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The living and working conditions of farm workers. A case study of Farm Macdonald in Gauteng.

A report on a study project presented to

The Department of Political Studies

Faculty of Humanities

University of the Witwatersrand, Johannesburg.

In partial fulfilment of the requirements for the degree of Masters in Political Sciences

by

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Supervised by

Dr Joel Quirk

April , 2021

DECLARATION

I declare that the living and working conditions of farm workers. A case study of Farm Macdonald in Ekurhuleni, Gauteng is my own work and that all the sources that I have used or quoted have been indicated and acknowledged in the reference list.

Date: 06 September 2021…….. Signature Z.G ……

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Abstract

Farm workers have a strong contribution in the economy endure poor pay, terrible living conditions, and precarious employment in order to produce a huge amount of surplus value for their employees via their labour. While the South African government speaks about protecting vulnerable workers, their practical interventions in this area have been weak and episodic, in large part because they have an interest in the economic fortunes of the commercial farming sector. In 2001, news articles reported that in a specific farm situated in Gauteng there was lack of adequate resources such as: water; electricity; sanitation, and overcrowding in the farm residences. Other issues that surfaced were racism; unlawful wage deductions; denial of leave and non-compensation for injury on duty as well as non-payment for overtime. In response to media scrutiny in 2012, Supermarket *a* placed the farm under investigation and suspended the farm as one of its suppliers. These allegations called for further investigations and research depicted that farm workers were still being unfairly treated. The initiative by government and other role players in helping to protect the affected farm workers provided to be ineffective. Labour issues taking place in Farm Macdonald can be used to define some the main features of labour farming in South Africa in broader sense.

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CHAPTER ONE: Introduction to the study

1.1 Background of the study

Farm workers who harvest and supply food to over 59 million South Africans everyday frequently live with hunger and malnutrition (Devereux, Hall and Solomon 2019) . They endure poor pay, terrible living conditions, and precarious employment in order to produce a huge amount of surplus value for their employees via their labour. As the South African Federation Trade Union observes (2020), farm workers are the cornerstone of South Africa's food security yet remain the most brutally exploited in the labour market. While the precise dimensions of labour exploitation continue to be debated, there is widespread consensus that agricultural workers in South Africa routinely experience exploitation due to both their pay as well as their living and working conditions despite the large surplus they generate. While the South African government speaks about protecting vulnerable workers, their practical interventions in this area have been weak and episodic, in large part because they have an interest in the economic fortunes of the commercial farming sector.

This research report chiefly focuses on the living and working conditions of farm workers in the South African commercial farming sector. It specifically focuses upon experiences in Farm Macdonald [1] which is situated in Gauteng, which serves as a single in-depth case study to evaluate the conditions that farm workers experience and the responses of various institutions to their situation. The farm under study is renamed as Farm Macdonald to protect the identities of the farm workers and to avoid any risk that material presented in this report might compromise their current employment as workers. In both 2001 and 2012, journalists reported that there were serious problems with how workers at Farm Macdonald were being treated, and that

[1] For confidentiality and anonymity purposes Farm Macdonald is a pseudonym given to the farm under study in-order to protect the farm workers from any potential reprisals thanks to their participation.

the workers had consequentially mobilized in an effort to protect their rights, yet the media spotlight proved to be short-lived. By returning to the farm many years, later this report also inquires what if anything has changed in the meantime.

News reports in 2001 and 2012 indicated that workers in Farm Macdonald were being abused and unfairly treated including farm workers dwelling in small and cramped setups with their families, with around five people living in rooms that were 6 by 2 metres in width. News articles further reported that there was also lack of adequate resources such as water as well as electricity and sanitation, despite the congestion in the farm residences. Other issues that surfaced were racism; unlawful wage deductions; denial of leave and non-compensation for injury on duty as well as non-payment for overtime. In response to media scrutiny in 2012, supermarket *a*[2], one of South Africa's major supermarket placed the farm under investigation and suspended the farm as one of its suppliers. This suspension was only temporary, however, and the established status quo was later restored. One of the goals of the research report is to investigate whether the conditions on the farm improved or deteriorated following the investigation conducted by the supermarket, but this proved to be a challenging task, as I explain further in the sections to follow.

1.2 Problem Statement

The Agricultural sector provides to the agricultural economy and a major source of raw materials (Greyling 2015). The farming industry contributes over 67423.54 million annually to the economy of South Africa and farm workers work tirelessly for the Agriculture sector to derive to large amounts of profit. In this context, issues of unfair labour practices and policy implementation failures have a negative impact on vital industries such as commercial farming and call for addressing. Furthermore, South Africa is a democratic country that boasts of a good constitution and certain injustices such as oppression of workers contradict the ideal of a free and equal society.

[2] The name of the supermarket could not be named for confidentiality and anonymity purposes and to avoid any information that might trace-back to the workers of the farm under study.

Although there is extensive literature on labour issues pertaining to agricultural workers, there would seem to be a paucity of research focussing on labour dynamics in the farms of Gauteng. Furthermore, research on farm workers has been limited to the relationship between farm workers and their employers and less on the role played by corporate entities that are supplied by the farms. Therefore, the study is expected to contribute to the existing knowledge about farm workers. In addition, the study also has the potential to enhance the understanding of the role and efforts of chain stores in the agricultural economy. It anticipated that findings of the study could contribute to policy development and stimulate further research within the discipline of labour in commercial farming.

The research report attempts to answer the following questions:

- What is the living and working conditions of farm workers in *Farm Macdonald*?
- How do their conditions relate to the larger history of commercial agriculture in South Africa, which has long been defined by cheap labour and violence?
- What is labour exploitation and how do competing approaches to labour exploitation help us to understand experiences at Farm *Macdonald*?
- What kinds of the initiative have been introduced by government and other role players, such as Supermarket *a* in helping to protect these and other farm workers? Have these initiatives provided to be effective?

1.3 Chapter Structure and summary of the chapters

The report will firstly, focus on the theoretical perspective specifically the operating context of labour in South African commercial farming in general which makes up chapter 1. In addition, the methodology is placed in chapter 2 in which various methods of how the research was conducted using a qualitative approach. Chapter 3 outlines the operating context of commercial agriculture in South Africa. Chapter 4 focuses on the definition of exploitation looking at specific theories that attempt to define the phenomena. The living and working conditions of farm workers are illustrated in chapter 5 and chapter 6 explores the role and implementation by GDARD, the supermarkets, PAC and the DEL.

In the attempt of understanding the experiences of farm workers the paper looks at the operating context of farm labour in South Africa. In this regard, the history of commercial farming tracing back to the period of 1994 which is characterized by prejudice is profound in comprehending the factors that have been driving agricultural labour market. Therefore, the paper acknowledges that the legacy of injustice has been inherited and is still the modus operand of farm labour. In this context, the main features of the employment of farm workers are identified such as: the significant decline of farm employment due to the seasonal peaks of agriculture; migration patterns leading to higher demand for foreign nationals'; modernisation of agriculture that prompts the utilisation of technology for mass production and the neglect of farm workers due to the drive for profit. In addition, the regulatory framework that governs labour in South Africa is explored in detail as well as the socio-economic conditions of farm workers.

A methodology section is outlined which explores methods that were utilised in carrying out the research. A qualitative research approach is adopted in this report. In which a qualitative research methodology which is defined by Denzin and Lincoln (2003) as a technique used in social sciences to gather information usually non-numerical data in the attempt to make sense of social life through the analysis of specific groups of people or areas.Th

Another segment of this report is the definition of exploitation. This section unpacks the phenomena of exploitation by considering Marxist and liberal theories of exploitation. Yoshihara (2018) outlines that exploitation is when someone procures unfair advantage of another thus exploitation exists purely on unfair advantage. Boukfhed (2020) unpacks that issues such as unfair working conditions; low wages and the breaching of labour regulations is assessed are an indication of exploitation. On the same token, Zafirovski (2003) observes that exploitation as a coercive act of violation in which one person benefits on the expense of the other. The section selects the interpretation offered by McKeown (2016) that exploitation is not a conscious agreement between transacting parties; instead, it is considered as a structural phenomenon which has been built into the economic system. Structural forces such as: unequal power relations between workers and employers; capitalistic economic system and legacies of oppression such as slavery as well as segregation are adopted to understand the reason why labour exploitation persists in SA farming.

The report then moves on to cover the experiences of workers in Farm Macdonald which is the farm under evaluation. A range of themes are explored specifically the: hiring of illegal foreign nationals; the use of false identification for the purposes of payroll registry; poor living conditions of farm workers; unlawful wage deductions and the fear and desperation expressed by farm workers. According to the Department of Labour report of 2007 (DOL) exploitation of labour is the act of using power to systematically extract more value from workers than is given to them. It is a social relationship based on an asymmetry of power between workers and their employers. In this regard, this paper is pre-occupied with the relationships that exists between farm workers and employers and the level of power farmers have over their workers. Therefore, the findings derived from the investigation point the paper to a comparison analysis that depicts that the circumstances of farm workers complement the theories of exploitation.

The last section of the report is centred on the role played by the GDLRD; GDLA; the supermarkets and the PAC. Findings highlight that the GDLRD as well as DLA frequently communicate with farmers on certain issues but lack of interaction with farm workers is evident. This finding parallels with the interpretation offered by Jinnah (2017) that farm owners have strong connections with officials from government structures. The good relations that exist between farm owners and members of the state positions farm owners at an advantageous position and therefore makes it difficult for farm workers to stand against any injustices and challenge the status quo. In addition, the findings also provide the insight that the GDLRD and DLA is either unaware of farm labour dynamics in the farm under concern or simply turning a blind eye. Investigations are also conducted on the efforts of supermarkets especially after an investigation was conducted in 2012 by one supermarket. Curiosity lies on whether the conditions of farm workers changed after the supermarkets intervention or deteriorated ever since.

A shift of blame is identified, as findings depict that another supermarket chain store contends that the oversight of farm workers is the sole responsibility of government and the supermarket main focus is the collection of the end product. The research report highlights that the contention made by the supermarket above is one of the factors that perpetuate the levels of exploitation in South Africa agricultural sector. The report argues that as much as the chain stores put high emphasis on the end

product but there is less or no consideration on the hands that produce the product. In this regard the structural factors mentioned by Marx that operating in the labour market are laid bare in this chapter. The deregulation and the disregard of the law is evident through the findings; thus, such irregularities and informality of farm labour make places farm employees at a more precarious position. The role of the PAC is analysed after it led a protest in Farm Macdonald. The report asserts that even though the party chants for workers' rights it has offered minimum protection for vulnerable workers as there has been no political mobilisation of farm workers for over 9 years. Furthermore, as much as the PAC is not aware of the current events that take place in Farm Macdonald likewise farm workers have little or no knowledge about the party.

Chapter 2: Methodology

2.1 Introduction

This chapter explores methods that were utilised in carrying out the research. A research methodology is an approach or plan of how a researcher will gather information on a specific research problem (Myers, 2009). The study will adopt a qualitative research methodology which is defined by Denzin and Lincoln (2003) as a technique used in social sciences to gather information usually non-numerical data in the attempt to make sense of social life through the analysis of specific groups of people or areas. The research study will specifically focus on the living and working conditions of farm workers employed in *Farm Macdonald* in Gauteng, South Africa. In this regard, the qualitative research methodology is the most fitting for this enquiry as it targets people and places. In doing so, the research question that the research aimed to respond to will be provided. Moreover, the primary aim and the secondary objectives of the study will be outlined as these served as a guideline for what the research was expected to accomplish in the end.

Blaikie (2000) maintains that research objectives illustrate the forms of knowledge to be constructed. In this context, one will discuss the research approach and design that the research adopted. Since the study adopted the qualitative method, therefore, it was fitting to utilise the exploratory design, although the phenomenon has been explored widely in the farms situated in the Western Cape and Limpopo but there is limited academic literature available on the farms located in Gauteng. A description of the population that participated in the study will be provided for and one will describe the sample of individuals who were relevant for the study-these were farm workers of Farm Macdonald between the ages of 22 and 55 both male

and female. As well as officials from: Supermarket *b*; GDLA and activists from the PAC. In the beginning, the study also focused on the possibility of interviewing children from the age of 15, however during the monitoring period there was no evidence of child labour in the farm concerned.

A snowball sampling technique was utilized to identify research participants. A semi-structured interview schedule was used to assist the researcher to conduct interviews with research participants-the research instrumentation will be discussed in detail. On the same note, the research tool was tested to see whether there were changes that needed to be made with regards to the questions; as a result some of the research questions were adjusted and the findings were able to respond adequately to the research question. Furthermore, the data collection method that was utilised will be outlined which was in-depth one-on-one interviews, face to face as well as telephonic interviews. Thematic content analysis was applied to analyse the data; the steps that were followed when analysing data will be dealt with in greater detail. Lastly, the study was guided by ethics' these were avoidance of harm, informed consent, voluntary participation, confidentiality, anonymity and avoidance of deception.

2.2 Research question

What are the living and working conditions of farm workers in Farm Macdonald?

2.3 Primary aim

The primary aim of the study was to explore the living and working conditions of farm workers in *Farm Macdonald.*

2.4 Secondary objectives

- One of the goals of the dissertation was to investigate whether the conditions on the farm improved or deteriorated following the investigation conducted by Supermarket *a* in 2012.
- To determine how do the workers conditions on the farm under study relate to the larger history of commercial agriculture in South Africa, which has long been defined by cheap labour and violence?

- To give a definition of labour exploitation and to distinguish the manner in which competing approaches to labour exploitation help us to understand experiences at Farm Macdonald?
- To explore the initiatives that have been introduced by government and other role players, such as Supermarket *a*, in helping to protect these and other farm workers? Have these initiatives provided to be effective?

2.5 Research design

Bless (2006:90) explains that a research design is an approach that will be followed during a research study for data collection. A research design outlines the tools that will be used to gather information when tackling a research problem (Bless 2006:90). One used a case study method to gather information for the research concerned. Andrew *et al* (2011) explains that a case study is an evaluation of a small group of people or objects. In addition, the case study method can also be considered as a detailed focus on an institution or a community with the aim of attempting to gain an understanding on a certain problem (Andrew et al: 2011). The researcher considers this definition to be fitting for the research problem as the study on hand specifically focused on a specific community which are the farm workers of Farm Macdonald.

According to Andrew *et al* (2011) various research techniques can be used in the case study approach such as interviews and sample surveying. The researcher applied a theoretical case study approach which was described by Lijphart (1971:691) as an approach used for the purposes of analysing a specific condition or paying attention on a certain theory. Moreover, Lijphart (1971:691) states that a theoretical case study focuses on a distinct examination and attempt to provide an explanation on an issue. The research study was an attempt to focus on a specific issue which is the living and working conditions of farm workers and to provide a

possible explanation as to why such a condition persists despite attempts of social redress in South Africa.

In this regard, the researcher conducted semi structured interviews. Polit and Hungler (1999) mention that in these type of interviews the researcher sets the scene for the issues to be covered, however the answers by the participants often depicted the manner in which the interviews were conducted. Personal interviews required the researcher to physically visit the participants and ask questions, telephonic interviews were helpful in cases where the researcher and the participant were unable to physically meet. Due to the fact that it was alert lockdown level 4 in South Africa between December 2020 and February 2021 in some instances it was possible to conduct face to face interviews. Polit and Hungler (1999) mention that face to face interviews enable the researcher to ask further questions in-order to better comprehend the information collected. Therefore, during the face to face interviews participants made mention of information that the researcher was not aware of which lead to more questions being asked.

During the visitation the following security measures were implemented: the interviews were conducted on workers off days such as Sundays and some Saturdays in which family visits were allowed; sanitizers and masks were worn as per the regulations of the covid-19 lockdown.

2.6 Population and sampling

The study population was made up of 15 farm workers working in Farm Macdonald between the ages of 22 and 55 both male and female. As well as officials from: Supermarket *b*; GDLA and activists from the PAC. Participants for the study were selected using a snowball sampling technique. According to Neuman (2006) snowball sampling technique is typified by the referral of cases where subjects are asked to nominate another person with the same traits as your previous subject-the process continues until the sufficient number of subjects is reached. It is normally used in situations where it is difficult to locate cases with the same traits (Neuman, 2006). As previously mentioned before, the research was prompted to focus on Farm Macdonald due to media reports stating that farm workers held protests led by the

PAC in 2001 and 2012 alleging that workers were being abused and unfairly treated. The researcher decided to use Farm Macdonald as a case study due to accessibility as the researcher resides in Gand is familiar with some farm workers in the farm concerned. To elaborate, several farm workers are members of the Skeem saam[3] burial society (SSBS) which is a funeral/savings society that started in 1992 with the aim of helping low-income earners with burial services and savings. According to African Response (2012), burial societies were created to provide help in the event of death by covering burial costs. The SSBS is made up of 50 general members and 10 executive members. The head office of the burial scheme is located in Gauteng, which is also the researcher's home, therefore the researcher is in touch with several farm workers because members of the SSBS make regular payments on a monthly basis at the premises.

After obtaining a formal ethics approval from the faculty of humanities at the Wits University the researcher verbally informed and invited some of SSBS members who are working in Farm Macdonald to participate in the study and encouraged the members to inform other workers who were not part of the SSBS to participate in the research. At the first stages of the fieldwork only three farm workers participated in the study until the researcher was invited by workers to the farm's informal settlement adjacent to the farm compounds to conduct interviews.

2.7 Pretesting of the research tool

A pre-test was done to assess the quality and the ability for the interview schedule to gather relevant data during interviews. A pre-test can be described as a trial for the research tool aimed at identifying potential problems before the actual use in the field (Bryman, 2004, p. 159). During the pre-test it was recommended that the researcher interviews the research participants individually and not as groups. This recommendation was informed by the inability to meet with all workers the same time as participants worked different shifts. Similarly, officials from Supermarket *b*; GDLA and the PAC were all interviewed separately in distinct times as they all came from different denominations.

[3] The Burial Society is given a pseudonym to protect the identities of farm workers and the burial society.

2.8 Data analysis

According to Marshall and Rossman (1999) data analysis is the process of exploring and evaluating information or data. The term data is defined by Myers (2009) as the documentation of information in a structured and orderly manner for interpretation purposes. On the same note, Babbie and Mouton (2001) explain that the processing of data is not a rigid method but a practise that is flexible and allows the researcher to find multiple approaches to answer question(s). For the purposes of this study, a thematic data analysis was used to make sense of the information gathered during the research period.

A thematic content analysis is the method used to evaluate and comprehend qualitative data through the discovering of themes or topics in the information collected (Kawulich and Holland, 2012). According to Greenstein *et al* (2003) a thematic content analysis requires the researcher to begin by sorting out the data by decoding the documented interviews. The researcher through the permission of the participants recorded the interviews in an electronic device and transcribed the interviews on paper. Greenstein *et al* (2003) notes that after the researcher has sifted the information, patterns as well as affiliations are distinguished between the different data components.

A process of coding is another step the researcher follows when using a thematic content analysis in which information is selected and categorised according to relevance (Greenstein *et al,* 2003). Moreover, the method of coding prompts the researcher to select appropriate themes and applies the selected themes to tackle the goals as well as the objectives of the research (Kawulich and Holland, 2012). Kawulich and Holland (2012) also note that the researcher elaborates on the meaning of themes that were not covered in the process of coding. The final step in data analysis is clarification and verification which involves placing the themes as titles in the research paper (Greenstein *et al,* 2003).

2.9 Ethical considerations

Avoidance of Harm

According to Babbie& Mouton (2001) a research enquiry should not attempt to shame or jeopardize the life or career of participants. In this regard, in consideration of the objective of the research, the research did not harm the relationship between farm workers and their employers. The researcher maintained this ethic by conducting the interviews in the informal settlements outside of the farm or the living area of the workers during the farm workers off days in which employers or farm owners were not around and kept the participants anonymous from the public. The researcher was invited by the farm workers to conduct the interviews in the living area of the farm workers. Therefore, interviews were not physically conducted on the work premises but on the workers private settings and the researcher was guaranteed by the participants that farm owners did not enter the informal establishments. Moreover, majority of the interviews were conducted at SSBS offices which is the researcher's home and was far away from the farm.

Informed consent

Ogletree &Kawulich (2012) maintains that research participants must be fully informed about the research project in-order to make a well informed decision to either engage or not to engage in the research. In this context one gave the participants enough information to make an informed decision to either participate or not to participate in the research by providing a detailed narrative regarding the study. One explained to participants about the: aim; objectives and the method in which the information gathered by the researcher would be applied and distributed upon completion. Participants were provided with a consent a form to sign, and this served as proof that participation was voluntary. In this regard, participants were provided with consent forms to sign before proceeding with the interviews. However, due lack of understanding of the English language for some of the participants the researcher had to read aloud the consent form and interpret content in Isizulu language. On some occasions, an interpreter fluent in Portuguese and Shona was deployed by the researcher for interpretation purposes as most of the farm workers were from Mozambique and Zimbabwe

Anonymity and confidentiality

In a research study the identity and security of the participants should be protected at all times (Babbie &Mouton, 2001). The researcher maintained this ethic by

avoiding the use of names, addresses or any other information that can be linked back to the participants. However, it was a challenge to keep participants completely anonymous from each other because participants referred to the researcher by other participants.

Voluntary participation

The concept of voluntary participation stipulates that research participants should not be coerced into partaking into the research (Ogletree& Kawulich, 2012). Research participants were not forced to give input or take part in the study but were provided the opportunity to make an informed decision before participation. Furthermore, one informed the participants that they could decide not to answer certain questions if there was any discomfort.

Deception

According to Ogletree and Kawulich (2012) deceit in a research study transpires when the researcher comes in disguise and does display oneself as a researcher but a different role for the purposes of collecting information. The researcher avoided deception by giving an honest presentation about the study and the researcher's role. The researcher presented herself as a student. In addition, participants were given participant information sheet which contained information about the study and researcher.

Chapter summary

The chapter provided a detailed discussion of the research design and methodology. The following were covered in the discussion; research question, primary aim, secondary objectives, research approach and design, population and sampling, research instrumentation, pretesting of the research tool, data collection, data analysis and ethical considerations embedded in the study. This chapter provides a backdrop to the findings presented and discussed in the following chapter.

Chapter 3: operating context of South African commercial farming

3.1 Introduction

This section looks at the theoretical perspective specifically the operating context of labour in South African commercial farming. In this chapter, I both outline and analyse the general modus operandi of labour in South African agriculture, beginning with the history of commercial farming dating prior to 1994, where racial divisions, spatial segregation and land concentration played interlocking roles. From here, I consider how past injustices have been inherited and remain operational in the current context of farm labour. In addition, I focus upon the main features of the employment of farm workers, including a significant decline of farm employment due to the seasonal peaks of agriculture, migration patterns leading to higher demand for foreign nationals, the modernization of agriculture that prompts the utilization of technology for mass production, and the widespread neglect of farm workers in the pursuit of profit.

Having identified and analysed key socio-economic factors I then go on to consider the regulatory frameworks that govern labour practices in commercial agriculture. To elaborate, the Sectoral determination act 13 labels out legal labour processes in commercial farming such as: minimum wages and employment contracts. Following Kheswa (2015), I approach commercial farms as institutions of both economic and social reproduction. Farms are not just places of work, but much also be regarded as institutions that engineer life experiences. This helps to bring into focus other dynamics of farm labour, including family structures established in the farms, the high dependency of farm workers on their employers for necessities, and the level of power and control farmers exercise over their workers.

3.2 History of labour in commercial farming

Throughout the apartheid era, farm labour was characterised by authoritarian rule influenced by race and division (Bernstein 1996). Kheswa (2015) highlights that there are various forms of labour systems that operate in different conditions depending on the economic environment and the sector. In this context, capitalist labour culture produces unique labour regimes that control and characterise the labour atmosphere in a given sector (Kheswa, 2015). According to Rogers, Castree and Kitchin (2013) a labour regime is a collection of methods and models constructed to guarantee certain standards of labour among workers in a particular industry. The explanations noted above allow the paper to understand the history of labour in South African commercial farming as well as to make sense of the current labour dynamics that exist in the agricultural sector. Bernstein (2013) states that explicit inequalities can be traced back in the 1600s, when commercial farm labor emerged in the Western Cape, with the Khoisan and traded slaves who worked on farms owned by Dutch colonizers.

The element of division is further elaborated by Terreblanche (2002), who identifies a mutually reinforcing relationship between an uneven labour market and a highly unequal society. A labour market is considered uneven if the fruits or rewards of production are not received by those who participated in the production process (Offe 2010). In this context, the farm workers did not reap the benefits of their contribution during the apartheid era (Terreblanche 2002). Therefore, when

analyzing commercial labour in South Africa, it is crucial to consider the socio-historical issues that influence it, such as wages paid according to race, which ensured that black farm workers earned the lowest wages in agriculture (Offe 2010).

Greyling *et al* (2015) reports that farm workers were mistreated by their employers partly due to the policies that were put in place to deliberately oppress black, colored and Indian races. As Pahle noted before (2015) observers, government policy was directed towards accelerating the profits of White farmers for decades, especially once systems of racial segregation were consolidated after the National Party (NP) acquired power in 1948. Terreblanche (2002) points out that policies such as the 'colour bar' ensured that education focused on growing the skills of White farmers while creating semi-skilled or unskilled Black workers. The inequalities in society were evident in the ownership of land by white farmers as compared to black people. White people owned majority of land and possessed capital whereas black and colored people did not own much land or capital as the system automatically evicted them from their native land.

According to Kloppers & Pienaar (2014) prior to 1994 the then National Party (NP) government policies ensured seclusion and segregation when it came to land allocation. To elaborate, Van der Walt (2018) mentions that the NP established laws that compelled black people to continually be lodgers of white people's land and with a restriction of rights. In this context, the law imposed strong barriers between black and white people especially in the ownership of land. Thus, the consequences of such barriers still play out in the South African agricultural sector even after the transition from apartheid to democracy. Moreover, employment in commercial farming is haunted by the injustices of the past which directs this paper to the next section focusing on the main characteristics of labour in the agricultural economy (Van der Walt (2018).

In the following section special attention is given to the prominent trends of commercial farming employment in South Africa to better understand the nature of labour in the agricultural sector. The section is by no means an attempt to map out all the features of labour in commercial farming but to bring out the most prominent aspects of labour farming in South Africa that have remained perpetual in the industry.

3.3 Post-apartheid South Africa and commercial agriculture

3.3.1 Volatility of the industry

According to the Statistics SA (StatsSA) report (2020) there were approximately 799 000 people employed in commercial farming. In this regard, in 2020, 4.99% of the SA's labour force were active in commercial farming, 22.72% in manufacturing industries and 72.29% in the services industries (StatsSA 2020). Therefore, according to the data presented by Stats SA, agriculture remains the sector that employs the least people as far as South African nationals are concerned. Sihlobo (2018) tracks back the decline of employment in the Agricultural sector from levels of 1.6 million in the 1960's to 843,000 workers in 2018 in the field crop and horticultural sub-sectors that make two-thirds of South Africa's agricultural employment. This decrease in agricultural employment attributed to a majority of farm owners and farm workers farming on a part-time basis, together with the prominence of family-owned commercial farms. Rodney (2015) explains that pursuing agriculture as a part-time activity results in seasonal peaks of labour in which farm workers are hired in large numbers but for shorter time periods. The employment of farm workers has also been affected by the introduction of new technologies for mass production.

3.3.2 Modernization of the Agricultural sector

Rodney (2015) distinguishing that the demand for agricultural products prompts the industry to modernise agriculture by utilising smart technology. Aguera et al (2020) highlights that updated technologies have resulted to the loss of jobs in commercial farming and the evictions of farm dwellers. In many scenarios, workers are called to work on a seasonal or casual basis. Take, for example, a report compiled by the Western Cape Department of Agriculture (WCDA) and Stellenbosch University (SU) in 2018, which discovered that farms were using robotics and drones to ensure high productivity, thus resulting to the shedding of jobs in the sector (Aguera et al 2020*).* On the same token*,* according to Mngxitama (2001), commercial farms have industrialised and have focused their goal on mass productivity and profit. In which

Mbongwa et al (2001) mentions that the drive for profit in the agricultural sector leads to a neglect of farm workers interests and livelihood.

Simbi & Aliber (2000) argue that SA follows the same economic models practiced by other high-income countries such as Australia depending on mechanisation and modernisation. However, Simbi & Aliber illustrate that the choice of using technologies in the agricultural sector is not just for the drive of profit but also for non-economic considerations. These non-economic considerations include the fear of losing authority over land to employees living on the farms. In addition, the democratic policies of government aiming to protect farm workers from all levels of vulnerabilities make it difficult for farmers to manage workers in the same manner they used to prior 1994 (Simbi & Aliber). For instance, acts such as land expropriation often led farmers to let go of farm dwellers due to the fear of giving a certain portion of land to workers. Therefore, Jinnah (2017) notes that farmers opt out for other forms of labour such as the employing undocumented foreign nationals who are usually desperate for jobs and make less demands.

3.3.3 Migration

People from other countries migrate to SA to work in farms and this has a major effect upon the composition of the labour market. Thereby leading to higher demand for farm employment (Stats SA 2018). Kheswa (2015) further outlines that commercial farms have a reputation for under paying and not appreciating workers in SA, hence the preference lies on foreign nationals due to cheap labour. Migrants are vulnerable even before they come to work in farms and farmers take advantage of their conditions and immigration status (Jinnah 2017). Due to government treatment on migrants this perpetrates to labour exploitation as farmers know that migrant workers are not protected by the government.

3.3.4 The socioeconomic context of farm workers

Before moving any further, it is important to thoroughly consider the notion of the standards of living of farm workers, as this is central to labour dynamics in

commercial farming. Grub (2005) mentions that farm workers are positioned at the lowest level of the food chain, since they have minimum physical, social and financial capacity to strive in life compared to other groups in economic and social rankings. Grub (2005) draws attention to the element of inequality to develop the type of standard of living farm workers experience. According to this notion, farm labourers live in dire poverty and count as the most defenceless groups in the labour market. As previously noted, before, the levels of poverty that are experienced by farm workers are made explicit in the findings derived through a research study by the IDS in the UK and the UWCSC, the Centre for Excellence in Food Security that more than 80% of seasonal farm workers in the NC experienced severe hunger during the season of April to August every year. Although the study specifically studies the NC, it can give brief insight into the circumstances faced by farm labours in general. In this regard, according to Makwela (2019) commercial farms hire seasonal workers meaning that during certain seasons there are no job intakes, therefore seasonal workers are usually stranded for jobs during off-peak seasons.

Seasonal farming is one of the factors that make the agricultural economy to be volatile and thus degrees of instability disempower farm workers because events take place that are beyond their control (Hall *et al* 2013). This disempowerment is also developed by Murray (2000) drawing that the relationship between farmers and farm workers is characterised by a disproportion of power. In this context, farmers have excessive control over their workers as they decide who gets hired and when without consulting from other structures, such as government for instance (Bolt 2013). Such imbalances, according to Murray (2000) create hindrances institutionally and psychologically for farm workers to attain a decent lifestyle. Moreover, Devereux (2019) contends that farm workers socio-economic status compels them to have limited or no resources to improve their standards of living.

The issue of standards of living is enhanced by Visser and Ferrer (2015) highlighting that the terms and conditions of farm work are poor and do not give workers much room to improve their lives. The South African Human Rights Commission (SAHRC) report of (2003) depicts that inequalities between farm owners and employees are created by factors such as: poverty; no access to land; lack of access to judicial services; weak civil society or lobby groups and other socio-economic issues. Vink (2003) observes that the reason why farm workers do not have much access to

resources is because they live on land owned by their employers. Devereux (2019) explains that a limited number of farm employees own land, and this places them at a more vulnerable state. Furthermore, Husy & Samson (2001) express that lack of access to land by farm workers is a significant sign that farm workers are overpowered by farm owners in every aspect whether politically or socially.

Kritzinger (2002) contends that factors such as deprivation of services channel farm workers into a poverty trap that is almost impossible to escape. Thus, Kritzinger (2002) explains that farm workers high dependency on farmers for accommodation and other essential services binds them to remain poor. For example, a normal wage of a farm worker is usually ranging from R2000-3000 and that amount of money is not enough to pay for needs such as accommodation therefore labourers are compelled to live on the farms. The Department of Labour DoL (2001b) illustrates that a large majority of farm workers are not educated, and illiteracy restricts farm workers in reaching to certain levels of life. Grub (2005) indicates that having a no or low education disempowers farm workers to escape from poverty and makes them to be more dependent on farm owner's employment and livelihoods.

As previously noted in the paper, Husy & Samson (2001) argues that the prevention of black people to obtain education was one of the strategies of apartheid to maintain a submissive working class in the rural settings of SA. In addition, when people are less educated, particularly farm workers they are often restricted to address government or other stakeholders with policy matters. For instance, Kruger (2007) expresses that if farm workers are unable to read or write it is almost impossible for them to address policies that they cannot comprehend on paper. On the same token, farm workers' wages limit them from acquiring assets and other necessities required in life (Visser & Ferrer 2015). In this regard, women get paid less wages compared to men as they are mostly casual workers and often their considered by default to be less skilled in the market (Grub, 2005). For example, Husy & Samson (2001) highlight that woman earn on average 25-50% less than their male counterparts.

3.3.5 Farm sites of economic production and social reproduction

Kheswa (2015) observes that since commercial farms are entities that provide employment or places of work, they are also units of residence as people live on the farms (Kheswa 2015). Therefore, commercial farms fulfil the purposes of economic and social production. Similarly, Cousins et al (2018) highlight that commercial farms encompass other elements either than the production of outputs for economic purposes, but also an institution of social experience as farm workers experiences their lives on the farms. In this context, labour dynamics in commercial faming cannot be fully comprehended if farms cannot be understood as places of social reproduction (Olofsson 2019).

In South African commercial farming social reproduction is closely related with the economic production labour systems that manifest beyond just employment but also on the social spectrum (Kheswa 2015). For instance, Cousins et al (2018) point out that farmers do not only provide workers with employment, but also housing and thereby exerting power and control over the social sphere of farm workers. Kheswa (2015) further expands that the distinct features and standards of social reproduction farm workers are constructed and engineered by labour mechanisms imposed by the farm owners. Mkhize (2007) makes this point explicit by waiving that in some farm's female employees are forbidden to live on the farms and this barrier automatically gives men more authority and privilege than women. Du Toit (1993) also demonstrates that farmers control almost every aspect of farm worker movement because when farm workers lose employment, they also forfeit their homes.

These underlying factors surrounding labour in commercial farms indicate that labour processes in farms affect other dimensions such as land, access to housing and tenure rights (Kheswa 2015). In addition, labour systems serve as a discourse of dominance and paternalism (Mngxitama 2001). The phenomena of farms being a discourse is also expounded by Sender (2003) stating that commercial farms institute a structure for a community or family as relationships are established between farm owners and farm workers. Moreover, when a farm owner employs a farm worker, the owner has the opportunity to employ the family as well and often has to provide for housing and other needs (Kheswa 2015). Therefore, Kheswa (2015) views that the farmer becomes the sole provider for social reproduction needs

of the employee and family. Thus, McConnell & Dillon (1997) argue that the social setup makes it challenging for farm workers to separate their work dimensions and home affairs as work matters breathe out to the spheres of social reproduction. The strong link between work and family life in commercial farming places a strain in the implementation of the regulations of the industry. Which leads this paper to the next section which covers laws and policies that are established to govern the industry.

3.3.6 Regulation of labour in commercial farming

This section will cover the laws that govern labour processes in the commercial farming sector and give an analysis on the implications of the legislation on farm workers. The Sectoral Determination 13 of the Basic Conditions of Employment Act No.75 of 1997 determines that a farm worker is anyone who works on a farm including a domestic worker or a security guard. This Sectoral determination outlines limited protections for vulnerable workers and sets out standard working conditions for farm employees. According to the Department of Labour (2018), farm workers were regarded to be vulnerable and therefore special protection was established.

The Sectoral Determination 13 outlines legal criteria for employment and living conditions of the industry. The National Minimum Wage (NMU) came into effect from 01 January 2019 and stipulated that all employers pay their workers R20 an hour. In terms of the agricultural sector, all farm owners are compelled to pay their workers R18 per hour. The agricultural sector was exempted from paying the R20 per hour minimum wage. The Extension of Security of Tenure Act also allowed commercial farmers to make a plea for an exemption from paying authorized minimum wages. Requests for such pleas were evident from various organization such as the Transvaal Agricultural Union (TAU) which attempted to bargain with the DEL to revert back its decision of support the NMU of R21.69 for farm workers proposed for 01 March 2021(Department of Labour (2018).

The exemption of farm workers from paying the prescribed wage illustrates the standpoint of farmers when it comes the establishment of NMW. In this context, SAFTU (2020) elicits that white commercial farmers negotiate with government to withdraw the implementation of the NMW because of the desire to keep the agricultural sector in the episodes of colonialism This is also true for the current

period in which StatssA report of 2020 points that agricultural industry amended its growth rate to 18,5% for the period between July and September 2020. Therefore, since the beginning of 2020 farmers maintained surplus growth but underpaid workers and defended this action by using the argument that Covid-19 epidemic had dire consequences on the commercial farming industry which affected workers (StatssA 2020).

.The South African Institute of Chartered Accountants (SAICA 2019) observes that although the national minimum wage increased wages of majority of SA workers who earned less than R20 an hour it has not improved the lives of farm workers and domestic workers living in poverty. In this regard, governments' decision to exempt the agricultural sector from paying farm workers less than the prescribed R20 an hour is an indication that the SA labour policy framework does not take out the most vulnerable workers of poverty (SAICA 2019). The issue of payment of workers is a very sensitive one, hence the government introduces measure that compel employers to remunerate workers. The sectoral determination act 13 prescribes that farm workers are entitled to receive their salary advice on a daily basis and the employer is prohibited to withhold any remuneration that is due to the employee (SAHRC 2018). In addition, the farmer may not demand or deduct money for training given to the farm worker nor charge fees for the tools utilised in the workplace.

On the same note, the employer may not subtract wages without the farm worker's consent and deductions may not exceed 10%. A certain portion may be deducted from wages only for burial policies, pension funds or trade union membership (SAHRC 2018). The act also determines that overtime is any form of labour that surpasses beyond the expected work (DOL, 2018). Therefore, an employer is obliged by law to pay employees wages for overtime contributed (DOL, 2018). For instance, when an employee works on the farm on a Sunday and public holiday, he or she must be paid double the number of wages. On the same token, if an employee works at night, which is after 8pm and before 4am, the farm worker is entitled to overtime compensation.

Makwarela (2019) mentions that farm workers are allowed to have an hour or 30 minutes lunch break after five hours of labour, and a rest period of at least 36 hours in a week unless there is a different agreement between a farmer and farm worker.

Similarly, a farm worker is entitled to a full paid leave for three weeks if they have been working on a farm for twelve months (DOL, 2018). Other forms of leave include sick and maternity leave, in which an employee is permitted to have one day of sick leave for every 26 days of labour and four months of maternity leave. Family responsibility is another form of leave that a farm worker is entitled to, which allows workers to attend to urgent family matters such as: death; sick family member and childbirth for a farm worker who has been employed for longer than four months. The law prohibits any kind of child or forced labour. Therefore, farm workers are not compelled to work without consent and children younger than 15 years are restricted from performing any type of labour (Beerwinkel 2019). The right to association is also granted to the farm worker and farm workers have the right to join any organisation of their choice without permission from their employers (Makwela, 2019).

The above regulations look noble and neat in paper, but the implementation of these laws is a different story entirely. As we will see in the next chapters to come, most farmers do not comply with the law and therefore abuse workers' rights. Rutherford (2007) revealed that in Musina there was evidence of people working in unfair conditions. For instance, work was structured on temporary and seasonal basis and payment for labour is based on production and not the time spent on output. Moreover, Jinnah (2017) indicated that any expenses that may have occurred in the course of employment, such as accommodation and occupational compensation for injury on duty, are due to be paid by the worker.

This is similar to the point raised by Mather (2000) that the work situations of the majority of farm workers in Mpumalanga Province (MP) did not comply to the standard requirements relating to: payment; working hours; leave days; legal employment agreements and occupational health and safety standards, outlined by the Basic Conditions of Employment Act No. 95 of 1997 (DoL 1997). Another example of a labour irregularity is offered by London (2003), who reports that most farm workers in Limpopo indicated that they had been hired for years without a legal contract and working regulations were communicated verbally. The non-issuing of legal contracts to farm workers presents another hindrance to labour practices as there is no accountability on from the employer and the employee.

The South African government also approved the Extension of Security of Tenure Act 62 of 1997 to secure the tenure of farm workers residing on farms (DOL, 2020). The Act allows individuals who have been living on farms since 1997 to have ownership rights to land on the farms (SAHRC, 2018). The act also considers people residing in rural areas and undeveloped areas that were used for agricultural purposes (SAHRCS 2018). The act also affords farm workers access to health; water; education and family visits. The South Afrivan Parliament on 15 November 2018 passed the expropriation of land without compensation bill. The bill aims at giving government the ability to take land without paying compensation (Kwarteng & Botchway 2019). In this context, the bill enables farm workers and individuals living on farms to mobilise and demand the redistribution of land without compensation.

Another regulation is the Occupational Health and Safety Act (OHSA) which upholds that: 'every employer shall provide and maintain, as far as is reasonably practicable, a working environment that is safe and without risk to the health of his [sic] employees' (1993a, para. 8(1). The Compensation for Occupational Injuries and Diseases Act of 1997 (COIDA). The COIDA confirms that workers who experience an injury or disability at work are due for compensation from the Compensation Fund (DOL 2018). The Act also compels all employers in South Africa to enlist with the Compensation Commissioner and to report any accidents taking place at work to the Commissioner.

Due to the fact that the commercial farming industry employs foreign nationals, it is also important that this paper explores the laws that deal with the employment of foreigners. The Immigration Act 13 of 2002, stipulates that guidelines for the entrance and exit of foreign nationals in SA, including the ability of foreigners to find employment in SA (DHO 2018). Therefore, this legislation provides various permits that control the mobility of foreigners in the labour force. The General Work Permit as well as the critical skills work permit are applicable. In reference to section 38(2) of the Immigration Act, an employer must take the full responsibility to ensure that there is no absorption of illegal foreigner. In this regard, an illegal foreigner is any person who is in another country without legal documents authorising their arrival or work in that particular country. The Employment Services Act 4 of 2014 (ESA) enforces the employment of foreign nationals in SA and attempts to lower the unemployment rate by providing training for unskilled workers (DHO 2018).

Therefore, Kleinbooi & Newton (2004) observe that these regulations imply that farm owners would have to amend their labour customs. Thus, Kheswa (2015) maintains that the legal reinforcement of labour practices disintegrates the social ties that once were evident on farms. Kheswa (2015:50) further expresses that "social relationship informs social networks and indeed the social capital between farmer and farm worker, which are ultimately fragmented as a result of labour legislation which is not designed to fit the unique nature of the farming industry." Similarly, Hall (2013) notes that the enforcement of a regulation in farm labour practices direct farmers to release themselves from providing social security needs such as housing for employees. Kheswa (2015) makes this point explicit by stating that the rise in the number of evictions in farms is evident that farmers retaliate against the Sectoral determination act enforced by government.

Lack of labour policy implementation is another challenge cited by Hall (2013) in the formalisation of labour. Hall (2013) argues that there is limited or no capacity to enforce the Sectoral Determination in agriculture. Kheswa (2015) states that this is evident in the fact even though these policies are established, farm workers are positioned in worse conditions than before. Farm workers are reported by Greyling (2015) to be left without accommodation or any form of social security. Thus, even though there are laws aimed to protect farm workers, the same labour challenges experienced before the democratic rule are still evident in modern day SA (Grub 2005). For instance, The South African Institute of Chartered Accountants (SAICA 2019) observes that although the national minimum wage increased wages of majority of SA workers who earned less than R20 an hour it has not improved the lives of farm workers and domestic workers living in poverty. In this regard, governments' decision to exempt the agricultural sector from paying farm workers less than the prescribed R20 an hour is an indication that the SA labour policy framework does not take out the most vulnerable workers of poverty (SAICA 2019).

Farm workers are considered by Bernstein (2013) to be the most marginalised because there is no sense of organisation or mobilisation amongst them. Therefore, Hall (2015) highlights that it is difficult to enforce certain laws as there are no platforms to address certain issues. According to the Human Rights Watch report of 2007 majority of farmers hardly report injuries that occur at the farms to the Department of Labour, nor do they register with the Compensation Fund. Human

Rights Watch (2007) contends that farmers take advantage of the fact that employees are not informed about the act. Kheswa (2015) advises that a platform should be established that will ensure the formalisation of the farming labour force so that regulations are integrated into the agricultural sector.

3.3.7 Corporate permits

Bolt (2013) states that corporate permit system gives farm owners the power to employ a particular number of foreign nationals without general work permits especially unskilled workers without particular restrictions from the government. This was evident in Limpopo where in various farms Zimbabwean nationals were hired without work permits but with the application of the corporate work system farmers exercised the liberty of employing mostly Zimbabwean workers (Bolt 2013). This system is explained by Bolt (2013) to be giving employers the ability to regulate and deregulate the employment of farm workers without direct oversight from the state.

Chapter summary

This section has reflected on the operating context of labour in commercial farming South Africa. In which it is argued that the general modus operandi of labour in the South African agricultural economy contains imbalances and unfairness. Considering the history of farm labour, the history of farm labour from 1994 prejudice was a prominent feature of labour dynamics. The paper depicted that the legacy of injustice was inherited and is evident in the current context of farm labour in post-apartheid South Africa. The significant decline of farm employment due to the seasonal peaks of agriculture and the effects of migration patterns to commercial farming were recognised as some of the main features that contextualise labour in commercial farming. In addition, this section also highlighted that the use of technology for mass production leads to the neglect of farm workers as the main purpose of modernisation of farming is for profit gain and not the well-being of workers.

The policies and regulations that govern farm labour and the living standards of farm workers were explored in-order to understand the underlying socio-economic context that shapes labour in commercial farming. In this regard, the chapter adopted the argument expressed by Kheswa that commercial farms are institutions of economic production and social reproduction. Therefore, farms were described as institutions

that engineered life experiences. This contention exposed this paper to other dynamics of farm labour such as: the establishment of family structures in the farms; the reliance on farm owners for the provision necessities such as housing to farm workers as well as the level of power and control farmers have over workers due to the socio-economic imbalances that exist.

Chapter 4: What is labour exploitation?

According to the DOL report of 2008, exploitation is the act of using power to systematically extract more value from workers than is given to them. It is a social relationship based on an asymmetry of power between workers and their employers. This section attempts to define exploitation and to clarify the context to which exploitation occurs. In order to complete the task on hand, the chapter begins by giving an overall discussion of the phenomena of labour exploitation. The paper starts with the comprehension of the theory constructed by Yoshihara (2018) that exploitation is when an individual or entity takes unfair advantage of another. This argument assists the dissertation to reach to an understanding that exploitation purely functions on unfair advantage. This notion implies that the exploiter who

possesses power benefits on behalf of the hard work contributed by the exploited one.

On the same note, Zafirovski (2003) views that exploitation is a coercive act of violation in which one person benefits on the expense of the other. This analysis offered by Zafirovski is touched on to indicate the level of vulnerability workers experience. The element of unfairness is expanded by Boukfhed (2020) explaining that labour exploitation consists of: unfair working conditions; low wages and the breaching of labour regulations. This interpretation is assessed to explain the experiences of workers in the commercial farming sector. The chapter ultimately favours the interpretation offered by McKeown (2016), who holds that exploitation is not a conscious agreement between transacting parties but should instead be considered as a structural phenomenon which has been built into the economic system. The above theory assists the paper to identify the structural forces that inform labour exploitation. Structural factors include unequal power relations between workers and employers; capitalistic economic system and legacies of oppression such as slavery as well as segregation.

Other structural forces are market related, therefore Marxist theories on exploitation are adapted to understand the manner in which labour markets operate under. Various interpretations of free and unfree labour are explored by considering the notions of positive and negative freedom to understand the concept of freedom in the labour debate. The decent work paradigm presented by the International Labour Organisation (ILO) is observed in order to focus on the unacceptable practices of labour and to look at the informal and formal factors of labour.

4.1 Theories of labour exploitation

The term ‘labour exploitation’ is often used to define cruel and unpardonable working conditions in various job categories customarily in manual low-skilled jobs (Boufkhed, 2020). According to the ILO report of 2012, a low skilled worker is anyone working within job categories that require low educational attainment or experience and with lower wages usually in food, retail, home and health industries. Therefore, based on the above definition the paper will regard farm workers as low skilled workers due to the fact that their job requirement does not demand a high

level of experience nor education and they earn low wages according to Stats SA (2018). As previously highlighted, Boukfhed (2020) illustrates that the main features of labour exploitation consist of: unfair working conditions, low wages and the breaching of labour regulations and standards. These features will be elaborated at a later stage of the chapter.

On the same note, Yoshihara (2018) defines labour exploitation through a scenario outlining that if *A* takes unfair advantage of *B* then there might be evidence of exploitation. Wertheimer (2013) elaborates on the phenomena of 'advantage' by contending that exploiters must benefit from exploitation by misusing their victims. Exploitation in this context can be understood as a form of taking advantage. Wertheimer (2013) argues that in order to assess whether or not a transaction is regarded as exploitative there is a need to evaluate the 'parties' gains or benefits under relatively market conditions. Moreover, there has to be a further investigation as to the structural relationship existing between A and B that informs or perpetrates exploitation (Yoshihara, 2018). In this context, the focus is on the dynamics that permit A to take unfair advantage of B. Thus, if we were to adopt the scenario definition offered by Yoshihara (2018), then A would be identified as the employer and B will be depicted as the worker. The opportunities that allow the employer to take advantage of the employee vary, one is the level of influence farmers have on government decision making processes. In this regard, the previous section reflected that farmers make appeals to the government on proposed bills such as the NMW and are sometimes exempted on certain policies. Therefore, this indicates that farmers have a strong say on the regulation of the industry.

Jinnah (2017) makes the above point clear by observing that in Limpopo farm owners have strong connections with officials of the South African Polices Services (SAPS) and other government structures. Therefore, socio-political factors are made explicit by the fact that farm owners hold strong positions in governmental and commercial areas (Hall 2013). For instance, farmers are included in policy and planning forums in the Musina Municipality because farms are considered to be a crucial entity in the economy hence their involvement in the decision-making processes of local government (Davis,Theron and Maphunye 2009). Moreover, the good relations that exists between farm owners and members of the state positions

farm owners at an advantageous position and therefore makes it difficult for farm workers to stand against any injustices and challenge the status quo

In addition, it is also important to also focus on the relationship dynamics existing between employer and worker that informs labour exploitation. As the paper has depicted in chapter 1, farm workers live on the land provided for by their employers thus socio-economic conditions compel farm labourers to a position of dependency on their employers. Moreover, the relationship between employer and employee is imbalanced because the employer controls all aspects of work and living conditions. Therefore, it is clear from the above interpretation that farmers have authority over their workers because they hold the capital. This level of authority is maintained by Zafirovski (2003) viewing that exploitation is not voluntary but an act in which one entity benefits at the expense of the other in an unjust manner. It is clear from the above scenarios that farmers are in better position to makes informed decisions compared to farm workers who are standing at a level of vulnerability. The following segment of the paper explores theories of exploitation that explain market forces that influence labour dynamics.

4.2 Marx and liberal theories of labour

Fudge (2019) illustrates that “labour market institutions, unions, firms and labour regulations and their enforcement – shape who enjoys what freedoms as much as they do patterns of inequality and equality”. This suggests a need to explore the theories of labour in-order to understand the manner in which labour markets work. For liberals, harm is not a necessary condition of exploitation. The bottom line of the issue for liberal accounts of exploitation is that there is a need to elaborate on what is deemed unfair about the transaction between A and B (McKeown, 2016: 158). From a Marxist perspective, exploitation can be used to describe the relationship between the worker and the elite owner of capital (Hill, 1994: p.632). Marxists also claim that the worker is not able to see adequate compensation for their labour (ibid).

For McKeown (2016), exploitation is not necessarily a conscious agreement between transacting parties; instead, it is seen as a structural phenomenon which has been built into the economic system. McKeown (2016) sees that transactional accounts of exploitation should not only be understood between individuals, but that exploitation

can also occur between groups. Jeffrey Reiman calls this a ‘force-inclusive’ definition of exploitation and explains it further by arguing that the force involved in exploitation can be considered structural, rather than overt, and it is invisible in capitalism because “overt force is supplanted by force built into the very structure of the system of ownership” (2020:6). Reiman writes that because there is the human institution of private ownership of the means of production by a small class of people; the working class is forced to work not because they are coerced but because they need to make a living (McKeown, 2016:162).

According to McKeown (2016: 63), structural force may sometimes make an individual’s decisions seem like it is fair, rational and unforced: For example, a man may make the decision to work at a local farm the decision may be seen as rational given his circumstances. However, when one gets to the root of the circumstances, the individual may not necessarily have a choice because there are fewer options when considering the alternatives, since there are environmental pressures associated with buying food, securing shelter and clothing which can only be realised in a limited number of ways. Crucially, there are only small fraction of people who own the factors of production and are thereby able to exert power and influence (Globaledge 2020). As Reiman (2020) observes, the private ownership of the means of production by a small class of people automatically compels the less fortunate to work for the owners of capital because they need to make a living under trying situations. The issue of need emphasised by Reiman (20202) is just one of the structural factors that enable labour exploitation to persist as workers come from a position of precarity as well as desperation while on another level owners of the factors of production come from an angle of ownership and power. Siller (2016) states that there is no such concept as free labour as one cannot be regarded as free if they are powerless and lacking autonomy. Workers lack autonomy because they do not own the factors of production and are desperate to make ends meet. According to Rittich (2014) medical studies have confirmed that when an individual is desperate, he or she is not acting out their free will but under the circumstances that they find themselves in. Anxiety and fear do not bring freedom but position one to bondage as well as captivity (Siller, 2016).

4.3 What makes labour free or unfree?

Fudge (2019) argues that the evaluation on whether labour is free or not is deeply rooted in the understanding of freedom. In this context, scholars such as Karl Marx and Max Weber have associated freedom with the notion of free markets and free trade. It is important to briefly explore the notions of freedom focusing on positive, and negative freedom. Millar (2017) defines freedom as the ability for one to act as they wish. In politics, liberty is the condition of being free within a society from restrictions enforced by government or authority on an individual's method of living, conduct or political opinion (Millar,2017). Berlin (2013) stipulates that negative liberty is the freedom to act without any barriers or obstructs. To elaborate, for one to consider themselves as free they must not be obstructed or held in bondage by any external force (Berlin,2013). External forces are explained by Iles & Sutherland (2015) as the powers and effects that may impact the functioning of the individual as well as the options available to the individual. The concept of options is introduced by Gray (1991), stating that negative freedom looks at the quantity and type of options made available to a person and the significance of those choices in a person's life. Thus, it is an issue of what one is not prevented from partaking in as there is a wide-open access (Gray,1991).

Therefore, negative freedom in the political spectrum considers issues such as freedom of movement, freedom of religion and freedom of speech (Gray,1991). It is further explained by Berlin (2013) that negative liberty is the notion that one is free if they have full autonomy to make decisions about their lives. Therefore, it is almost impossible to explain the notion of negative liberty without considering the concept of self-determination. In this context, self-determination is explained by Flickschuh (2007) as the ability for one to exercise full control of their lives and the liberty to choose one's destiny. This point is made explicit in the history of bourgeois society which has advocated on the notion of negative freedom prompting free trade and enabling capitalists to gain profit in the absence of limitations. In addition, wage-labour can be seen as the liberty of the labourer to sell his or her labour to the market**.** Feinberg (2015) identifies that the negative bourgeois freedom is a type of freedom which is evident or existing to those who own the factors of production.

Positive freedom is understood by Nelson (2005) as the ability of an individual to establish the most suitable deed and the existence of prospects for them to realise their full potential. In going back to the example used earlier about the bourgeoisie,

Feinberg (2015) argues that positive freedom has been established through the battle of the working class in which unfair labour practices such lengthy work hours and child labour resulted to the right to create trade unions as well as educational systems. According to Schmidtz (2017) the freedom of a person is defined by the type of society they are constructed from, such as economic status or ethical environment. Rousseau (2007) outlines that a person's level of freedom can be attained through participation in the administration of a community or government. For Rousseau (2007), an individual's community has power over its own affairs in agreement with the general will of the people.

Fudge (2019) argues that although there is no given definition of free labour as far as the law is concerned, however it is possible to depict through previous incidences on what the law has labelled to be unfree labour relations. The ILO outlines that slavery, forced labour and human trafficking are the three most explicit features of unfree labour. Patterson (1982:13) defines slavery as the power or control over individuals using violence and torture as the mechanisms to exercise power. The above definition highlights the issue of ownership over human beings which parallels the explanation offered by Quirk (2012:3) that individuals were regarded as types of property that belonged to certain owners or masters. In this regard, Quirk (2012:3) stipulates that slavery included high levels of brutality, psychological abuse, and economic exploitation. The ILO implemented the Forced Labour Convention in 1930 and specified that forced labour is work that is forcefully demanded from a human being under conditions of threat and punishment.

Factors such as threat and freedom of choice have been used by International bodies to be able to get to a definition of free labour. According to Veltman (2016), there are three dynamics to the notion of freedom in the workplace specifically: "freedom at work, freedom through work and freedom from work". These underpinnings of labour focus on the freedom of the worker or control they have in the workplace; the freedom the worker attains from working at a particular job; the autonomy one has outside of the work environment or whether an individual is not constrained by their chosen occupation. Veltman (2016) adopts Bonvin's (2012) variation between 'capability for voice' and 'capability for work.' For Veltma (2012) a human being can be regarded as free in their work environment if they possess power and control over work procedures and they are involved in decision making

processes. On the same note, for an employee to be considered as free at work they have to partake in the administration of their work environment. Bonvin (2012) mentions that freedom at work is best revealed when a worker has competence to express or voice out their ideas in the work environment. In this context, a worker has to free from even the laws and regulations that govern labour for the purposes of encouraging economic productivity and entrepreneurship (Chamberlain 2018).

According to Veltman (2016), freedom through work is achieved when one generates a decent income, and therefore gives a person a level of economic independence from an entity or an individual. Moreover, the notion of work goes beyond just someone earning an income but the variety of choices that a worker has access to outside of their work environment. In this regard, the crucial element to consider in this notion is not just income but what one can do with the income they earn as well as the opportunities the income exposes them to (Veltman 2016). Previously the paper discussed the concept of negative liberty and mentioned that negative liberty is the freedom to act without any barriers or obstructs (Berlin 1969). In this regard, the negative element of freedom is exposed by Bueno (2017) stating that freedom is not idleness but the liberty to experience life without being compelled to work for a living.

On the other hand, positive element of freedom discovers that freedom from work is the liberty to perform activities that add value to the quality of life. In this context, if a person has enough freedom to choose which type of job they want to partake in and not because they are driven by hunger or necessity but by objective then freedom from work is evident (Veltman, 2016). Bonvin (2012) emphasises that often when one has the freedom to choose their work occupation, they have a good reason to value the input they bring to the work place. From the spectrum of positive freedom, one has freedom from work if they have the agency to choose the job specification. For a labour system to be regarded as free both sellers and buyers of labour have to be liberated enough to make their own decisions (Millar 2017). It is further emphasised by Marx cited in Offe (2019) that the slave belongs to the master as the worker sells himself to capital. Fudge (2018) explains that the master controls the mobility, physical body, and labour of the slave. This view resonates with the analysis offered by Bale (2012), that the purpose of this control is to exploit workers through the increase of profit margins.

Deakin (2013) explains that the labour market should be a platform that allows both the seller as well as the buyer of labour to enter into a mutual contract that is advantageous on both parties. Gallagher (2017) outlines that contract law is the proper agreement between a worker and owners of capital, therefore the law provides principalities that players in the market should abide to. The above parallels the issue outlined by Marx cited in Olofsson (2020) that even though wage labours were free in comparison to slaves their liberty was connected to a bondage of a wage contract. Coe (2011) exposes the defencelessness nature of the farm worker, which steers this paper to the next section of dealing with the informal and formal aspects of agricultural work.

4.4 Informal and formal factors of labour

According to Isabel (2015) precarity is defined as the condition of having volatile and unpredictable employment or income. Millar (2017) highlights that non-standard employment is often denoted as precarious work however there is a distinction between the two terms. It is important to note that Millar covers various elements of precarity, therefore for the purposes of this study focus is concentrated on the dynamics of precarity of the work dimension. Thus, precarious work is understood by ILO (2016) to be any form of work that pays low earnings that are below the poverty line. Millar (2017) illustrates the issue of insecurity implying that there is no assurance or confidence with regards to securing employment and workers face the danger of being recalled at any given time. Moreover, workers have little or no control on what takes place in the workplace. For instance, Isabel (2015) points out that workers are not given the platform to mobilise and address certain grievances such as working conditions and wages. ILO (2016) flags the issue of lack of protection by the law or associate bodies with regards to health, occupational safety, social protection or prejudice. Therefore, there is no system put in place to make sure that the rights of workers are realised in a precarious environment (Millar 2017).

Furthermore, Scully (2016) argues that the demographic description of a person can position one in circumstances of precariousness. Thus, particular traits such as gender, ethnicity or place of birth often compel workers to be placed in precarious occupations. For example, Menjivar and Kanstroom (2013) identify that undocumented migrants have to continuously deal with the fear and threat of being

deported, therefore they succumb to levels of precarity because of their legal status. Similar sentiments are expressed by Deshingkar (2019) that migrant farm workers are desperate for employment and are therefore vulnerable to precarious conditions. The ILO report of 2017 draws attention to the phenomena of standard employment and defines the term as any job that is constant, permanent in which employers have an engaging relationship with their workers. Fudge (2017) highlights that standard jobs are not necessarily less precarious but provide a benchmark for employment and are more contractual. Similarly, Millar (2017) notes that non-standard jobs are not all generally precarious, but attention should be based on the insecurities that exist whether standard or non-standard.

4.5 ILO decent work paradigm

ILO report on decent work of 2016 considers certain insecurities that can pose as threats to the well-being of employment such as the risk associated to job loss or temporal placement. According to the ILO such risks are caused by the low expectation of employment in the future. In addition, such expectations are caused by low probabilities in the labour market if there is loss of employment (ILO 2017). Another focus is on the earnings that workers receive, if people earn lower wages than the minimum wage then employment according to ILO is insecure. On the same note, the hours of work can be problematic according to the ILO if they are insufficient or irregular as they lead to insufficient earnings. Furthermore, extensive hours or restricted hours of work pose as a threat to workers health and safety. On the same token, if workers work abnormal hours there will be an imbalance between work and life. ILO (2017) mentions that inadequate or insufficient working hours imped on workers time of interacting with other workers about grievances. For instance, workers are unable to communicate with union representatives and this shuts down the workers voice in the workplace.

Uncertainty in the workplace also takes place in the form of (OHS) if employees are not safeguarded through OHS mechanisms that should be put in place to protect workers from any hazardous activities, work related sicknesses or injuries (ILO 2017). Quinlan & Underhill (2011) express that if workers are not trained or equipped on matters of OHS then they stand at risk of being in danger and this makes work to be precarious. With regards to social insecurity, The ILO (2016)

considers that it is either workers do not have social security coverage or there is insufficient protection in the social spectrum. Ghai (2015) indicates that social protection is central to the accomplishment of decent work. The ILO guideline for 2012 outlines that all workers should be protected from any conditions that may jeopardise their protection or pose as a threat to their physical and emotional security. Cohen & Moodley (2012) highlight that majority of developing countries social protection policies seek to: meet human basic needs; and provision of contingency measures in times of unforeseen circumstances such as sickness, accident, death and natural disasters as well as violent protests that may lead to damage to property and destruction. Social insecurities can be made explicit in the fact that workers do not have access to benefits such pension funds and medical aid because employers are exempted from paying contributions (Lund 2009). Insecurity also results in the nature of training in which workers do not have access to training opportunities that will help them to grow and excel in their occupations and beyond (ILO 2017).

The level of trade union membership amongst employees is an indicator that there is a good or poor social dialogue in a country (Khumalo, 2012). The Decent Work Model also requires a healthy social dialogue between employers, trade unions and government (Khumalo, 2012). Through the *Decent Work Model* workers are encouraged to mobilise without restraint and protect their interests through the guidance of the Constitution and labour legislation (ILO, 2009). The element of a decent work is best achieved when employees are able to talk about work conditions and engage in the regulation of the industry (Anker *et al* 2012). Representation ensures that workers are protected from: discrimination; forced labour and child labour (ILO 2017).

Chapter summary

This chapter defined of labour exploitation as the act of using power to systematically extract more value from workers than is given to them. Exploitation was depicted as a social relationship based on an asymmetry of power between workers and their employers. Thus, the paper explored theories presented by various scholars to

explain labour dynamics. Firstly, the theory constructed by Yoshihara (2018) that exploitation is when an individual or entity takes unfair advantage of another was comprehended to understand that exploitation is an act that functions by relying on unfairness. Secondly, Boukfhed's insight implying that labour exploitation consists of unfair working conditions; low wages and the breaching of labour regulations was assessed to explain the conditions of farm workers (2020). Thirdly, Zafirovski (2003) view on exploitation as a coercive act of violation in which one person benefits on the expense of the other was looked at to indicate the vulnerability of farm workers.

Drawing upon McKeown (2016), I have suggested that exploitation is not a conscious agreement between transacting parties; instead, it is considered as a structural phenomenon which has been built into the economic system. This in turn helps to identify the structural forces that informed labour exploitation. Structural factors include unequal power relations between farm workers and farm owners; capitalistic economic system and legacies of oppression such as slavery as well as segregation. Marxist and liberal theories on exploitation were utilised to understand the manner in which labour markets operate in. Various interpretations of free and unfree labour were explored by considering the notions of positive and negative freedom to understand the concept of freedom in the labour debate. The decent work paradigm presented by the International Labour Organisation (ILO) was considered in order to focus on the unacceptable practices of labour and to look at the informal and formal factors of labour. Overall, the chapter contended that the common denominator from the varying theories of exploitation is that one party holds power and control of another. In this regard, the social- economic condition of farm workers automatically place workers in vulnerable positions, thereby the farm owner gains leverage over workers.

Chapter 5 (Life in Farm Macdonald)

This chapter considers the key features of the living and working conditions of farm workers, focusing on Farm Macdonald as a case study. Farm Macdonald was reported in news articles in the year 2001 and again in 2012 after workers allegedly protested against mistreatment. Since the farm is one of supermarket *a* suppliers, the retail company temporarily suspended the farm as one of its suppliers and conducted investigations on the allegations. Therefore, the paper's main aim is to figure out whether conditions in the farm changed or remained the same or worse after the workers protest and interventions by supermarket *a*.

Findings are derived from verbal interviews conducted on farm workers to understand their conditions in the farm. Research participants were farm workers residing in the farm. There were 15 farm workers interviewed and of the 15 farm workers, seven were: Zimbabwean nationals; four were Mozambique nationals and another four were South African citizens. The participants in the farm concerned were males and females between the ages of 22 and 55, with 12 males and three women. This section gives details about the community of the farm and explores the living conditions of farm workers. In this regard, the chapter makes a comparison between the living situations of workers living in the informal settlement just outside of the farm as well as the workers residing in the farm establishments. In this context, the chapter considers the farm workers high dependency on their employers for accommodation and the associated level of dependency on employer to sustain a living.

The system of hiring foreign nationals through the use of false identification for payroll registration is outlined. In this regard, the Department of Home Affairs (DHA 2018) states that foreign nationals must possess legal documents such as work, or study permits to justify their course in South Africa. Therefore, a violation of the law is identified and the trend persisting in commercial farms of preferring to employ foreign nationals in South African commercial farm is dealt with. The issue of hiring foreign nationals over South African citizens prompts the paper to explore the phenomena of cheap labour, which commercial farms employ in order to maximize profits. Thus, it can be contended that farm workers are hired on the basis of cutting labour costs and not on skills. This section takes into account episodes that are evident in Farm Macdonald that fit the definitions of unfairness. This section then moves forward to tackle the definition of wage theft and attempt to discover the

working hours in the farm and depict whether workers receive all the wages that are due to them. The chapter also explores the capability of the workers of Farm Macdonald to mobilize in order to determine whether there is representation, healthy dialogue and the protection of workers interests.

5.1 The community of the farm

In the previous chapters, Bolt (2013) emphasized that farm workers rely on their employers for employment and accommodation. The above observation was evident from the information given by the participants. Several of the farm workers interviewed indicated that they were living on and near the farm premises, whether on the informal settlement on the outskirts or in the farm compounds. Out of the 15 participants, 7 were residing in the compounds and several farm workers explained that they have been residing in the farm for over 10 years. Jabu [4] explained that: *"*we have been living in the farm compounds from 2011 but we first erected shacks in the informal settlement just outside the gates of the farm". Other participants who had been living on the farm for over 15 years further reported that, prior to 2012 the compounds were not in good condition as they did not have proper sanitation services. In this context, Sidney stated that "in the compounds we have access to water and electricity, including geysers, which we did not have before".

Moreover, Bongi highlighted that: "I cannot imagine myself living outside of the farm as I don't have to worry about money for transport and at least I am able to live with my children in this place".[5]. Another point raised by Bongi was that: "I cannot afford to pay R35 for a taxi from Thembisa to Bapsfontein and then catch a lift to the farm every day when coming to work, therefore I'd rather go home during month end or some weekends than to commute everyday".

The information given by participants indicates that workers find it convenient to live in the farm and depend highly on their employers to provide a place of living. The notion of dependency illustrated in chapter 2 is obvious in *Farm* Macdonald. In

[4] For the purposes of maintaining anonymity and confidentiality the names of farm workers are concealed and are therefore farm workers are given pseudonym names throughout the rest of the paper. The quoted text is the direct expression of the participant and not of the researcher.

which, Mezzadra et al (2013) states that the notion of dependency implies that farm workers are attached to their employers and farmers gain excessive power over their employees. Judging by the information given by the respondent it is notable that workers do not only regard the farm as a place of employment but also as home. This notion continues the conversation started by Kheswa (2015) in chapter 1 that farms are not just areas of employment but institutions of social production. Kheswa (2015) initiates that commercial farms engineer economic and social production. To elaborate, commercial farms encompass other elements either than the production of outputs for economic purposes, but also serves as a platform for life experience (Olofsson 2019).

The phenomena of social production are patent in Farm Macdonald as respondents stated that they have built families in the farm. On the same note, during the fieldwork it was discovered that in the farm there is a tavern and a small grocery store belonging to the farm owner. Participants indicated that during their free time workers go to the tavern to have drinks and to socialize. Therefore, the tavern is a social setup in which workers meet and engage.

5.2 Living in the compounds versus living in the informal settlement

Other participants provided a different narrative to participants living in the farm compounds. In this regard, Rocky expressed that: "life is difficult here in Ntaba[6]". Ntaba is a name of the informal settlement that was labelled by workers. Participants explained that the reason why the squatter camp was named as "Ntaba" is because living in the settlement feels like climbing a huge mountain. Zola and Zanele said that "the shacks that we live in are not in good condition and we do not have water nor electricity". Similarly, a Shona individual expressed in Isizulu that: "lapha emikhukhwini akuna mpilo kahle kodwa siyancenga". To interpret the above expression the workers described that there is no good life in the informal settlement, however they were holding on.

Participants indicated that the land in which they erected their shacks belonged to the farm, therefore they were permitted by their employers to place shacks. The

[6] For the purposes of anonymity and confidentiality the name Ntaba is not the real name of the informal settlement but a false name to protect the identity of the workers and the farm.

participants expressed that the compounds were given to farm workers who had been working in the farms for more lengthy periods from five to ten years. Thus, getting access to live in the compounds was regarded as a promotion by farm workers, as you have to earn access by working in the farm for a stipulated period. The lack of water and sanitation was highlighted by Zanele that: “we have to get water from a borehole provided by our employer, and we use the veld to relieve ourselves when nature calls”. Furthermore, another participant mentioned: “at times we get access to water and electricity from the compounds, but it is often difficult to find access as we do not live in the compounds”.

The data presented above indicates that there are notable differences between the farm workers living in the farm compounds and those residing in the outskirts of the farm. Zodwa noted that: “the workers living in the compounds even though we may earn the same wages, but they are far better than us as they do not have to worry about water and electricity after a long working day”. Moreover, it was revealed that the some of the shacks belonged to some workers who were living in the compounds and rented them out to other workers who were in need of accommodation. For instance, Zethu mentioned: “I pay R300 for rent to the landlord, however others pay R500 depending on how big the shack is”. In this regard the landlord mentioned by the participant is the co-worker renting out the shack to another worker. Thus, the hierarchical structures and power dynamics are not only evident between the employer and employee but among workers.

5.3 “The convenient store”

Findings also pointed that there is a grocery supermarket in the farm. Workers stated they go the shop to buy groceries as big supermarkets are far away from the farm. Thabo noted that: “items on the shop and the tavern are expensive, you will find a beer costing R20.00 a litre”. Similarly, Eric said that: “things are expensive this side, but we have no choice because there are no stores nearby besides this one”. Participants highlighted that they purchase most of their essential products such as food and toiletries at the store and pay more than the price of commodities compared to a normal supermarket. For example, Ricky confirmed that: “a 2 litre of coke costs R25.00 which cost R21.00 at Shoprite”. The above scenario leads to the analysis offered by Coe (2011) that farm workers do not only benefit the farm owners

with labour, but also boost the business of the farmers. At the same time, Crush et al (2007) observes that farm workers cultivate the farms and expand farmer's profit margins as they are trapped in the system of commercialization. This trap can be identified in the fact that workers are compelled to purchase at the expensive shop and tavern because there are no nearby shops and often workers do not have enough time to do shopping.

5.4 Skeem saam Burial Society

The Skeem Saam burial society is a funeral/savings society that started in 1992 with the aim of helping low-income earners with burial services and savings. According to African Response (2012) burial societies were created to provide help in the event of death by covering burial costs. Burial societies also offer catering services on the day of the funeral. The burial scheme is made up of 50 general members and 10 executive members. Out of the 15 farm workers who participated in the study three were members of the association since 1999. The society's head office is located in Gauteng in which some of the farm workers make regular visits once a month to pay R100.00 toward the funeral policy. Various participants mentioned that the society helped them to save money for burying their loved ones.

Farm workers prioritize the burial society for specific reasons mainly: it eases the burden of burial costs when farm workers lose their loved ones especially in the context that farm workers earn little; it serves as a support group providing prayer and support through difficult times and it is a unit of social gathering in which farm workers intermingle with other people who are not involved in the farm. However, majority of farm workers stated that they could not join the burial society because they were not South African citizens. The phenomena of South African citizenship create more divisions between farm workers, such divisions will be labelled out in the next segment focusing on the hiring of illegal foreign nationals.

5.5 The hiring of undocumented migrant workers

During the fieldwork it was discovered that majority of employees were undocumented Zimbabwean and Mozambican workers with a slight number of South African citizens. In this context, one worker disclosed that most foreign nationals

working in the farm were using Identity Documents (ID) belonging to South African nationals to register on the payroll system as they did not have proper documents. Patrick was quoted as stating that “I have been working in this farm for 10 years without an ID and I was able to borrow an ID from someone in order to be registered”. Moreover, workers without documentation received their wages through other people’s bank accounts specifically SA citizens and paid a fee to the individuals who offered to help with documentation. For instance, Margaret reported that “every month I pay R100 to the person lending me their ID when they give me my payment as money is being paid directly to their bank account”. Almost all Interviewees explained that the people who were helping them with bank accounts often opened separate accounts and gave them bank cards for easy access.

Margaret further disclosed that their employers were fully aware that they were using false identification, yet workers still ran the risk of being deported or arrested and the farm offered no protection should such acts be known to police officials. All participants however, mentioned that they have never seen police raids in the farm since their employment. Foreign citizens who do not have South African citizenship working on the farm have less capacity to defend their labour rights. The notion of citizenship encompasses the idea that there is an attachment between the state and the citizen of that state. Accordingly, standing (2014) directs to the fact that members of the precariat do not have access to basic human rights as they are detached from the state. It is under such circumstances that Standing (2014) commits to the notion that members of the precariat in this case migrant workers are occupants or dwellers who lack certain privileges that are enjoyed by the citizens of a country.

This interpretation offered by Standing (2014) is evident in the farm under observation as various participants stated that they were not aware of their labour rights and did not have the capability of exercising any rights as they were employed in the farm by using false identification and were scarred to question any irregularities. One farm worker from Zimbabwe expressed that: “I really do not care about exercising my rights in this place as there is no such thing as rights all I want is to work for my children”. When the participants under question were asked if they were aware of government initiatives aimed at protecting farm workers, they answered by stating that they only focused on the job they were hired to do and not on other matters. The above justifies the observation made by the International

Organisation for Migration (IOM) report of 2009 stipulating that farm workers have no knowledge of policies and legislations that guide the agricultural sector. Therefore, foreign nationals working in Farm Macdonald without South African documents have no access to neither social nor legal protection outlined by the ILO.

5.6 Deductions from wages and working hours

One participant emphasized on the negative effects of deductions on their wages. Two farm workers who are employed as security guards reported that: “R800.00 was deducted from our wages in one particular month”. The deduction, participants revealed, was due to a cable that was stolen in the farm and therefore the farm was compelled to recover the profit that was lost due to cable theft. One worker stated that “we were informed that it was our fault that the cables were stolen because as security guards we were supposed to make sure that no theft took place”. On the same note, participants uncovered that since the farm had covered all valuable assets against theft and damage it managed to claim insurance for cable theft and still deducted monies from workers. The deduction of money from workers’ wages to cover theft is prohibited by law. The sectoral determination act 13 prescribes that the employer is prohibited to suppress any remuneration that is due to the employee (SAHRC 2018).

Respondents reported that on a normal day they work from 7am till 16:00pm, six days a week, and earn between R145.00 to R220.00 per day depending on their ranking. For example, Mayibuye mentioned that: “as a junior staff I earn R145.00 per day and others earn R150.00 but my supervisor earns R220.00 per day”. Crucially, the farm workers “are not rated per hour for but per day and we do not work on Sundays unless we are asked to work”. According to participants, they do not receive money for overtime even though they may knock off late or work on Sundays. One employee indicated that: “I am not allowed to leave without finishing packing fruit in the boxes, so in some days I have knocked off at 18:00pm and got paid R150.00”. In terms of the minimum wage, the farm does partly comply with minimum wage regulations as employees do not earn less than R3000.00. However, considering the information given by the participants, it is notable that the farm does not pay workers for overtime. According to Lund (2019) the act of denying workers their wages for labour is wage theft and is forbidden by the South African law. The

common forms of wage theft according to Lund (2019) are: non-payment for overtime; non-payment for labour performed, and not receiving a pay check entirely.

5.7 Trade union membership

The level of trade union membership amongst employees is an indicator that there is a good or poor social dialogue in a country (Khumalo, 2012). Moreover, the Decent Work Model requires a healthy social dialogue between employers, trade unions and government (Khumalo, 2012). Sam revealed that: “we are not aware of any trade unions established in the farm and we do not affiliate to any trade union”. Thus, since there is no mobilisation in the farm two farm workers admitted that they could not consult their employees about labour issues, such as compensation, due to fear of reprisal. However, a security guard stated, “when workers have grievances, they come to me and I take it to management”. When asked about the grievances workers would bring to the fore the participant asserted that: “sometimes workers will complain about the living arrangements in the squatter camp and would beg me to talk to management about the possibility of finding accommodation in the compounds”.

The findings derived from the interviews give a picture of the hierarchy of power relations in the farm and SA commercial farming as a whole. Weeks (2011) illustrates the expression made by John Stuart Mill (1988, 84), expressing that “the serfs did not at first complain of the power of their lords, but only of their tyranny we are better at attending to the problems with this or that boss than to the system that grants them such power”. If Millar’s interpretation would be comprehended farm owners would be considered as the lords who have power over their serfs, which are the farm workers. Moreover, the farm owners do not just derive their power from the fact the farm workers are desperate for employment but also from the labour market system as a whole. Therefore, the informal and non-standardized labour system in commercial farming automatically positions the employer to overpower the worker. It is within under the conditions mentioned by farm workers during interviews that the paper contends that not much has changed in the farm since the workers protest in 2012 and a level of unfairness exists at the farm as there is lack of adherence to labour legislation and regulation

Chapter summary

This chapter focused upon the key features of living and working conditions of the farm under study. Findings were derived from verbal interviews conducted on farm workers to understand their living and working arrangements at the farm. An input was outlined on how people live in the informal settlement just outside of the farm as well as in the farm establishments. The chapter looked at the manner in which farm workers depended on their employers for accommodation and stated that the level of dependency positioned the farm worker in a vulnerable condition.

The system of the illegal hiring of foreign nationals and the use of false identification for payroll registration was illustrated. The issue of hiring foreign nationals over South African citizens prompted the chapter to explore the phenomena of cheap labour and stated that commercial farms pay for cheap labour to maximise profits. It was contended that farm workers are positioned at disadvantaged positions if they are hired on the basis of cutting labour costs and not on skills. The definition of wage theft was utilised to discover the working hours in the farm and to depict whether workers received all the wages that were due to them. This section also focused on the employees' capability to mobilise in order to determine whether there was representation, healthy dialogue and the protection of workers interests.

Chapter 6: the role played by stakeholders to improve conditions for farm workers

This chapter looks at the role played by stakeholders in Farm Macdonald and the agricultural sector as a whole. The entities that are explored are: GDALRD; Supermarket *a* and Supermarket *b*; DOL and the PAC. The consideration of these entities is motivated by the fact that Farm Macdonald is a registered farm that is regulated by the DALRD and the function of the department towards farm workers is crucial. Moreover, Farm Macdonald supplies crops to supermarket *a* and Supermarket *b* therefore the chapter is preoccupied with the position of the chain stores with regards to the living and working conditions of farm workers. On the same token, the PAC's involvement in the farm workers strike in 2012 prompts this paper to probe its role even further in-order to get an in-depth understanding.

As previously mentioned before a form of data analysis is applied in the paper to sift information. According to Marshall and Rossman (1999), data analysis is the process of exploring and evaluating information or data. For the purposes of this chapter, a thematic data analysis is used to make sense of the information gathered during the research period. In this context, themes such as: lack of accountability by government and corporate entities; neglect of workers and lack of awareness are depicted.

In observing the themes, this chapter acknowledges that the GDALRD liaises with farm owners and therefore is unaware of the conditions of workers in the farms. Furthermore, Supermarket *a* and Supermarket *b* prioritize the distribution and packaging of the product that the farm supplies and less consideration is allocated to the people who harvest the product, in this case the workers. On the same note, the chapter monitors the role of the PAC in advocating for farm workers and cites that in the farm under evaluation the political organisation has disengaged with workers as it has been over eight years since the party inspected the farm. People who participated in the study were officials working in government, corporate entities and political organizations. Of the three participants two were above the age of 55 and one was under the age of 50. The participants were all males, and the interviews were conducted in English.

6.1 Media reports on Supermarket and suppliers

Media reports surfaced in 2001 and 2012 alleging that workers were being abused and unfairly treated in Farm Macdonald. It was reported that farm workers in *F*arm Macdonalds dwelt in small and cramped setups with their families, with around five people living in rooms that were 6 by 2 metres in width. Moreover, there was also lack of adequate resources such as water as well as electricity and sanitation. The lack of water is also made explicit by reports that farm workers access their drinking water from an irrigation dam. In 2001, it was reported the working conditions in Farm Macdonald were not up to legal standard, as workers work between 12 to 18 hours a day and are paid between R450 to R500 on a monthly basis. Furthermore, workers have no access to medical aid or pension funds and even if they are unable to work due to sickness, they do not get paid. For instance, a media report stated that a worker was involved in a tractor accident while on duty and stayed eight months in hospital without pay.

It was indicated in newspapers that for every day workers are off sick in Farm Macdonald R50 is subtracted from their wages. A news reporter also directs to the issue of salary deductions and states that workers alleged that the farm owner fined workers R500 or less for if they were unable to prune crops properly. Moreover, workers do not even attempt to enquire about the unjustified deductions as they were scared of their employer. Workers revealed to the media that deductions such as loans and fines reflected in their salary advices even though they did not request nor receive a loan from their employer. Former senior employee, at the farm sated to the media that during his time as an employee were fined R500 and called “monkeys” if they were found to be standing on top of crates while attempting to detangle wires.

Another news report revealed that workers did not having access to family responsibility leave should there be urgent family matters arsing. According to this report employees were fined more than R1000.00 if they had to attend urgent family matters and workers were compelled to pay such fines if they wanted to retain their jobs. An investigation conducted by the South African Human Rights Commission (SAHRC) revealed that in black people were placed in single sex hostels and coloured farm workers were placed in family units (Pather 2019). Therefore,

according to the SAHRC discrimination of this sort perpetuated the apartheid laws of colour line.

6.2 Role played by Supermarket *a*

Supermarket *a* joined the programme named Stronger Together's programme in South Africa which in partnership with the Wine and Agricultural Ethical Trading Association (WIETA) and the Sustainability Initiative of South Africa (STSA 2020). The programme was launched in May 2017 with the aim of aiding South African agricultural entities to tackle the risk of forced labour and human trafficking within their industries and supply chains. Supermarket *a* joined the programme to enforce fair labour practices and to combat mistreatment within their suppliers (STSA 2020). One of the most crucial goals of this initiative is the fast response plan to any form of forced labour and mistreatment alleged in within the supply chain. However, farm workers from OVF farm criticize Supermaket *a* for not addressing the challenges faced by workers specifically allegations of exploitation.

The above contradicts the goals and objectives of the STSA of improving the living and working conditions of farm workers. Moreover, the researcher attempted on several occasions to get an input from Supermarket *a* about the living and working conditions farm workers on Farm Macdonald but with no successes. This paper acknowledges that participation on the research study is voluntary, however the non-participation from Supermarket *a* is problematic as it feeds to the allegations made by farm workers that the corporate does not care about the well-being of workers. Moreover, Supermarket *a* publicizes that as an entity the well-being of workers is of crucial importance, hence it joined programmes such as STSA, but still it could not engage in a research study that investigates the labour issues on one of its suppliers.

6.3 Mandate and role of Government in the South African Agricultural sector

The outlining of the departments mandate enables this chapter to make a comparison between what is written on paper in terms of policy directive and the actual implementation of policy. In this context, since the chapter is concerned

primarily on the living and working conditions of farm workers the attention will focus on the mandate that directly affects farm workers. The analysis recognizes that the agricultural sector comprises of various value chains and commodities or sub-sectors. Viewing agriculture in terms of different sub-sectors helps to create a better understanding of the relationship between, the different stakeholders.

6.4 Department of Agriculture, Land Reform and Rural Development (DALRD):

DALRD was established in terms of section 197 of the Constitution. The DALRD views agriculture as the cornerstone of South Africa's economy therefore its role is to eliminate inequalities by expanding the opportunities for poor people to make income and to find employment (DALRD 2019). Thus, the Department of land and Agriculture's mandate lies in redressing policies that clamped on transformation and economic growth. The task of the department on hand is to give resources to previously disadvantaged people and improving the commercial farming sector on a larger scale (DALRD annual report of 2019). Therefore, the DALRD (2019) in its vision statement highlights that "equitable access to land, integrated rural development, sustainable agriculture and food security for all through transformed land ownership patterns; agrarian reform; sustainable livelihoods; promotion of access to opportunities for youth, women and other vulnerable groups; integrated rural development."

6.5 Relationship between the DALRD, the farm and farm workers

An interview with the senior official of the Gauteng Department of Agriculture revealed that there is a good relationship existing between commercial farms and the department. The official stated that "we have established healthy relations between us and commercial farms, as a result we engage frequently during conferences and via online meetings such as Microsoft". Moreover, the official further elaborated on the element of good relations and stated that "our department enforces open dialogue sessions during conferences with farm owners to come up with strategies that will lead to transformation and growth of commercial farming. The explanation offered by the senior official above gives an indication that there is a level of communication between the department and the commercial farms, however there is

no evidence that the department engages with farm workers, particularly in the farm under evaluation. For instance, the senior official mentioned that “Gauteng department is not a huge entity and we only deal with small holder farmers and some major ones, but we do not directly deal with the farm employees”.

The senior official further stated that “but whenever we receive complaints about workers being mistreated, we go to the farm to inspect but it is more of an issue that is addressed by the National Department of Agriculture.” The researcher probed further by asking the participant to outline the levels of mistreatment that the national department addresses and the official highlighted “the national department will focus on problems such as farm evictions in which the interest of the labour tenant are protected.” During the interviews with farm workers, it was revealed that there have been no evictions on the farm under concern. On the same note farm workers stated that they have never seen officials from the Department of Agriculture coming to the farm to do inspections or to address any grievances.

The fieldwork also unveiled the underlying economic context that governs farm employment. Visser and Ferrer (2015) argues that due to the market deregulation and free trade the government has stepped back from intervening directly in the agricultural sector. The research findings showed the level of stepping back by government when the senior official from GDALRD stated, “we are not directly involved in the dynamics of labour in the farms, but our job is to oversee and implement policy in the sector as a whole.” This finding points to the shortfall of the Department of Agriculture for non- involvement with the labour force in commercial farming, particularly because the agricultural sector depends highly on its labour to survive.

Thus, if the Department of Agriculture that is mandated to oversee the sector is not aware of the underlying matters that shape its workforce, then it is problematic. It is within these terms that Rutherford (2014) contends that the government must play as a referee or middleman between workers and producers to maintain regulation. Moreover, Visser and Ferrer (2015) mention that the liberation trade resulted to the elimination of measures to protect farm owners from tariffs and a significant decline in farm subsidisation. Consequently, this led to food producers to device strong

measures to protect their interests such as increasing profit margins which resulted to workers carrying the burden of these measures.

6.6 Department of Labour

According to Devereux (2019) the DOL has failed to enforce labour legislation in farms. For instance, a research study conducted on women farm workers in the Western Cape revealed that labour inspectors conducted minimum or no inspections in the farms (Devereux & Solomon 2019). In this context, due to lack of monitoring and evaluation from the DOL farmers are given the license to violate workers' rights, as there is no oversight from the government. Similarly, The Ubuntu Rural Women and Youth Movement's leader Wendy Pekeur in the Western Cape stated that government departments such as the DOL and the DLARD were not playing a proactive role in monitoring conditions on farms (Kiewit 2020). For example, reports claim that majority of farm workers in Franschhoek, Western Cape were living in appalling and inhumane conditions and the DOL is not aware of such conditions as there are no inspections conducted on the farm by labour inspectors (Kiewit 2020).

The lack of inspection and monitoring by the DOL is also explicit in the Eastern Cape as farm workers complain that they have been ignored and neglected by the DOL. Chirume (2019) observes that close to 80 farm workers of the Kouga Farmworkers Reunion in Port Elizabeth, EC expressed that officials from the DOL took lengthy periods to attend to workers complaints such as: illegal evictions; unhealthy working conditions and unfair dismissals.

Farm workers further stated that even going directly to the DOL was not benefiting as their pleas were often ignored and not taken seriously. For example, workers cited that they often struggled to claim Unemployment Insurance Fund (UIF) for their deceased relatives and DOL officials did not attend to claims lodged by farm workers who were injured while on duty (Chirume (2019). Therefore, from this perspective farm workers feel ignored by the DOL stating that the DOL only listens to farmers as the department only communicates with farmers. This level of communication is noticeable in the fact that farm workers in Eastern Cape complain that farmers are informed two weeks in advance by the DOL that inspections are going to take place

and the workers are not acknowledged in this channel of communication (Chirume 2019). Moreover, according to Trevor Christians, CSAAWU secretary general, notifying farmers in advance about inspections deficits the purpose of monitoring as farmers has enough time to clean up all irregularities (Chirume (2019).

It is important to note that the DOL in Gauteng was invited numerous times to participate in the research study, however no official from the department agreed to provide input for the research.

6.7 Pan African Congress

This section examines the position and responsibility of PAC in Farm Macdonald with a focus on the ways such entities seek to mobilize farmworkers. The researcher focused on the PAC, due to their past involvement on farm workers strike on 2012 against exploitation.

According to the PAC manifesto the party is a political organisation with Pan Africanism ethos with the aim of fighting for the poor and giving back land as well as the economy to Africans. An activist who of the Gauteng region stated that the “our main mission is to giving back the land and economy to Africans as land is the basis of life”. The activist added that “86% of land is owned by white people therefore when we fight for farm workers the struggle is for land.” During the interview, the activist expanded on some of their projects that aim to assist farm workers such as workshops teaching farm workers about their labour rights and farming skills. For example, the interviewee mentioned that “we hold classes for farm workers and engage with them to understand their conditions as we are sometimes not allowed in the farms.” When asked about the major problems that farm workers brought to their attention the activist mentioned the following: “bad treatment; conflict surrounding burial sites; challenges when there is change of ownership when farmers sell land; land evictions; farmers not prescribing to the law and racism.”

Through engagement with the information given by the participant this chapter considers the concept of ‘cultural politics of belonging’. This phenomenon is described by Webb (2009) as a custom that establishes levels of attachment that farm workers have with certain organizations and arrive to a sense of belonging and

mobilization. Therefore, farm workers find comfort in associating themselves with entities that promise to bring relief to their situation (Perloff, Stutter, Vaupel 1992). The PAC activist said, “when workers come with their grievances we assist them not just as workers but one of our own and we also empower them so that they can be able to fight on their own.” The above response positions the PAC as a pillar of hope for farm workers and also an organ of change in the South African agricultural sector.

In terms of the farm concerned, the PAC activist expressed that their organization last visited the farm in 2012 when farm workers were protesting. In this regard, a level of disengagement between the party and farm workers is evident as it has been more than 8 years since the PAC inspected the farm under assessment. The PAC activist did make mention that they only met with the farm workers through political engagements such as rallies, campaign initiatives and workshops. In contrast, research findings derived from the farm workers outlined that workers only knew about the PAC from the media not through direct engagements. The issue of lack of engagement and communication resurfaces again below. This episode of organizations such as the Gauteng Agriculture for example not being aware of the conditions of farm workers is explicit in this section as even the political party does not have comprehensive knowledge of the living and working conditions of farm workers.

As the chapter has reflected previously there is a huge barrier between farm workers, the government and political organization. The above points to the argument expressed by Webb (2009) that there has been a disconnection and alienation between interest groups and the general public in SA, particularly the people that these groups are mandated to serve. As research findings have depicted that the PAC during the farmers strike in 2012 supported farm workers but however lost communication with workers since the incident. Another point raised by the PAC activist was farmer’s mistreatment of their workers. In this context, the activist pointed out that “farmers are acting like feudal lords treating their employees like slaves”. When the PAC activist was asked about the initiatives they implement as a political organization to address such problems it was mentioned that “usually we recommend workers to legal representatives at no cost, and we approach the government to intervene when farm workers are evicted from farms.”

This initiative mentioned by the PAC activist is good, however the findings from the research portrayed that although there is no evidence of evictions on the farm under evaluation the poor living arrangements of farm workers have not been dealt with by the PAC.

6.8 Supermarket b

During the research period it was discovered that the farm under inspection supplies crops to Supermaket *a* and Supermaket *b*. A verbal interview that was conducted with the senior official of Supermaket *b* cited that the entity serves as a distribution centre and collects crops from the farm and distributes it to the supermarket. Therefore, the entity has little or no knowledge of labour issues in the farm. The official concealed that since they are fresh market service, they only liaise with the farm owner in terms of delivery and collection of goods. The interviewee articulated "our main concern is the packaging of crops from the farm to the chain store and not labour issues." The participant further elaborated that: "we only inspect the packaging centre in the farm, we check that hygiene is kept at standard for food packaging and that workers have proper sanitation facilities." In terms of Supermarket *a* farm workers pointed out that the corporate sends officials to conduct inspections on the farm, however engagement is only conducted with farm management and not with workers.

This chapter understands that Supermaket *b* serves a supply chain role in this scenario. However, the entity's limited understanding of labour dynamics in the farm exposes some shortfalls of the operating context of commercial farming as a whole. Firstly, the farm worker even though they provide much value in food production are however the most neglected. In this regard, the chapter takes a cue into the argument articulated by Culp & Umbarger (2004) that migrant workers in agriculture do not possess socioeconomic influence and therefore have been overlooked in various dimensions. Moreover, the regulations relating to such workers are inaccurately enforced and poor oversight by stakeholders such as government and cooperates benefit farm owners and disadvantage migrant workers (Culp & Umbarger (2004). The argument drawn by Culp & Umbarger allows this paper to realize that so much importance is placed on the end product and its distribution and less on the labour that produces the product.

As the chapter has reflected role players such as government and entities are not fully aware of the labour conditions that take place in the farm. From this viewpoint, the disregard of the issues of farm workers creates a high level of vulnerability as often farm workers have nowhere to run to when facing unfairness and mistreatment. This disregard of farm workers is also exemplified by the response given by the manager of Supermarket *b*, "it is the government role to look after the interest of farm workers and not our responsibility." A shifting of responsibilities is noted in this situation in which Altman (1994) cites that there is a lack of accountability by those in authority when it comes to migrant farm workers as nobody wants to take responsibility.

6.9 Commission for Conciliation, Mediation and Arbitration (CCMA)

Smit (2020) highlighted that due to the impact of Covid-19 the government announced that it will cut the CCMA budget by R600-million over the next three years. The CCMA has been instrumental in dealing with labour issues and playing the mediator role between employer and employee, however, with the budget cut imposed the organisation will not have enough capacity to address workers complaints especially the most vulnerable workers such as farm workers and domestic workers (Smit 2020)**.** On the same note, CCMA has had a backlog of unresolved cases from 2013, therefore the budget cut extends to the already existing problems of incapacity. An investigation conducted by the Mail & Guardian in 2020 revealed that there has been a significant decline in the number of commissioners available to attend to the caseload of minimum wage. According to DOL (2018)the minimum wage is very contested issue in SA commercial farming and therefore if there is not enough workers who can administer the policy it becomes problematic for the workers who are entitled to receive minimum wage.

Chapter summary

This chapter focused on the functions and efforts of the various different stakeholders in Farm Macdonald and the SA commercial sector as a whole. The entities that were explored were: Gauteng Department of Agriculture Land and Rural Development (GDALRD); Supermarket *a* and Supermarket *b*; Department of Labour and the Pan African Congress (PAC). The consideration of these entities was geared

by the fact that Farm Macdonald is a registered farm that is regulated by the DALRD and the function of the department towards farm workers was regarded as highly important. Moreover Supermarket *a* and Supermarket *b* were selected because Farm Macdonald supplies crops to the chain store therefore the position of the chain store with regards to the living and working conditions of farm workers was reflected as important. In the political spectrum, PAC's involvement in the farm workers strike in 2012 prompted this paper to probe its role even further

A thematic data analysis was applied to make sense of the information gathered during the research period. In this context, themes such as: lack of accountability by government and corporate entities; neglect of workers and lack of awareness were depicted. The chapter evaluated the role of the government in commercial farming by exploring government's mandate. The chapter contended that the GDALRD was unaware of the conditions of workers in the farms due to non-interaction with farm workers. Furthermore, the section established that Supermarket *a* and Supermarket *b* prioritized the distribution and packaging of the product that the farm supplies and less consideration was allocated to the workers. On the same note, the paper determined that the PAC had disengaged with workers as it has been over eight years since the party inspected the farm.

Chapter 7: Conclusion and Recommendations

The research study explored the living and working conditions of farm workers in South African commercial farming, focusing on *Farm Macdonald* in Ekurhuleni Gauteng as a single case study. In the pursuit of understanding the experiences of farm workers, the paper firstly looked at the operating context of farm labour in South Africa. In this regard, the history of commercial farming depicts that the labour in the agricultural economy is characterised by prejudice and the legacy of injustice is still the modus operand of farm labour. Therefore, the paper highlighted the main features that play out in the farm labour market specifically: the significant decline of farm employment due to the seasonal peaks of agriculture; migration patterns leading to higher demand for foreign nationals'; modernisation of agriculture that prompts the utilisation of technology for mass production and the neglect of farm workers due to the drive for profit.

The report detailed the operating context of farm labour in South Africa. In this regard, the history of commercial farming tracing back to the period of 1994 was described to highly feature prejudice and levels on unfairness. In this context the paper acknowledged that the legacies of injustice could still be traced in farm labour. In this regard the main features of the employment of farm workers were identified such as: the significant decline of farm employment due to the seasonal peaks of agriculture; migration patterns leading to higher demand for foreign nationals'; modernisation of agriculture that prompts the utilisation of technology for mass production and the neglect of farm workers due to the drive for profit. Moreover, the regulatory framework that governs labour in South Africa is explored in detail as well as the socio-economic conditions of farm workers.

In the methodology section a qualitative research approach was presented to be the most fitting as the research enquiry dealt with people and places. In this regard, a

qualitative research methodology was defined by Denzin and Lincoln (2003) as a technique used in social sciences to gather information usually non-numerical data in the attempt to make sense of social life through the analysis of specific groups of people or areas. A selected number of: 15 farm workers were interviews were interviewed between the ages of 22 and 55 male and female; three officials from government, corporate and political party using one on one interviews, telephonically and face to face interviews.

Another segment of this report focused on the definition of exploitation by focusing on Marxist and liberal theories of exploitation. Firstly, Yoshihara (2018) defined that exploitation is when someone procures unfair advantage of another thus exploitation exists purely on unfair advantage. Secondly, Zafirovski (2003) contended that exploitation is a coercive act of violation in which one person benefits on the expense of the other. The section absorbed the interpretation offered by McKeown (2016) that exploitation is not a conscious agreement between transacting parties; instead, it is considered as a structural phenomenon which has been built into the economic system. Structural forces such as: unequal power relations between workers and employers; capitalistic economic system and legacies of oppression such as slavery as well as segregation are adopted to understand the reason why labour exploitation persists in SA farming.

The report then moved on to present the experiences of workers in Farm Macdonald which is the farm under evaluation. A range of themes were explored specifically the: hiring of undocumented foreign nationals; the use of false identification for the purposes of payroll registry; poor living conditions of farm workers; unlawful wage deductions and the fear and desperation expressed by farm workers. The report paper explored the relationships that exists between farm workers and employers and the level of power farmers have over their workers. Therefore, the findings derived from the investigation point the paper to a comparison analysis that depicts that the circumstances of farm workers are unfair as to a result of structural market forces as well as the level of precarity farm workers are exposed to..

The last section of the report was centred on the role played by the GDLRD; GDLA; the supermarkets and the PAC. Findings highlighted that the GDLRD as well as DLA frequently communicate with farmers on certain issues but lack of interaction with

farm workers is evident. This finding echoed the interpretation offered by Jinnah (2017) that farm owners have strong connections with officials from government structures. The good relations that exist between farm owners and members of the state positions farm owners at an advantageous position and therefore makes it difficult for farm workers to stand against any injustices and challenge the status quo..

A shift of blame was identified, as findings depicted that another supermarket chain store contends that the oversight of farm workers is the sole responsibility of government and the supermarket main focus is the collection of the end product. The research report illustrated that the contention made by the supermarket above is one of the factors that perpetuate the levels of unfairness in the South African agricultural sector. The report argued that as much as the chain stores put high emphasis on the end product but there is less or no consideration on the hands that produced the product. In this regard the structural factors mentioned by Marx that operating in the labour market were laid bare in the paper. The deregulation and the disregard of the law was evident through the findings; thus, such irregularities and informality of farm labour make places farm employees at a more precarious position. The role of the PAC was analysed after it led a protest in Farm Macdonald. The report depicted that even though the party chants for workers' rights it has offered minimum protection for vulnerable workers as there has been no political mobilisation of farm workers for over 8 years. Furthermore, as much as the PAC is not aware of the current events that take place in Farm Macdonald likewise farm workers have little or no knowledge about the party.

As the paper has stated, farm workers although contribute immensely in agricultural industry but they are the less or not appreciated. The results from the study revealed that structural market forces have a strong impact on South Africa agricultural economy. Thus, the experiences of farm workers in Farm Macdonald personify the general modus operandi of labour in commercial farming. Government and corporate entities as we have seen elsewhere in the paper distance themselves when it comes to farm labour issues. Therefore, farm workers of are in a more precarious conditions as they have to deal with high levels of exploitation.

7.1 Recommendations regarding farm workers

- Corporate entities should play a more active role in commercial farming and not only consider supply chain or distribution issues. Entities should start care more about the events that take place in the farms. More assessments, oversight is needed especially from government in order to successfully carry out policy.
- Policies that aim for redress should be implemented as the agricultural still carries the consequences of the apartheid legacy, therefore transformation in the sector is needed.
- The government should hold frequent meetings with not just farm owner but also the farm workers as well, eg regular imbizo's with farm workers can be helpful in understanding labour issues in the farms.
- Regular inspections should be held more often, to check for irregularities such as identity documents.
- Literacy programmes should be initiated by government to empower farm workers, in-order to understand work contracts.

7.2 Recommendations for future research

- Researchers should increase the sample size by involving farms in the study. In this way, the findings can be applicable in other commercial farms as well

7.3 Concluding comment

In conclusion it would seem appropriate to visit the words of Thomas Jefferson stating that agriculture is our wisest pursuit, because it will in the end contribute most to real wealth, good morals, and happiness." From this expression farm workers are the most valuable people in the labour market as they bring wealth but yet the most undermined. Policies need to be implemented to redress exploitation of farm workers, because just like any human being farm workers matter too.

APPENDICES

Appendix A: Participant information sheet

Appendix B: Consent form for participation in the study

Appendix C: Interview schedule

Appendix E: Ethics clearance certificate

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Appendix A: Participant information sheet

Working and living condition of workers in South African commercial farms, a case study in Gauteng

Researcher: Zola Gumede

I, …….., agree to participate in this research project. The research has been explained to me and I understand what my participation will involve. I agree to the following:

(Please circle the relevant options below).

I agree that my participation will remain anonymous	YES NO
I agree that the researcher may use anonymous quotes in his / her research report	YES NO
I agree that the interview may be audio recorded	YES NO
I agree that the information I provide may be used anonymously after this project has ended, for academic purposes by other researchers, subject to their own ethics clearance being obtained.	YES NO

…..

…… (signature)
…… (name of participant)
…… (date)

…… (signature)
Zola Gumede
…… (name of person seeking consent)
…… (date)

Appendix B: Consent form for participation in the study

Dear Sir / Madam

My name is Zola Gumede and I am a Masters student in Political Sciences at the University of the Witwatersrand, Johannesburg. As part of my studies, I have to undertake a research project, and I am investigating the living and working conditions of workers in South African commercial farming focusing on Ekurhuleni a case study under the supervision of Dr Joel Quirk. As part of this project, I would like to invite you to take part in a telephonic or personal interview. This activity will involve you to answer certain questions once off and will take around 30-40 minutes. With your permission, I would also like to record the interview using a digital device.

There will be no personal costs to you if you participate in this project, You will not receive any direct benefits from participation but there are no disadvantages or penalties if you do not choose to participate or if you withdraw from the study. You may withdraw at any time or not answer any question if you do not want to. If u request confidentiality I can make it confidential. The interview will be completely confidential and anonymous as I will not be asking for your name or any identifying information, and the information you give to me will be held securely and not disclosed to anyone else. Kindly note that if you are speaking on an official capacity, then you may be identifiable based on your official role. I will be using a pseudonym (false name) to represent your participation in my final research report. If you experience any distress or discomfort at any point in this process, we will stop the interview or resume another time.

If you have any questions during or afterwards about this research, feel free to contact me on the details listed below. This study will be written up as a research report which will be available online through the university library website. If you wish to receive a summary of this report, I will be happy to send it to you. If you have any concerns or complaints regarding the ethical procedures of this study, you are welcome to contact the University Human Research Ethics Committee (Non-Medical), telephone +27(0) 11 717 1408, email hrecnon-medical@wits.ac.za

Yours sincerely,

Researcher:
Zola Gumede, 0607795k@students.wits.ac.za, 0784060892

Supervisor:
Dr Joel Quirk, +27 (0)11 717 4159

E: joel.quirk@wits.ac.za o , Wits phone number

Appendix C: Interview schedule

Interview questions

Directed to Supermarket a officials:

1. Supermarket a received an international recognition as a responsible retailer of the year in 2010. In this context, how does Supermarket *a* ensure that fair labour practices are maintained amongst its suppliers?

2. What policies does the chain store have regarding its agricultural suppliers?

3. What steps are taken to ensure that workers are protected?

4. What are the corporate social responsibilities that Supermarket a is committed to uphold?

5. If it there happens to be evidence of unfair labour practices from one of your suppliers what steps are implemented to eradicate such acts?

6. Is Supermarket a still doing business with Farm MacD and if yes what policies are put in place to protect farm workers from unfair practices in the work place?

7. What were the outcomes of the investigation conducted on Farm MacD in 2012 about alleged unfair labour practices?

8. Were there any measures taken to address the oppressions alleged by farm workers in Farm MacD?

Directed to Department of labour:

9. Tell me more about your position in the Department of Labour (DOL)

10. What are the processes taken by DOL when workers are not treated well?

11. Kindly give an example of an organisation that you once sanctioned due to unfair labour practices?

12. How would you describe your relationship with trade unions in the agricultural sector?

13. What is your relationship with large supermarkets or retailers like?

14. Describe your relationship with commercial farms?

15. Have you heard about Farm MacD?

16. What initiatives were taken by DOL to address issues of labour practices in Farm MacD?

17. How successful were these efforts in practice?

Directed to Department of land and agriculture:

18. What is your position in this department?

19. What is the role and objectives of the department?

20. What is the nature of your relationship with commercial farms?

21. What are the mechanisms put in place to protect farm workers from unlawful land evictions?

22. What policies does the department have to guarantee the safety of workers in commercial farms?

23. Has the department received complaints about unfair labour practices in commercial farms, if yes what procedures were followed to deal with such matters?

Directed to Pan Africanist Movement activists and union representatives:

24. What is the role of the PAC in the agricultural sector?

25. Tell me more about your organisation (trade union)

26. What kind of activities and programs do you have active in commercial farms?

27. When farm workers complain about labour issues what methods are put in place to address complaints?

28. What are the type of complaints that farm workers bring to your attention?

29. How do you educate your members about their labour rights?

30. How many farm workers from Farm MacD have joined your organisation?

31. Is the voice of union representatives heard in the farm; for example during negotiations?

32. What channels are put in place for workers to place complaints in the workplace?

33. How often do you engage with workers on the farm?

34. How do you make your presence known in the farm and create an awareness?

35. Have the working and living conditions of farm workers improved after the investigations conducted in 2012 on allegations of labour exploitation?

Directed to farm workers:

36. How long have you been a farm worker?

37. What kind of work do you do?

38. What are the challenges of working in the farm?

39. How do you feel about your pay?

40. What's it like living in the farm?

41. What are the living conditions like?

42. What additional benefits do you have?

43. How many hours do you work per day?

44. Do you have a pay check or a contract?

45. How does this farm compare to other places you have worked before?

46. Do you feel safe living and working on the farm, if not please describe the reasons why you do not feel secure?

47. Do you have access to certain necessities such as: proper sanitation, water and electricity services in the farm?

48. What is the minimum wage you earn on the farm on a monthly or weekly basis?

49. Have you or your colleague been forced to work in the farm?

50. How did you find employment in the farm, was it through referral or did you come directly to ask for a job?

51. Do children younger than 15 years of age work in the farm?

52. How often are you made aware of your labour rights either by your employer or union representative?

53. What role do human resources officials play in the farm?

54. Please elaborate on your monthly and weekly deductions on your salary?

55. Do you get paid all your wages for every time rendering services on the farm?

56. Have you ever experienced violence and prejudice either from your employer or colleague? If yes, please elaborate?

57. Where do you place your complaints if you are unhappy about something in the workplace?

Appendix E: Ethics clearance certificate

Dear Ms Zola Gumede

DECISION ON RESEARCH PROPOSAL SUBMITTED FOR THE MASTER OF ARTS BY

COURSEWORK AND RESEARCH REPORT

I am pleased to advise you of the decision reached by the reader/readers of the Graduate Studies Committee on your proposal entitled: living and working conditions of farm workers: case study on Farm Macdonald.

Reader's decision on proposal:

Accepted, but candidate should take note of warnings/ recommendations.

I confirm that Prof Joel Quirk has been appointed as your supervisor.

Please take note of the information on the Criteria for submitting research for examination which

is attached and ensure that the Faculty is informed of any changes of address during the year.

Kindly note that all MA and PhD candidates who would like to graduate as soon as possible

must ensure that they meet the ETD requirements within six (6) weeks of receipt of the

examiners' reports by the supervisor. A student is required to remain registered in the

Faculty until his/her graduation.

Yours Sincerely

M Ntseare

Mpho Ntseare (Ms)

Faculty of Humanities

Private Bag X 3

Wits, 2050