

The plight of evicted farmworkers and their removal to closer settlements has already been highlighted in AFRA Reports 3 and 10. Afra has estimated that between 1948-82 at least 300000 people were evicted off white farms in Natal. These evictions were partly due to increasing mechanization of agriculture and increasing concentration of land ownership, but were mainly as a result of the outlawing of labour and rent tenancy on white farms.

In 1964 the 1936 Land Act was further amended to empower the Minister of Bantu Administration to abolish entirely or to limit the system of labour tenancy in any district by proclamation. In 1969 labour tenancy was outlawed in the Weenen/Muden District and the 14 years since then have seen a massive eviction of farm workers from this area.

Makhosasane Ndawonde who came to the Afra office for assistance was one victim of these massive evictions. She and her family lived as rent tenants on a white farm in the Muden area and in April 1981 were evicted from the farm on which they had been living. In this account to Afra she tells not only of being dumped at Nondweni, a relocation area with no employment possibilities and no access to agricultural or grazing land, but also of the 2 year nightmare since then, in attempting to recover her goats when faced with an unsympathetic and uncaring bureaucracy.

Shortly after being dumped in Nondweni, Miss Ndawonde returned to the Muden area and found a place on another white farm. This was a common pattern. In fact probably the only person who chose to live in Nondweni was a transporter from Soweto who transported people out of Nondweni after they had been moved in by government trucks and dumped.

"On a Thursday in April 1981 the GG trucks came and took us to Nondweni. The official told us that we should leave our livestock and come to collect them later. We were dumped in Nondweni and when I came back on the Saturday to collect my chickens and goats, they had gone. I went to the farmer and asked where my chickens and 300 goats were. He refused to tell me so I went to the Commissioner in Greytown for advice. The Commissioner wrote a letter to the farmer which I took to the farmer but he refused to read it. I returned to the Commissioner who advised me to take the letter to the Greytown police. The police took me to the farm but the farmer was not there. The following day I returned to the police and they told me that they had spoken to the farmer's mother and she had told them that the goats were at Muden; I should therefore go to the Muden police. I did this but the Muden police said that they knew nothing in connection with the goats.

I returned to Greytown where I met a friend of mine who advised me that some goats had been seen on another farm near Inadi. I went there with the Greytown police and found 53 of my goats. The Greytown police said this was a case for the Muden police. I then went with the Muden police to this same farm. The man in charge of the goats then said that I should pay R200 for my goats. I did not have the money and felt that the police should recover my goats. The police said that they would find out about the R200 from the farmer where I had been staying and contact me.

They did not contact me so I went back to the Muden police who told me that their van was broken so they couldn't go and collect the goats. However they told me not to worry because the goats were now under the protection of the law. I waited but when I realised that the police were not going to contact me I came to the commissioner in Pietermaritzburg. This man advised me to go to the police as he said the farmer had no right to take my livestock.

I then went to the Greytown police who advised me to see a Durban lawyer. I went to see this lawyer in Durban who said that I should pay R40 before he would do anything. I paid this money and he wrote a letter for me and said that I should take it to the Muden police. I did this and the police said that they would give it to the Station Commander. When I went back later the police said that they had given the letter to the station commander

but did not know what had happened after this.

I returned to the lawyer in Durban and he told me that he would solve the matter. I heard nothing from this lawyer and went to see him again in Durban but I was told that he was not there. I phoned the next day twice. Both times I was told that the lawyer was not in. The second time the man who answered the phone told me that I was a fool so I decided not to return to this lawyer.

One day I was telling my story to a friend when a passerby heard it and advised me to go to the local KwaZulu MP. I went to him and he wrote a letter for me to take to the Commissioner. I went to the Commissioner's office and saw the magistrate who advised me to go to the Muden charge office. I asked my father to do this as I was working. My father took this letter to the police and they said they would give it to the station commander who was not in.

I went back to the KwaZulu MP but he had nothing and he advised me to go back to the Muden police. My father went and the police told him that the station commander was on leave for a month. My father waited a month and returned to the police station but the station commander was not there. My father eventually saw the station commander and he told my father to get a lawyer.

I asked my employer to give me time off to see the KwaZulu MP. He took me to the Greytown Magistrate. He advised us to go to the Greytown police station. We went to the police station. The police said that they had referred the matter to the Muden police station. The station commander phoned the Muden station commander and asked me to come back the next day to find out what had occurred. The next day they told me that the prosecutor had decided the case was closed.

I went back to the KwaZulu MP and he said that he would contact some lawyers and that I was to return to him after two weeks. I returned after two weeks and he said that I should come again in two weeks time. When I went back he said that the lawyers said that there could be no case because there was no evidence. "

Miss Ndawonde came to Afra in March this year for assistance in retrieving her goats. The Commissioner at Greytown in response to our queries replied in a letter, " A number of black persons have been served with notices in terms of section 37 of Act 18 of 1936 and after enquiry been given the opportunity to find alternative accomodation for themselves. Those who failed to do so have had to be moved and resettled at Nondweni. In every case I have emphasised that if they have to be resettled by the government they will not be allowed to move their livestock as there are no facilities for livestock at Nondweni."

The police at Muden replied, "Makhosasane Ndawonde opened a case of stock theft CR 5/4/81. According to the statement made their were 300 goats stolen. This case was investigated and it was found that 56 goats were impounded at Inadi pound. Apparently the complainant could not pay the pound fee. No other goats were found and nobody was charged."

The lawyer who we approached to take up the case for Miss Ndawonde after preliminary investigations decided that he could not take up the case for Miss Ndawonde for the following reason. Notice might have been legally served on Miss Ndawonde and her family. In this case once the notice had expired and the magistrate had decided that these people were illegally on the land, the family's stock was also illegally there and could be impounded by the farmer. Once Miss Ndawonde did not pay the R200 asked from her by the pound, they would have been sold by the pound and the money would have been taken by the pound.

This case provides some insight into the processes of evictions off white farms as a result of state pressure to clear all blacks not directly employed by farmers out of white rural areas.

Rather than live in desolate Nondweni where there are no employment opportunities, Miss Ndawonde chose the course of attempting to find another white farm to live on. Here she again becomes dependent on the whims of the farmer and the state for the future security of her home. The proposed 'Orderly Movement and Settlement of Black Persons Bill' (which is presently being reconsidered) proposes the creation of farm Tenement Boards which will be empowered to decide how many blacks each farmer requires for labour and to order the eviction of excess blacks. If passed this legislation will further jeopardise the security of people like Miss Ndawonde.

In this process of removal Miss Ndawonde lost not only her home but her goats as well. Afra was unable to help her. For Miss Ndawonde it is clear whose interests the law serves.