations in general. In other words, the fact that worker organising did not take place in a framework of offices, monthly subscriptions, professional organisers and a denoted hierarchical distinction between leaders and followers, does not negate the fact that there

were agreements between people to work together in a more or less clearly defined way towards a common aim. These informal networks were of course partially formalised in committees during the course of the strike. The story of the farm worker committees is the story of worker-organising during the strike, but of course we can only understand them if we understand how they related to the other organisations that took part in the strike, namely, trade unions, non-governmental organisations (NGOs), community based organisations (CBOs) and political groups. This article argues the organisational innovation of the farm workers consisted of adaptations to the new realities

created by neoliberalism, ahead of established unions and the union-aligned NGOs and political groups. This organisational innovation of the strike participants (generally referred to as the 'unorganised' seasonal workers) was then surpassed by the traditional form of organisation when the established unions stepped in. These views are based on personal observations in the capacity as a rural activist.

The Farm Worker Committees

Before the protests started non-hierarchical, loosely composed worker-committees began as local, informal networks between



workers. These committees mostly consisted of seasonal workers who were not members of unions, and their geographic base was often the informal settlements and hostels that are home to the majority of seasonal workers. Interestingly, the majority were migrant workers and their spokespersons were often permanent residents of the area, living either on farms or in the townships. In De Doorns these committees became formalised over the last three years as workers attempted to launch some strikes.

These committees, although not in their political allegiance, were markedly different in their organisational structure from the other organisations that later became involved in the strikes. Distinct organisational features of these worker committees were as follows:

- They were locally based, with all members living within walking distance of one another and of meeting venues, cutting out dependence on third parties for day to day communication.
- They did not get outside funding, nor did they depend on employers to deduct subscriptions. Their method of fundraising was to appeal to community members to make a contribution (no more than R10 each) as the need arose. An important consequence of this was that revenue and expenditure remained under the control of the members.
- They had an open organisational structure – all residents of the informal settlement were invited to meetings taking place on an open space in the centre of the settlement and it was widely supported by the broader community. Meetings were not restricted to farm workers or formal members only. The members included seasonal workers, women, migrant workers and even the unemployed.

- They operated in the relative absence of a hierarchy. This does not mean that there were no leaders; there were recognised local leaders, themselves farm workers, who were elected as chairpersons by the worker committees, but they depended on natural authority, not on formal and structured power.
- They were not formally registered as non-profit organisations (NPOs) or trade unions, and as such were excluded from the statutory processes that surrounded the struggle. This exclusion also meant the absence of a layer that was committed to and co-opted by the negotiation and consultation processes controlled by government and their employers.
- No-one was paid as staff and/or management and none of the farm worker committees possessed any money (with its potentially corrupting influence).

Politically, the lines were not straightforward. The farm worker committees and their leading activists regarded themselves as disgruntled African National Congress (ANC) supporters. In their view the protests were a fight against 'racist farmers', the Democratic Alliance (DA), as well as certain aspects of ANC policy. In De Doorns for instance, ANC councillors formed an important part of the strike leadership; the Minister of Agriculture, Tina Joemat-Pettersson, was welcomed as a 'friend' early in the strike; and throughout the course of the strike workers sang songs in support of President Zuma in his efforts to get re-elected at the ANC conference in Mangaung in December. Of course this ANC allegiance was not absolute or uniform among the farm worker committees, but it was nevertheless the dominant feature of their political orientation.

Despite pronouncements to the contrary, the farm worker committees emerged as the true organs of the protest. They were

the ones who initiated the strike and who became the vehicle for farm workers to formulate their demands and launch the actions that placed farm workers at the centre of public attention when the protests were initiated. However, the worker committees, specifically in De Doorns, soon ran into problems. Two weeks into the protests and, as targets of intense suppression by the police, private security firms and labour brokers organising scab labour, the workers were eager for concessions. The employers, immovable in their refusal to negotiate with the farm worker committees, insisted on only negotiating with trade unions. With levels of unionisation very low among farm workers, the committees turned to the Congress of South African Trade Unions (COSATU) to represent them.

This was the start of a decisive shift that was followed by a process of election and absorption of the farm worker committees into the unions, and the eventual neutralisation of the farm worker committees. The features of the process after the farm worker committees initiated the strike were:

- Workers then started to join the unions in their masses;
- Farm worker committee leaders became union office bearers;
- Established union leaders became the public face of the struggle;
- Negotiations between employers, the government and unions took the centre stage and farm worker committees were excluded and marginalised; and
- The number and visibility of farm worker committees declined.

The magnificence of the mobilisation of the farm worker committees and the contrasting ease with which they were neutralised requires an explanation. The organisational structure allowed for the unmediated

and therefore unmuted expression of the desires and views of the most vulnerable and exploited (and angry) category of the workers. This was why the farm worker committees were so successful in initiating, spreading and sustaining the strike. There was no waiting for organisers, no obeying of office bearers, no negotiations and no following of official rules and procedures. The structure of the farm worker committees facilitated the mobilisation of seasonal, and later also permanent, workers against the impacts of neoliberalism in agriculture on their livelihoods.

Remarkably though, the workers and the farm worker committees were not protesting against the neoliberal policies of the ANC. Their dissatisfaction was with the farmers, labour brokers and individual politicians. They saw ANC-aligned worker organisations, such as COSATU and the Bawsi and Allied Workers Union of South Africa (BAWUSA) as allies and thus helped to enable the transition to being represented by

and eventually becoming part of COSATU and BAWUSA.

This was clearly a contradiction since these worker committees were established to protect the farm workers against exploitation – to some degree brought on by neoliberal capitalism – and yet now they were uniting with the most important neoliberal political force in the country, which opened them up to be demobilised by ANC-aligned unions in the way that they were.. This process took the strike to a different – but familiar – direction and has advanced so far that the farm worker committees are fast disappearing.

Prospects

Nevertheless, the farm worker protests have changed the countryside in the Western Cape and perhaps beyond. The psychology of a significant category of the workers has shifted; the fear has been broken. Conscious-movement building is

now possible in a way that the most romantic activist could not imagine as late as October 2012. The question now is whether such movement-building efforts will be based on recognising and following the organisational wisdom of the workers who initiated the farm worker committees, or whether it will fall back into the hierarchical forms of current unions.

The farm worker committees were purposely created by the workers, and can be purposely defended, affirmed and reinvigorated. In order to do so an open critique of neoliberalism, the political leadership and the role of union hierarchies in general is needed. If the strike proved anything, it is that the system of neoliberal capitalism is not in support of a decent life for farm workers. Nothing less than defeating this system and all its political agents will give the farm workers a chance at a decent, sustainable life.

Ronald Wesso, Surplus People Project (SPP)

DAVID AND GOLIATH – THE STORY OF FARM WORKERS AND FARM EMPLOYERS IN THE BREEDE RIVER VALLEY

The farm worker uprising in the Western Cape has many important lessons for us ...

One of the key lessons of the strike was the fundamental difficulty of negotiation between the unions or the farm workers' committees and farm employers. Workers just had no-one to talk to about their problems.

Throughout the negotiation period that followed, workers and their representatives often heard from organisations of the farmers, such as Agri SA, that they had no mandate to speak to the unions. Farmers refused to speak to local workers' committees other than to threaten workers. It is therefore ironic seeing that the chairperson

of the Free Market Foundation, Herman Mashaba, has lodged papers in court claiming that collective bargaining councils are unconstitutional. The farm workers' strike, which started in November 2012, is a clear indication of how farmers have used the lack of bargaining councils in their favour. Similarly, the lack of a collective bargaining council undermines marginalised and unorganised workers. Our recent experience with farmers from the Langeberg valley is testimony to this.

The boundary between farmers and workers is an uneasy obvious manifestation. One early morning in March 2013, in the rural

town of Ashton, approximately 180 km from Cape Town, people started gathering for a meeting. Outside the small community library the distinction is conspicuous: on the one side a large number of double cab vans drove up and parked alongside jeeps, a number of sleek Mercedes Benz's and the newest variety of SUVs. These were the farmers, their consultants and lawyers who arrived for a meeting called by the Commission for Conflict Mediation and Arbitration (CCMA). The CCMA is an independent body with statutory power to mediate and solve conflict and problems between workers and their employers.



In a corner under a tree stood a few farm workers' representatives, leaders from the Mawubuye Land Rights Movement, union officials from the Commercial Stevedoring Agricultural & Allied Workers Union (CSAAWU) and some representatives from the Coalition for Farm Worker's Solidarity (a coalition of NGOs). Most of the farm workers present walked to the meeting, while others were dependent on lifts or hitchhiked, and one or two even arrived on the back of trucks belonging to their employers.

Each group was engrossed in deep conversation, preparing for the meeting. It was interesting to observe just how divided the two groups were. The farmers, their lawyers and consultants were all white South Africans. The unions, the farm workers and the representatives from the coalition were all, barring one, black South Africans. It was a scene that told the story of rural Western Cape. It told the story of how little South Africa had changed. It told the story of who owns the farms and who works on the farms.

This meeting between farmers, farm workers and their respective outfit of representatives was the first of its kind. It was a direct outflow of the farm workers' protests that had started in De Doorns in November 2012. During the strike CSAAWU, a small independent union organising farm workers and operating in the Breede River Valley, the Overberg and Kannaland, had invited farmers to negotiate on the demands of the farm workers for a living wage and decent living and working conditions. At most

of these meetings, where a union was present, farmers refused to negotiate with the union. This despite proposals from all key stakeholders and government that there should be farm-to-farm negotiations (on each farm employers and workers were to seek agreement on what was possible within their respective contexts). When Mawubuye activists who work with CSAAWU went to deliver the letters requesting meetings with the farmers, they had to be escorted to the farms by the police because it was very often difficult to enter the farms and speak to workers.

This was the background to the gathering that finally got underway on that day in March. From the onset the meeting was tense and polarised. After the CCMA introduced the purpose for the meeting, the union outlined the challenges facing the organisation and the right to the unionisation of farm workers.

The union referred to the strike and to the proposals for farm-to-farm negotiations that had failed. These experiences led to the request for farmers to consider developing a strategy, or even agreeing to a framework, that could facilitate negotiations around the problems farm workers experienced. The farmers insisted that they only wanted to discuss labour relations and had no interest in 'politics'.

The farmers were adamant that they had no interest in collective bargaining. Their main argument was that CSAAWU did not have enough (meaning majority) representation

on the farms in the region. One farmer from Robertson said; "I met with the workers on my farm and explained that I could not afford to pay the R105 per day. I offered them R85 per day. They accepted this. Everyone on the farm is happy and satisfied."

Many of the consultants and lawyers who were present indicated that they had no mandate to change the present way in which wages were negotiated and one of the lawyers stated: "The right to bargain is not automatic, all parties have to agree."

This meeting with farmers, their consultants and lawyers is an indication of the inequality that exists in the agricultural sector. Farm workers and seasonal workers will remain marginalised and not be in a position to access their rights and a living wage unless the power relations on the farms are challenged structurally.

Already farm workers stand to lose the gains made in the farm workers' strike as the Department of Labour reports that just under 2000 farmers have already applied to be exempted from paying the new minimum wages of R105 per day.

The right to organise, the right to join a union, freedom of association and the right to a living wage were hard won rights afforded in a democratic South Africa. The Ministry of Labour has to ensure that these rights are accessible for all categories of workers, including farm workers!

Mercia Andrews, Trust for Community Outreach (TCOE)

THE AGREED MINIMUM WAGE IS UNDER THREAT

The agriculture platform is so unjust. Many farmers experienced phenomenal growth and yet, to what extent did farm workers grow? Instead, their situation deteriorated. Many farm workers lost employment.

Research has shown that between 1994 and 2004 almost 1 million farm workers were evicted from farms.

BAWUSA, one of the organisations involved during and after the farm worker protests

in De Doorns, was central in negotiating an increased wage. While the R105 was accepted 'under duress' and as a compromise, the organisation is concerned that the increased wage of R105 is now under threat

and fragile. Many farm workers were not paid for the entire duration of the strike and they are finding it hard to recover from the financial strain. To aggravate matters, following their return to work, complaints started pouring in about retrenchments (particularly amongst seasonal workers), workers being demoted and benefits being substantially reduced. Many farmers no longer provide transport (to town, medical facilities, etc.), and increases in the cost of gas, electricity and rents and any form of payment in kind to farm workers are now being charged for. Some farmers continue to intimidate, victimise and dismiss workers, and they threaten to mechanise. Farm workers are no strangers to mechanisation, retrenchments and job losses. However, the hard-fought gains from the protests can soon be reversed if disadvantageous actions continue.

Many farmers applied for an exemption – which will only be granted if employers give adequate, justifiable reasons for relief from paying workers the prescribed minimum

wage – and therefore many are not obliged to increase the wages until such time that the exemption application has been considered. While BAWUSA supports exemptions in the interest of retention of jobs and ensuring a minimum wage for farm workers, they recommend that government subsidises those employers who cannot afford the minimum wage. A concern for BAWUSA is whether or not unions will have the opportunity to lodge objections to applications for exemption if they stand to jeopardise worker employment security.

The strikes emphasised the function of the state and the inefficient capacity of government to monitor the implementation of minimum wages and labour conditions on farms. The Department of Labour needs to increase its capacity and employ more labour inspectors to survey conditions on farms and to enforce labour laws.

In pursuing better employment and benefits for farm workers, and in support of workers, BAWUSA will follow a four-prong approach, which includes:

- Pursuing every possible legal avenue if farmers do not comply with the sectoral determination and basic labour laws;
- Applying pressure on government and forcing them to intervene politically, and to seek political solutions for our current agriculture crises through marches, protest action and calling for stay aways;
- Embarking on strikes that are commodity focused; and
- Calling for economic boycotts from the international community to support our struggle.

The farm worker situation affects the entire population and South Africans cannot turn a blind eye. A key element of intervention will be the extent of support we have nationally and internationally to ensure our agriculture sector is undivided, grows and is sustainable.

Nosey Pieterse, General Secretary, BAWUSA

THE ECONOMIC IMPLICATIONS OF FARM WORKER STRIKES: AGRISA'S PERSPECTIVE

Farmers are dependent on their workforce and many of them would like to pay workers a decent salary – and many do. There are, however, economic realities that severely limit many of these farmers to make major adjustments in the short term. The majority of farmers are small businessmen operating in a very hostile international environment with limited government support.

The previous minimum wage was determined in March 2012 and was set for three years, with provision for annual increases, after an inclusive consultation process in which trade unions also participated. This

meant that farmers could factor this into their medium-term financial planning. The increase of 52% in the minimum wage, which resulted from the unprotected farm worker strike action, was totally unexpected and not factored into the budgets of the majority of farmers. This means that all farmers are now forced to re-budget and that many of them will have to somehow try to cut their spending on inputs, labour costs or funds put aside for expansion, re-investment and equipment. It should also be taken into account that this happened at very short notice, forcing farmers to

make adjustments within finite production and budget cycles. It also left no time for government to come up with any kind of strategy to mitigate the impact of the higher wage and the inevitable loss of jobs resulting from that – the latter consequence clearly indicated by various independent economic analysis.

The strike itself was unprotected and marred by intimidation, damage to property, disruption of traffic, violence and criminal behaviour. This has no doubt impacted negatively on labour relations in the sector and on farmers' views of seasonal labour.



Employing seasonal labour has now turned into a risk for farmers.

Agri SA would like to see a revival in some form of the presidential working group on commercial agriculture where the future of the sector and focus on the policy environment required to ensure a profitable and competitive sector, which can afford to pay

higher wages, can be discussed and agreed at the highest level with all relevant government departments. Given that governments in most countries substantially subsidise farmers because of the importance of national food security and job creation, the profitability of commercial farmers needs to be addressed with seriousness and urgency. Wider social problems of poverty,

unemployment, limited skills, education, poor service delivery and other legitimate frustrations of rural people also need to be addressed to prevent a recurrence of this kind of disruption. Organised agriculture is able and willing to assist government with this mammoth task.

Annelize Crosby, Policy Advisor, Agri SA

FUTURE OF AGRICULTURE AND THE RURAL ECONOMY PROCESS

A provincial-wide response to the agriculture crisis in the Western Cape saw the establishment of the Future of Agriculture and the Rural Economy Process (FARE). An independent non-partisan panel consisting of seven members was appointed by the FARE Steering Committee (represented by government, labour, business and civil society sectors in agriculture in the Western Cape) to identify the factual, structural and sustainability issues facing agriculture

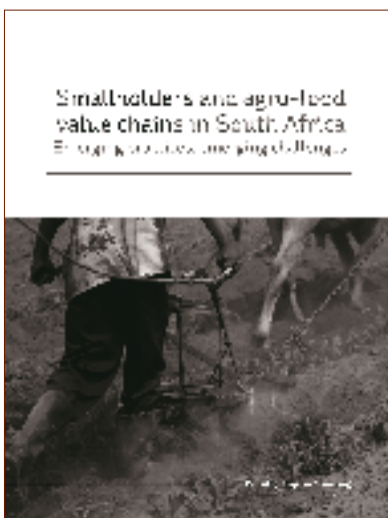
and the rural economy in the Western Cape through inclusive engagements ('social dialogue in action'). The FARE process is a means to identify, despite differences, common ground for constructive and structured engagement and dialogue towards transformation of the agricultural sector. The anticipated outcomes of the process are trust building, collaborative leadership development, a shared vision, an agreed

transition agenda, and projects and partnerships to ensure implementation.

The panel is due to complete a report for the FARE Steering Committee by September 2013, which will be publicly released to facilitate further engagement by the stakeholders in the agricultural sector.

The FARE Steering Committee Chairs are Andrew Boraine (andrew@wcedp.co.za) and Phillip Dexter (phillipddexter@icloud.com).

NEW PUBLICATIONS



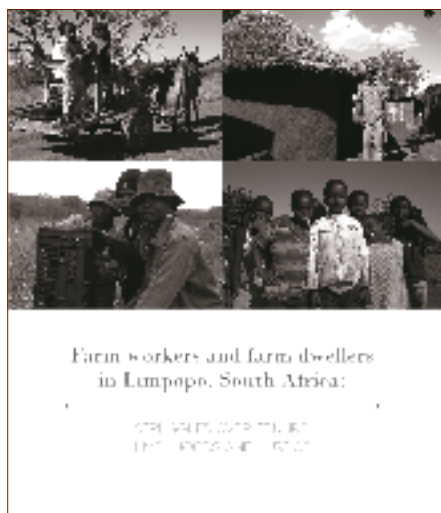
Smallholders and Agro-food Value Chains in South Africa: Emerging Practices, Emerging Challenges (edited by Stephen Greenberg, 2013)

Progressive agrarian transformation has rhetorically encompassed a shift to small-scale agriculture in South Africa since at least 1994 when the Reconstruction and Development Programme (RDP) proposed reorienting agricultural support towards small-scale production. However, material support for this shift only really took off in

2009 when government and agribusinesses converged on a strategy to integrate small-scale growers into value chains – mainly in the form of contract farming. Using original case study material, *Smallholders and Agro-food Value Chains in South Africa* draws lessons from the value chain's integration strategy and various innovative models developed to support it. Case studies range from agribusiness-sponsored sub-contracting projects to strategic partnership agreements on restitution farms and welfarist urban agricultural projects in the heart of Johannesburg. The book reflects on who

might benefit from the value chain's integration strategy: Will it only serve narrow, relatively elite, small-scale black farmers? Or can the strategy potentially widen the base of small-scale producers so that they become a significant force in South Africa's agricultural sector?

Available for free download at: <http://tiny-url.com/qfcdglrz>



Farm Workers and Farm Dwellers in Limpopo, South Africa: Struggles Over Tenure, Livelihoods and Justice (Wisborg, P; Hall, R; Shirinda, S; Zamchiya, P, 2013)

This study of commercial farms in Limpopo examines how recent changes – economic restructuring, land reform and migration – are affecting people living on farms, as seen through the eyes of workers, dwellers, managers and owners. Here women, men and children strive to defend their tenure, livelihoods and justice on farms that are being shaped by local and global economic forces. Stark contrasts between constitutional rights and lived realities exist. Profound changes are needed but there is no panacea. The book presents four future scenarios and discusses the dynamics of conflicts and opportunities that each

scenario may bring. Progress will require both struggle and pragmatism: workers and dwellers need the power to organise and negotiate; farmers and farmer organisations have to reconcile production with fair and sustainable social relations; state institutions must lead and provide resources for change; and the public has to engage with rural issues and the making of a less divided countryside.

Available for free download at: <http://tiny-url.com/qfmcqbo>

Livelihoods After Land Reform: Trajectories of Change in Northern Limpopo Province, South Africa (edited by Michael Aliber, 2013)

South Africa: *Livelihoods after Land Reform* is the South African component of a broader three-country study (also including Zimbabwe and Namibia) on Livelihoods after Land Reform (LaLR). The aim of LaLR is to measure the impact of land reform but, above all, it is to understand that impact – how and why impacts materialise or fail to materialise in relation to different circumstances, distinct implementation approaches, and diverse types of intended beneficiaries.

Available for free download at: <http://tiny-url.com/qxtgeag>

The New Enclosures: Critical Perspectives on Corporate Land Deals (edited by White, B; Borrás Jr, S; Hall, R; Scoones, I; Wolford W)

This collection explores the complex dynamics of corporate land deals from a broad agrarian political economy perspective, with a special focus on the implications for property and labour regimes, labour processes and structures of accumulation. This involves looking at ways in which ex-

isting patterns of rural social differentiation in terms of class, gender, ethnicity and generation are being shaped by changes in land use and property relations, as well as by the reorganisation of production and exchange as rural communities and resources are incorporated into global commodity chains. It goes further than the descriptive 'what' and 'who' questions, in order to understand the 'how' and 'why' of these patterns. It is empirically solid and theoretically sophisticated, making it a robust and boundary-changing work. Contributors come from various scholarly disciplines. Covering nearly all regions of the world, the collection will be of interest to researchers from various disciplines, policy makers and activists.

This book was originally published as a Special Issue of The Journal of Peasant Studies and is available in journal form via www.tandfonline.com/doi/10.1080/030676310.2010.518237. It is also available to order at: www.routledge.com/books/details/9780415823746/



PLAAS Fact Check 1-4

The Land Reform series in our new FACT CHECK publications gives readers the latest information on land reform. Covering a range of aspects of land reform, the fact sheets reveal:

- No. 1: 67% of South African land is owned by commercial farmers;
- No. 2: 45% of black South Africans want land;
- No. 3: Only 2% of state land is available for land reform; and



No. 4: 49% of land reform projects improved beneficiary livelihoods.

The FACT CHECK series provides appealing infographics in an accessible format, making it a suitable reference for journalists, civil society and policy makers. Download the whole series at: <http://www.plaas.org.za/plaas-publication/fact-check>

Research Report 44: A Scan of Rural Civil Society (De Satge, R)

This review seeks new information that goes beyond the usual discussions of rural civil society to help inform fresh-thinking and a deeper understanding of the strategic issues involved in relations between poor,

marginalised rural people, their organisations, and organs of the state. The process was undertaken to see how research can best empower rural civil society organisations (CSOs) in their dealings with government and other role players, and how to strengthen the democratic policy process.

LEGISLATIVE UPDATES

Restitution of Land Rights Amendment Bill

The Bill was published on 23 May 2013. It extends the lodgement period for land claims that ended on 31 December 1998 to 31 December 2018 (five years from now). Qualifying claimants (who were dispossessed after 1913 but that missed the 1998 cut-off date) can now lodge claims. The Bill also proposes changes to the Land Claims Court and the appointment of judges and a Judge President, and restricts claims to those where the cost is deemed 'feasible' and where the claimants can demonstrate that they can use the land productively (the insertion of a clause making restoration of land explicitly conditional on cost and also on claimants' ability to use the land productively – several claims have already been turned down in the courts because claimants cannot show ability to continue with capital-intensive commercial farming currently underway on their land. While ostensibly opening up the restitution process by allowing new claims, these latter changes could restrict it substantially, biasing the process against the poor. The implications though are not all obvious.

The Bill does not address pre-1913 claims, though the memorandum to it says that a separate process is underway to look into

this. Technically, opening up the whole restitution process to pre-1913 claims would require constitutional amendment. However, there is no legal constraint on (a) Ministerial discretion to address pre-1913 claims through a redistribution process to transfer land rights and create development initiatives in recognition of pre-1913 dispossession, or (b) monuments, renaming, heritage sites and other symbolic forms of restitution. A window period of 30 days is allowed for public comment. (Professor Ruth Hall)

Draft Expropriation Bill

The proposed new Draft Expropriation Bill was released on 15 March 2013 by the Department of Public Works. In 2008, the Bill was withdrawn after widespread criticism (from mainly private land owners) that the Bill is a draconian measure. It is to replace the current Expropriation Act 63 of 1975 and seeks to align the Act with the Constitution. In terms of the current Expropriation Act, only the holders of registered rights and certain unregistered rights are eligible for compensation upon expropriation. The Bill expands this scope of protected rights and makes provision for compensation for both registered and unregistered rights as Section 25 of the Constitution does not distinguish between registered rights and unregistered rights.

The Bill will also provide a common framework to guide the processes and procedures for expropriation of property by organs of state and extend power to expropriate from the Minister of Public Works to all organs of state at all three tiers of government. A key proposal is the extension of the purposes for which property may be expropriated from the narrow term of public purpose to include expropriations in the public interest. This will have far reaching implications for all property sectors and land, and related reforms where beneficiaries opt for land restoration and equitable access to natural resources.

The new Bill confirms just and equitable compensation to persons affected by expropriations but broadens the confinement of the market value in determining compensation to other relevant factors, including the history of acquisition, current and historic land use, the extent of direct state investment and subsidy in the acquisition, and beneficial capital improvement of the property as well as the purpose of the expropriation. What is not apparent is whether an amended Act will retain the provisions on compensating damages and consolation relief for the loss of the property expropriated.

RESEARCH UPDATES

Farm Workers and Dwellers in South Africa: Lessons from Recent Developments in the Western Cape

The project looks at the conditions of farm workers and dwellers following the concentrated farm worker protests in the Western Cape at the end of 2012. The short-term objective (March–December 2013) is the collection of in-depth probing data on the protests and their context to shed light on the period leading up to the strikes (roughly from August 2012); the dynamics during the protests (in November 2012 and January 2013); and the period when a partial settlement was achieved by the amendment of the sectoral determination up to February 2013. The longer-term objective of the project, which will run over a period of three years (2014–2016), is to locate the protests in the Western Cape within the wider context of rural resistance and transformation in the whole of South Africa. The research will be conducted in De Doorns, Citrusdal and the Langeberg. The research project has been initiated by SPP and the Centre for African Studies (CAS) at the University of Cape Town (UCT), and is fluid to engage other organisations and individuals who share common concerns to be incorporated into the research team. The lead researchers are

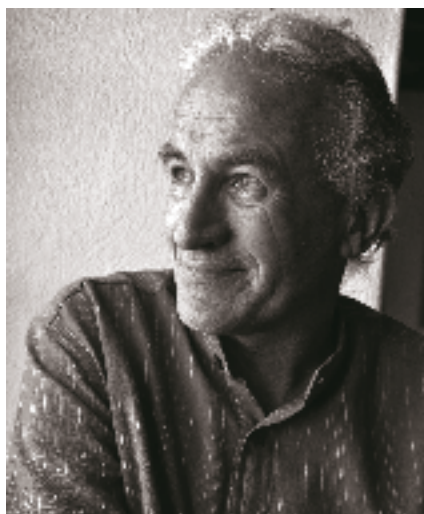
Professor Lungisile Ntsebeza, Director of CAS and holder of two research chairs: the AC Jordan Chair of African Studies and the NRF Research Chair in Land Reform and Democracy in South Africa; and Harry May, Research, Information and Advocacy Manager at SPP. Harry May can be contacted at harry@spp.org.za

Case Studies of the Wine and Sugar Industries: Black Entry into the South African Commercial Farming Sector

This research aims to explore the extent and forms of black entry into the South African commercial farming sector through the case studies of the wine and sugar industries. Both industries have strategic importance in terms of their contribution to export and to local economies in the Western Cape and KwaZulu-Natal. The transformation of the agricultural sector is an important political and economic challenge for South Africa, and researcher Dr Chizuko Sato, currently based at PLAAS, is examining if and how this is taking place in the contexts of the policy development of the ANC government and the changing business environment surrounding these agro-industries. For further information contact Dr Sato at: chizuko@gmail.com

PLAAS UPDATE

PLAAS researcher, **Karin Kleinbooi**, has been appointed to a seven-member, independent provincial panel – the Future of Agriculture and Rural Economy (FARE) panel. The panel is to engage with a wide range of stakeholders across the spectrum of the industry and will address long term, structural and sustainability issues facing agriculture and the rural economy in the Western Cape. The panel is tasked to develop a shared vision for the future of the agriculture sector and to establish a common agenda for change, identify projects, and resources and partnerships for joint action that can help drive implementation of a transformative agenda. The panel aims to produce a final report with recommendations by September 2013.



Professor **Ben Cousins** has won the Elinor Ostrom Award on Collective Governance of the Commons. According to the awarding committee Professor Cousins receives the

award for his extraordinary commitment to the analysis, creation and defense of common pool resources. He is honoured for innovation and achievement in the scholarship of collective action and the commons, impact on public policies and commons management experiences, as well as the impact of his educational and mentoring activities in new generations of commons scholars and practitioners.

Three new researchers have recently joined PLAAS:

Emmanuel Sulle joined PLAAS as a researcher in January 2013. He is currently conducting field research in a number of sub-Saharan African countries to understand the impacts of large-scale agricultural



investments and the implications of the institutional arrangements pertaining to these undertakings. His main objective is to explore alternative agricultural models to land grabs. Particularly, he is interested in institutional arrangements and the possibilities, in different contexts and in different sectors, of creating 'inclusive business models' that redistribute costs, risks and value in ways that can enable sustainable development. His recent publications include *Reframing the New Alliance Agenda: A Critical Assessment based on Insights from Tanzania* (with Hall, R; 2013) and *Foreign Land Deals in Tanzania – An Update and a Critical View on the Challenges of Data (Re) production* (with Locher, M, 2013).

Recent publications

FAC Policy Brief 56: Reframing the New Alliance Agenda: A Critical Assessment Based on Insights from Tanzania – See more at: <http://www.plaas.org.za/plaas-publication/fac-pb56>

LDPI Working Paper 31: *Foreign Land Deals in Tanzania – An Update and a Critical View on the Challenges of Data (Re)production* – See more at: <http://www.plaas.org.za/plaas-publication/ldpi-31>

Blog Post: *The FAO Voluntary Guidelines: Setting Sail?* <http://tinyurl.com/o807v64>

Dr Chizuko Sato from the Institute of Developing Economies in Chiba, Japan, joined PLAAS as a research associate for the next two years (March 2013–early 2015). Her field of interest is politics and society of South Africa and she is a researcher working on transformation in the land and agricultural sector in the context of the wine industry in South Africa.

Recent publications

Institute of Developing Economies (IDE) Discussion Paper Series: No. 384 Black Economic Empowerment in the South African Agricultural Sector: A Case Study of the Wine Industry (February 2013)

'From Removals to Reform: Land Struggles in Weenen in KwaZulu-Natal, South Africa'



in Popular Politics and Resistance Movements in South Africa (edited by Beinart, W; Dawson, MC; Johannesburg: Wits University Press, 2010)

'Land Restitution and Community Politics: The Case of Roosboom in KwaZulu-Natal', In Land, Memory, Reconstruction and Justice: Perspectives on Land Claims in South Africa (edited by Walker, C; Bohin, A; Hall, R; Kepe, T; Athens: Ohio University Press, 2010)

Lesego Loate joined PLAAS as the policy engagement researcher in June 2013 and replaced Obiozo Ukpabi who bid PLAAS farewell in May 2013. Lesego was previously employed as a policy specialist by the Mvula Trust and a research officer at Sangoco North West. He has a history in the rural water-sector policy arena and related engagement with civil society, especially NGOs and community-based partnerships. He is responsible for supporting capacity among CSOs for using research for policy engagement on key matters relating to rural de-

velopment; building capacity for effective policy engagement at PLAAS, including the development of systems and modalities for dissemination of research and dialogue with a wide range of actors and users both inside and outside the state; and supporting policy engagement on land and agricultural policy within regional policy forums in southern Africa, including the Southern African Development Community (SADC), the New Partnership for Africa's Development (NEPAD), the Comprehensive Africa Agriculture Development Programme (CAADP) and the African Union (AU).

Recent publications

Active Citizenship and Rural Women: A Citizen's Voice Model for Emergent Productive Water Users in State of Local Government Report (Isandla Institute, Cape Town, South Africa, March 2013)

Women in Rural Villages and Water for Growth and Development Framework Report. (Water Research Commission Pretoria, South Africa, September 2012)

INTERNATIONAL CONFERENCE: GREEN ECONOMY IN THE SOUTH - NEGOTIATING ENVIRONMENTAL GOVERNANCE, PROSPERITY AND DEVELOPMENT

Venue: University of Dodoma, Tanzania

Date: 8 July 2014 to 10 July 2014

The momentum gathering behind the idea and practice of the Green Economy is coinciding with financial instability and continued economic woe in the North, but generally happier economic circumstances in the South. Economies are growing and 'green economic initiatives' are part of these changes. Carbon payments, eco-tourism, community-based wildlife management, corporate social responsibility initiatives and offsets by mining companies exploiting new resources are all a part of a landscape offering new commodities, opportunities for commercialisation and integration into wealth-generating markets. And so too are growing incidents of land (and water) grabbing, displacement and al-

ienation of resources required for wealthy tourists, bitter local conflicts over the locally defined rules of access to carbon (e.g. firewood) purchased by wealthy northerners, green washing and other harmful activities that either cause poverty, or else distribute the fortune and misfortune of the green economy inequitably. Equally, demands for alternatives to market-driven environmental degradation, and for market-dominated solutions are also gaining strength and coherence.

In this context we invite papers and panel proposals for a three-day international conference critically examining these phenomena. The conference will be held in Tanzania and builds on a series of sister con-

ferences held in Europe and North America (most recently Grabbing Green and Nature Inc). We are convening it in Tanzania because we want the focus of this conference to be about the growth of the Green Economy in the South, and therefore this conference must be more accessible to Southern speakers, researchers and activists.

In addition to the conference itself, we will also be organising field trips to sites after the conference is formally finished to locations where interventions of the green economy are unfolding, in carbon forestry, wildlife management and eco-tourism.

To find out more go to: <http://lj.mp/greenecon2014>

PLAAS obtained information for *Umhlaba Wethu* from a wide range of sources. Views expressed here do not necessarily reflect the views of PLAAS.



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Send suggestions and comments on this publication to:

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