

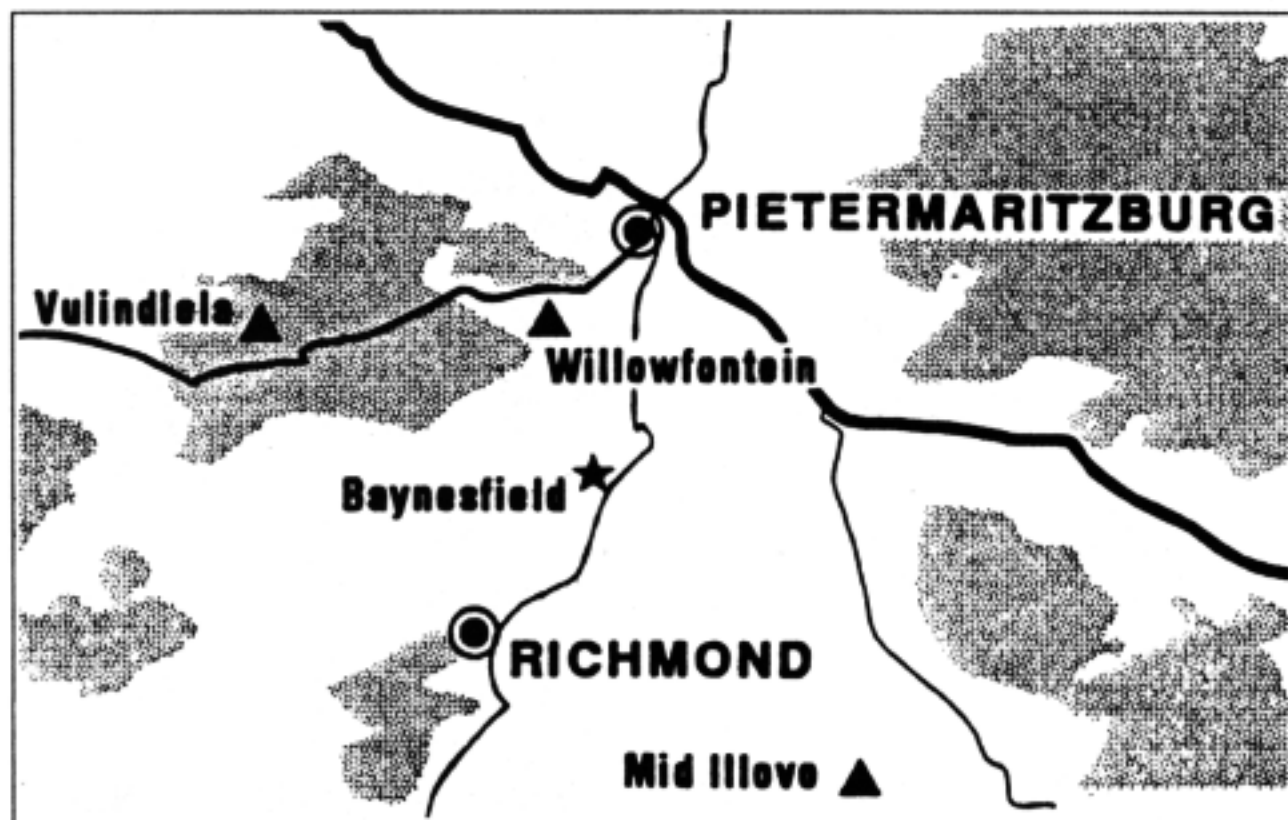
Charity begins at home

Baynesfield labour tenant families struggle for land rights

FAMILIES of former labour tenants who lived and worked on the farm, Baynesfield, near Willowfontein north of Pietermaritzburg, are demanding that their occupation and use rights of the land be restored. The families were forcibly removed from Baynesfield in 1974, 50 years after the legal owner, Joseph Baynes, died. The eviction was on instruction of the Baynesfield Board of Trustees, a body formed in terms of Joseph Baynes' will and charged with managing the estate. The community is now contesting the will.

The Trustees say they have carried out Joseph Baynes' will to the letter. They say they have developed the Baynesfield Estate according to the will's instructions and that Baynes never guaranteed secure tenure to the families of his labour tenants, only the tenants themselves.

The families of former labour tenants say their forced removal was immoral and had devastating consequences for them. They also say the removal was against the spirit, if not the letter, of Joseph Baynes' will. In his will, Baynes gave no specific instructions regarding the eviction of the "native population" on the land. Instead, he said that one of the Trustees sitting on the Board should be appointed by reason "of his established reputation as a friend of the natives and



other coloured people, one who may be depended on to safeguard their interests."

Among the specific directions of Baynes' will, is the instruction that the Estate should be used "in practical illustration of what is possible to be done by way of development; and, creating a centre of industry, education and beauty for public benefit and for an ever increasing number of persons".

The families of former Baynesfield labour tenants argue that it was never Baynes' intention to see the families of his labour tenants impoverished and that he would have wanted their interests protected. In addition, they argue that Baynes, in talking about the Estate being used for the benefit of "an ever increasing number of persons" must also have included them in this increasing number.

The families question the Baynesfield Board of Trustees' use of Joseph

Baynes' will to justify the forced removal of 1974. Is it mere coincidence that 50 years after Joseph Baynes' death, when forced removals were being carried out all over South Africa, the Baynesfield forced removal also occurred? Or was the seeming ambiguity of Joseph Baynes' will used to justify and whitewash what was essentially a forced removal in terms of apartheid land laws?

One thing is certain, when Joseph Baynes drew up his will he could not have foreseen the emergence of the network of laws designed to force black people off the land. If he had been able to foresee the rise of apartheid, he might have been more explicit in ensuring that the people who had worked for him for generations were not removed.

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"The removal impoverished us," say former Baynesfield labour tenants

MANQOBA Thabethe, Siteti Mbhele and Xhegwana Bhengu lived and worked at Baynesfield at the time of Joseph Baynes' death in 1924. Along with other families, their parents and grandparents had been born and were buried on the land. Original occupants in the area, they became labour tenants when the farms were granted to Joseph Baynes. This is what they told AFRA about their lives on Baynesfield and their forced removal.

"WORKING on the farm those days meant two things - tilling the soil and looking after cattle. Of course, tilling the soil had other related activities like ploughing, sowing, weeding and harvesting. Each family supplied usually one worker in return for the family being able to continue living on the land. Baynesfield consisted of many different farms. The farm on which we lived was used exclusively by us. People grew different crops primarily for their consumption, although people did sometimes sell what they grew. People kept cattle and other livestock like pigs, goats and sheep. We were encouraged to plant wattle trees which we sold, thus deriving income.

"It was around 1974 when old people were verbally told that they would have to leave as they no longer worked on the farm. They were asked to sign written notices. When people refused to sign, they were taken to the local police station where they were

asked to sign their eviction notices.

"A few weeks later tractors, guarded by armed police, came and pulled down the houses of all those who had refused to sign eviction notices. These people were loaded in tractors and were dumped on an open field at Willowfontein.

"From there people went in different directions. Others had nowhere to go, so they chose to remain at Willowfontein. Those who remained were later allocated small pieces of land. Subsequently, the houses of many of those who remained at Baynesfield were demolished in a similar fashion.

"Other families remained on the farm because they had a member employed on the farm. This did not hold for the people who were working at the bacon factory, for the people evicting us did not regard them as employees on the farm - though it was part of the estate.

"Obviously people lost their houses, and their furniture which was left behind. Weeks before the removal, people's goats and cattle were impounded. People were told to select five cattle and to sell the rest. We were forced to sell at ridiculously low prices. This we knew to be a hallmark of all forced removals - people being systematically impoverished before being dumped on unserviced land..."

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