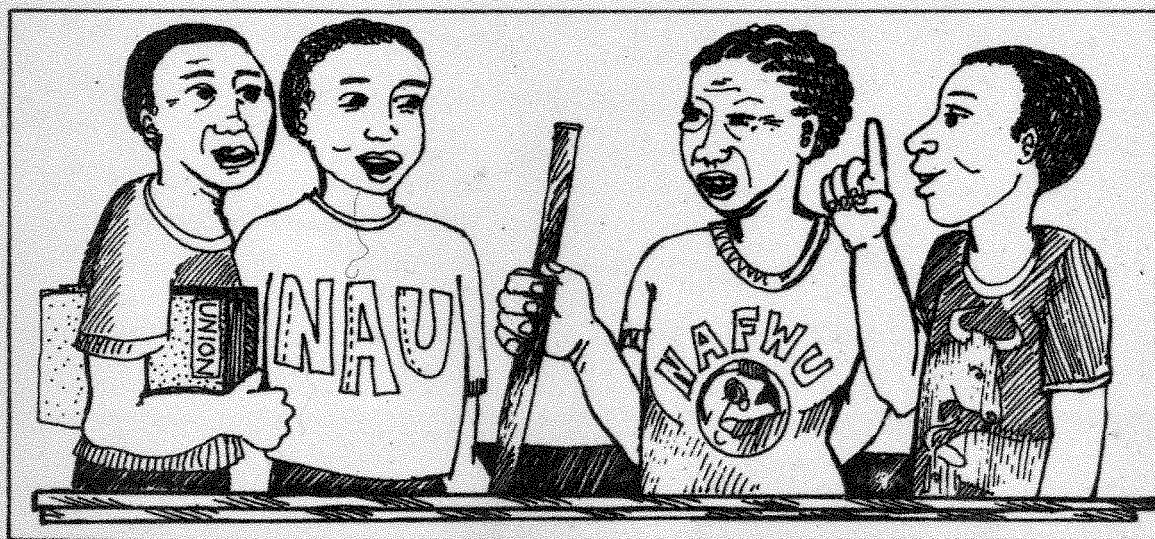


FARMWORKERS PROJECT RESEARCH REPORT SERIES: NO.5

Labour Relations in the Agricultural Sector of Namibia

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Chapter 1

INTRODUCTION AND BACKGROUND

1.1 Arrangement of Materials

In this chapter an attempt will be made to provide, firstly, an overview of the agricultural sector so that the reader can better grasp those processes which shape labour relations within this sector of the economy. Secondly, an overall assessment with regard to the industrial relations system obtaining in Namibia and its impact on labour relations within the agricultural sector will be carried out. Thirdly, the demographic characteristics of farmworkers will be presented. Fourthly, an overview of the living conditions of farmworkers will be presented. Lastly, the chapter will be concluded with the presentation of the working conditions of farmworkers.

1.2 Background and Importance of Study

The working and living conditions of farmworkers have been a major concern for the Namibian society. There has been a long-standing perception that this section of the labour force is politically oppressed and economically exploited. Hence a number of initiatives were launched to tackle this matter. During 1991/92 the National Union of Namibian Workers (NUNW) established a Farmworkers Education and Organising Project to prepare the ground for the launching of a farmworkers union. In 1994 the LAC started a Farmworkers Project in order to promote the rights of farmworkers and to lobby key institutions on policy reforms. On May 1, 1994 NAFWU was launched in order to represent and to be the voice of farmworkers in Namibia.

Under pressure from its constituencies the government of an independent Namibia has also been concerned with the plight of workers, especially farm and domestic workers. To this effect a number of measures have been undertaken to address the situation of farmworkers. In 1992, for example, the National Assembly passed the Labour Act which also covers workers in the agricultural sector. During 1995 the President of the Republic of Namibia established a Commission of Inquiry into Matters Affecting Agricultural Employees and Domestic Employees. The Commission have been tasked to: "inquire

into, report and make recommendations on the prevailing practices applied to employees” in the domestic service and agricultural sectors.

1.3 Literature Review

Since Gebhardt’s pioneering work in the early 1970s there have been no similar studies done which document the socio-economic situation of farmworkers for almost 20 years. Most of these studies done since Gebhardt’s work cover the Namibian worker in general, especially contract workers. In 1990 the Namibia Agricultural Union (NAU) commissioned the Rural Foundation (South Africa) to conduct a survey of wages of farmworkers. Up to date this organisation is refusing to release the findings of this study. Recently, a number of studies have been conducted in order to close this data gap and to update the now outdated work of Gebhardt.

Nepru conducted a small survey on the living conditions of farmworkers in 1991. This report was submitted to the National Conference on Land Reform and the Land Question (1991) under the title: “Farmworkers and Land Reform”. During 1995 the Legal Assistance Centre and the Social Sciences Division (SSD) of the Multi-Disciplinary Research Centre (MRC) at the University of Namibia conducted a comprehensive survey on the living and working conditions of farmworkers. The findings of this survey are contained in the report The Living and Working Conditions of Farmworkers in Namibia. Data concerning the living conditions of farmworkers have also been extracted from the Central Statistics Office’s Namibia Household and Income and Expenditure Study (1993/94) and published in the report Living Conditions in Namibia. During 1996 the Agricultural Employer’s Association allied to NAU conducted a survey on the living conditions of farmworkers. A summary of this survey was released recently at a press conference but the hard copy still need to see the light.¹

¹ See The Namibian, 4.12.96 and

Chapter 2

AN OVERVIEW OF THE AGRICULTURAL SECTOR

2.1 Colonialism and Land Conquests

Under colonialism the indigenous communities were dispossessed of large tracts of land which was set aside for European settlement. The indigenous communities were confined to the "native reserves". Both the German and the South African colonial policies with regard to land occupation and utilisation were meant to effect a differential impact on the lives of the white and African population in the colony. For example, the agricultural labour supply system and the corresponding wage structure were deliberately developed to ensure high profits for white farmers at the expense of their African counterparts. The supply and the cost of labour of African farmers came to be determined by the level of their accessibility to the land. (Werner and Adams 1990: 7). The outcome of both the colonial land and labour policies has been summarised as follows:

[The] large scale dispossessions of black Namibians was as much intended to provide white settlers with land, as it was to deny black farmers access to the same land, thereby denying them access to commercial pastoral production and forcing them into wage labour". (Ibid.).

2.2 The Communal and Commercial Divide

Namibia has a highly differentiated land tenure structure, i.e., state, communal and freehold. There are about 6,337 commercial farms held by 4,045 owners under freehold. Out of the 4,045 farmowners about 230 were African farmers. Commercial farms cover about 44% of the country, while another 43% of land area is occupied by about 120,000 small-scale farmers under a communal tenure system. The above should be contrasted with the 11% commercial farmers and farmworkers who make their living from land held under freehold. (Devereux et al 1996: 3).

There are two distinctive characteristics of the Namibian agricultural sector, i.e., i) the skewed distribution and the unequal development of land; and ii) the predominance of the livestock and a relatively minor role played by crop production. Both land development

and ownership is highly uneven - the communal farmers are restricted to the overpopulated, overgrazed, and undeveloped areas. Commercial farmers have title to the land whereas the communal farmers have only user rights but no title to the land on which they farm. (Namibia Development Plan 1991/92 - 1993/94: 1).

There is also extreme inequality between the communal and the commercial sectors with regard to access to resources, services and markets. This inequalities are the results of the apartheid policies of the past. For example, communal farmers have had limited access to incentives to produce. Consequently, this sector has been isolated from the rest of the economy and its production continues to be oriented towards subsistence production. However, since independence the new government has shifted the emphasis from providing support and investment to commercial farmers to those farming in communal areas.

2.3 Ecological and Environmental Constraints to Growth

There are number of ecological and environmental factors which serve as constraints to agricultural development and growth. These factors in turn determine the profitability levels of farming operations in the country. Namibia is flanked by two major deserts and hence there is a lack of prime agricultural land. The lack in the availability of quality land is a serious growth constraint. This type of land need careful management to avoid degradation and environmental damage.

With regard to stock farming the carrying capacity of land declines steadily from the north-east where 7-10 hectares are needed per head of large stock to the south-west where over 20 hectares are needed to sustain a single head of large stock. Both overgrazing and bush encroachment are major fetters on agricultural growth and development. (Anonymous source, nd: 63).

Water is another major constraint for growth. Namibia's mean annual rainfall is very low, i.e., 250 mm, and this is occurring during the summer months. Therefore, irrigation potential is limited to a few areas. Owing to high evaporation the availability of surface water is extremely limited and the underground water table is progressively getting lower and lower. (Ibid.). Namibia's natural environment, in particular its erratic and low rainfall, places severe constraints on agricultural development.

2.4 Main Branches of Agriculture

Stockfarming, especially beef production, has historically been the most important branch of farming. Beef is thus the mainstay of the country's agricultural economy and accounts for 85% of the country's gross agricultural income. (Namibia Trade Directory 1995/1996: 5). In terms of the projected figures for 1994 the value of beef exports stood at N\$356 million. (First National Development Plan 1 - NDP1, 1995: 108)

Sheep and goat farming (mainly for meat and pelt production) is also an important subsection of stockfarming. Sheep and goat farming is mainly restricted to the southern regions and part of the central regions. There are approximately 1,800 commercial farmers who are farming with small stock, primarily with sheep for mutton. (Adams 1990: 11). In terms of the projected figures for 1994 karakul pelts and small stock had an export value of N\$9.4 million and N\$141 million, respectively. (NDP1 1995: 108). Game farming which takes place in the central and northern regions is on the increase due to the practice of trophy hunting. In 1987 there were about 314 registered game farms in Namibia. (Adams 1990: 13). Game farming contributed about N\$20 million per year to gross farm incomes. (Ibid.).

A variety of crops, primarily maize, wheat and sunflower, are cultivated on commercial farms. Dryland agronomy is only viable where rainfall is above 500 mm per year, and this is restricted to the Otavi highlands in the Tsumeb-Grootfontein-Outjo triangle. Some 23,198 hectares are under cultivation by about 153 commercial farmers. (Adams 1990: 14). Irrigated agronomy takes place at the Hardap Dam situated on the Fish River, 15 km from Mariental. About 1,600 hectares are under irrigation in 46 farming units with an average size of 33 hectares per unit. (Ibid.). Lucerne, wheat, grapes, vegetables, cotton and mealies are grown on these plots. A limited quantity of fruit, vegetables, lucerne and cotton are also produced on the banks of the Orange river. (Ibid.). Dryland agronomy, especially consisting of millet, is practised on a large scale in the northern communal areas of Namibia.

2.5 The Contribution of Agriculture to the Economy

Agriculture is Namibia's main economic activity after mining and contributes about 11% to the country's GDP. (Namibia Trade Directory 1995/1996: 5). According to the figures for 1995 the commercial sector contributed about N\$832 million (8.7%) and the communal sector contributed N\$284 million (3%) to the GDP. (UNDP 1996: 29). By average beef contributes 82%, agronomy 6%, pelts and wool 5%, game 4%, and diary 3% to gross farm income. (Devereux et al 1996: 4).

Agriculture is also Namibia's main source of employment. Almost 70% of the population is directly or indirectly dependent on agricultural production for their livelihood. (Adams 1990: 7). Commercial agriculture employs 10% of the total work force. (Devereux et al 1996: 4). According to the CSO report on the Living Conditions in Namibia (1993/94), there were about 33,000 farmworkers and 125,000 individuals living in farmworkers' households. (Devereux et al 1996: 7). Almost a tenth of the total population of Namibia is dependent on farmworkers income.

The number of farmworkers has declined substantially over the last 25 years and this is an indication of a major structural change in employment on commercial farms. The

Agricultural Census of 1970-71 has recorded almost 49,768 farmworkers which is 35% more than the current 33,000 recorded during 1993/94. (Gebhardt 1978: 170).

2.6 Recruitment Strategies and Sources of Labour

More than half of the farmworkers surveyed in 1995 were farmworkers for their whole working life. Close to 40% of farmworkers grew up on the farm where they are working, 28% were recruited from urban areas, 16% were recruited from communal areas, and a further 15% were drawn from neighbouring farms. (Devereux et al 1996: 17). The incidence of 'life-time farmworkers' or 'generational farmworkers' is the highest on commercial farms in the northern districts, where 85% of employees have worked their entire adult life. Almost 60% of farmworkers in the southern farming districts were recruited in a town. (Ibid.). The incidence of recruitment of farmworkers on the farm where they were born is the highest for those working on grain farms (67%) and cattle farms (44%). (Ibid.: 41-42).

About 90% of San farmworkers said that their fathers were also farmworkers. Similarly, a higher number, 77% of women farmworkers, has said that their fathers were also farmworkers. (Ibid.: 66). About 80% of farmworkers in the central areas and 77% of farmworkers in the southern areas said their father was also a farmworker. (Ibid.: 17). The above is much higher than the two-thirds figure reported for the total farmworkers surveyed in all the study areas. These figures underline the extent to which employment in this sector of the economy is being perpetuated from one generation to next generation. These figures suggest that a high proportion of farmworkers' children become farmworkers themselves and work for the same employer as their fathers.

Chapter 3

INDUSTRIAL RELATIONS IN THE AGRICULTURAL SECTOR

3.1 Labour Law in Pre-independent Namibia

In the aftermath of World War I the colony passed into South African hands and the latter not only continued the German land and labour policies, but introduced new ones. The German Master and Servants Proclamation of 1907 was succeeded by a number of new labour laws. For example, the Vagrancy Proclamation (1920), the Master and Servant Proclamation (1920), the Pass Laws (1922), the Wage and Industrial Conciliation Ordinance (1952) were the main instruments used to ensure the supply of a sufficient and subordinate labour force under South African rule. (Katjiuanjo 1991: 2-3). Up to the 1970s labour relations in Namibia was underpinned by the following key themes: contract labour, pass laws, and job reservation.. (Korner-Dammann, nd: 52).

For many decades both the Master and Servant Proclamation and the Wage and Industrial Conciliation Ordinance have formed the backbone of industrial relations in Namibia. The latter piece of legislation excluded farmworkers, domestic workers and civil servants from its operation. (Ibid.: 76). Even the most recent labour legislation, the Conditions of Employment Act (No. 12 of 1986) did not apply to farm and domestic workers. Therefore under colonialism farmworkers enjoyed no legal protection at all and hence were exploited by farmers through the implementation of repressive employment policies, very low wages and minimal fringe benefits. All these were sanctioned by the pro-farmer colonial state.

Therefore, the state have shaped the political and economic processes which have historically rendered farmworkers marginal and vulnerable to exploitation. The state have over the years passed labour legislation's which favoured the farmer at the expense of the farmworker. In addition to these laws favouring the farmer, the state have also devolved almost absolute authority to the white farmer when it comes to the treatment of farmworkers on commercial farms. For example, farmers exercise strict control over the lives of farmworkers on farms via the operations of farm rules which are often used to exclude family members or the so-called strangers. Consequently, commercial farms have "evolved into authoritarian and paternalistic institutions in which the baas stood as the locus of all authority". (Suzman 1995: 59). Although, this framework is still in place, it has been changing since independence.

The above-mentioned socio-economic forces have also created a lower tier labour pool in the communal areas in which ethnic minorities, especially San, have replaced absent household members. Most farmworkers in communal areas are low-paid and quite often receive beer or food instead of cash for work. In these areas the Labour Act (1992) does not apply at all and labour agreements are informal and contracts are usually verbal. (Ibid.: 60).

3.2 The Labour Act of 1992

Since independence in 1992 the new government have committed itself to the promotion of sound labour relations and fair employment practices. To this effect the National Assembly passed the Labour Act in 1992. This Act sets minimum working conditions and allows employees and employers to bargain for better conditions than the statutory minimum standards. The Act cover issues like: basic conditions of employment, dismissals, disciplinary action, rights and responsibilities of trade unions and employer organisations, collective agreements and labour disputes.

The Labour Act also makes provision for the establishment of a wages commission in order to address the issue of minimum wages, in particular for those industries such as agriculture and domestic work, where trade union representation for employees is fairly weak and the levels of wages are the lowest. To date the Labour Advisory Council have done nothing in this regard. Hence the wages of farmworkers are unilaterally set by farmers.

The Labour Act does not only give farmworkers the same employment rights as other workers, but it also grant them additional rights. These additional employment rights are: the right to adequate housing, the right to cultivate land and keep livestock under certain circumstances, and the protection against exploitation through farm shops. Where a farmworker is required to live on the employer's premises s/he must be provided with housing, sanitation and water sufficient to meet the needs of the worker and those of his/her dependants. Because the term "sufficient" is not defined in the Act workers are provided with housing conditions which are often below standard, e.g., housed in shacks.

The Act also states that the employer must allow the farmworker either to keep livestock or to cultivate crops on a piece of land or alternatively to supply the worker and his/her dependants with food rations. It is difficult to implement this provision as farmers usually have the sole right to decide which option should be exercised. In most cases the farmer solely determine the quantity and content of the ration pack. Both the size of the farmworker's family or his/her dietary requirements are never taken into account when compiling the ration pack.

3.3 Collective Bargaining on Farms

Despite the presence of NAFWU and the existence of a favourable Labour Act farmworkers still find it difficult to adequately protect their interests and advance their needs. One such a crucial area is that of wage negotiation. Wages are usually very low in those industries where trade unions are absent or weak. The same applies to the agricultural industry. According to farmworkers respondents only about 43% of workers negotiate their conditions of service. In terms of wage setting, only less than 10% of farmworkers negotiate the level of their pay. (Devereux et al 1996: 30). Given the fact that farmers are in a stronger position to dictate the level of farmworkers wages and that the latter have very little bargaining power, there is a need to investigate the possibility of introducing a minimum wage for this section of the labour force.¹

The Labour Act is not being applied fully partly because both the farmer and the worker lack the detailed knowledge of the various provisions. This is no the case with most of the farmers in the commercial areas. For example, 84% of all farmers are aware of the Act. Out of these, 84% knows the provisions on Sundays and public holidays, 82% knows the provisions on annual leave and overtime, and 81% knows the provisions concerning working hours. However, only an insignificant number of farmworkers and farmers in the communal areas are aware of the existence of the Labour Act. Only a third of farmworkers who are aware of the existence of the Act. (Devereux et al 1996: xi). Since the majority of farmworkers are not aware of their rights and obligations in terms of the Labour Act, there is a need to promote knowledge thereof via legal outreach work. Once knowledge of the Act become widespread amongst farmworkers, their exploitation may subside.

Few farmworkers have written contracts and hence they are subjected to arbitrary decisions by the farmer who hire, fire and punish as s/he likes. (Nepru 1991: 419). Close to a third of farmers suggested that job descriptions for their workers are verbal, while a further third said their workers have written job descriptions. About 12% of farmers reported that their employees have no job descriptions at all. This lack of job descriptions places farmworkers in a vulnerable position as the farmer could order them to perform any odd job. Seven out of ten farmworkers in the southern region have verbal job descriptions. Very few workers handle their disputes with their employers via trade unions. According to farmworkers respondents, 65% of them lodge complaints directly to the employer and 11% via the foremen. Some workers do not lodge complaints at all. (Devereux et al 1996: 29 & 32).

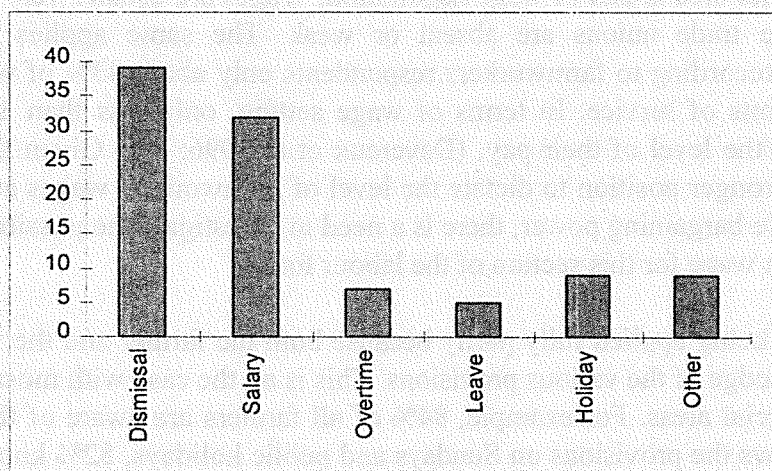
3.4 Predominant Labour Disputes

Farmworkers are making use of the district labour courts to settle their disputes with employers. A survey of labour disputes at selected district labour courts during 1994 have found that 8% of all cases involved farmworkers. The distribution of these cases were as

¹ For a summary of the pros and cons of minimum wages see the Wiehahn Report, Volume I, pp 80-88.

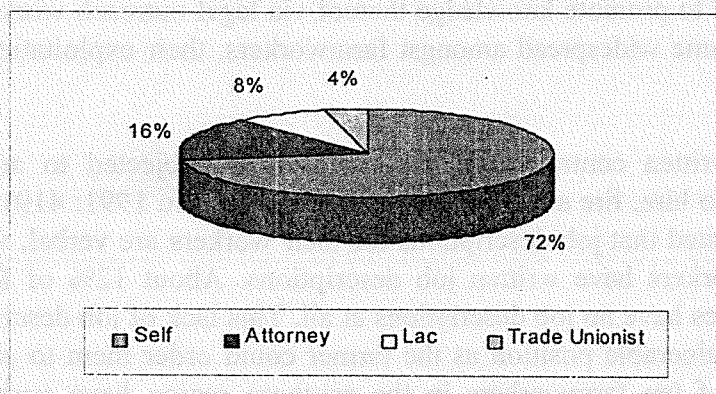
follows: Keetmanshoop (40%), Windhoek (32%), Okahandja (5%), Swakopmund (4%), and Ondangwa (4%). (Katjiuanjo 1996: 27)

Fig. 1. Farmworkers by Complaints Lodged at DLCs (1994)



Unfair dismissal (39%), unpaid salary (32%) and unpaid holiday (9%) were the most common complaints lodged by farmworkers at the district labour courts. (Fig. 1).

Fig. 2. Farmworkers by Legal Representation at DLCs (1994)



About 72% of farmworkers represented themselves at the court, 16% were represented by a private attorney, 8% were represented by an LAC attorney/paralegal, and 4% had a trade union representative. (Fig. 2). (Ibid.: 29). Almost a third of cases filed at the labour courts were pending at the time of the survey. Half of these cases filed by farmworkers were solved by granting compensation/payment to complainants as judgement. Close to 10% of cases were dismissed and 15% were withdrawn. (Ibid.: 36).

3.5 Unionisation of Farmworkers

About 12% of farmworkers are members of the Namibia Farm Workers Union (NAFWU), as opposed to about 75% of farmers who are members of the Namibia Agricultural Union (NAU). NAFWU's membership is the lowest in the central region where the level of unionisation is 3 times lower than the national average. (Devereux et al 1996: 33). The highest concentration of NAFWU's membership is on cultivation farms where about 43% of the labour force has been unionised. This is 3.5 times higher than the national average. NAFWU managed to recruit so many workers because there is a high concentration of workers on the Hardap irrigation plots. (Ibid.: 58). There are about 2000 workers on these plots.

The union's membership amongst women is 2.5 times less than the national average. None of the 25 San farmworkers have been unionised. Over 80% of all San workers do not know about NAFWU's existence. Hence the union still need to target this vulnerable section of the labour force. (Ibid.: 79). A number of reasons have been advanced to explain why farmworkers are not members of the union. Amongst others these reasons are: no knowledge of NAFWU (57%), have only heard of NAFWU (30%). Close to 90% of farmworkers have not yet been approached to join the union. This is because NAFWU was formed recently and is still struggling to negotiate access to farms which traditionally have been shielded from unionists by the Trespass Ordinance. (Ibid.: 33).

NAFWU also lacks the necessary resources to organise workers on a massive scale, especially because worker density is very low in the country and farms are far apart. Farmers are also placing a number of psychological barriers to prevent the unionisation of farmworkers. Suzman (1995) have also identified the following additional factors as mitigating against farmworkers organising themselves: squabbles between workers, dependency on employment for material survival, high mobility and low resources. (59-60).

Chapter 4

DEMOGRAPHIC PROFILES OF FARMWORKERS

4.1. Regional Distribution

Close to a third of all farmworkers in Namibia are employed in the Otjozondjupa region. The Omaheke region with 13% of the total labour force have the second biggest concentration of farmworkers. With 6% of the total farmworkers population Caprivi has the largest concentration of workers in the communal farming areas. (CSO 1996: 263). (Table 1)

Table 1. Farmworkers by Region

Region	Number	%
Caprivi	2014	6
Erongo	2955	9
Hardap	3671	11
Karas	2622	8
Khomas	2593	8
Kunene	675	2
Ohangwena	115	0
Okavango	1663	5
Omaheke	4171	13
Omusati	385	1
Oshana	130	0
Oshikoto	1229	4
Otjozondjupa	10390	32
NAMIBIA	32613	100

4.2 Age and Sex

The overwhelming majority of farmworkers are males. Less than 10% of farmworkers are females thus indicating that farm employment is male selective. The mean age of farmworkers is 35 years of age. (Devereux *et al* 1996: 18). About 76% of farmworkers are 15-44 years of age, while a further 21% are above 45 years of age. Close to 500 farmworkers, which is 2% of the total, are below the age of 15. (CSO 1996: 264). (Table 2). This is an indication of the extent of child labour in the agricultural sector which is in contravention with both the Namibian Constitution and the Labour Act. Table 2. Farmworkers by age and sex

Age Group	Female		Male		Total	
	Number	%	Number	%	Number	%
10-14	85	4	409	1	493	2
15-29	1153	53	13377	44	14530	45
30-44	530	24	9731	32	10261	31
45-64	312	14	5880	19	6192	19
65+	104	5	697	2	801	2
NAMIBIA	2184	100	30430	100	32613	100

4.3 Marital Status and Language

Almost 40% of farmworkers have never been married. Close to 60% of farmworkers are married and more than half of those who are married have done so consensually. Both the incidences of separation and divorce are very low amongst the farmworkers population. Less than 2% of all farmworkers are affected by the above incidences indicating marital stability within this rural population. (Unpublished 1991 Census data) The main language spoken by farmworkers is Damara/Nama which is a home language of close to 40% of the labour force. Otjiherero (16%) and Oshiwambo (15%) is the second and third most common languages spoken by farmworkers. (CSO 1996: 267).(Table 3).

Table 3. Farmworkers by language spoken

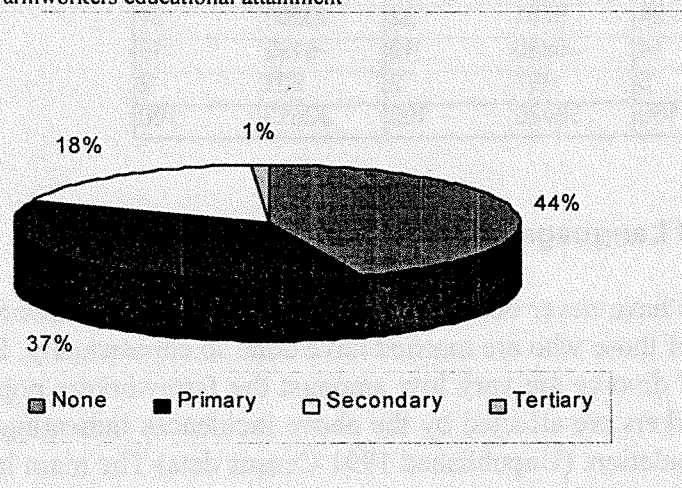
Language	Number	%
English	97	0
Afrikaans	2196	7
Caprivi	1996	6
Damara/Nama	12111	37
German	78	0
Oshiwambo	4840	15
Otjiherero	5234	16
Rukavango	3172	10
San	2313	7
Tswana	39	0
Other	270	1
TOTAL	32613	100

4.4 Education and Literacy Levels

About 44% of farmworkers have no formal education and 37% of them have completed primary education. Another 18% of farmworkers have attained secondary education. (CSO 1996: 265). (Fig. 3). Self-reported literacy levels amongst farmworkers stood at 42% of the total workers. Illiteracy levels are the lowest amongst the older workers where illiteracy levels of above 70% have been recorded for those aged above 50 years of age. Workers in the Tsumeb, Grootfontein and Gobabis districts have the highest levels of illiteracy whereas workers in the Karasburg and Keetmanshoop districts have reported the

highest levels of literacy. Almost a third of all workers in each Keetmanshoop and Karasburg have attained secondary education. (Unpublished Census data).

Fig. 3. Farmworkers educational attainment



4.5 Migration Patterns

There is no data which will enable us to document the magnitude and the direction of periodic migration between districts in Namibia. However, it is possible to determine the volume and the direction of life-time migration between districts on the basis of the 1991 Census data. About 53% of farmworkers were living and working in the districts where they were born. Thus, about 47% of farmworkers are working in the farming districts where they were not born and hence are immigrants.

Both the Gobabis district (25%) and the Keetmanshoop district (29%) have recorded the lowest numbers of immigrant workers. On the other hand the Omaruru district (80%), the Karibib district (70%), and the Okahandja district (67%) have recorded the highest numbers of immigrant workers. (Unpublished 1991 Census data) The higher number of immigrants in these districts may be a recent phenomena aimed at providing a skilled labour force which will serve the burgeoning lodging and hunting farms.

4.6 Households Composition

The majority of farmworkers live in households headed by males. Close to 90% of farmworkers households are headed by males and only 11% of households are headed by females. The national average for female headed households is 38% - thus relatively few farmworkers live in female headed households. (CSO 1996: 266). About 43% of total households were without a spouse and a further 57% had spouses. There are very few households in the Mariental district (24%) and Gobabis district (27%) which have

spouses. Smaller households are more likely to be with a spouse than bigger households. (Unpublished 1991 Census data)

Forty seven per cent of households have no employed persons, while 42% of households have one employed member. Only a further 11% of households have two employed persons or more. This is an indication that only few people from each household are employed as farmworkers. The relationship between the head of households and the members in these households are as follows: heads (67%), spouses (2%), child (5%), other relatives (11%), and non-relatives (14%). Parent of head, domestic workers and other type of relationships are less common. (Ibid).

Chapter 5

LIVING CONDITIONS OF FARMWORKERS

5.1 Type of Housing

Close to 44% of farmworkers live in a modern house (detached, semi-detached and flats). Detached houses are the most common type of accommodation. A further 29% of farmworkers live in improvised houses. About 20% of farmworkers live in a traditional house while 4% live in single quarters. (CSO 1996: 259). (Table 4). The farmworkers housing is better than the national average including the average for rural areas.

Table 4. Farmworkers by type of House

Type of House	%
Detached	34
Semi-Detached	9
Flat	1
Mobile	2
Traditional	20
Single Quarters	4
Improvised	29

5.2 Selected Housing Indicators

The majority of farmworkers, i.e., 95%, cook without electricity or gas. Similarly, 92% of farmworkers are not using electricity for lighting. Bush is the most common type of toilet facility available to farmworkers. About 70% of farmworkers are using the bush. Farmworkers have a fairly good access to water supply. Only less than a third of farmworkers who do not have access to a pipe or well within 5 minutes walk. (CSO 1996: 270). The housing standard of farmworkers is much worse than the national average. (Table 5). With the exception of a donkey/ox cart farmworkers households are ill equipped with household durable goods than the average Namibian household.

Table 5. Farmworkers by Housing Indicators

Indicator	%
Cooking without electricity	95
Lighting without electricity	92
Bush or bucket as toilet	70
No pipe/well within 5 min.	30

5.3 Economic Standard

The annual private consumption of farmworkers households is N\$171 million, while average per capita consumption is N\$1377. This is far below the average per capita consumption in Namibia which is about N\$2253. However, the average per capita consumption of farmworkers is slightly above the average per capita consumption of rural households which is N\$1246. The same trend is more or less to be found when analysing the annual household income of farmworkers.

For example, the per capita income of farmworkers households is N\$1741 which is 43% less than the national average but slightly higher than the average per capita income of rural households of about N\$1550. (CSO 1996: 261). Wages is the main source of income for more than 80% of farmworkers. Subsistence farming provides income to about 10% of farmworkers households while pensions provide income to only 5% of households. (Ibid.: 269).

5.4 Consumption and Expenditure

Farmworkers households have a food consumption pattern which is similar to the one of rural households in Namibia. The farmworkers food consumption rate of 52.8% is slightly higher than the average food consumption rate for rural households which is 47%. Farmworkers households are much more dependent on own produced or received food as over 50% of the food they consume consists of either own produced food or received food. (CSO 1996: 173 & 261-2)

5.5 Poverty Levels

About 16% of farmworkers spend at least 80% of their income on food items which is an indication of absolute poverty. This poverty level is almost twice the national average which is 9%. About 57% of farmworkers in contrast to the national average of 29% is spending more than 60% of their income on food which is a less rigorous indicator of poverty. (CSO 1996: 181 & 276, Devereux et al 1996: 7). It is evident that a great proportion of farmworkers households are living in poverty.

Chapter 6

WORKING CONDITIONS OF FARMWORKERS

6.1 Main Duties

Farmworkers are mainly employed as general labourers and thus specialise in one activity. However, they do perform a number of additional duties. About 69% of farmworkers perform only one duty, 19% of farmworkers perform two duties and 3% of farmworkers are performing up to 3 duties. (Devereux et al 1996: 43) At 56% of the total, general labouring is the most common activity, followed by gardening (18%), domestic work (15%), fencing (14%), driving (14%), herding (12%), supervision (6%), and artisanal work (4%). (Ibid.: 20). However, as would be expected, the overwhelming majority of women farmworkers are domestic workers. About 76% of these women perform domestic work while a further 13% are employed as cooks. The remaining few are gardeners (6%) and general labouring (5%). (Ibid.: 66).

6.2 Working Days and Hours

Two-thirds of farmworkers works 5.5 days per week, while a further 16% works 6 days per week. About 6% of farmworkers works 7 days per week. The average length of a working day is 8.5 hours. Fifty five per cent of workers work more than 8 hours per day and only 1% work between 1 and 5 hours per day. Of those workers working for more than 8 hours per day, 36% work 5.5 days per week, 30% work 6 days per week and 21% work 7 days per week. About 48% of farmworkers work at least 5 hours before their lunch break. A further 44% work at least 6 hours before lunch. (Devereux et al 1996: x). One San farmworker works for 9 hours every day, 7 days a week which is an equivalent to 63 hours per week. (Devereux et al: 67). This a gross violation of the Labour Act which limits the number of working hours per week to 45.

6.3 Annual, Sick and Maternity Leave

About a three quarter of farmworkers indicated that they are allowed to take annual leave, while 19% said that their annual leave is unpaid. About 16% of farmworkers are not permitted sick leave, while 59% get paid sick leave. More than one-third of farmworkers indicated that they are not allowed to take leave on public holidays, while 48% said they are allowed to take leave on public holidays. About 96% of female farmworkers are not

allowed to take maternity leave, while only 3% are granted maternity leave. The average length of a maternity leave is 28 days per year. (Ibid.).

6.4 Remuneration and Income in Kind

The total cash wage paid to permanent farmworkers is N\$166.12 per month. Farmworkers receive an additional ration pack to the value of N\$229.27. Hence farmworkers are receiving a total amount of N\$395.39 per month. Payment in kind or the value of the ration pack is 58% of the total wage bill. Seasonal workers receive N\$135.00 in cash as well as an additional ration pack valued at N\$229.27. The total monthly wage paid to seasonal workers is thus N\$364.27. (Devereux et al 1996: x).

Casual workers are paid N\$116.67 per month and the value of their rations is N\$229.27. Their total wage is N\$345.94. (Ibid.). Permanent workers are thus paid more than the other two categories of workers. The average cash wage paid out to San workers in mid-1995 was N\$130 per month. The range was between N\$50 and N\$300 per month. However, these wages are about 37% higher than the monthly average wage of N\$95 paid out during 1994. In 1994 the lowest amount paid was just N\$30 per month. (Ibid.: 69).

The real value of the wages paid to farmworkers is below the above figures as the value of rations have been based on urban market prices. Since farmers buy goods for farmworkers in bulk and meat and milk are readily available on the farm, market prices assigned to food rations will make wages for farmworkers appear higher than they are. In short, the value of real wages is determined by the forms the wage takes, i.e., cash or/and in kind; and the actual value of the latter. However, in most cases those workers who only receive their pay in cash tend to be worse off than those receiving food rations in addition to a cash wage. (Nepru 1991: 425, 428).

Chapter 7

CONCLUSIONS

Farmworkers enjoyed no legal protection under both the German and South African colonial occupation. Hence they were exploited by farmers through the implementation of repressive employment policies, very low wages and minimal fringe benefits. The colonial state have shaped the political and economic processes which have historically rendered farmworkers marginal and vulnerable to exploitation.

As the result, commercial farms have evolved into authoritarian and paternalistic institutions in which all authority on farms are vested in the farmer or the so-called "baas". The same socio-economic forces have also created a second tier labour pool in communal areas in which ethnic minorities , especially San workers have become a source of cheap labour. Hence farmworkers have over many decades become the most exploited and neglected section of the labour force in Namibia.

Since independence, favourable conditions have been created to tackle the plight of farmworkers. To this effect the Labour Act (1992) which covers the agricultural sector have been enacted. The President of the Republic of Namibia have also appointed a Commission of Inquiry into Labour Matters affecting Agricultural Employees and Domestic Employees. Both NAFWU and the LAC's Farmworkers Project have undertaken a number of activities meant to protect and expand the rights of farmworkers.

However, despite all the above measures taken, there are still few outstanding matters that need to be addressed. Very few farmworkers are aware of both their Constitutional rights and labour rights. Consequently, it is very difficult for farmworkers to enforce their rights. Many farmworkers have been born on freehold land owned privately by commercial farmers. However, this tenure system does not adequately protect their rights to the land. Many farmworkers have acquired "lower order" tenure rights via birth and/or long service on both freehold and communal lands. The National Land Policy currently being discussed is conspicuously silent about this issue. The government should pass appropriate legislation to secure farmworkers tenure rights as well as the right to keep livestock on these farms.