CHAPTER I

CITRUS FARMING IN SOUTH AFRICA

Introduction

The combination of political democratization and economic restructuring has had contradictory results on the lives of workers in South Africa. While political liberation achieved improvements in laws and policies, neo-liberal economic restructuring has undermined the benefits of legal rights. The post-apartheid government has carried forward the conservative macroeconomic framework initiated under apartheid and backed by fractions of domestic capital and multilateral financial institutions. The result has been growing job losses, increasing labour flexibility and limitations on access to basic social services for the poor, despite improved rights on paper (Barrientos, Kritzinger & Rossouw, 2004).

Before the attainment of South African democracy in 1994, there were no rules governing the work relationship between the farm workers and the farmer. The farmer assumed the role of ruling every aspect of the life of his/her farm workers. Women too were engaged in farm labour as the wife to a man working on farms. Women and children were regarded as extensions
of male labour. This meant that they served as a source of cheap of labour to be drawn upon whenever needed, for instance, during harvesting (Conradie, 2008). Also, women labour on the farms was valued less than that of men. Consequently, women remained in functions of lower status. Shabodien (2006) suggested that women were thus discriminated against both in terms of their employment, as well as the type of work they were able to do.

After 1994 the South African liberation structure achieved improvements in laws and policies including those affecting the farms. It is, however, difficult to differentiate the impact of any single legislation on farm labour as they are interlinked. Kassier et al., 2003 (cited in Murray & Walbeek, 2007) argued that the main purpose of the change in labour laws was to regulate the relationship between the farm owners and farm workers; and to improve the working conditions of the vulnerable workers.

The legislation introduced included the Extension of Security of Tenure Act (ESTA) (No. 62 of 1997); the Labour Relations Act (LRA) (No. 66 of 1995); Employment Equity Act (EEA) (No. 55 of 1998); Compensation for Occupational Injuries and Diseases Act (No. 130 of 1993); Occupational Health and Safety Act (OHSA) (No. 85 of 1993); Skills Development Act (SDA) (No. 97 of 1988); Basic Conditions of Employment Act (BCEA) (No. 95 of 1998); and Unemployment Insurance Act (UIA) (No. 63 of 2001) (Barrientos, McClenaghan & Orton, 2000; Department of Labour, 2001; Nel, Swanepoel, Kirsten, Erasmus & Tsabadi, 2005).
When the laws were passed, the farm owners realized that their powers over their farm workers were being curtailed. Consequently, they responded to the legislation changes in various ways such as: the eviction of farm dwellers; forcing the farm dwellers to reduce their livestock; denying the farm dwellers the right to bury the dead on the farms; denying them the right of access to clean water; reducing the permanent workforce in employment; converting the farm into game reserves and tourism ventures; shifting from permanent labour to casualisation and externalization and shifting from the recruitment of labour from on-farm to off-farm workers (Barrientos et al, 2004; Shabodien, 2006).

The legislation changes that were extended to the farms were coupled with the agricultural restructuring in South Africa in the 1990s. The agricultural restructuring and extension of labour legislation had contradictory and complex implications between the farmers and farm women labour. For instance, the deregulation and liberalization of the citrus industry increased internal competition, lateral expansion and rise of exports, and the downward trend in real price of exports (Barrientos et al, 2002; Barrientos et al, 2004; Ewert, 2005). Consequently, a large number of white commercial citrus farmers benefitted from the deregulation process while the small scale and emerging black farmers ran at a loss. The major contrast was that the successful farmers relied on a small number of permanent workers (usually males) and a large group of casual and seasonal workers (mainly females) and some preferred the use of external labour (concluding an agreement with
the party who was responsible for bringing workers onto the farm) (du Toit & Ally, 2003). This indicated that even though the labour and tenure laws passed aimed at protecting the rights of farm workers and farm dwellers, conditions of women working on farms remain unchanged and in some instances became worse. The extreme power imbalances between the farm owner and his workforce continued to characterize farm life. According to Ewert and Hamman (1999) and Shabodien (2006), the farmer still determined, unilaterally, working rules and housing conditions.

This study intends to examine and explain the impact of legislative changes on citrus farm labour in the Kat River valley, Eastern Cape, South Africa with specific emphasis on women. The research intends to establish the nature of gendered differences that are evident on the different farms and packhouses in the area. The feminist geographies of difference discussed in the following section underpins the study.

**Conceptual Framework**

Various researchers have adopted different approaches to study the citrus industry in South Africa. Agricultural economists dominated the debates on the deregulation of South Africa’s agricultural markets basing their discussions of neo-liberal economic theory. The agricultural economists explored how farmers and agribusiness have responded to ‘pure’ market forces (Carmody, 2002; Esterhuizen, van Rooyen & D’Haese, 2006; Macro-

Mather (1999), on the other hand, used the filiere (agro-commodity chain) theoretical framework to examine how a global player (Outspan International) that controlled all South African citrus exports responded to the local de-regulation of agricultural markets. The filiere approach has been used to stress issues of power control between agents operating in the commodity chain. Mather and Greenberg (2003) analysed the impact of liberalization on South Africa’s citrus export industry. They based their analysis on the political economic approaches to markets.

Barrientos et al. (2002) adopted globalisation and livelihoods as a conceptual framework for the combined analysis of the global value chain. This incorporated the changing employment relations and their implications for poverty in terms of incomes, livelihoods and insecurity in the South African fruit exports. Barrientos, McClenaghan and Orton (1999) examined codes of conduct and ethical trade in studying the citrus industry in South Africa. Barrientos, Dolan and Tallontire (2001) focused on gender issues and ethical trade. They indicated that some codes included international conventions relating to gender discrimination and inequality, yet other codes made no mention of gender at all.

While the different perspectives have been used, they are inadequate in addressing the study of citrus, labour and gender in the Eastern Cape. The main focus of the mentioned perspectives was on the production,
marketing and exportation challenges the South African citrus farmers encountered. Some theoretical frameworks analysed the impact of codes of conduct in the citrus industry, while some investigated the farm workers’ rights but with limited emphasis on women workers’ rights such as employment equity and skills development in the Eastern Cape citrus industry. Women labour is regarded as the less important element in the production chain. The labour sector, women labour in particular, of the citrus industry in the Kat River Valley of the Eastern Cape was understudied.

This study adopts elements of postmodernism and feminist geographies of difference as constituting the fundamental framework for the study of women labour in the citrus industry. A postmodernist feminist approach focuses on diversity, heterogeneity, postcolonialism, positionality and uniqueness (Gregory, 1989 cited in Johnston & Sidaway, 2004). It stresses and reflects women’s experiences. It demonstrates that women, gender and feminism are critical aspects of most areas of geographical inquiry (Johnston & Sidaway, 2004).

Pratt (2000) (cited in Johnston and Sidaway, 2004) added that feminist geographers of various strands (i.e., the geography of women, socialist feminist and feminist geographies of difference) agree on the construction of gendered identities in understanding difference in the lived experiences. For instance, the geography of women recognizes women’s common experience of resistance to gender oppression and its commitment to end it.
Socialist feminist geographers have engaged in debates about the relationship between class and gender relations. Gender inequality is derived from capitalist relations and has no independent status. It also results from the patriarchal system that is the primary form of social organisation. A dominant perspective is that patriarchal relations and capitalist social relations form one capitalist patriarchal system. Moreover, Johnston and Sidaway (2004) recognize women’s commitment to end their oppression and to define and control themselves.

Gregory, Johnston, Pratt, Watts and Whatmore (2009) describe feminist geographies of difference as expanded beyond duality (men-women issues) but place more attention on differences in the construction of gender relations across races, ethnicities, ages, (dis)abilities, religions, sexualities and nationalities. The second focus is on the exploitative relations among women who are positioned in varying ways along these multiple areas of difference. Feminist geographies of difference celebrate gender difference rather than presenting them as unfair or unjust. Its goal is to eliminate the tradition of allocating superiority to everything associated with masculinity. Emphasis on difference within the oppressed group raises issues like the role of place in identity creation, and acknowledgement that knowledge is local and gendered. The feminists geographies of difference approach contend that all knowledge must be acquired through knowers situated in particular subject positions and social contexts. This means that the theory recognizes
the particularity and situatedness of knowledge (Gregory et al., 2009, Johnston & Sidaway, 2004).

The postmodernist and feminist geographies of difference approaches share a commitment to social change that reduces and seeks to eliminate social inequality and oppression of marginalized groups and gender inequality in particular, therefore are suitable for this study (Kwan, 2002; Pratt, 2000). Johnston and Sidaway (2004) argued that postmodern feminists’ geographies of difference resist and challenge the fraudulent claim of dominant groups. Positionality as one of the main pillars of postmodernism and feminist geographies of difference is critical to the current study of women in the citrus production chain in the Kat River valley. Peake and Kobayashi (2000) emphasized that human geographical research is incomplete without consideration of race and gender. Gregory et al. (2009) add that issues of race, ethnicity and class can be found in women work places, hence this study intends to explain how race and gender impact on women labour on the farms. The feminist geographies of difference emphasises that gender is a powerful means of naturalizing difference. Feminist geographies of difference are suitable for the study because it traces the interconnections between all aspects of daily life across the sub-disciplinary boundaries of economic, political and cultural geography.
Literature Review

A number of researchers from South Africa and other countries have studied agricultural restructuring, particularly in the citrus industry. Acevedo (2003) researched the impact of economic restructuring in Latin America. Acevedo established that the application of economic restructuring policies had a positive impact on the health of capital and investment; and increased productivity as well as the Gross Domestic Product (GDP) of Latin America. Rosson (2005) argued that the reductions of subsidies and trade barriers increased gross domestic product; while farm prices increased in the short run, increased efficiency from long-run competition mitigated price increases in the United States agricultural production. China experienced the similar situation as Hanlon (2001) contended that although it benefitted from the liberalisation of markets, but approximately 40 million farmers lost their jobs. Hanlon based this argument on the lowering of trade tariffs which rendered the domestic citrus production uncompetitive with imports. Mather (1999), for instance, explored the relationship between the re-regulation of South African agriculture and fresh citrus exports and concluded that there was little to be gained from the strong forms of state regulation.

Mather (2002) at the launch of Oxfam International’s campaign on Market Trade Fair¹ argued that agriculture is subject to rigged rules and double standards. He recognized that there was some optimism when

¹ Oxfam International campaign aimed to change world trade rules so that there can be a real difference in the fight against global poverty (Oxfam International, 2002).
agriculture was included in the Uruguay Round of the Agreement on Trade and Tariffs (GATT). The developing countries hoped to have greater access to northern hemisphere markets and more stable commodity prices. Instead the European Union (EU) and United States (US) increased agricultural support and subsidies to their farmers. The impact of these subsidies was that prices became so low that the exporters from the developing countries were not able to access the markets they hoped for. Consequently, Barrientos et al. (2002); Garcia, Nyberg and Saadat (2005); and Mather (2003) looked at the restructuring of citrus exports after the deregulation process in the Western and Eastern Cape Provinces of South Africa. They identified that the cooperative packhouses faced problems in using the resources inherited from the past. Ewert (2005) argued that the cooperative packhouses found it difficult to re-gear themselves to face up to the ‘quality revolution’. With regards to the growers, there were those who were able to take advantage of deregulation and those who were not able to do so. Vink (2004) studied the influence of policy roles from agriculture at a production level in South Africa. Vink established that commercial farmers shifted to minimum and low-tillage production systems and in some instances to no tillage practices. Commercial farmers adopted a wide variety of risk management strategies to cope with the greater instability they faced. These strategies focused on income diversification and on asset diversification.

Mather (2002) and Magalhães (2001) further identified that the developed countries such as U.S.A., United Kingdom (U.K.) and Japan used
a series of sanitary and phyto-sanitary regulations to restrict imports from the developing countries. For instance, South Africa was the first country to be affected by these regulations because it was known for a citrus disease called black spot. This disease makes the fruit unsuitable for consumption but has no impact on the tree itself. Spain is pushing for the South African fruit exports to be banned from the European Union because of black spot. In reality, the chances of the exports infecting an importing country’s fruit trees are minimal. Another rigged rule is that South African citrus exported to the E.U. is counter-seasonal but the tariffs for the South African citrus exports are higher than the northern hemisphere season. Mather argued that there was immediate need for increasing the capacity of the developing countries in dealing with the rigged rules and unfair standards. He recommended that the World Trade Organisation (WTO) needed to be reformed so that it represented different trading interests more equitably. He further argued that working conditions for most farm workers in South Africa remained extremely poor and they were the lowest paid workers by some margin. This meant that the gains from the agricultural trade must be passed down to the lowest level of the chain (Mather, 2002).

A large number of white commercial citrus farmers in South Africa benefited from deregulation of citrus (Mather & Greenberg, 2003). Overseas importers and retailers favoured these farmers because they received better payment terms from the exporters. Their research further indicated that deregulation reduced the workforce in both the well resourced and poorly
resourced farms. Barrientos et al. (2002), Ewert and Hamman (1999) and
Women on Farms Project (2008) established that the engagement with the
global market produced another challenge, that is, a shift to a buyers’ market
(global agricultural value chains) in South African fruit industry. Barrientos et
al. identified that the United Kingdom (where most of South African fruit is
exported to) has more focus on supermarkets and the restructuring of their
value chains. For instance, large supermarkets now dominated the United
Kingdom (U.K.) food retailing, have integrated value chains, increased
standards in value chain (technical, environmental, social, etc.), and
supermarkets emphasize quality and consistency of supply and other more
restrictive conditions. According to Ewert (2005) and Women on Farms
Project (2008) the chief drivers in the chain are the retailers who trace the
product back to producers who may be subject to social and ethical audits.
The biggest barriers to entry into this market are capital, technology and
organisational capability. The key characteristics of this high value market
are quality, consistency, reliability and lower prices. Another major feature of
global markets is the importance of marketing agents that ensure that fruit is
imported under safe conditions, unspoilt and on time. Ewert (2005)
contended that the implications of these shifts became complex and uneven
but they seem to signal an important shift in the power relations between
growers, packhouses and retailers. Furthermore, globalisation led to a
number of changes in the fruit industry, including an increase in insecurity
and vulnerability of groups at different points in the chain.
The growers opted for casual labour instead of permanent labour. Barrientos et al. (2002), du Toit and Ally (2003) and Ewert (2005) refer to the shift in the employment strategy as a trend in downsizing the permanent on-farm workforce, coupled with the increased use of off-farm seasonal, migrant and contract labour. Low wages, lack of social protection and poor contractual conditions characterise casualisation of labour (Barrientos, Dolan & Tallontire, 2001; Garcia et al., 2005; Shabodien, 2008). Barrientos et al. (2002) identified an employment hierarchy linked to the chain, with the best conditions amongst packhouse workers and declining conditions moving through to the farm down to contract and migrant labour. Gender inequality and differentiation were lower at packhouses level and persisted on farms, but some growers used mixed teams in which both men and women do the same job.

Other than supermarket restructuring, there were also government regulations through labour legislation that were extended to the agricultural sector in South Africa in 1993. The selected Acts were stipulated in the introductory section of this chapter. Conradie (2008) then investigated the decision to employ women on the farms following the introduction of statutory minimum wages. Conradie’s emphasis was on the extension of BCEA (1998) and ESTA (1997) which intended to regulate farm employments and evictions. Murray and Van Walbeek (2007) examined the impact of sectoral determination for farm workers in the South African Sugar Industry. Farm workers in the sugar industry faced difficult working conditions. Murray and
Van Walbeek investigated the incidents of human rights violations in farming communities since 1998; the tenancy situation; safety and security; economic and social rights and the underlying causes of human right violations.

Shabodien (2008) studied women’s labour and housing conditions in the South African commercial agriculture. Shabodien recommended the introduction of a time-bound moratorium on farm evictions to protect the farm dwellers during the period of the DLA’s tenure law review. On the other hand, Roka (2009) studied the compensation of farm workers engaged in temporary, fixed-time employment (often referred to as the piece rate payment method or flexible remuneration). Roka argued that the flexible remuneration was a common method of payment for farm workers who harvest fresh fruit and vegetables. Roka studied the implications of the piece rate payment method from the employers’ perspective and found out that it reduced supervision of workers and, secondly, it established in advance the unit cost for the job a worker was hired to do. Moreover, from the workers’ perspective, the payment needed to be high enough to satisfy the minimum wage threshold. Jara (2006) established that where the piece rate system was used workers were shifted between tasks that required different skills but that they received the same level of wages. Farmers therefore used the payment system that prevented workers from earning fair wages. This method of payment was mostly applicable to casual labourers, the majority of whom were women. It also undermined efforts aimed at the unionization of
women workers – a factor that Franzway (2004) argued contributed to the male dominance of trade unions and power networks.

In South Africa, the majority of women are generally responsible for maintaining the domestic sphere and their access to education, land and other resources is limited. Women are largely uneducated, have little access to educational facilities, are ignored in terms of technological and agricultural training and their domestic responsibilities prevent them from the opportunities to have access to resources (Bob & Musyoki, 2002).

Many studies show that South African women contributed significantly more than men to the household’s total income. Yet, women’s work at home was rarely allocated social or economical value. Despite their participation and contribution, their involvement in economic development was historically limited because women were engaged in primarily as home workers and mothers (Bob & Musyoki, 2002). Moreover, patriarchal cultures and traditions ensured the subordination of women in South Africa and the continuation of traditional gender divisions of labour in both the production and reproductive sphere.

The literature reviewed paid more attention to the market and the impact of agricultural restructuring on citrus growers and the export earnings. However, there is limited research on women labour in the citrus industry, even though women employment has increased during the agricultural restructuring process in South Africa. Another aspect that has been not fully researched is the role of women farmers, particularly black women, in the
citrus industry. This research therefore focuses on women labour in the citrus industry in the Kat River Valley in the Eastern Cape of South Africa.

**Research Problem**

The processes of deregulation, liberalization and privatization are not without problems because they impact negatively on the poor. The growers have adopted new technologies and farming practices such as automated irrigation, mechanization, more expensive environmentally friendly fertilizers, and insecticides to improve the quality of fruit, and to respond to the demands of the market. Given the instability of the market, the citrus farmers spend considerable effort in reducing cost in the chain of production in order to be competitive. Agricultural restructuring is therefore characterized by unevenness and inequalities with reduced labour wages for, and in particular, women labour.

The majority of workers in the citrus industry in South Africa are poor and marginalised. Most of them are not well educated and are not adequately informed about the consequences of agricultural restructuring and the matters relating to workers’ health. These workers in the chain of production are not visible; they seem to be ‘foreign’ subjects. The exploitation and oppression of female workers is an omitted element in the citrus production chain (Figure 1).
The post-apartheid government has implemented a number of laws, policies and strategies, aimed at agricultural restructuring, rural development and land reform as part of the transformation process (Oxfam International, 2004). This raised a number of questions such as: what are the implications and challenges of agricultural restructuring with specific reference to citrus farming? How do these processes affect the growers, cooperatives and labour, particularly women?
Aims of the Study

The purpose of this research is to examine the context of citrus production for both citrus growers and workers, particularly women workers in the Kat River Valley. The aim of the study is to explore the impact of changes in the regulatory environment for citrus growers, packhouses and labour, with special emphasis on women labour.

Research Objectives

1. To investigate the impact of policies associated with agricultural restructuring in the South African agricultural sector with specific reference to the citrus sector.

2. To investigate recent South African labour laws that were extended to the agricultural economy in general and to citrus in particular, and the extent of compliance to labour legislation in the citrus industry.

3. To investigate the labour conditions of agricultural workers, particularly women, who work in the citrus industry in the Kat River Valley in Eastern Cape, South Africa.

4. The research intends to establish the nature of gendered differences in regard to labour that are evident on the different farms and cooperatives.
Research Methodology and Data Sources

The research design selected to carry out the study is an intensive case study design which focuses on qualitative research methodologies and techniques (Sayer, 1992). An intensive case study provides a very engaging research methodology that offers rich explorations and applications of the research as it develop in a real world setting (Henning, 2005). It is a useful way of proceeding when the researcher is interested in a multiplicity of meanings, representations and practices (Smith, 2001). For Dwyer and Limb (2001) qualitative methodology presumes the world to be an assemblage of competing social constructions, representations and performances. It provides information about the often contradictory behaviours, beliefs, opinions, emotions and relationships of individuals. Qualitative methodology is effective in identifying intangible factors such as gender roles, social norms, socioeconomic status, ethnicity and religion. The role of these intangible factors may not be readily apparent (Creswell, 2003).

The selection of the qualitative methodology therefore, is a way of challenging the manner in which the world is structured; the way that knowledges are made; to recognize the diversity of human experience and address the complexity of how lives are lived. Qualitative methodology confronts the fact that people’s characteristics and experiences do not group into neat tidy-policy units. The emphasis on qualitative methodologies is to understand the lived experiences and to reflect on and interpret the
understandings and shared meanings of people’s everyday social worlds and realities (Dwyer and Limb, 2001).

Facilitating the qualitative research, in-depth one-on-one interviews, focus group interviews and participant observation were selected. Robson (2002) echoes the appropriateness of different methods and methodologies feminists subscribe to: hence the choice of multiple methods (triangulation approach) in this research. Quantitative and qualitative data were compared against each other to make an accurate interpretation and reach confirmed conclusions. Consequently, quantitative techniques such as the use of questionnaires, production statistics and annual reports were used to capture the complexities, contradictions, ambiguities and the messiness of human behaviour and everyday life and maximize understanding of the research questions in the citrus industry. The triangulation approach became useful to access relevant informants.

The researcher conducted a pilot study in November 2005 and January 2006. Two focus groups and one farm owner were interviewed. The pilot study provided the researcher with unexpected arguments and findings. Therefore, it was an effective method of uncovering a number of unexpected details. The primary data was collected in two phases as follows: Phase one was pursued in March-April 2008. This was the harvesting season and the researcher found it difficult to collect data during this period. This was due to the fact that the growers and the packhouses harvested and packed their
produce at fixed time\(^2\). Secondly, the fruit pickers and packers were paid through a piece rate payment method; therefore, interfering with their repetitive work would have reduced their income. The second phase was in August-October 2009, outside the harvesting period. The ten citrus farms visited were arranged through owner to owner contacts.

The in-depth interviews selected as one of the techniques to collect primary data took a conversational or dialogue fluid form, with each interview varying according to the interests, experiences and views of the interviewee (Robson, 2002; Valentine, 2005). This conversation or dialogue offered the researcher and the interviewee a chance to have far more wide-ranging discussion. Robson and Valentine argued that one-on-one interviews produce rich, detailed, multilayered and highly illuminating material.

The selection of one-on-one interviews was based on the fact that it allowed the interviewees to construct their own accounts of their experiences by describing and explaining their lives in their own words. In addition, in-depth interviews give the researcher a chance to ask the same questions in different ways to explore issues thoroughly (Valentine, 2005). The study is grounded in feminist geographies of difference. Consequently, both black and coloured\(^3\) men and women labourers were interviewed. The selection of interviewees was based on establishing the role of ethnicity and race on their lived experiences on the farms of the Kat River Valley. Furthermore, given

---

\(^2\) The harvesting period on the farms was 22-days per month over four months. In the packhouses the season lasts for six months (from March to September each year).

\(^3\) South African people of colour
that the researcher shared the same positionality with the informants, this helped to produce a rich detailed conversation based on mutual respect and understanding (Valentine, 2005).

The farm owners, both men and women (black and white), the production manager of the cooperative packhouse, government officials and a farm labour union leader were interviewed. The busy schedule of the government officials had prolonged the scheduled period for data collection. The Department of Labour official and the production manager from one packhouse declined the request to use a tape recorder during interviews. Unstructured and semi-structured questions were used to guide the interviews. The respondents were recruited through the snowballing technique. This technique allows the researcher to seek out the interviewees with particular experience and backgrounds more easily. Snowball sampling helped the researcher to find and recruit hidden populations (Warren, 2002; cited in Henning, 2004).

Despite the valuable benefits in the use of in-depth interviews, there are some limitations. For instance, gatekeepers placed limitations on access to the informants. For an example, the white commercial family farm owners and the marketing managers in one packhouse did not allow the researcher

---

4 Eastern Cape Department of Agriculture and Forestry, Inspector from the Department of Labour and the COSATU affiliate union member.
5 Groups of people not easily accessible to researchers through other sampling strategies.
to gain access to their properties. This was unfortunate, given that the white family owned 12 commercial citrus farms in the Kat River Valley.

With the incorporation of focus groups in this research, people’s opinions and beliefs were questioned by other group members. The researcher conducted three focus groups with on-farm workers who worked on different farms; two retired men; and a mixed group of twelve members from two packhouses in the Kat River Valley. Focus groups provided possibilities for exploring the gap between what people say and what they do (Conradson, 2005). The technique assisted in establishing what is stipulated in government policies on labour laws and what was happening on the farms. In order to create the climate of mutual respect to promote free sharing of ideas and experiences, participants were not grouped according to gender, ethnic group and occupational sector. The focus groups provide deeper insight into social, cultural, political, economic and personal dimensions on issues. The researcher had the opportunity to return to comments and cross reference participants’ responses in a more friendly and interactive manner than afforded by individual interviews (Bedford & Burgess, 2003).

The major limitation with the focus group interviews was that individual’s perspectives did not come through equally. In spite of interventions on the part of the researcher, some participants had more to say than others—a factor that Conradson (2005) warns about. Thus questionnaires were also used in this research. Questionnaires were employed to complement the focus group interview technique during data
collection. The questionnaires were prepared for the farm (both the on-farm and off-farm workers) and packhouse workers. Most of the questionnaires were administered face-to-face with participants in the form of interviews. This was intended to clarify working conditions of key informants, especially the farm and packhouse workers. Both open and closed ended questions were set for short and explanatory answers about their working conditions, issues of tenure, and the understanding and the implementation of labour laws in their workplaces. Indeed, the questionnaire survey is an indispensable tool in collecting primary data about people’s behaviors, attitudes, opinions and their awareness about subject specific issues (Flick, 2002; Flowerdew and Martin, 2005; Partiff, 2005; & Valentine 2005).

Another research technique used in the collection of data in this study was participant observation. This technique was particularly useful in verifying statements that respondents made with actual observation of events in the field (Henning, 2004). Participant observation assisted in gaining a close and intimate familiarity with a group of individuals and their practices through an intensive involvement with people in their natural environment (Robson, 2002). Participant observation facilitated an understanding of the sequence of interaction of farm workers during different activities; the sequence of movements and expressions during certain types of interaction, and even the sequence and patterns of the use of spaces. These spaces include conversation, seating, positioning generally, and the use of the cloak room and ablution facilities. Participant observation proved useful in
exploring citrus worker activities that were uncomfortable for participants to discuss. At the same time, photographs, audio-recording and field note taking was done Creswell (2003). In utilizing the participant observation technique and the use of photographs, the researcher remained cognizant of Harper’s (2004) two-fold concerns: first, that during observation private information may be observed and the researcher cannot report on it and, second, a major challenge with photographs is that of multiple interpretations of visual data.

Private and public documents complemented the other research techniques used (Creswell, 2003). These were documents like official letters, minutes of meetings, magazine articles and production journals. Documents assisted the researcher with data specifically related to the Kat River Valley citrus industry. Unfortunately, some materials were incomplete and some documents were inaccurate but the records were generally useful to the researcher. The production statistics for the Kat River growers was filed in the packhouses but, the researcher could not access them. It was the same scenario with the memoranda of understanding between the Eastern Cape Department of Agriculture, Industrial Development Corporation (IDC) and the farmers. The researcher used multiple methods to gather data as these strengthen confidence in conclusions arrived at via multiple routes (Hoggart, Lees & Davis 2002; Valentine, 2005).
Research Area

The study is based in the Kat River Valley in Fort Beaufort, which is in the Nkonkobe Local Municipality which falls under the Amathole District Municipality (ADM) of the Eastern Cape Province in South Africa (Figure 2).

Figure 2. The Citrus Farms in the Kat River Valley, Eastern Cape (2009).
White and coloured farmers who settled in the in the Kat River Valley in the nineteenth Century practiced a combination of intensive irrigation farming and extensive grazing on the surrounding plains and hills. This is important in that it has been a citrus growing origin for 100 years (Citrus Growers Association of South Africa (CGA) Annual Report, 2007). The area also employs large numbers of women workers (Mather, 1999). This area comprises of many ‘failed’ farming enterprises, both black and white. The study area is also characterized by changes in economic activities (out of citrus to others). There are citrus packhouses that serve as an important employer. The relationship between this area and international markets through the exportation of citrus also drew the attention of the researcher. Furthermore, the citrus industry is the main source of employment to the general population of the area. There is a potential for the industry to make a positive contribution to the process of rural development, given that the area is rural.

**Significance of the Study**

The percentage of women in paid work has increased globally. Women are predominantly found in certain types of occupations such as in the informal economy and agriculture (Rodgers, 2007). This study focuses on women working in the citrus industry in the agricultural sector. However, the increase in the percentage of working women has not led to the improvement in the quality of their employment.
This study is carried out from a feminist perspective focusing on similarities and differences between men and women’s employment conditions in the citrus industry. It seeks to empower black women farm workers with information on their rights. The empowered women will then be able to challenge the feminisation of work. It will serve as a guiding tool to the farm trade unions on providing alternative ways of mobilizing to improve the women workers’ employment conditions. On the other hand, the study will assist in educating women workers on how to address and resolve problems and grievances they have on the farms, both procedurally and legally. The study will be informative to the government, for instance, the government will become aware of what is taking place on the farms in the deep rural areas of the Eastern Cape. Consequently, the information will be useful in developing strategies and programmes that may enforce the implementation of the Basic Conditions of Employment Act (No. 95 of 1998), with the purpose of improving both living and working conditions of women. Finally, this research also intends to add to the existing body of knowledge on the feminisation of labour in the citrus industry in South Africa.

The Structure of the Dissertation

Chapter one comprises of the introduction to the study, conceptual framework, literature review, research problem, aim and objectives, research methodology, location of the study area and the significance of the study. Chapter two includes the background to the study area and the historical
evidence of the changing governments and boundaries in the area, while
Chapter three deals with the agricultural legislation in South Africa. Data are
presented and analysed in Chapter four while Chapter five contains the
discussion of the research findings. Lastly, Chapter six covers the
conclusions and recommendations to the entire study and highlights future
research agendas.
CHAPTER II

THE GEOGRAPHICAL CONTEXT OF THE AREA

Introduction

This chapter poses a brief geographical description of the study area. It provides a succinct statement establishment of the controversial Kat River settlement and the various population groups that inhabited the area. The discussion proceeds with historical evidence of the changing governments and boundaries in the area, starting from the period before the Cape Colony through the formation of the Ciskei Homeland to the present post apartheid South African government. The government changes have led to numerous tensions and conflicts in the area with consequent impact on the communities of the Kat River Valley.

The Kat River is a tributary of the Great Fish River. The River is approximately 80 kilometres in length and has a drainage area of 1 715 km² (Wolff, 2003). The Kat River area lies in the foothills of the Winterberg and Amathole Mountains in the central part of the Eastern Cape Province of South Africa (Holtzhausen, 2006; Wolff, 2003). The Kat River valley is characterized of basin topography with significant areas of terrace and foot slope bottomlands surrounded by steep mountain slopes. The rainfall over the high ground is approximately 1000mm per annum, while the valley bottom is approximately 600mm per annum. The high ground rainfall supports pockets of mountain natural forest whereas in the valley the acacia bush is
predominant. The acacia vegetation type supports livestock farming. The valley soils are exceptionally fertile (Dinar, Forolfi, Patrone & Rowntree, 2006; Nel & Hill, 2000; Kirk, 1973).

According to Dinar et al. (2006) irrigators in the valley relied on the natural flow of the river, but rainfall irregularities disallowed any form of agriculture without irrigation, hence the construction of the Kat River Dam (Figure 3) with 24 million m³ storage capacity. Overstocking and the destruction of vegetation were the causes of water shortages. The water shortages were mostly felt during the dry winter season.

The dam is situated in the north of the Kat River catchment on the Weltevreden farm at the town of Seymour. Hill and Nel (2000) argued that the dam was constructed to meet the requirements of tobacco and citrus farms in the valley. The dam was also intended to provide Fort Beaufort town (approximately 45km away from the dam) with water. The completion of the Kat River Dam construction led to successful commercial farming activities such as sheep, tobacco and later citrus farming. The Kat River Dam remains the main primary bulk water infrastructure in the area since 1969.

The Kat River Settlement

“the Kat River Settlement was born out of conflict between the Cape Colony and amaXhosa” (Ross, 2003, pp. 121).
Figure 3. Kat River Dam within the Kat River Catchment
Historical evidence suggests that the amaXhosa lived in the Eastern Cape as early as 1593 (Switzer, 1993). Some archeological evidence indicates that the amaXhosa have lived in the area since the Seventh Century AD (http://www.roediger.co.za). Ross (2003) established that the upper reaches of the Kat River Valley were part of the regular pastures used by the amaXhosa on a transhumance basis. Ross (2003) and Switzer (1993) identified that from the 1800s onwards, Ngqika, the head of amaRharhabe, his son, Chief Maqoma, and his followers permanently settled in the area. Oettle (1994) argued that the Kat River valley had been the site of the kraal of the amaXhosa Chief Maqoma (Figure 4).

During the territorial expansion of British colonial settlements in the South African Cape Colony, Lord Charles Somerset decided to push the border of the Cape Colony towards the Keiskamma River. According to Hill and Nel (2000), Lord Charles Somerset declared the land between the Keiskamma and Great Fish River a ‘neutral territory’ or ‘the buffer zone’ or ‘no man’s land’ between the mutually hostile amaXhosa and the white farmers in 1819 (Figure 4).

There are different views about the origin of ‘no man’s land’. Stapelton (1994) (cited in Logie, Motteux, Nel and Mini, 2000) argued that the ‘no man’s land’ was an attempt to reduce dispute due to political differences along the borders. However, according to Switzer (1993) the Cape Colony government officials informed the London superiors that the area was a ceded territory.

Lord Charles Somerset’s decision therefore resulted in the expulsion of Chief Maqoma and his followers from this land. In 1822, after pleading that the area was his home territory, Chief Maqoma was given permission to resettle
in the area (Stapelton, 1994). Mostert (1992) (cited in Logie et al., 2000) revealed that Andries Stockenström⁶ was unhappy with the decision of resettling Chief Maqoma in the area. On the other hand, the white settlers in the Colony complained about the wandering of the Khoikhoi/Khoi, Hottentots⁷, Bastards⁸ and Gonah/Gonaqua⁹ which had stemmed out of the abolition of slavery earlier that Century (19⁰ Century). The Khoikhoi came from the missionary institutions of Bethelsdorp and Theopolis near Uitenhage; the Bastards from Graaff-Reinet, Somerset East, Witterivier and the Baviaans River, while the Gonah remained in the area after Maqoma’s expulsion (Pereis, 2008; Ross, 2003; Visagie, 1978, cited in Logie et al., 2000). Somerset’s successor, Lowry Cole, therefore thought that it would be good to give the people of Khoikhoi and coloured ancestry a permanent settlement area of their own. This was to be seen as their reward for their loyalty to the British Crown as they had fought for Queen Victoria during the frontier wars of the Nineteenth Century. Stockenström who was the Commissioner-General, then sought an excuse to move the amaXhosa out of the area for good and suggested that the Kat River valley should be used as a Khoi/coloured¹⁰ settlement area. The then governor, Cole, accepted the suggestion. Consequently, Ordinance 50 of 1828, which allowed the Khoi and freed slaves to own land, was passed. Giliomee and Mbenga (2007)

---

⁶ The Commissioner General for the eastern districts of the Cape Colony
⁷ The descendants of who are today referred to as the Khoi-San race
⁸ The mixture of Khoi, black and white ancestry people.
⁹ People of mixed Xhosa-coloured ancestry
¹⁰ Used collectively to refer to “Khoi/Khoikhoi, Hottentots and Bastards”.
emphasised that this Ordinance ensured that the people of colour were equal before the law. Elbourne (2000) revealed that the Khoikhoi settlers were, in theory, to hold land and run their own administration at local level. In 1829, Chief Maqoma was expelled from the area for the second time. Within a month, the first Khoi settlers occupied the area and this was officially called ‘The Kat River Settlement’ (Figure 5). The Kat River Settlement is located within the ‘neutral’ territory (see Figure 5). The area was later known as the Stockenström District because Andries Stockenström allocated the land to the coloured settlers.

The coloured\textsuperscript{11} settlers began to cultivate the land, growing wheat, sorghum and planting fruit trees. They also kept cattle and sheep. In 1834, W. F. Hertzog who was the Assistant Surveyor-General for the Cape Colony at that time undertook a survey, officially planned and divided up the land into small plots. The plots were later allocated to the inhabitants. The plots were arranged in the form of villages with large tracts of commonage in between (Visagie, 1978, cited in Logie et al., 2000). During the Eighth Frontier War (War of the Axe) of 1851, the coloured settlers in the Kat River Settlement joined forces with the amaXhosa Chiefs (Maqoma and Sandile) to fight against the Colony.

\textsuperscript{11} Today it is offensive to name or label people according to racial categories but during the 1850s there was a meaningful ethnic specificity to each name and this was politically important (Elbourne, 2000).
Figure 5. The Kat River Settlement within the Neutral Territory (1829)

Ross (2003) pointed out that about ninety percent of the Kat River indigenous men fought in the War of the Axe as compared to three percent of the white men from the other districts of the Colony.

The crops of the indigenous men were destroyed and most of their cattle were stolen. The new Governor did not provide the coloured families with food, clothing and seeds to restart their lives after the War. The coloured vagrants and Xhosa squatters were accused of stealing the white farmers'
cattle along the Kat River Settlement border. The colonists evicted the coloured vagrants. The colonists never established whether the evicted coloured were the legal occupants or not. The Kat River settlers were outraged at the unlawful action taken against them; hence they joined the amaXhosa. Ross believed that not all the Kat River settlers joined the amaXhosa. Approximately a quarter of them did while the rest remained neutral and protected their homes or fought for the Colony. More specifically, Mostert (1992) (cited in Logie et al., 2000) established that 266 Kat River settlers joined the amaXhosa whilst 818 men chose to stay at home. Even though not all the settlers joined the amaXhosa, the action surprised and angered the Colonial authorities. When the rebels were defeated, the colonists confiscated most of the settlers’ land whether it belonged to the neutral settlers or not. The confiscated land was later sold to the white farmers. The area then became increasingly white dominated (Elbourne, 2000; Oettle, 1994; Ross, 2003).

Logie et al. (2000) revealed that there were no changes on land ownership up until the passing of the Boedel Erven Act\textsuperscript{12} in 1905. When the Act was passed, the old villages of small plots were consolidated into more regular sized farms. Most importantly, the commonages of Mankazana, Readsdale, Balfour and Philliptown were divided up into plots that existing

\textsuperscript{12} Referred to land granted to Kat River settlers (between 1836-1865) who had not received their title deeds.
white farmers owned. The following section describes the question of land in the Kat River Settlement under the apartheid government.

Kat River Valley during the Union of South Africa
(post 1910-1961)

Evidence from the Bisho Deeds Office (1995) and the Cape Archives Depot (in Cape Town) revealed that white, black and coloured farmers farmed the Kat River Valley area. The farming activities consisted of sheep and tobacco farming, and later the area became well known for its citrus (Logie et al., 2000). On June 09, 1913, the Natives Land Act (No. 27 of 1913), also known as the Black Land Act, was passed. The Act was passed because whites applied constant pressure to prevent the encroachment of blacks on white occupied areas. This Act incorporated territorial segregation into legislation for the first time since the Union of South Africa was established in 1910. The Act delineated approximately seven percent of the country’s surface area for black habitation, thus, creating reserves for the black population (Christopher, 1994, cited in Logie et al., 2000; Switzer, 1993). The reserves were seen as a source of labour or as home for the surplus black labour. The Native Trust and Land Act (No. 18 of 1936) complemented the 1913 Natives Land Act. The 1936 Native Trust and Land Act extended the land set aside for the reserves from seven percent to 13 percent. The Act prohibited the sale of land in white hands to blacks, and vice versa. In effect, over eighty percent of the land in South Africa went to
white people, who made up less than twenty percent of the population. The Act stipulated that black people could live outside the reserves only if they could prove that whites employed them. According to debates in parliament, the Act was passed in order to limit friction between whites and blacks. However, blacks maintained that its aim was to meet demands from white farmers for more agricultural land and force blacks to work as labourers (Butler, Rotberg & Adams, 1978 http://www.nelsonmandela.org). Later, the South African Union government decided that the black population consisted of a group of nations, and that each group was entitled to a homeland. Consequently, the government designated ten rural areas, shown in Figure 6, as homelands.\(^\text{13}\)

The amaXhosa were allocated to two homelands: Ciskei and Transkei. A corridor of white settlement concentrated in the valley of the Kei River stretching about 1600 kilometres inland from the Indian Ocean separate Transkei and Ciskei homelands. Ciskei was one of the ten homelands even though the area was called Ciskei before the homeland system could be designed (Butler et al., 1978). Ciskei was the area found between Great Fish River in the west and Great Kei River in the east. The area was about 1,966,875 hectares in 1913 and was increased to 2,102,092 hectares in 1950. In 1916 Ciskei (Figure 6) had fourteen magisterial districts namely: Cathcart, East London, Fort Beaufort, Glen Grey, Herschel, Keiskammahoek,  

---

\(^{13}\) Homelands with their respective black ethnic groups: Bophuthatswana-Tswana, Ciskei-AmaXhosa, Gazankulu-Tsonga, Lebowa-Ba Pedi, KwaNgwane-Swazi, KwaZulu-AmaZulu, Ndebele-Ndebele, Qwaqwa-Southern Sotho, Transkei-AmaXhosa and Venda-VhaVenda (Anderson & Axelsson, 2005).
King William’s Town, Komga, Middledrift, Peddie, Queenstown, Stockenstrom, Stutterheim and Victoria East. The amaXhosa owned 244,631 hectares which was approximately 11.4 percent of the land occupied. A major portion of this land (Ciskei) was farms in Cathcart, Stutterheim and Komga (presently known as Qumra) bordering the Kei river (Anderson & Axelsson, 2005; Switzer, 1993). The amaXhosa were prevented from accessing any land in the relatively prosperous Stockenstrom District, thus the District was unaffected by the Natives Land Act (Logie et al., 2000).

Figure 6. South African Homelands (post-1948)  
When the Nationalist government came into power in 1948, it enforced the segregation legislation. Consequently, the Bantu Homelands Citizenship Act of 1970\textsuperscript{14} was passed following the Transkeian acceptance of self-government in 1963. The Ciskei, in contrast, comprised of about nineteen separate pieces and the South African government had to make plans to consolidate the fragmented homeland. Butler et al. (1978) referred to the fragmentation as the legacy of the haphazard system of reserving certain lands for Africans/amaXhosa during the first stages of white settlement. The consolidation of the Ciskei entailed the removal of amaXhosa from the fourteen districts that made up Ciskei before 1970.

The Ciskei was to be compensated with better agricultural land obtained from the Peddie, Queenstown, Stockenstrom, Victoria East, King William’s Town and Keiskammahoek districts. The towns of King William’s Town, East London, Queenstown, Cathcart, Fort Beaufort and Komga/Qumra were not included during the consolidation of Ciskei (Figure 7) because the Nationalist government wanted to preserve the ‘white corridor’\textsuperscript{15}. In the process, the South African government made the reserve a single continuous block of land with its own magisterial districts (Anderson & Axelsson, 2005; Holtzhausen, 2006; Switzer, 1993). In 1975, it was proposed that the eastern half of the Stockenstrom district be bought out, farm by farm, for incorporation into the independent Ciskei.

\textsuperscript{14} All Africans were to be registered as citizens of one of the homelands.
\textsuperscript{15} A wedge of white-owned land running from East London, through King Williams Town up to Queenstown. This strip of land was carved out of Xhosa territory during the frontier wars of the Nineteenth Century.
Figure 7. The Ciskei Region in 1970
(Source: Fort Hare University. (1971). *The Ciskei, a Bantu homeland: A general survey*. Alice, South Africa: Fort Hare University Press).
The homeland was reduced in 1976 when Glen Grey and Hershel were ceded to Transkei. The land that belonged to whites and coloureds in the Kat River Settlement was bought out by the Ciskei government. In October 1981, it was announced that the western half of the Stockenstrom District was to be incorporated as well (Figure 9). By the end of 1981, most of the white farms in this region were bought out and the district was called “the Mpofu District” (Platzky & Walker, 1989, cited in Logie et al., 2000).

The Mpofu District under Ciskei

The Kat River valley (Mpofu District) is the only area in the Ciskei homeland that could be considered economically viable (Switzer, 1993). The Kat River valley/Mpofu district was transferred to the ‘independent Ciskei homeland’ in 1984. The Ciskei Agricultural Corporation known as Ulimocor took control of the area as the central development unit (Logie, 1997, cited in Binns & Nel, 1999; Mpukane, 2000). Logie et al. (2000) using evidence from the Bisho Deeds Office recorded that between 1981 and 1996, approximately 150 white owned farms were sold to Ciskei. Included in the area are the Kat River tobacco and citrus cooperatives, and the state forest reserves. Much of the other farming land was given to Ciskeian politicians or the Homeland’s loyal supporters (M. W. Mpukane, personal communication, January 12, 2006). Ulimocor divided most of the farms into smaller units of between 8, 16 and 36 hectares (Mpukane, 2000; Shackleton & Shackleton, 2006; Wolff, 2003).
Figure 8. Ciskei Consolidated Areas (1975)
(Source: Fort Hare University. (1971). The Ciskei, a Bantu homeland: A general survey. Alice, South Africa: Fort Hare University Press).
Figure 9. Eastern part of Stockenstrom District incorporated in the Ciskei Homeland in 1975

According to Logie et al., (2000) the Development Bank of South Africa (DBSA) granted a loan of R6,8 million to the Ciskei Agricultural Cooperation in 1986. The loan was granted on condition that the Kat River farms were privatised and made available to the Ciskei farmers. The main purpose of the loan was to establish new orchards, install new irrigation
systems and purchase tractors or other necessary equipment (Mpukane, 2000; de Wet, Lujabe & Metele, 1996, in Logie et al., 2000). Fourteen black farmers were allocated farms on a five-year lease basis, after that they would be able to buy the farms. The farmers planted and revived the citrus farms, and then planted tobacco.

After five years, the black farmers were unable to buy the farm land and they could not get the title deeds due to the fact that the district was retained as state land. Some of the original coloured people left the area having not received their title deeds. Logie et al. (2000) argued that this was because of the absence of government policy with regards to access to the land. The DBSA also withdrew its support, thereby jeopardizing the position of the farmers who lacked the resources and machinery to undertake the necessary replanting of trees and transportation of produce. The DBSA wished to continue funding the farmers but only via the granting of loans directly to them. This was not possible as the farmers did not have title deeds which would serve as security for accessing funds. Most of the land was left in an unproductive state after the incorporation of the district into Ciskei.

The Eastern Cape Transitional government disbanded the Ciskei Agricultural Cooperation towards the end of 1993. The resultant vacuum was partially addressed by establishing a new citrus cooperative that incorporated elements that only catered for white farmers. The degree of success which they had achieved suggests that there was scope for black farmers to move
into commercial agriculture, if it was undertaken on an extensive basis and with adequate support services (M. W. Mpukane, personal communication, January 12, 2006). Today, the Kat River valley falls under the jurisdiction of Nkonkobe Local Municipality in the Amathole District Municipality (ADM). The section below describes the ADM and the Nkonkobe Local Municipality.

The Nkonkobe Local Municipality is a product of the amalgamation of the now disestablished Alice Transitional Local Council (TLC), Fort Beaufort TLC, Middledrift TLC, Hogsback TLC, Seymour TLC, Victoria East (Alice) Transitional Rural Council (TRC), Fort Beaufort (TRC), Mpofu TRC and Middledrift TRC. It is the second largest local municipality in the ADM covering 3 725 km² (Nkonkobe Integrated Development Plan, 2007-2012).

Population of the Study Area

Nkonkobe Local Municipality has an estimated population of 176 997 (Statistics South Africa, Census 2001) with 36 116 households. According to the South African National Census (2001) 18 135 people resided in Fort Beaufort; 62 719 people in Middledrift; 65 472 in Victoria East (Alice); 2 281 people in Seymour and 703 people in Hogsback. About 20% of the population resides on farms and scattered settlements. The majority of the population (61%) resides in villages. Only about 19% of the population of Nkonkobe resides in urban settlements, mostly Fort Beaufort and Alice. Fort Beaufort and Alice towns are where the main population concentration occurs. This, therefore, means that the population in the area is rural in
nature, with rural-urban ratio standing at approximately 4:1 (Statistics South Africa, Census 2001; Nkonkobe Integrated Development Plan, 2007-2012). Approximately 74% of people living within the Nkonkobe Municipal area are indigent. The area consists of other small urban centres namely, Seymour (Mpofu) and Balfour. The gender ratio indicates that about 40% of the total population is males, whilst 60% are females. There are some areas where males are numerically dominant but a significant portion of the Nkonkobe municipal area is dominated by females. The females serve primarily as the source of labour for the nearby citrus farms. The dominating group are the Africans (mainly amaXhosa) who account for 95% of the population, coloureds 3%, whites 1,2% and ‘others’ 0,4% (Nkonkobe Integrated Development Plan, 2007-2012).

Service Centres in the Kat River area

The Kat River Valley in the Nkonkobe Local Municipality consists of three service centres namely, Fort Beaufort, Seymour and Balfour. Fort Beaufort was founded in 1824 and was named after the father of Lord Charles Somerset, the Duke of Beaufort. It was established at the lower Kat River in order to watch chief Maqoma and his very active tribe (J. J. Botha, personal communication, December 30, 2008). Fort Beaufort boasts many fine buildings dating back to the Frontier wars. It is an excellent base from which to explore the fascinating Kat River Valley and the surrounding Katberg
and Amathole Mountains which saw some of the heaviest fighting anywhere in South Africa (J. J. Botha, personal communication, December 30, 2008). Plate 1 shows the Fort Beaufort area, including the Central Business District area and the surrounding townships of Bhofolo and New Town, which are the most densely populated areas. Bhofolo township alone has a population density ranging from 3035 – 6719 persons per square km.

Plate 1: Fort Beaufort Town (2009)
Seymour town is located in the Mpofu District of the Eastern Cape. The town lies in the foothills of the Katberg Mountains and in the upper-catchment region of the Kat River. It has about 20 000 people, mainly amaXhosa. It is located off the main road between Grahamstown and Queenstown. Despite its closeness to the main road, public transport is scarce. The town has limited basic amenities such as financial services, furniture shops, butcheries, garages and supermarkets. There are only three general dealer shops which provide the residents with low order goods. The general appearance of this service centre is poor with fewer economic activities. The people from Seymour visit Fort Beaufort for higher level services.

The Kat River provides reasonably reliable water supply throughout the year, and the valley soils are generally fertile (Department of Water Affairs, 1986, cited in Binns & Nel, 1999). The District was settled in the Nineteenth Century by white and coloured farmers, who practiced a combination of intensive, irrigated farming in the Kat River valley and extensive grazing of livestock on the surrounding plains and hills. The area gained a reputation for being one of the primary tobacco and citrus producing regions in the country (C. T. Jacobs*, personal communication, December 30, 2008; Logie, 1997, (cited in Binns & Nel, 1999); M. D. Dlamini & Z. K. Ngxakani*, personal communication, January 16, 2006).

*Real names have been changed for security reasons.
In the late 1970s, however, the land was expropriated, leading to out-migration of white farmers and the enforced removal of the majority of the coloured population to other areas of the Eastern Cape. The black and coloured workers remained on the land with their families. Although these workers lived in the Valley, in the absence of any clear government policy they were denied access to the land for farming. Ownership of the land was largely vested in the state. Thereafter all production ceased, and the Kat River Valley was referred to as, ‘the East Cape valley that died’ (Hartle, 1990 cited in Binns & Nel, 1999).

In the late 1980s, the Ciskei Department of Agriculture tried unsuccessfully to reestablish large scale tobacco farming in the Valley. During the early 1990s, the Ciskeian government encouraged a private agricultural concern to farm in tobacco and potatoes in the area (M. D. Dlamini & Z. K. Ngxakani, personal communication, January 16, 2006). By 1990, it was noted that, ‘the citrus trees have died’, as did lucerne. It was unfortunate that both schemes failed, exacerbating unemployment and poverty. The emerging black farmers bought some of the citrus farms with the Seymour community getting seasonal employment from the active citrus farms.

Balfour is another small rural service centre located in the upper reaches of Katberg Mountains on the Balfour River, the tributary of the Kat River. This is the area where the coloured community lived and a few that resisted relocation still reside there. The town was known as a major
tobacco-producing area until the early 1980s. Throughout the 1980s and early 1990s the economic conditions deteriorated due to the collapse of the agro-industry. Consequently, the area became less productive and many people left in search of employment elsewhere (Nel, Motteux, Barrati, Nongwe & Xuza, 2000).

After 1994, a number of community development projects were established to reduce poverty and unemployment in the area. One of the community based projects dealt with skills training, vegetable production, bead-making and tourism promotion. Nkonkobe Municipality established the Local Tourism Organization to drive tourism within the Municipality. On tourism promotion, the Fort Armstrong restoration project intends to promote and restore the dignity of the area, while Fort Fordyce Nature Reserve and the Mpofu Game Reserve offer guided tours of the historical and archeological sites (J. J. Botha, personal communication, December 30, 2008). Botha emphasised that Fort Fordyce is one of the significant historical sites in the Nkonkobe Local Municipality because of the greatest Xhosa victories in their battle for dignity and recognition of nationhood during the wars of land dispossession of 1850-1853 (War of Mlanjeni) between AmaXhosa and the British colonists.
Conclusion

This chapter presented the historical background of the Kat River Valley (the study area) starting before and after the territorial expansion of the Cape Colony in the 1800s; through to the Union of South Africa in 1948; the establishment of the Homeland system to the current South African post apartheid government. A key objective of this background chapter was to highlight the impact of the changes in governments on the fertile lands of the Kat River Valley and how these changes affected the living conditions of the people in the area. The area was, and is still, characterised by economic marginalization, poverty and unemployment. This is due to the fact that the economic active males left the area to search for better employment in other more promising parts of South Africa. The bulk of females left behind serve as the labour reserve for commercial citrus farming which is the main economic activity in the area. Some women were employed in the Mpofu Game Reserve and Ford Fordyce Nature Reserve, while some made a living by working in community projects in the area. The next chapter will discuss selected legislative changes in South Africa and how they impact on women labour in the citrus industry located in the Kat River valley.
CHAPTER III

AGRICULTURAL LEGISLATION IN SOUTH AFRICA

Introduction

Historically South African agriculture has been heavily regulated. The existence of many statutory boards\(^{16}\) influenced the agricultural sector. According to the World Trade Organization (WTO) report (1997) the deregulation of agricultural marketing structures in South Africa has been part of the current government’s strategy to restructure the South African economy post the apartheid era. The major driving force for agricultural restructuring is the historic “emergence of the two agricultures” (i.e., commercial and subsistence farming). The emergence of the two agricultures was seen as the result of the 1937 Marketing Act, the role of agricultural finance institutions and the Land Acts\(^{17}\) (WTO, 1997).

Secondly, the agricultural reform was instituted due to domestic and international pressures resulting from influential economic analysis. The domestic pressure perceived the historic arrangements to agriculture as disadvantageous and to exclude blacks. The international pressure came in

---

\(^{16}\) List of Boards that were in place at the time: Maize Board, Canning Fruit, Citrus Board, Cotton Board, Deciduous Fruit Board, Dried Fruit Board, Lucerne Seed Board, Meat Board, Milk Board, Mohair Board, Oilseeds Board, Sorghum Board, Wheat Board and Wool Board (World Trade Organization Report 1997).

\(^{17}\) 1913 and 1936 South African Land Acts.
from the Uruguay Round of the Agreement on Trade and Tariffs (GATT) (1994) and the WTO (1997). The WTO established that the board structures favoured commercial agriculture at the expense of subsistence agriculture. Further to that, the statutory boards provided less information to growers due to the lack of transparency on available information from other sources. The Organisation recognised different interests between the emerging black farmers and the established commercial farmers. Therefore, several processes were implemented to reverse discriminatory legislation and to improve participation, while at the same time several other initiatives were implemented to deregulate and liberalise the agricultural sector. The main policy shifts in this regard included the following:

1. Deregulation of the marketing of agricultural products
2. Changes in the fiscal treatment of agriculture, including the abolition of certain tax concessions that favoured the sector
3. A reduction in direct budgetary expenditure on the sector
4. Land reform, consisting of the restitution, redistribution and tenure reform programmes
5. Trade policy reform, which included the introduction of tariffs on farm commodities and a general liberalisation of agricultural trade including free trade agreements
6. Institutional reform influencing the governance of agriculture, and
7. The application of labour legislation changes to the agricultural sector (WTO Report, 1997), hence the study.
The section below describes citrus farming in South Africa as a selected component of the agricultural sector. The description will cover the citrus industry before and after the implementation of the restructuring strategy. Secondly, the chapter will discuss the impact of legislation changes on farm labour, particularly women.

The Restructuring of the South African Citrus Industry

The citrus industry is one of the largest agricultural export industries in South Africa. According to the Citrus Growers Association of South Africa’s (CGA) Annual Report (2007), the first orange and lemon trees arrived from St. Helena Bay and were planted in the gardens of the Dutch East India Company in 1654 in the Cape. In 1906 the South African citrus displays won a gold medal at the Colonial Fruit Show in London. In 1907 3000 cases of oranges were sold in Britain and in 1925 a million cases of citrus were exported for the first time. Today the industry exports over a million tons annually to every continent (CGA Annual Report, 2007).

Citrus is grown in a number of provinces such as Northern Province, Mpumalanga, KwaZulu-Natal, Eastern Cape and Western Cape (Figure 10). Even though white farmers dominate citrus farming, there are some black citrus farmers in the former homelands areas of Bophuthatswana, Lebowa, Gazankulu and Ciskei (Figure 10). However, many of these farms have collapsed in the post–1994 period with the incorporation of the former
homelands’ Departments of Agriculture into provincial structures (Mather & Greenberg, 2003).

Before 1940, the agro-commodity chains had marketed fruit under different labels attached to estate farms, groups of growers organised regionally, and even individual farmers. From the early 1940s up to mid-

Figure 10. South African Citrus Production Areas
1990s South African citrus was exported through a single channel scheme known as the South African Cooperative Citrus Exchange\(^{18}\) (SACCE) that the Outspan marketing scheme controlled. All the South African citrus growers then were forced to abandon their local labels and export fruit under the Outspan brand. Given that Outspan could not be a statutory body, a Citrus Board\(^{19}\) was formed with the mandate to regulate citrus markets and nominate the overseas market and distributing agent. This meant that the local and regional cooperatives, large estates and individual farmers became integrated into a nationally organised citrus chain (Mather, 1999). Outspan exercised greater control over the distribution of fruit down to the first point of sale and later to the ultimate consumer. Outspan territorialised South African citrus in that it was presented to the northern consumers as a ‘national product’. Mather believes that the single channel contributed to the deterritorialisation of citrus by erasing the different citrus growing areas within South Africa.

---

\(^{18}\) This was similar to the South African wine exporter which was known as the Cooperative Winegrowers Association of South Africa that was established in 1918 as the ‘Ko-operatieve Wijnbouwers Vereeniging van Zuid Afrika’ (KWV) (Ewert & Hamman, 1999). In the case of deciduous fruit, UnifrucO was the single channel scheme marketer and exporter under the exclusive arrangement with the Deciduous Fruit Board (Barrientos et al., 2004).

\(^{19}\) The Citrus Board was disbanded on the December 31, 1997 together with all the other Boards that regulated different agricultural products. They were disbanded because the statutory powers granted to the Boards was seen as contributing to the division of agriculture where a “two agricultures system” developed with a commercial sector and a subsistence farming sector (WTO Report, 1997).
He stated:

Outspan International provided a complete service to growers and exporters – from seed and bud work from which citrus is grown, through every aspect of the production, packing, shipping, export and marketing chain to an all-round service to the fruit trade in the final distribution and marketing of the produce (Mather, 1999, p. 5).

The single channel scheme faced a number of challenges such as the difficulty to exercise its market powers during overlap times with the northern hemisphere, and high competition with the other southern hemisphere citrus producers (Argentina, Australia, Brazil and Uruguay). Another major challenge was that the growers’ payments were determined on the basis of size and variety rather than volume of citrus production. The single channel had another serious problem of being inflexible and rigid. The South African industry was slow in responding to demand for easy peelers given that the infrastructure was suitable for the export of harder varieties that could last the long export journey in a refrigerator hold (Mather & Greenberg, 2003).

The SACCE experienced problems at the international and national levels. The growers were dissatisfied with the low returns on exports, the
fluctuation of the South African currency and the SACCE officials’ reluctance to answer questions associated with the export market. The growers urged the Exchange to respond to changes in overseas markets but it failed to do so. The dissatisfaction amongst the growers led to the demand for the deregulation of the citrus markets. In 1992, the Exchange was transformed into a new cooperative known as Outspan International. In 1994, Outspan International was privatised and shortly after that it merged with Unifruco (the single channel exporter of deciduous fruit). These challenges resulted in the birth of a new company called Capespan, which established relations with international companies including Fyffe’s, the Irish based multinational fruit exporting company (Barrientos et al., 2004; Ewert & Hamman, 1999; Mather & Greenberg, 2003).

Citrus farmers were not aware of the unrealistic quality demands during the regulation era but soon they were. They also became aware that the quality requirements were not as high in regions such as Continental Europe, West Africa and the Middle East. Japan and United States have very tricky and risky markets associated with their phytosanitary regulations. Both the growers and exporters were able to describe the specific demands and requirements of different citrus export chains. Consequently, there developed a national organization representing the interest of citrus farmers in South Africa called Citrus Southern Africa.

In the Year 2000 there was a sharp decline in returns to growers. In many cases growers received no payments for fruit. The blame was put on
deregulation and on the existence of so many small and inexperienced exporters. There was a large overlap of northern hemisphere fruit that remained available into the southern hemisphere season and contributed to a situation of oversupply. In 2001, Citrus Southern Africa focused on regulating citrus volume by restricting lower quality fruit from being sent overseas. In 2002, Citrus Southern Africa established a joint marketing forum consisting of representatives of both growers and exporters. This Organization regulated all citrus exports from South Africa by preventing the oversupply of citrus to specific markets that result in low prices. The Organisation recommended that growers and exporters limit the crop by not shipping unpopular size and varieties of fruit (Barrientos et al., 2004; Ewert & Hamman, 1999; Mather & Greenberg, 2003). The South African citrus farmers began to face severe economic problems.

The Kat River Valley experience was not different from the economic problems that the South African Citrus industry faced. In 1992 the National Government called for a nationwide moratorium on the privatisation of state farms. Mather and Greenberg (2003) maintained that in line with deregulation and fiscal austerity measures the Ciskei Development Bank (CAB/ Ulimocor) closed down in 1997. The CAB was merged with the province-wide agricultural bank (Uvimba Bank). The debt the emerging black farmers incurred was huge such that Uvimba bank had to first recover these debts before it started functioning. The emerging black farmers were unable to continue farming successfully and therefore failed to service their
outstanding debt. The farmers failed to sustain their farms without government support, let alone continue the development projects. They did not have title deed to the land and therefore could not receive financial support from commercial institutions (Wolff, 2003).

Mather and Greenberg (2003) argued that the failure of the post-apartheid government to provide effective alternatives to replace support provided by the apartheid era regulatory structures meant that the farmers had been facing highly competitive markets from a decidedly disadvantaged position. Consequently, the black farmers found it difficult to participate in export markets. Many of these farms, although operational did not have access to capital or management resources. The result was that the levels of capital deployment for development and management expertise were too low for them to remain viable. Consequently, profit margins declined and were insufficient for the farmers to remain sustainable. On many farms the infrastructure was not maintained for extended periods, with further costs for upgrading being incurred. This restricted the black farmers from competing favourably with white commercial farmers (Wolff, 2003). Peake and Kobayashi (2002) emphasized the extension of antiracist principles throughout the institutional practices. The rich white commercial farmers in the Kat River upgraded into value adding activities such as private packhouses, direct marketing and improved production while poor white farmers diversified to game farming. Some of the successful black farmers
left the cooperative and exported through the private packhouse. Agricultural restructuring also brought about changes in labour legislation.

**Labour Legislation Changes in South Africa (post-1980)**

Ewert and Hamman (1999) described the labour arrangements on South African farms as authentic and undiluted paternalism before the 1990s. Despite the abolition of slavery in the late 1830s, the farmers managed to introduce a series of harsher Masters and Servants Acts which gave the farmers powers over farm workers that exceeded that of any other employer. This set of legislation introduced a distinction between farm worker and other types of labour; hence the farm workers were excluded from the rights won by the urban workers. The farmers engaged in ‘tied housing’20, the ‘tot’21 system and paternalism to ensure the supply of labour (du Toit & Ally, 2003; Oxfam, 2005).

It was in the 1980s when the apartheid government together with the overseas financial donors established the Rural Foundation which undermined paternalism as a system of control in the farms. The Rural Foundation was established to introduce a programme of commercial and social development on farms (Ewert & Hamman, 1999; Orton, Barrientos, & Mcclenaghan, 2001). The Foundation emphasised scientific and productivity oriented management and appealed to farmers to train workers on a

---

20 This is the arrangement whereby the farmer provides accommodation to the worker on the farm. The worker can only live on the farm as long as he/she works for the farmer. The farm worker is allowed to live with his family.

21 The payment method that the farmers use to pay farm workers includes the provision of alcohol.
systematic basis and to improve labour relations. Newly established grievance and disciplinary procedures also replaced the punishments and rewards systems that initially dominated the authority of the farmers. The Foundation suggested that the social developments would not only reduce the social costs but also improve productivity and revamp the external image of the agricultural industry (Ewert, 2000; Ewert & Hamman, 1999; Orton et al., 2001).

du Toit & Ally (2003) and Orton et al. (2001) recognised that the Foundation achieved some of its objectives in the sense that community facilities were built, fertility and infant mortality rates were reduced and there were some improvements on efficiency and modernizing employment relations. Despite these achievements, the institution of tied housing and the tot system persisted. The farmers continued to rely on on-farm permanent labour. du Toit (2000) (cited on Women on Farms Project, 2008) revealed that permanent on-farm labour was linked with dwelling on the farm and the well-being of the farm worker remained the responsibility of the farm management. Orton et al. (2001) argued that the approach on the farms remained paternalistic even though the general conditions for farm workers improved.

The paternalistic system of control of labour on farms remained unchallenged until the post-apartheid government introduced a wide raft of national legislation (Barrientos, Kritzinger & Rossouw, 2004). Consequently, a new regulatory framework through the modernization of labour legislation;
institutions and statutory bodies was developed. The newly introduced legislation aimed at transforming the apartheid labour market and supporting economic growth. The transformation of labour market included addressing many injustices that existed during the apartheid era especially in the agricultural sector; enhancing the rights of workers as well as addressing inequity based on gender and race. Murray and van Walbeek (2007) argued that the new labour laws aimed at affording the agricultural workers certain minimum rights. Secondly, there was the need to improve South Africa’s image in the global community as a country with equitable laws and regulations. South Africa’s willingness to be integrated into the global community required the country to introduce social codes that met the minimum employment standards to which suppliers had to adhere (Barrientos et al., 2004).

The following labour legislation was introduced: the Basic Conditions of Employment Act (BCEA) (No. 95 of 1998)\textsuperscript{22}, the Unemployment Insurance Act (UIA) (No. 63 of 2001)\textsuperscript{23}, the Extension of Security of Tenure Act (ESTA) (No. 62 of 1997)\textsuperscript{24}, and the Agricultural Labour Act (ALA) (No 147 of 1993)\textsuperscript{25}.  

---

\textsuperscript{22}The BCEA was amended in February 2004. The Act establishes a set of minimum employment conditions that is extended to all workers except members of national defence and intelligence.

\textsuperscript{23}UIA stipulates that all farm workers employed for more than four (4) months are entitled to unemployment benefits. Employers are obliged to register workers with the Unemployment Insurance Fund (UIF), with employers making a contribution of one percent of worker’s wage and deducting one percent of the worker’s wage as the worker’s contribution. The Fund incorporated seasonal workers as from April 1, 2003.

\textsuperscript{24}ESTA provides on-farm workers with a basic level of tenure security. ESTA stipulates that farm workers who have been living and working on a farm for more than 10 years and who are 60 years of age and over may not be removed from the farm. The Act gives them the right to remain on the farm for the rest of their lives. These farm workers are called long-term occupiers.
the Labour Relations Act (LRA) (No. 66 of 1995), Employment Equity Act (EEA) (No. 55 of 1998), Compensation for Occupational Injuries and Diseases Act (COIDA) (No. 130 of 1993), Occupation Health and Safety Act (OHSA) (No. 85 of 1993) and the Skills Development Act (SDA) No. 9 of 1999 (Barrientos et al., 2004; Barrientos, McClanaghan & Orton, 2000; Department of Labour, 2005; Nel, Swanepoel, Kirsten, Erasmus & Tsabadi, 2005; Sparrow, Ortman, Lyne & Darroch, 2008). The elements of labour law covering the basic conditions of employment were extended to agriculture in 1993. Sparrow et al. (2008) indicated that common law was inadequate in regulating the working relationship between the labourer and the farmer. In 1995 the LRA was extended to include agricultural workers and by 1997 farm workers were fully included in basic conditions of employment legislation. In 2003, a Sectoral Determination was passed for the first time setting the minimum standards (including wages) for the agricultural sector (Barrientos et

25 ALA stipulates that farm workers have the right to belong to trade unions and bargain collectively with employers.
26 The LRA replaced the Agricultural Labour Act in 1995. It formalized and codified union organizational rights, laid a basis for workers’ right to strike (without fear of dismissal), introduced a new dispute resolution system, provided strong support for collective bargaining and extended coverage to most workers.
27 EEA aims at addressing ongoing discrimination in the labour market by compelling employers to eliminate unfair workplace discrimination and by accelerating the training and promotion of people from disadvantaged groups.
28 COIDA is designed to offer protection for all workers under a contract of employment, and provided for the payment of benefits to the worker or his dependants if he is injured or dies in the course of his duties. The injury or illness or death must arise from an accident.
29 OHSA provides for the health and safety of persons at work and for the health and safety of persons in connection with the use of plant and machinery; the protection of persons other than persons at work against hazards to health and safety arising out of or in connection with the activities of persons at work. It also provided for the establishment of an advisory council for occupational health and safety.
30 SDA was developed to address labour market segmentation that is linked to gaps and inequalities rooted in skills.
al., 2004; Conradie, 2008). The extension of protective labour legislation to agriculture was one of a number of changes in the South African fruit industry over the last decade. What were the effects of these changes on farm labour, especially women labour?

**Legislation Changes: Farmers’ Response**

The farmers responded to the legislation changes positively by conforming to them and using labour more efficiently. The emphasis on the impact of the labour changes on women labour is presented (relative to men) to display the reproduction of gendered division of work. Barrientos et al. (2004) and Sparrow et al. (2008) argued that these changes led to major shift in employment patterns. Most farms showed a decline in permanent workforce and an increase in temporary workers and casualisation of labour. Mather and Greenberg (2003) recognised that the financial difficulties and the uncertainties associated with the ‘free market’ that the farmers faced played a major role in shaping the labour market. They established that most citrus farmers selected cultivars that required a lower demand for labour throughout the season. According to Murray and Van Walbeek (2007), downsizing of labour forces occurred via slow attrition rather than mass retrenchments. Growers simply did not replace some of the workers who retired, were fired or died. They only replaced a small percentage of skilled labour, including persons in supervisory roles, tractor drivers and irrigation works. These
persons were mainly male employees. Presently, they employ multi-skilled teams of men and women as a means of raising labour productivity.

Conradie (2008) indicated that agriculture in general, and fruit production in particular, is a seasonal process. This made some degree of seasonal employment desirable. The extent to which a farmer relied on seasonal labour was a management decision resulting from cost minimisation behaviour, hence the move to off-farm temporal workers. This category of workers consisted of a greater percentage of women workers. du Toit and Ally (2003) argued that the engagement of this form of labour enabled the growers to meet flexible but tight production schedules set by large supermarkets. Barrientos et al. (2004) identified that the only on-farm temporal or casual workers were the female partners of the permanent male farm workers. The only improvement was that the female on-farm partners were employed in their own right with an independent contract that provided for access to the benefits prescribed under legislation. In most cases the farmers recruited new workers who did not need on-farm accommodation.

The introduction of new labour legislation resulted in the noticeable increase in employment of contractual labour via the use of labour brokers. This practice was of most prevalent in the South Western Cape deciduous fruit farms. du Toit and Ally (2003) noted for example, that 100% of the Grabouw fruit farms engaged in this employment system. The argument behind the wide use of contractual labour was its convenience as well as the provision of services of adequate quality. However, Murray and Van
Walbeek (2007) argued that the growers employed contractual labour to reduce the stress of managing labour issues and reduce the non-wage cost of labour. However, those growers who did not engage contract labour claimed that there were additional costs such as ‘mark up costs’ and the loss of control on operations embedded with contractual labour.

Off-farm contractual labour experienced insecure employment, low wages and variability of earnings, absence of labour organisation, poor knowledge of employment rights and usually no contract with their employer. With the well established citrus farms for instance, Barrientos et.al. (2004) argued that there were day care facilities in the case of on-farm women workers. Unfortunately, contract workers did not have access to such facilities. According to Barrientos et al. (2004); du Toit and Ally (2003) paternalism reinvented itself with the contracting sector in the sense that women contract workers depend on their contractor. Contractors provided assistance when workers experienced financial and personal difficulties and assisted them to access credit and transport.

The Congress of South African Trade Unions (COSATU) has, however, responded differently to contractual labour and called for a total ban of the system. The current (2009) South African Labour Minister (Mr. M. Mdladlana) described the contractual labour as:
A form of human trafficking and an extreme form of free market capitalism which reduces workers to commodities that can be traded for profit as if they were meat or vegetables. They (Labour brokers) do not create any jobs but sponge off the labour of others and replace secure jobs with temporary and casual forms of employment (http://www.labour.org.co.za, accessed October 06, 2009).

COSATU has identified the oppression inherent in the contractual labour system and has referred to it as ‘the modern day slavery’. The organisation argued against the contractual labour system. It contended that the producers employed labour on a contractual system because it was a simple strategy to escape the existing labour laws, regulations and obligations. The labour brokers were in place to promote an unregulated labour market and the unions were unable to organise workers contracted to labour brokers (http://www.cosatu.org.za; “Labour Brokers are Rapists”, 2009; “Ban Labour Brokers”, 2009).

The reaction of the farm owners to the Extension to the Security of Tenure Act (ESTA) varied. Some farmers demolished the houses in which the farm workers were accommodated; some left the houses empty when the farm workers left the farm. They prefered to let a significant investment go to
waste than to use it to house a permanent worker who may acquire strong labour and ESTA rights (du Toit & Ally, 2003).

Conradie (2008) established that some farmers effectively pushed permanent staff to relocate by not maintaining the labour cottages (e.g., electricity and water cuts from homes). Ewert and Hamman (1999) revealed that some farmers adopted a policy of not employing anyone over the age of forty to prevent workers from qualifying for lifelong tenure on the farm. At the same time, du Toit and Ally (2003) argued that some farmers in the South Western Cape, for instance, changed the function of the buildings from housing to storage; while others charged workers rent for housing. Pons-Vignon and Anseeuw (2008) cited a Social Survey conducted in 2005 which revealed that there were 199 611 households evicted from farms in South Africa between 1994 and 2004. The majority of those evicted had worked and lived on the farms for more than 20 years. They lost both their jobs and most importantly their homes. The Survey revealed that only one percent of these evictions was reported and conducted according to proper legal procedures. There were also a number of cases of violence, including the murder of both farmers and farm workers. These incidents were linked to the social demands of the homeless and tense farm labour relations caused by the extension of labour rights to the agricultural sector. These incidents stemmed principally from the fact that the majority of white commercial farmers were not prepared to abide with provisions of the ESTA.
The BCEA was implemented in 1998 but with no minimum wage set at that time. Subsequently, in July 2003, minimum wages were set according to Farm Sectoral Determination 13\(^{31}\). The BCEA then became effective because farm workers knew precisely how much they were to be paid. The farmers then employed the workers for either 27 or 36 hours per week and paid them on an hourly basis, thereby escaping the standard 45 hours a week which required a monthly salary (Murray and Van Walbeek, 2007). Table 2 indicates the minimum wages of farm workers for the period 2007-2010. It is clear that the monthly salary tends to be higher than payments at the weekly rate. A breakdown of farm wages across the South African provinces indicated that the South Western Cape farmers paid higher wages relative to those in the other provinces.

\(^{31}\) This allows the Minister of Labour to intervene to define the minimum remuneration and working conditions in a given sector if workers are insufficiently unionised to negotiate with their employers. The employment of all farm workers is governed by this legislation. The Farm Sectoral Determination sets minimum wage, working hours, number of leave days and the termination rules (Department of Labour, 2003). The Department of Labour scrapped the Municipal Areas A and B (Business Times, 16 February, 2009). Initially the minimum payment was determined by the Municipal area in which the farm is located, with the urban municipality paid higher rates compared to rural municipalities.
Table 1. Minimum Wages of Farm Workers in terms of the Basic Conditions of Employment Act (No. 75 of 1997) for period 2007-2010.
Sectoral Determination 13: Farm Worker Sector, South Africa
(Source: The South African Department of Labour, 2009)

<table>
<thead>
<tr>
<th>1 March 2007 to 29 February 2008</th>
<th>Hourly rate</th>
<th>1 March 2008 to 28 February 2009</th>
<th>Hourly rate</th>
<th>1 March 2009 to 28 February 2010</th>
<th>Hourly rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>R1041,00</td>
<td>R5,34</td>
<td>R1090,00</td>
<td>R5,59</td>
<td>R1231,00</td>
<td>R6,31</td>
</tr>
</tbody>
</table>

Some farmers substituted the workers with capital intensive equipment such as harvesters. However, the cost of purchasing the harvesters was high and prohibitive to many farmers. Consequently, many farmers have resorted to leasing farm equipment and machinery (Ewert and Hamman, 1999; Mather, 2003; Murray and Van Walbeek, 2007). In instances where farmers have opted to share the costs of harvesters, complications and difficulties have surfaced, particularly as co-owners wished to use the equipment at the same time. Some other farmers who owned the harvesters barely used them due to high operational costs (fuel). However, they retained them as a warning to labour that they were replaceable. In other instances, farmers have opted for cost effective chemical control of weeds rather than using manual labour (Murray and Van Walbeek, 2007), while some farmers
resorted to the less-labour intensive activities such as game farming with antelopes as most popular (Pons-Vignon and Anseeuw, 2008).

After the deregulation of markets many private packhouses were constructed and a large number of people were employed. The previous cooperative packhouses had to reduce their labour. The reduction worsened the working conditions of those who managed to retain their jobs (Mather & Greenberg, 2003). Women workers in the packhouses are better than women farm workers. Packhouse employees were unionised and enjoyed good pay and employment conditions such as being enrolled with the Unemployment Insurance Fund (UIF). However, Barrientos et al. (2004) established that many farm workers, especially women workers, did not receive UIF coverage. Cosatu and Barrientos and Kritzinger (2003) contended that the reason for this was that very few farmers were registered with the Department of Labour. This indicated that their workers who are mostly women and vulnerable are excluded from the UIF.

The level of unionisation in the agricultural sector is very low even though the right to unionisation had been legalized in 1993. Many farm workers do not understand the benefits of union membership and lacked knowledge on women worker’s rights. Consequently, they remained the most vulnerable and unprotected labour. On the other hand, women workers were discouraged from joining unions dominated by male bureaucracies that take little account of women’s problems in terms of childcare, domestic
responsibilities and gender issues such as reproductive rights (Barrientos and Kritzinger, 2003).

Conclusion

This chapter set out to examine the impact of agricultural restructuring and deregulation of markets focusing on the citrus industry. The restructuring strategy was designed to redress the dual economies of agriculture in South Africa. However, it seems it will take a very long time to achieve its main objective. Many white commercial farmers have managed to sustain their citrus production and exports. The poorer farmers opted for game farming as tourism seems to be a lucrative industry. The emerging black citrus farmers were negatively affected by the restructuring strategy as a result the production gap between the emerging black farmers and white commercial farmers widened.

The restructuring process extended the labour laws to the agricultural sector. The new laws intended to protect farm workers but have had a negative impact on the working and living conditions of farm workers. The farm owners responded differently to different sets of laws passed.

The employment of contractual labour promoted the feminisation of casual and seasonal labour. Initially women had no worker rights on the farms but the extension of labour laws resulted in some positive achievements in the sense that women were hired independently with their own contracts from the employer. In most instances women farm workers
were subjected to gendered division of labour as they were employed on specific jobs such as picking, sorting and packing fruit.

The association of masculinity with superiority still dominates the farming industry because most men were in permanent employment and held better work positions. They enjoyed the benefits of the newly introduced labour laws. The treatment of women as a single category with different experiences and needs was not considered. The following chapter will demonstrate the impacts of the labour changes on women labour in the citrus industry in the Kat River Valley.
CHAPTER IV

CITRUS, LABOUR AND GENDER IN THE KAT RIVER VALLEY

Introduction

The chapter contains an analysis of data gathered at the study site. The data were collected through different methods such as one-on-one interviews, questionnaires, focus groups and direct observations and photographing. This section first provides the profile of the respondents who participated in the research. The profile includes the age, sex, marital status, education levels and employment types of the participants. The profile explains the experiences of farm workers and sheds light on how the deregulation of markets has impacted on the farmers’ production and exportation. Fifty five respondents contributed to this research. There were 41 men and women farm workers; those who lived on the farms and those who lived off-farm and 10 farm owners or growers; one packhouse manager; one inspector from the Department of Labour (DoL); one official from the Eastern Cape Department of Agriculture, Forestry and Fisheries and one union representative. Of the 55 respondents there were workers and managers of different racial groups working both in the cooperative and the private packhouses and the farm owners who are also referred to as the growers. The next section of the chapter reveals the workers' skills and
qualification levels and how these affected them in their work places. The chapter further explains the loss and benefits of farmers after the agricultural restructuring which was accompanied with the deregulation of markets. It also explains how the changes in labour legislation affected women labour in the Kat River Valley. The information gathered for the study is specific to the Kat River Valley. Not all farms that are in the Kat River Valley were visited; only 10 farms were visited. Eight out of 15 black emerging farmers were interviewed and two of the white commercial farmers. There are a number of white commercial farmers but 12 of them belong to one family.

Table 2 indicates that 64% of the respondents fall within the age group of 20-39 years. Of the 41 workers interviewed, 32 are females and nine are males.

Table 2. Age of Respondents (Workers) in the Citrus Industry in the Kat River Valley (2009)

<table>
<thead>
<tr>
<th>Age in Years</th>
<th>Number of Respondents</th>
<th>Number of Females</th>
<th>Number of Males</th>
<th>% of Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>20-29</td>
<td>11</td>
<td>10</td>
<td>1</td>
<td>27</td>
</tr>
<tr>
<td>30-39</td>
<td>15</td>
<td>11</td>
<td>4</td>
<td>37</td>
</tr>
<tr>
<td>40-49</td>
<td>9</td>
<td>9</td>
<td>-</td>
<td>22</td>
</tr>
<tr>
<td>50-59</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td>7</td>
</tr>
<tr>
<td>&gt; 60</td>
<td>3</td>
<td>-</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Total</td>
<td>41</td>
<td>32</td>
<td>9</td>
<td>100</td>
</tr>
</tbody>
</table>
During the time of data collection 12 of them were married but only two out of the 41 interviewees had no children. Five of them have one child each, 34 of the respondents each have between two to five children. Three of the 41 respondents who retired still lived in the area but on different farms. They were born on the farms, hence they were granted tenure rights.

Table 3 reveals that 32% of the interviewees were matriculated while 29% attended the primary school level (Grade R to Grade 7) and 7 percent never attained any formal education.

<table>
<thead>
<tr>
<th>Formal Education Level(^{32})</th>
<th>Number of Respondents</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade 12</td>
<td>13</td>
<td>32</td>
</tr>
<tr>
<td>Grade 8-11</td>
<td>13</td>
<td>32</td>
</tr>
<tr>
<td>Grade R-7</td>
<td>12</td>
<td>29</td>
</tr>
<tr>
<td>Never attended formal education</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Total</td>
<td>41</td>
<td>100</td>
</tr>
</tbody>
</table>

\(^{32}\) The South African outcomes-based education is classified into three levels namely: 1. General Education and Training (GET) which consists of the Reception Year (Grade R) and learners up to Grade nine as well as an equivalent Adult Basic Education and Training (ABET); 2. Further Education and Training (FET) consists of Grade 10-12 in schools and N1 to N6 in FET Colleges and; 3. Higher Education (HE) consists of a range of certificates, diplomas, degrees, including postdoctoral degrees (http://www.info.gov.za).
All the matriculated and two other respondents with Grade 10 worked in the cooperative and the private packhouses. Some of the matriculated respondents lived in the townships and in the neighbouring villages as off-farm workers. One-third of these respondents (workers) do not have secondary education (FET band). Consequently, it was difficult to find other employment and they depended on citrus industry for employment.

Education levels of farm workers were very low. Most of the respondents living on the farms dropped out from school either in Grades 4 or 5. Only two women passed Grade 7. The 7.3 percent of the retired group did not have formal education. The large drop-out in education at the primary school level still persisted because the families were not able to pay the school fees required at the high schools. This placed the farm workers, particularly women, in a vulnerable position in employment in the citrus industry particularly in regard to the positions they occupied on the farms.

This research revealed that there were school buildings on the white commercial farms but these have since been neglected following the extension of labour legislation to the farms. Secondly, there were very few workers living on the farms given that most of them left the farms and relocated to the nearby villages and townships. Therefore, no children attended the schools on these farms. The situation was different with the emerging black farmers because there were a number of households living on the farms. Consequently, there were farm schools even though they were about three to four kilometres away from each other. These primary
schools\textsuperscript{33} provided education from Grade one to Grade four. However, not every farm had a school; hence there was a high rate of dropout from school amongst the learners. School learners walk to school along the R67 main road and through bushes and are subject to road accidents and personal danger. The Department of Education (DoE) only provided transport for the high school children because they had to travel more than 10 kilometres to J. M. Ndindwa High School at Balfour and Thobelani High School at Seymour.

Five of ten farm owners interviewed did not have higher education qualifications in agriculture. Two of them inherited the farms from their late husbands; the other two were farm workers under Ulimocor, and one took over from his late father. The low levels of qualification in agriculture affected the business badly. For example, the farmers were not able to understand some of the strategies that the Department of Agriculture adopted. The reproduction of low-skilled farm labour was in part the result of the low levels of education. Consequently, farm owners and employers exerted a form of ‘parental’ or paternalistic control over their workers.

Table 4 confirms that a high percentage (73.2\%) of women workers in the Kat River citrus farms were employed as seasonal labour while only 2.4\% were in permanent positions. The seasonal labourers did not have any employment benefits despite the BCEA. Women employed as seasonal workers in the citrus industry in this study were therefore faced with insecure working conditions. An important observation in this study was that casual

\textsuperscript{33} Pickardy; Hertzog and Oakdene Lower Primary Schools
labourers worked throughout the year. In this study the two casual labourers worked throughout the year. In terms of the South African labour legislation (BCEA No. 95 of 1998) a casual labourer is hired to perform a specific task over a stipulated period or is hired on demand. However, these two casual labourers did not receive any employee benefits from their employers.

The impact of agricultural restructuring which brought about the deregulation of markets had contradictory effects on the packhouses, growers and women labour in this study. Similar to other countries where the agricultural marketing systems were deregulated, competition for fruit increased due to a number of reasons, including the high quality of fruit produced in South Africa.

Table 4. Employment Status of the Interviewees (Workers) by Gender on the Kat River Farms (2009)

<table>
<thead>
<tr>
<th>Employment type</th>
<th>Males</th>
<th>%</th>
<th>Females</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent</td>
<td>3</td>
<td>7.3</td>
<td>1</td>
<td>2.4</td>
</tr>
<tr>
<td>Seasonal</td>
<td>2</td>
<td>5</td>
<td>30</td>
<td>73.2</td>
</tr>
<tr>
<td>Casual</td>
<td>1</td>
<td>2.4</td>
<td>1</td>
<td>2.4</td>
</tr>
<tr>
<td>Retired</td>
<td>3</td>
<td>7.3</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>9</td>
<td>22</td>
<td>32</td>
<td>78</td>
</tr>
</tbody>
</table>
Consequently, 240 export agents registered to export fruit in South Africa. However, competition amongst these agents was great such that by the end of 1997 very few remained active (W. M. Mpukane, personal communication, August 18, 2009). This has been the case in the Kat River Valley as well. The Kat River Valley growers, for instance, packed and exported their fruit through the Kat River Cooperative packhouse (KATCO). KATCO has exported fruit for 91 years. Before 1997 (the year in which deregulation of markets was implemented) KATCO catered for the white citrus growers in the Kat River Valley. The black citrus growers in the area were then under Ciskei administration. When Ulimocor was disbanded in 1998, KATCO absorbed the black citrus farmers. The integration showed the willingness of the white business company to work together with the previously disadvantaged growers. KATCO also realized that the citrus from the black farmers was of the best quality due to environmental reasons and therefore benefitted from the black farmers’ produce (Mather & Greenberg, 2003).

In the same year (1998), the Riverside Enterprise (Ltd) was established. One family of white commercial citrus farmers built this private packhouse. The establishment of the private packhouse became a huge loss to KATCO as the family growers used to bring in about 80% of the easy peelers to the cooperative packhouse. One successful black farmer moved his production from KATCO to the private Riverside Enterprise packhouse. By 2009, KATCO had lost seven black citrus farmers to different exporting agents. Four out of eight black farmers in this study joined Riverside
Enterprise (Ltd); three farmers are with SAFE and one with Capespan. The competition amongst number of exporting agents gave the growers an opportunity to deal with the exporting agents of their choice. The growers were also at liberty to shift between the exporting agents if they were not satisfied with the requirements, procedures and costs of the exporting agent serving them. Two farmers, for instance, have moved out of two exporting agents over a period of five years. KATCO exports the production of the remaining 15 black growers.

The deregulation of the markets permitted the cooperatives to export their produce through their agents directly to their markets in Russia, China, the European Union (E.U.) (most importantly the United Kingdom) (U.K.), and the Middle East. Even though Russia was the biggest market (43-45% of total exports), it was a high risk market because the insurance companies did not cover exports to it. The U.K. on the other hand, was very strict with pest control (phytosanitary measures) and cold steady demands.

Women constituted a high percentage of harvesting labour force at all the visited farms and the cooperative packhouse included in this study (Table 5). This pattern was attributed to the fact that women are regarded as more suitable for fruit picking, grading and packing because their nimble fingers handled the delicate fruit well, and they were neater and quicker than men. One farmer said; “If we were to hire more men for fruit picking then half of the harvest fruit in bins would be damaged; men are hard; but with women’s natural care there is less fruit that gets damaged” (W. M. Mzimela, personal
Table 5. Harvesting Labour Force (by Gender) at Selected Citrus Farms and the Cooperative Packhouse in the Kat River Valley (2009)

<table>
<thead>
<tr>
<th>Farm</th>
<th>Total No. of Workers</th>
<th>Women Workers</th>
<th>% Women Workers</th>
<th>Male Workers</th>
<th>% Male Workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Riverside 34</td>
<td>130</td>
<td>Farm 73</td>
<td>26.9</td>
<td>35</td>
<td>26.9</td>
</tr>
<tr>
<td>Millbank</td>
<td>95</td>
<td>73</td>
<td>76.8</td>
<td>22</td>
<td>23</td>
</tr>
<tr>
<td>Gonzana</td>
<td>70</td>
<td>52</td>
<td>74</td>
<td>18</td>
<td>25</td>
</tr>
<tr>
<td>Jerico</td>
<td>70</td>
<td>51</td>
<td>72.6</td>
<td>19</td>
<td>27.1</td>
</tr>
<tr>
<td>Greenwood/Cranford</td>
<td>65</td>
<td>53</td>
<td>81.5</td>
<td>12</td>
<td>18.5</td>
</tr>
<tr>
<td>Jordan</td>
<td>64</td>
<td>48</td>
<td>75</td>
<td>16</td>
<td>25</td>
</tr>
<tr>
<td>Torties</td>
<td>57</td>
<td>38</td>
<td>66.7</td>
<td>19</td>
<td>33.3</td>
</tr>
<tr>
<td>Whites</td>
<td>54</td>
<td>34</td>
<td>63</td>
<td>20</td>
<td>37</td>
</tr>
<tr>
<td>Orange-Grange</td>
<td>40</td>
<td>30</td>
<td>75</td>
<td>10</td>
<td>25</td>
</tr>
<tr>
<td>Topkat</td>
<td>31</td>
<td>20</td>
<td>64.5</td>
<td>11</td>
<td>35.5</td>
</tr>
<tr>
<td>KATCO</td>
<td>878</td>
<td>702</td>
<td>80</td>
<td>176</td>
<td>20</td>
</tr>
<tr>
<td>Total</td>
<td>1554</td>
<td>1196</td>
<td>76.9</td>
<td>358</td>
<td>23</td>
</tr>
</tbody>
</table>

34 Despite a number of approaches to set appointments with the managers of both Riverside Farms and the Private packhouse the researcher was not granted the opportunity. As a result the findings were only based on workers’ responses.
communications, August 18, 2009). Secondly, the women’s income was still regarded in this study as supplementary to that of the head of the household. This factor led to the employment of women in most jobs that were perceived to be of low status on the farms.

Table 6 shows an important characteristic in the make-up of the permanent labour force. In five out of 10 farms visited all the permanent employees were males. The fact that women were employed as temporary workers was a result of gender discrimination within the labour market. Consequently, women were assigned to insecure work. The findings presented in this Table confirmed what has been established in Table Three that the greater percentage (73.2%) of women was in seasonal employment. Three farms and the Cooperative have females in permanent employment but they constituted less than 30% of all permanent employees. Males constituted, by far, a greater percentage of the permanent labour force in the study area and enjoyed the benefits of monthly wages and UIF registration. Men were involved in what was regarded as the physically demanding tasks and the skilled jobs such as tractor and fork lift driving, pelletising, spadework, irrigation, scouting and the application of insecticides and fertilizer. Most of these tasks were performed after the harvesting season and therefore required employment throughout the year. One farmer indicated that women did not want to perform ‘men’s tasks’. The farmer
argued that women regarded the so called ‘men’s tasks’ as oppressive to them. Contrary, on one farm, a woman applied pesticides. Another scenario was that the temporary, seasonal and casual workers’ salaries stopped when the workers were released from work, for instance, because of rain.

Table 6. Permanent Labour Force (by Gender) on Selected Citrus Farms in the Kat River Valley (2009)

<table>
<thead>
<tr>
<th>Farm Name</th>
<th>Total No of Permanent Workers</th>
<th>Males</th>
<th>%</th>
<th>Females</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Riverside</td>
<td>18</td>
<td>13</td>
<td>72</td>
<td>5</td>
<td>27</td>
</tr>
<tr>
<td>Millbank</td>
<td>15</td>
<td>11</td>
<td>73</td>
<td>4</td>
<td>26</td>
</tr>
<tr>
<td>Gonzana</td>
<td>8</td>
<td>6</td>
<td>80</td>
<td>2</td>
<td>20</td>
</tr>
<tr>
<td>Jordan</td>
<td>6</td>
<td>4</td>
<td>80</td>
<td>2</td>
<td>20</td>
</tr>
<tr>
<td>Cranford/Greenwood</td>
<td>5</td>
<td>5</td>
<td>100</td>
<td>-</td>
<td>0</td>
</tr>
<tr>
<td>Whites</td>
<td>5</td>
<td>4</td>
<td>90</td>
<td>1</td>
<td>10</td>
</tr>
<tr>
<td>Jerico</td>
<td>4</td>
<td>4</td>
<td>10</td>
<td>-</td>
<td>0</td>
</tr>
<tr>
<td>Orange-Grange</td>
<td>3</td>
<td>3</td>
<td>10</td>
<td>-</td>
<td>0</td>
</tr>
<tr>
<td>Torties</td>
<td>3</td>
<td>3</td>
<td>10</td>
<td>-</td>
<td>0</td>
</tr>
<tr>
<td>Topkat</td>
<td>3</td>
<td>3</td>
<td>10</td>
<td>-</td>
<td>0</td>
</tr>
<tr>
<td>KATCO</td>
<td>28</td>
<td>20</td>
<td>71.4</td>
<td>8</td>
<td>28.6</td>
</tr>
<tr>
<td>Total</td>
<td>98</td>
<td>76</td>
<td>77.6</td>
<td>22</td>
<td>22.4</td>
</tr>
</tbody>
</table>
The implementation of labour laws led to a high percentage of local seasonal workers living off the farms. The study revealed that all the farmers and packhouses hired most of their labour force from the neighbouring townships of Fort Beaufort, Seymour, Balfour, Hillcrest in Alice, and Adelaide; the villages such as Kwezana, Emagaleni, Gqugesi, Ntoleni, Gonzana, and amongst the farm dwellers themselves. All the seasonal off-farm workers, excepting those working in the packhouses, who were interviewed in this study, confirmed that the farmers provide transport for them (see Plate 2).

Tractors or trucks were used to transport workers, with the mode of transport depending on the number of workers to be fetched. A major concern about the transport was the safety of the workers, especially the female workers as they constituted the majority of off-farm workers. The transport cost was not deducted from their wages. The wages of 'casual' employees was subject to fluctuation through a variety of circumstances. For an example, when there was dew in the morning, the workers picked the fruit when dew evaporated and their wages were calculated from the time they started working even though they remained on the farm throughout the morning hours. This also applied to the packhouses. For an example, when the conveyer belt was out of order the workers did not get paid for the hours that the belt was not functioning.
The provision of transport to off-farm employees worked perfectly for the farmer as it controlled late coming. On some farms the administrators introduced a register system which was signed on arrival at 07h00. There was evidence of foreign migrant workers even though they were also off-farm workers. It was difficult to secure appointments with them due to the xenophobic attacks on migrant farm workers in the South Western Cape at the time of this research (2008-2009).

The feminisation of seasonal labour is shown in Table 7. The high number of off-farm women workers employed showed the drastic shift from the farming tradition of employing on-farm labour. The positive gain for off-farm workers was that they accessed jobs at any workplace or farm. Their
marital status did not prejudice them anymore. A woman worker interviewed from Emagaleni village expressed her joy on living in her own (off-farm) house and on being independent. She said that the farmer was not able to place any more restrictions on their movements. This indicated that the paternal control the farmers practised on their workers diminished as soon as they left the farm. There was a formal labour relation instead. The negative effect of the off-farm locations for workers was that they were only employed during the harvesting period (three to four months) or at the packhouses (five to six months). Employment during this seasonal period meant that employment benefits such as access to unemployment funds, sick leave and vacation leave were no longer available to them.

All the off-farm worker respondents in this study confirmed that they did not have any employment contract with their employers. This was against employment conditions set out in the BCEA. The working conditions on the selected citrus farms remained non-formalised because the farmers conveyed them verbally. Written formalized working contrasts were signed only at the packhouses. The packhouses employed the same employees but signed a new contract every year (regular employment). One production manager argued that the packhouses could not afford to hire new workers as they provided training and ran courses for employees.
Table 7. Seasonal Workers on Selected Citrus Farms in the Kat River Valley (2009)

<table>
<thead>
<tr>
<th>Farm Name</th>
<th>Total No. of Seasonal Workers</th>
<th>Number of Seasonal Women Workers</th>
<th>Seasonal Women Workers as a Percentage of Total Number of Seasonal Workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Riverside</td>
<td>130</td>
<td>112</td>
<td>86</td>
</tr>
<tr>
<td>Millbank</td>
<td>95</td>
<td>80</td>
<td>84</td>
</tr>
<tr>
<td>Gonzana</td>
<td>70</td>
<td>52</td>
<td>74</td>
</tr>
<tr>
<td>Jerico</td>
<td>70</td>
<td>51</td>
<td>72.9</td>
</tr>
<tr>
<td>Cranford/Greenwood</td>
<td>65</td>
<td>53</td>
<td>81.5</td>
</tr>
<tr>
<td>Jordan</td>
<td>64</td>
<td>48</td>
<td>75</td>
</tr>
<tr>
<td>Torties</td>
<td>57</td>
<td>38</td>
<td>66.7</td>
</tr>
<tr>
<td>Whites</td>
<td>54</td>
<td>34</td>
<td>63</td>
</tr>
<tr>
<td>Orange-Grange</td>
<td>40</td>
<td>30</td>
<td>75</td>
</tr>
<tr>
<td>Topkat</td>
<td>31</td>
<td>20</td>
<td>64.5</td>
</tr>
<tr>
<td>KATCO</td>
<td>878</td>
<td>850</td>
<td>96.8</td>
</tr>
</tbody>
</table>

With reference to written contracts as per BCEA requirements, the legislation had been implemented but with some shortcomings. The few labour inspectors made it difficult to identify the loopholes on regular employment.
and that allowed the employers to escape the legislation. The employers extracted profit out of regular employment in that although the conditions of employment improved, the contract with the citrus workers formalised their job insecurity for a period of six to eight months in the Kat River Valley.

The supervisory positions in the packhouses were distributed among different racial groups. In this study, there were 25 women and 20 men supervising the packing, grading and sorting of fruit. These supervisors comprised seven coloured and 18 black women; 11 coloured men and nine black men. If there were vacancies for supervisor positions the management of the packhouse upgraded experienced seasonal workers to the vacant positions. White staff occupied the more senior jobs in the citrus industry, namely, the clerical positions and team leaders.

**Employee Housing in the Citrus Industry in the Kat River Valley**

There were two distinct housing types and patterns identified on the selected farms (see Plates 3 and 4). The emerging black farmers found the residents or households already living on their farms when they bought the properties from the Department of Agriculture, Forestry and Fisheries, and Ulimocor. The residents built their own houses (Plate 3) and they resembled a nucleated pattern, which differed from the pattern of the settlements on the white owned farms.
Plate 3: Some of the Houses on the Black Owned Citrus Farms in the Kat River Valley (2009)
The poor quality of the houses was indicative of the high level of poverty the on-farm workers experienced. One woman respondent complained that the farmers did not hire them anymore; they opted for bringing workers from Kwezana (the neighbouring village).

Table 8 indicates the number of households per farm. Only two black farmers (out of the eight farms visited) did not have residents on their farms. One farmer did not know that he had 11 households on his farm. Secondly, he did not believe in granting his workers tenure rights. One farm worker was evicted from the same farm because he exchanged words with the farm owner over tenure rights. Although ESTA aimed at safeguarding the farm dwellers, different scenarios existed in the study area whereby the farm dwellers lived under difficult circumstances; for instance, there was no piped water for residents. One woman confessed that they ‘stole’ water from the farm and that when the farmer caught them he spilt the water and argued that he paid for it. In short, they (as residents) did not have free access to water. For workers this illustrated the anger farm owners held towards the farm dwellers following their legal rights. Moreover, the Department of Agriculture official confirmed that the subsidy that the farmers received from the government was withdrawn when the ‘Ciskei’ farms were incorporated into the Eastern Cape.

The emerging black farmers who found residents on their farms decided not to evict the residents as they were born there and they did not have any other place to go to. The reality is that they are unable to evict them
because the Extension of Security of Tenure Act (ESTA) of 1997 protects the farm workers. The Department of Agriculture official confirmed that his Department was involved in negotiations with the Department of Land

Table 8. Number of Worker Households per Citrus Farm in the Kat River Valley (2009)

<table>
<thead>
<tr>
<th>Farm Name</th>
<th>No. of Households Living on Farms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gonzana</td>
<td>22</td>
</tr>
<tr>
<td>OrangeGrange</td>
<td>10</td>
</tr>
<tr>
<td>Greenwood/</td>
<td>-</td>
</tr>
<tr>
<td>Cranford</td>
<td>-</td>
</tr>
<tr>
<td>Torties</td>
<td>-</td>
</tr>
<tr>
<td>Whites</td>
<td>11*</td>
</tr>
<tr>
<td>Jerico</td>
<td>15</td>
</tr>
<tr>
<td>Topkat</td>
<td>28</td>
</tr>
<tr>
<td>Millbank</td>
<td>9</td>
</tr>
<tr>
<td>Riverside</td>
<td>-</td>
</tr>
<tr>
<td>Jordan</td>
<td>7</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>102</strong></td>
</tr>
</tbody>
</table>

*The farmer did not know the number of residents on his farm. The researcher established that there were 11 residents on the farm.
Affairs for land to relocate the farm residents on black owned farms.

In contrast, the white commercial farmers built houses for their farm workers (see Plate 4).

Plate 4: Vacant Worker Farm Houses on the Citrus Farms,
Kat River Valley (2009)
Of the two commercial farms visited, only one farm still housed farm workers. Seven out of nine worker-houses were unoccupied on one white farm. The empty houses (see Plate 4) display the negative impact of the implementation of ESTA on the farm workers.

The farmers preferred to employ more off-farm seasonal labour in order to prevent the on-farm workers from qualifying for tenure rights on their farms.

The retired couple occupied one house and the permanent worker who was from Adelaide, which is 60 km from Fort Beaufort, lived in the second one. The retired farm worker indicated that:

"All the other workers left these houses with no apparent reason. Now I have been told that they live in shacks at Emagaleni (village near Fort Beaufort). I really do not know why they left these houses because they were never evicted. I do not pay rent, and do not have water and electricity bills. The farmer pays everything for me (N.I. Kholekile, personal communication, August 2, 2009)."

Even though the retired couple did not pay for rates and services the condition of the house they lived in was unhealthy. The house was not maintained at all. The other permanent farm worker had just come to live on
the farm because his house was far from his workplace. He had just occupied the house for two weeks during the time of visit. (The respondent did not participate in this research because he was still unfamiliar with the new work environment). The other farm houses were unoccupied (see Plate 4).

The implementation of the Extension of Security of Tenure Act (ESTA) (1997) had significant consequences to both the farmers, especially the women farmers, and the farm residents. One woman farmer who inherited the farm from her late husband had major difficulties with the farm residents. The Department of Land Affairs divided the farm into two sections: one for the woman farmer and the other for the community. There were 32 residents in total on this farm. The tarred road served as the boundary between the two farms. However, the community citrus farm was not cultivated since 1983. The Department of Agriculture intended to capacitate the executive managers of the village so that the whole community could own the farm, but the 32 residents were in conflict with one another. The Department had already provided the residents with Nguni cattle in a project known as the Siyazondla Project. The residents were given 13 cows to start the project so that they could become independent farmers in the near future. The residents of the farm decided to evict the woman farmer from her house and requested her to go and live on her land even though there was no house there. She was expected to leave her house by January 2009. The reason behind this eviction was not clear; even the chairperson of the village could not give a
substantive reason for the community’s action. This is an example of how a woman was discriminated against in the study area following the death of her husband.

In another instance, farm residents laid a formal land claim with the Land Redistribution for Agricultural Development Programme. In 2007, the Department of Land Affairs (DLA) had recommended to the woman farmer that she should consider a minimum number of households (beneficiaries to be identified by the farmer herself) who have demonstrated commitment and willingness to participate in citrus farming to be included in the land acquisition. The DLA emphasised that the beneficiaries must be the people who had stayed on the land. It was also recommended that the female farmer and the new beneficiaries guarantee tenure to the other residents staying on the land in accordance with ESTA. The woman farmer complied. However, the beneficiaries were hesitant to participate on the farm. Instead, in January 2009, a portion of the farm was burnt down (see Plate 5), interrupting the development operations that the Independent Development Corporation (IDC) and the mentor were due to perform.

According to a letter from the Amathole District Municipality (ADM) (East London District Land Reform office) the community was now laying claim to the whole farm. In addition, the community broke the farm fence and argued that they had lived and worked on this farm. In spite of these actions, the community remained without any resources to make a living from the farms (C. J. Pieter, personal communication, October 03, 2003).
The farmer believed that she was being treated differently because she is a woman. Moreover, she was protected from the community threats only when she requested her male cousin to assist her on her farm.

The victimisation of this woman farmer did not only come from the community but also from the DLA officials. An official from the DLA sent an unofficial document requesting the farm owner to be the caretaker of the farm from August 01, 2009 to January 2012\textsuperscript{35}. Some sentences and names in the document were erased with a correction pen and thereafter duplicated.

\textsuperscript{35} The researcher refers to the document as unofficial because the document does not have the Departmental letterhead.
There are contradicting font types used in the document and some pages are written with a typewriter while others are of computer origin. The top right hand edges of the document are dated 1983 and some are dated 1984. The document stated that the current woman farmer was not the registered owner of the farm and indicated the DLA official as the registered owner. This is the farmer who was voted as the Provincial Female Farmer of the Year 2001 and who established the preschool for the young children living on the farm (see Plate 6). The preschool was no longer operational because the official documents from the provincial DLA indicated that the National Government of South Africa owned the land. The young children do not have access to preschool education and those who were employed as educators lost their jobs (C. David, personal communication, March 19, 2004). The nature of the unofficial document served on this woman farmer suggests corruption amongst officials in the provincial DLA and moves on their part to illegally gain access to agricultural farmland.

Data indicated another interesting response to ESTA in the Kat River Valley farms. The white commercial farmers bought land at the neighbouring village (Emagaleni/Hillside) from the property developers known as New Housing Company (Newco) in 1994 to accommodate their on-farm workers. The company was contracted to develop low cost housing in the area, but their land surveyors did not approve the land for housing development because it was a filled dam.
The current local Councillor was not clear on the conditions under which the farmers and Newco managed to reach a buy and sell agreement of the land, despite the unsuitability of the site for housing. The commercial farmers signed a legal contract with a local hardware store to purchase building material and built the houses for the on-farm workers (see Plate 7). The farmers told the farm workers that they built the houses in order to protect them in case they (farmers) leave the farm. However, the construction cost was debited from the workers’ salaries without their consent.
Plate 7: House Built for the On-farm Workers at Magaleni Village, Fort Beaufort in the Kat River Valley

Since the farm workers value the fact that they lived in their own houses, they did not contest the matter.

State Support to Black Citrus Farmers

The Department of Agriculture provided the farmers with the land redistribution grant or government subsidies that were non-repayable. The Department of Agriculture had also secured significant funding from the Industrial Development Corporation (IDC) to ensure the development of sustainable citrus production units. The IDC funding was to facilitate the redistribution of land to black farmers for the promotion and enhancement of
commercial citrus farming in the Eastern Cape. The funding was used to rehabilitate the historically disadvantaged Eastern Cape citrus farming activities. It assisted farmers in land acquisition from the Department of Land Affairs, the rehabilitation and replanting of 300 hectares of citrus orchards and in the provision of working capital facilities. The established citrus farming, packaging and marketing company, Riverside Enterprise (Ltd), administered the loans. The Riverside Enterprise (Ltd) also provided marketing, extension and administrative services to train the farmers into establishing commercially viable entities in their own right. The project enabled the black farmers an opportunity to learn from the experience of the Riverside management, while it also focused on production because of the dedicated marketing channel via the Riverside packhouse (IDC, 2007; C. Z. Duda, personal communication, October 12, 2009).

New fruit trees were planted on the farms in this study through this project (see Plate 8) except for the farm where the farm dwellers have laid land claims. Irrigation equipment was laid on the farms, new water pumps bought and the farms were fenced all round. One woman farmer complained that she has not yet received her full government grant (N. Zini, personal communication, October 23, 2009). She only received R100 000 instead of R425 000 which the other farmers had received. The Department of Agriculture official argued that the farmers received different funding depending to their needs. The farmer further indicated that there were no
new fruit trees planted on her farm because the mentor\textsuperscript{36} said all the money was used on land preparation and administration. The farmer said, “I am the only farmer without fencing, now it is difficult to diversify my plants. The livestock destroyed 80,000 heads of cabbage I planted. I also have 10 cattle which I keep on the other side of the farm” (E. Z. Tabalaza, personal communication, October 27, 2009).

\textsuperscript{36} The Eastern Cape Department of Agriculture and IDC requested the farmers to identify commercial farmers or marketing agents who will be their mentors on every aspect of citrus production.
The farmer wrote letters of complaint in June 2009 to the Member of the Executive Council (MEC) for Agriculture and the Agricultural Standing Committee in June 2009 but she did not receive a response.

The woman farmer had previously stopped exporting through the Riverside Enterprise (Ltd) and she contended that this might be impacting negatively on her and the cause for the differential treatment meted out to her. One black farmer disapproved of the IDC and the Department of Agriculture’s appointment of a mentor to administer his funding and technical operations.

The farmer said, “I know what improvements need to be done on my farm. Why would I allow somebody else from another farm to administer my farm”? (W. M. Mpukane, personal communication, August 18, 2009). Another farmer was not happy at all with the manner in which the mentor administered the funding. The farmer argued that he did not know the actual number of trees planted on his farm and did not receive any invoices to see how much the trees cost even though he was responsible for the repayments. The mentor also reduced the number of casual workers employed on his farm. He disregarded the administrator and kept the six casual labours to attend to the farm after the harvest. The four other farmers interviewed were satisfied with the kind of support and assistance they received from their mentors. They argued that their production had improved with the assistance of the mentors.
The role of the Department of Labour (DoL) is to enforce and monitor labour legislation. The interview conducted with the labour inspector from the Nkonkobe Local Municipality revealed that farm employers familiar with the labour legislation were more compliant. The inspector reported that there were outstanding improvements on compliance over the past five years especially on child labour, forced labour, unemployment funding and minimum wage levels. The minimum wage stipulated was R6.31 per hour; R284.00 per week and R1231.00 a month in 2009. On-farm and off-farm workers earned wages in accordance with the DoL requirements. Permanent labourers earned between R1210.35 and R1240.67, while some farmers paid them R1300.00 per month in 2009. The seasonal workers were paid according to the number of bags of fruit they picked at R0.80c per bag. The cooperative packhouse minimum wage was R7.00 per hour and R24.00 per hour for permanent workers. Seasonal workers were paid fortnightly both on the farms and at the packhouse. The method of payment differed as the farm workers received their wages in an envelope while the packhouse transferred the wages/salaries electronically to all the workers’ bank

37 The increase on farm workers wages is based on September 2008 consumer inflation figure of 13%. The DoL stipulated that there will no longer be a distinction between those employers and employees previously in so-called rural areas (Pay Hike, February 16, 2009).
accounts. The total absence of child labour on the citrus farms showed the success of the implementation of labour legislation on farms.

There were a few cases of a lack of compliance with the BCEA requirements. For instance, there was one case of a farm worker who got fired because he complained of not being paid for overtime work. The farm worker was reinstated after the DoL intervened on his behalf. Farm employers (especially the big commercial farmers), the packhouses and farmers who work in collaboration with the mentor, were more compliant with labour legislation. Sadly, black citrus farmers contravened elements of the labour laws and argued that they did not have enough money to protect their employees. For example, they resisted the registration of their workers with the UIF and one farmer had been taken to the Labour Court for this offence. Clearly, the DoL needs to be more vigilant about employee working conditions on the citrus farms and in the citrus industry in the Kat River Valley\textsuperscript{38}.

The Labour inspector indicated that they apply both proactive and reactive strategies with employers (that is, the farmers and the packhouses). In terms of being proactive, the inspectors set appointments with the farmers/employers about their visits. On such visits they took pamphlets or flyers on labour laws. They called such visits ‘information sessions’ because they advise the employers on labour legislation. The inspector emphasised

\textsuperscript{38} According to the 2009 annual report, the Department has a 17.23\% vacancy rate of which 20\% were unfilled inspectors posts (2009 Report Card, December 23, 2009). Therefore, the Department experienced difficulty in implementing wages.
that these visits with the employers provide the opportunity for awareness raising rather than policing. The labour inspectors used a checklist to assess compliance with labour regulations and human resource development. In cases where there was a lack of compliance, the inspectorate discussed the issues with the employer and submitted a return that gave the farmer/employer seven days to comply. After seven days the labour inspector visited the farmer again for the purpose of reassessment. If there was still non-compliance, the farmer was given 21-days to comply. Thereafter the case was referred to a labour liaison officer stationed in Port Elizabeth for referral to the Labour Court.

Reactive labour action in the Kat River citrus case study involved the use of a checklist to assess labour law compliance in response to complaints lodged against the farmer/employer. The complaints were received from either the employee or the public. The reactive labour inspection process followed the same procedure as the proactive approach except that the inspection was performed in the presence of the shop steward. The Provincial labour office also conducts what is called the ‘blitz inspection’. In these cases, provincial inspectors visited specific local municipalities according to their programme. The Provincial labour inspectors (during visits to places of employment) asked the employer not to be with the workers during interviews or meetings with the employees. Often, local inspectors arranged public meetings with employees after working hours in order to ensure good attendance. They worked hand in hand with the Local
Municipality and workers’ unions. For example, the local COSATU affiliates arranged a public meeting in Alice on the November 15, 2009 at 15h00. The meeting was on the role of labour unions in the workplace and included the provision of labour rights flyers to all the workers. This was one of the items that affected the citrus seasonal farm workers.

The Department of Labour inspectorate reported that at first, it was common for the farmers not to honour their appointments with the inspectorate despite the fact that were notified of the visits. There were instances where the farmer did not allow the inspectors access to their farms. Instead they let the dogs loose on inspectors so as to deny them entry. In such instances, the inspectors called the police to assist them to gain entry to the farm. More recently, farmers have allowed the labour inspectors onto their farms. The labour inspector indicated that there were once large numbers of evictions of farm dwellers. These evictions were referred to the Department of Land Affairs as some evictees were land claimants on the farm in terms of the ESTA legislation.

With regards to health and safety regulations, protective clothing needed to be worn even though some workers chose not to wear this clothing. They claimed that such protective clothing irritated them. Simultaneously, some workers complained of pesticides inhalation. However, the farmers and the labour inspectorate confirmed that the mentors provided training on how to handle chemicals but did not provide any certification. A health and safety matter of concern was the ablution facilities
in one of the packhouses. There was only one female toilet in the packhouse to cater for more than 200 female workers. Moreover, the workers were monitored not to spend more than 10 minutes in the toilet. In addition, there were limits to the frequency of their visits to the toilet. The workers also expressed disappointment that their change room was also used as a lounge–cum-dining room during their meal times. The workers complained of the bad smells emanating from the septic tank that was located a few metres from their change room.

Citrus farm workers and labourers in the study area noted that all the farmers and the managers of the packhouses did not accept medical certificates issued at the local clinics and public hospitals. This posed a serious problem for the workers because their wages were so low that they could never afford to visit the private general medical practitioners in town. If a worker fell sick at work, the farmer took him/her to the hospital. The transportation costs were then deducted from the employee’s wages. The workers complained that these deductions from their wages were exorbitant and contended that it was not necessary for the farmer to transport them to the hospital. The workers qualified for three sick leave days per month from the packhouses while there were no sick leave days granted on the farms. Instead farmers apply ‘the no work no pay’ rule. Farm workers indicated that their wages were deducted even if they fell sick while on duty.
Citrus Farm Worker Organisation in the Kat River Valley

The BCEA provided farm workers the right to belong to trade unions and to bargain collectively with employers. In this study, it was found that all the farm workers and those working in the packhouses were not unionised. Consequently, these workers have poor knowledge of their employment rights. Unions such as Food and Allied Workers Union (FAWU) and the Eastern Cape Non-Governmental Organisation (NGO) tried to organise the workers in the packhouses but faced resistance from the workers. Farm workers still believed in the tradition of employer-related paternalism and did not fully comprehend the necessity and importance of labour union membership. The workers who attempted to raise critical labour issues among the workers in the packhouses were fired. Consequently, the workers were reluctant to join any labour union.

Unfortunately, the trade unions ignored the seasonal and casual workers who were mostly women. Secondly, the labour unions did not have the capacity to organise workers who moved between employers. Consequently, women labourers and workers were not able to join the labour unions because of their employment status and this exacerbated their employment conditions. In most cases, males dominated the labour unions and tended to downplay women employee concerns such as childcare and domestic responsibilities. Women workers in this study were not granted maternity leave and women in the focus group (2006) highlighted that if a woman fell pregnant then she lost her job immediately. Such action is
contradictory to the BCEA which makes provision for unemployment and maternity leave benefits to non-permanent workers who work more than 24-hours per month.

This study found that the living conditions of on-farm workers were worse than those of off-farm workers. Farm dwellers/households on the emerging black farms did not have access to electricity, tap water and used the pit toilet system. In contrast, these basic infrastructure services and facilities were well provided on the white commercial farms and for off-farm dwellers from the neighbouring villages and townships. A major contributing factor to the poorer on-farm living conditions was that the South African government no longer subsidised farmers for service provision for their employee households.

The researcher found that there was an association or forum formed in 1997 to establish the Alice Kat Citrus Development Trust. The Trust had a chairperson and two administrative staff members who are women. Capespan International undertook to pay for the costs of running the office in Fort Beaufort before 1994 with the impression that all the Kat River farmers would export through Capespan International. Capespan International paid R60 000 per annum for the official expenditure of the office, including the rental of office at R700.00 per month (1997), water and electricity bills, and the salaries of the two administrative staff members. Unfortunately, some farmers did not export through Capespan International. Instead, some farmers used SAFE and others exported their fruit through Riverside
Enterprises. This created tensions between Capespan International and the farmers that exported with other exporting agents. Consequently, SAFE and Riverside Enterprises (Ltd) were requested to share the running costs of the office with Capespan International, but refused. Consequently, the Department of Agriculture intervened in 2006 and paid for the office expenditure, maintenance and the salaries of the two administrative staff. When State Funding terminated in 2009, the farmers decided to share the costs amongst themselves but some refused to contribute to the maintenance of the office. Riverside Enterprises however, agreed to pay some of the costs and engaged the services of one of the secretaries. Currently (2009), there were no funds to pay the administrative staff that worked in the office (M. Mpamani, personal communications, August 18, 2009).

Conclusion

The chapter reveals that agricultural restructuring has contradictory effects on the farmers, the packhouses and the farm workers. For instance, the establishment of the private packhouse, Riverside Enterprises (Ltd), has a positive effect on the owners but a negative effect on Kat River cooperative packhouse. The growers, on the other hand, had the liberty to change their exporting agents as they wished. Some growers indicated that it was difficult to deal with the markets at the beginning of the deregulation of markets but commended the involvement of mentors (Capespan in this case) who improved their business skills. The involvement of the Department of
Agriculture was commended except that the implementation of operations had been solely left to the mentors who created some problems for the communities. Some farmers faced severe challenges such that they did not export their citrus fruit anymore. The others opted for the diversification of farming activities.

There was a shift in employment patterns wherein the farmers and the packhouses employed more seasonal workers, mostly women, and fewer permanent workers (men). More seasonal labour was employed because this was the strategy applied on the farms and packhouses to cut costs in response to steep market demands. Secondly, the seasonal and casual labourers did not have any demands and the unions did not represent them. There was also evidence of the gendered division of work and men worked more hours and earned more than the seasonal labour. Women’s work was still defined in relation to reproductive responsibilities. There were some tasks that were specifically referred to as men’s tasks and others as women’s.

With regards to minimum wages there was a positive response on both the farms and packhouses. The long discussion process that the Department of Labour followed when confronted with contraventions of legislation allowed the employers to escape the legislation requirements. The high percentage of unfilled inspector posts also hindered the implementation of labour laws. It became evident that ESTA had serious implications in the Kat River Valley such as the abandoning of farm houses,
the preference of off-farm workers and foreign migrant workers. The preference of off-farm women and migrant workers showed the prevalence of how difference was constructed on gender relations among nationalities because women from different ethnic groups have different experiences. The wide difference in the level of education among the farmers had a negative effect on the business side of citrus farming. There was also evidence of mistrust towards the mentors as the communities did not fully understand the business side of farming. In this instance race played a critical role in that the mentors played a dominant role as superiors in citrus production. However, there were other black respondents who contested white domination of their farming activities. The following chapter will focus on the discussion of the data presented in this chapter.
CHAPTER V

DISCUSSION OF FINDINGS

Introduction

The chapter discusses the findings presented in Chapter IV. The discussion is framed within elements of postmodernism geography and feminist geographies of difference. A principal element of this chapter incorporates a discussion of similarities and differences between the existing body of knowledge and the research findings. The impacts of agricultural restructuring and the deregulation of markets on farms and packhouses are discussed. The chapter explains the impacts of the extension of labour legislation on farm labour with particular reference to women. The chapter reveals the degree of employer (farmers and packhouse managers/owners) compliance with the labour laws in the agricultural sector.

The extension of legislation to the agricultural sector was intended to address the labour rights and employment conditions. This became more significant for women labour in the agricultural sector. The study revealed that the majority of women workers on the farms and packhouses of the Kat River Valley are either on temporary, seasonal, contractual or casual employment. This is embedded on the basis of gender discrimination within the labour market which assigns women to insecure jobs. Added to that, womens' tasks were classified as having low remuneration than men
(Barrientos, 2004). This undervalued the type of tasks women performed. The situation is slightly changing in the packhouses of the Kat River Valley where women workers earn equal wages with men on work of the equal value.

The South African Employment Equity Act (EEA) (1993) provides all the basic aspects of discrimination based on gender, ethnicity and religion. There was evidence of non-compliance with regards to this Act in both the farms and packhouses of the Kat River Valley. The research established that there are fewer black women on management positions of the packhouses and there is none of women supervisors on the farms. The sub-themes discussed below will table the specific aspects the research revealed.

Agricultural Restructuring and the Deregulation of Markets on Citrus Industry

The deregulation of markets (1997) was introduced simultaneously with the passage of new labour laws in South Africa. According to the Women on Farms Project (2008) agricultural employers were required to transform a labour market that relied for its competitive advantage on cheap labour and extensive support from the state in the form of subsidies to one where labour laws were upheld and the security of tenure of farm dwellers was respected. During this time (1997), agricultural subsidies were taken away. The citrus farmers in the Kat River Valley differed from those in other areas in two ways: first, they also comprised emerging black citrus farmers who were greatly
affected by the withdrawal of agricultural subsidies. Secondly, commercial citrus farmers were required to compete internationally in a global market system.

The Women on Farms Project (2008) argued that the international traders, especially the U.K. retailer, put much pressure on the citrus growers. Evidence from the data collected supported the enormous pressure put on the citrus growers in the Kat River Valley through the enforcement of phytosanitary measures, the quality and the size of citrus fruit to be exported, and the distribution of fruit through a highly sophisticated cold sterilization. This involves cooling the fruit at a temperature of -0.5°C for a period of 12 days to destroy any insect infestation (Mather, 1999). These requirements increased the overall production costs of citrus fruit. The high production costs affected the producers in the Kat River Valley in a number of ways such that some decided to diversify their citrus farming into cattle, game and vegetable farming while some abandoned their citrus farms completely. Those who remained in citrus farming resorted to selling their fruit both locally and internationally, even though they received much higher prices on the export market. The major difficulty with the international markets was the delay in payment of up to a year on the exported fruit.

One grower, for instance, indicated that he planned to sell 85% of his produce locally and export the remaining 15% to the international market in the coming (2010) season. The farmer confirmed that the better exchange rate from the international market offered better returns but the actual
payment takes long. Women on Farms Project (2008) supported the argument that the farmers receive much higher prices on the export market than the local market. Secondly, the lack of agreement on price cuts without reasonable notice affected the growers in the sense that they were uncertain about their turnover. The growers exported at a certain price per cartoon but if there were changes in price, they were not given enough time to adjust to the price cuts. Farmers found out about these price changes when they received their returns as the international markets agreed on prices only when the exported citrus reached the distribution centres.

The Eastern Cape Department of Agriculture came to the rescue of farmers in 2007/2008 with the provision of infrastructure and production equipment, and financial assistance in the form of production loans from the IDC. Such intervention may have good results after five years as the new trees produce fruit after five years. The intervention of the Department of Agriculture was also extended to the farm residents who were granted ownership of a citrus farm in the Kat River Valley. The aim of the Department of Agriculture was to capacitate the farm community with citrus farming and business management skills and for it to own the farm. However, there were misunderstandings over the manner in which the objectives of the Provincial Department of Agriculture were communicated to the residents of farm and this led to conflicts amongst the residents themselves, and with the mentor. Racial differences contributed to the development of tensions between the
farm residents and the mentor who belonged to the neighbouring white commercial citrus farming community.

The mistrust the residents showed towards the mentor harmed the intention of the Department to empower and develop co-ownership of the farm. This means that the Department of Agriculture and the IDC needs to reassess their support given that community co-ownership of land is complex and created a number of problems. The farm remained unproductive. The majority of farm residents were unemployed while some secured employment on the neighbouring farms during the harvest season. Also, given the tensions between the farm residents and the mentor, it is important for the local citrus industry to pay due cognizance to Peake and Kobayashi’s (2000) perspective on the necessity to take into consideration issues of race (and gender).

The strong South African currency decreased the exchange rate (against the U.S. dollar, British pound and the Euro) and high financial interest rates increased the relative cost of labour on the farms and packhouses. Consequently the growers resorted to controlling the cost of labour. This response in the Kat River Valley is in keeping with the findings of Barrientos & Kitzinger(2003), Conradie (2008), and du Toit & Ally (2003). The section below shows the effects of the extended labour laws on labour and mainly the women labour.
The Impact of Labour Laws on Labour in the Kat River Valley

Orton et al. (2003) argued that it was generally acknowledged in South Africa that where labour legislation was implemented, conditions for farm workers improved slowly, but unevenly. Some of the improvements in the Kat River Valley included gender equalizing effects through which the employment of women was formalized with written contracts. The contract sets out the terms and conditions of their (women) employment. Consequently, the seasonal women workers in the Cooperative with employment contracts enjoyed some employment benefits such as pay for sick leave and double salary payment during vacations. The packhouses and some farmers provided regular employment for women workers for many years but signed a new employment contract with these workers every year. The annual employment contracts did not fully protect the women workers because they did not benefit in respect of maternity leave and UIF. This study showed that the majority of workers (82%) in the Kat River Valley have children. The regular seasonal employment did not materially improve the workers’ living conditions and they continued to live in poverty. In short, the packhouses and the farmers identified mechanisms to circumvent elements of the BCEA.

The findings presented in this study on the changes in employment patterns when labour legislation was extended to the farms conform with results from other studies (du Toit & Ally, 2003; Barrientos; Kritzinger, & Rossouw, 2005; Mather & Greenberg, 2003). The results in the Kat River
Valley indicated the shift away from permanent on-farm employment to temporary and seasonal off-farm employment. Women on Farms Project (2008) argued that formal employment in agriculture showed a steep decline in the South Western Cape when labour laws were implemented. This was the case with the Kat River Valley area. The major factor contributing to the shift away from the permanent labour force in the Kat River Valley was the fear of losing land to resident farm workers. A large number of off-farm workers in the Kat River Valley were females. The domination of women in seasonal work confirmed that the pattern of feminization of cheap labour was well entrenched both on the farms and in the packhouses in the Kat River Valley. Women were employed in the low skilled jobs and earned low wages. The women who worked as seasonal labourers had limited security of employment and fragile access to worker rights. These findings confirmed Webster’s (2005) earlier argument that casual and seasonal labour was concentrated among low skilled employees.

The women workers were sourced from the neighbouring townships and villages in the Kat River Valley and from amongst the on-farm women who remained as farm residents but had lost their rights and benefits as permanent labour. The advantage of this labour system to the off-farm workers was that they had freedom of movement and they were no longer compelled to work for the farmers on the citrus farms.
This was evident on farms in the Kat River Valley where residents on White farm* were hired as off-farm labour on the other neighbouring farms. However, some resident farm workers who did not get seasonal employment on any of the farms accused the farm owners on the farm in which they lived for being insensitive to their needs and not taking care of them. In as much as there was evidence of better working conditions in the packhouses, the salary paid was not based on the workers’ education levels but on the type of job they performed. The seasonal off-farm workers living in the nearby townships and villages had better education levels with 32 percent of them matriculated. The remuneration of farm workers should be based on the South African Sectoral Determination 8: Farm Worker Sector. The implementation of this Act would reduce the low wages women earn on farms.

They were generally employed in the packhouses. There was no evidence of income differences between men and women in respect of similar tasks performed. In addition, employment gender equity was practiced in one packhouse in the Kat River Valley with both workers and the production manager confirming that women were promoted into supervisory positions. There were, however, areas in which women labour felt vulnerable despite the better working conditions in the packhouse. For example, some women were dismissed once they fell pregnant and some were not reemployed.

*Name of the farm
The education levels of the respondents were very low on the farms. This made them more vulnerable as they were not always aware of their rights as workers. The few scattered farm schools in the area provided education up to Grade seven. The long distances the young children walked to the farm schools hampered education opportunities on the farms. Parents earned little and were unable to afford private transport to school. This accounted for the high number of school drop-outs on the farms. Data indicated that the on-farm workers rely on what the farmers told them with regards to their rights while the off-farm workers had the opportunity to attend meetings the DoL and the union arranged. The employers only told the on-farm workers what will be of benefit to them (the farmers) and did not share with the employees what was of benefit to them. This was evident when one of the farm owners bought a piece of land a few kilometres from the farm and built houses on it for the on-farm dwellers to deny them tenure shortly after the Security of Tenure Act (No.62 of 1997) was extended to the farms.

The qualification levels of the farmers were identified as a major concern in Chapter IV. The farmers with qualifications in agriculture, business management and marketing operate within the minimum requirements of the labour legislation because they understood the role of the DoL and the consequences of noncompliance. The findings of this study therefore confirm those of Conradie (2008). The farmers who worked with the administrators or mentors showed greater compliance with the implementation of labour laws. In some cases the administrators faced
resistance from the farmers to such an extent that there were tensions between the two (the farmers and the administrators). Where the qualification levels of the farmers were low, farm worker exploitation was increasingly prevalent and non-compliance with labour laws persisted. In the Kat River Valley, the non-compliance was witnessed in reported cases of unfair dismissals and the involvement of the DoL in ensuring the reinstatement of the dismissed worker.

The culture of not taking the girl child to school impacts negatively on female citrus farmers and workers in the Kat River Valley. There were widowed farmers who took over citrus production in the Kat River Valley but unfortunately they had very limited knowledge of labour laws. Secondly, they found it difficult to handle legal matters in cases of land disputes. They relied on advice from several persons with competing interests.

Orton et al. (2003) identified that while new employment strategies created a few common tasks for men and women in the Kat River Valley, the underlying gender division of labour remained predominantly undisturbed. Women workers were concentrated strictly in what was referred to as ‘delicate tasks’ while men performed the ‘heavy’ jobs. The gendered division of labour was so naturalised in the Kat River Valley that farmers were unable to give any valid reason why women were not tractor drivers. The gendered division of work in the Kat River Valley citrus industry reproduced the marginalisation of women labour.
This study has shown the lack of labour unionization at the packhouses and on the farms. In this research, had the workers been unionised, their work contracts would have improved their working conditions, including a safer mode of transport to and from work, the provision of specialized equipment when dealing with insecticides, and the provision of proper cloak-room facilities. The results from the research suggested that the organisation of female farm workers had to take place off-farm, and where the workers live. Such a strategy towards the unionization of citrus farm workers in the Kat River Valley concurs with du Toit and Ally’s (2003) findings that the biggest wave of rural trade unionism ever to hit the Western Cape took root not on the farms but among seasonal and temporary workers based in small towns.

The literature and data presented in the previous chapters revealed the existence of a number of land tenure disputes. Mostert (1992) (cited in Logie et al., 2000) contended that the Kat River area had been one of the most highly contested territories in South Africa for the two past centuries. The historical process of changing land ownership has been outlined in Chapter II. However, the current land tenure situation in the Kat River Valley has become increasingly complex and largely different from other citrus producing areas. It has been documented that some properties had been ‘transferred’ or ‘sold’ to black emerging farmers (Logie et al., 2000). However, between 1995 and the time of writing up this study (2009) no property transfers were processed to completion and, many black farmers
have not received title deeds for land they farm. The issue of land ownership impacted negatively on both the farm production in the Kat River Valley and the tenure rights for both the farm owners and the on-farm dwellers. The black farmers could not access financial loans from commercial banks ever since the withdrawal of Ulimocor in 1998. The Eastern Cape Department of Agriculture, IDC and DLA, however, stepped in to assist beginning in 1996/1997 and during the 2006/2007 to 2008/2009 Financial Years. By that time (1996/97 and 2006/2007) there was a serious decline in citrus production because the irrigation equipment collapsed, trees were old and estimated to be up to 30 years, and the fields needed replanting. In addition, there was difficulty in accessing funds to purchase fertilisers, pesticides, insecticides, weedicides and other chemicals such as potassium, calcium and sulphur. The farmers in the Kat River Valley had incurred huge debts on electricity bills, water and sanitation and production costs. The black farmers were unable to produce the quality and quantity required for export unless they obtained access to credit for production inputs and for orchard expansion and upgrading. This restricted the black farmers from competing favourably with their white counterparts who were mostly very successful commercial farmers. The result was that a large number of farm workers (especially the on-farm workers) lost their jobs. Consequently, some farmers abandoned citrus production and cultivated vegetables while some diversified to game and cattle farming.
The Extension of Security of Tenure Act to farms had contradictory implications for women farmers. The Act aimed at protecting the farm dwellers from being exploited and evicted illegally on the farms. However, the opposite happened in the Kat River Valley as the on-farm residents evicted the women farmers. On one farm, the citrus rehabilitation process was put on hold due to the land claims the on-farm residents lodged with the Land and Redistribution for Agricultural Development programme. The letters reviewed and the interviews conducted revealed that the land claim application was submitted in 2003 and that the residents claimed the whole farm. This was the year in which the woman farmer lost her husband (he was the farm owner) and she took over the citrus farm. The documentation that was processed granted the woman an official registration number for the farm that enabled the woman to continue with citrus farming. The land claim was finally resolved but the on-farm residents become violent and the workers interrupted the rehabilitation process. In another instance, the farm residents evicted the woman farmer who was also widowed. The residents gave the woman farmer an ultimatum and expected her to leave the farm by 12th of January 2010. The woman farmer contended that she was victimized because she was widowed; there were no such claims when her husband was alive.
The Role of the Department of Labour

Farm workers were first able to engage in industrial action with the passing of the 1994 Agricultural Labour Act (ALA). The Act protected workers against unfair dismissal and conferred collective bargaining rights. The 1995 Labour Relations Act replaced this Act giving workers the explicit right to strike, and access to mediation services. Complementing these worker rights was the Basic Conditions of Employment Act (1997) (BCEA) on basic employment standards, which expanded and extended the protection of workers. The BCEA was developed within a framework of ‘regulated flexibility’, which set a basic floor of employment standards but allowed for a downward variation of conditions through a range of mechanisms (Clarke et al., 2003). Specific amendments and additions were made to the basic conditions of agricultural workers through the Sectoral Determination for the Agricultural Sector (R1499/2002). Included in this legislation is the minimum wage for farm workers, occupational health and safety provisions as well as provisions in respect of payment in kind. Consequently, legislation avoided the imposition of legal rigidities and provided greater flexibility, thus introducing more responsive mechanisms for variation from standard employment relationships (Department of Labour, 2001). For instance, the legislation does not determine the rate of pay for piece work as well as the overtime rate. However, the newly appointed (2009) director–general for the Department of Labour (DoL) has called for heavier penalties to be imposed on those sectors (including agriculture where there is much exploitation of
workers, especially women workers) that failed to comply with labour legislation. He also called for the shortening of the procedures on enforcement of labour legislation (J. Manyi, Business Times, August 30, 2009).

Within the legal framework, the role of the DoL has been to monitor and enforce labour legislation (DoL Inspector, November 13, 2009, personal communication, Women on Farms Project, 2008). The limited number of inspectors employed diminished this role. The data highlighted that there were only three inspectors in the Nkonkobe Local Municipality, and only two of them visited the workplaces. The two inspectors were responsible for monitoring construction sites, supermarkets, hospitals, the security sectors and domestic workers (even though the inspectors found it difficult to meet the employers in this sector) as well. Consequently, the inspectors were unable to monitor compliance with the Sectoral Determination for farm workers in the Kat River Valley citrus industry. Rather they ended up being reactive and responded to complaints lodged on labour matters.

The citrus farmers of the Kat River Valley showed contradictory responses to labour legislation. There were elements of compliance in some aspects of the legislation but also evidence of noncompliance. The total absence of child labour in all the farms and packhouses, for instance, confirmed the compliance, but the case of failure to pay minimum wages that had been referred to Labour Court showed noncompliance. Secondly, casual workers should not take home less than the minimum wage, but women
workers do so from some farms. This became evident on the Kat River Valley farms where some farmers pay seasonal workers at different rates, but often less than the minimum wage.

**Conclusion**

The discussion examined a number of issues affecting the Kat River Valley citrus farming when the South African agricultural sector was restructured. The deregulation of markets that encompassed the agricultural restructuring had negatively affected the emerging black citrus farmers while the white commercial farmers prospered. Farm worker exploitation was evident in the Kat River Valley citrus farms despite the extension of labour laws to agriculture. The Extension of Security of Tenure to on-farm workers had created more complex land issues rather than securing tenure rights for workers. The role of the DoL has resulted in some legislative compliance even though there were some instances of non-compliance. The following chapter provides the conclusions on the study conducted on the impact of the extension of labour laws to agriculture and suggests the future research areas the researcher has identified.
CHAPTER VI

CONCLUSIONS AND RECOMMENDATIONS

Introduction
This section sets out to provide a summary of the findings on the challenges and implications of agricultural restructuring for the citrus growers, the packhouses and labour (especially women workers) in South Africa. It also examines the impact of legislative changes on citrus farm labour in the Kat River Valley area, with specific emphasis on women. In order for the legislation to be effective for women workers it needs to address the needs and rights of women workers in insecure jobs. The purpose and the objectives of the study were presented through the lens of selected elements of postmodernism and feminist geographies of difference. The legislation needs to be address specific gender domination on the farms. The first section explains the implications of the deregulation of markets on the growers, packhouses and women labour. It further entails how legislation changes have affected labour. Lastly it provides some recommendations, and documents possible future research areas.
Agricultural Restructuring in the Citrus Industry

The historical background of the study area described in Chapter II highlighted the impacts of the changes in governments on the agricultural lands in the Kat River Valley and explained that economic marginalisation, poverty and unemployment still characterised the area. The legacy of contestation of the Kat River area over territorial expansion in the Cape Colony in the 1800s still existed but in different forms. The findings of this research indicated that contestations in the study area were based on economic development involving citrus production and land tenure issues. Contestations also occurred between the women farm owners and their farm residents. Gender differences and the socialization process amongst traditional rural black communities wherein power was vested in males in the study area interalia, provoked the male residents and workers to contest female ‘ownership’ of the citrus farms in the Kat River Valley.

The contextual chapter examined the impact of agricultural restructuring and the deregulation of markets that the post-1994 South African democratic government introduced in the citrus industry. The discussion showed that the main objective of the restructuring was to address the emergence of the two agricultures (commercial and subsistence) that characterised South Africa. However, the rich white commercial citrus farmers continued successfully with their farming, poor white citrus farmers diversified their activities to incorporate game farming. Emerging black citrus farmers too struggled to maintain their production. Coupled with the
restructuring process was the extension of labour laws to the agricultural sector. The study revealed that although the labour laws aimed at protecting the farm workers, the farm owners were in a position to circumvent elements of the legislation through the adoption of various strategies such as moving farm labour off the farm. Chapter IV examined the impact of the agricultural restructuring and the extension of labour laws in the Kat River Valley citrus industry with special emphasis on women labour.

The deregulation of markets that agricultural restructuring brought to bear in respect of agricultural exports opened South African exporters to direct global competition and international standards. However, positionality of international supermarkets in the north dominated the citrus producers from the south in stipulating the quality of fruit and production conditions that had to be met. Citrus producers in the Kat River Valley were required to comply in order to protect their business. The Global competition, however, led to the oversupply of citrus fruit on the citrus markets. The oversupply resulted in falling prices and in the decline of revenues for citrus growers in the Kat River Valley. The decline in revenues put the citrus growers under tremendous pressure to find alternative mechanisms to realize profits. The family of a group of white commercial farmers thus constructed their own private packhouse and had their own marketing and exporting agent known as Lona. This was of great benefit to these growers, and their new packhouse attracted a number of other citrus growers in the Kat River Valley. However, the cooperative packhouse experienced a drop in income as it had
anticipated that all the growers in the Valley would export through it. A second alternative was to change labour employment conditions on the farms and in the local citrus industry.

The delays in payment by the international markets affected the black citrus producers negatively to such an extent that they sold much of their produce locally rather than internationally. Some of the emerging black citrus growers experienced difficulty meeting the steep quality demands of the international markets and they consequently abandoned citrus farming. Some opted to diversify their farming activities with vegetable production and cattle farming (both men and women farmers). The huge financial debts these farmers incurred also exacerbated their struggle to meet the international requirements. Those black citrus farmers who remained in the citrus production were able to do this through the reduction of labour costs. The deregulation of the markets was not the only constraint the citrus producers faced as the extension of labour laws to the agricultural sector also contributed to reduced profits.

**Implementation of Labour Laws in the Kat River Valley**

Prior to 1994 there were no laws governing the working conditions of farm workers and dwellers in South Africa. The extension of labour laws to the farms has impacted significantly on the working conditions of farm labour. This section will give a summary of findings related to the extension of labour laws to citrus farms in the Kat River Valley. Citrus farmers in the Kat River
Valley responded positively to labour legislation affecting them since the commencement of my preliminary field research in 2006. A great number of farmers complied with the labour laws, in some cases with the assistance of their mentors. The other positive contributing factor was the visibility of labour inspectors even though there were few of them in the Province. Nevertheless, there were some incidences of non-compliance with the labour legislation. For example, the on Occupation Health and Safety regulations were violated via the inhalation of pesticides and the non-provision of protective clothing in the citrus industry in the Kat River Valley. Women on Farms Projects, 2008 highlighted that market liberalisation changed the structure of the labour market into “polarized layers” where there was a small core of permanent workers and a large periphery of casual workers.

The changed labour market structure has a marked effect on women labour as more women were employed as the seasonal, temporary and casual labourers in the Kat River Valley citrus farms, while the small core of permanent workers consisted mainly of men. The gendered division of labour still persisted even though new South African legislation promotes equality in the workplace. The men’s jobs in the citrus industry were permanent and skilled. In one citrus packhouse in the Kat River Valley the supervisors composed of coloured employees. The Employment Equity Act (1993) emphasised non-discrimination in the workplace but in the Kat River Valley citrus farms there were some incidents of discrimination with men recruited over women into vacant permanent positions.
Serious governmental interventions are urgently needed with regards to the Extension of Security of Tenure Act (1993) on the farms. The land disputes recorded in the Kat River Valley must be addressed as a matter of urgency. Below are some of the recommendations emanating from this study.

**Recommendations**

The victimisation of widowed farm owners by the resident farm workers and some government officials calls for the urgent intervention of the relevant stakeholders such as the DLA, Provincial Department of Agriculture and the Non-Governmental Organisations (NGOs) that deal with land issues. The land conflicts in the area may lead to loss of lives if they are left unattended. The researcher supports the recommendation that to avoid land conflicts in the area the relevant government departments should identify and purchase land to relocate the farm residents as soon as possible. The DLA and the Department of Agriculture need to devise a strategy to lease unproductive citrus farm to interested business people or farmers to help promote economic development of the Kat River Valley.

Institutions that provide education, training and services to improve agricultural business skills, including those of women farmers, must be strengthened. There should also be training of black female farmers to improve their knowledge in citrus production and international trading.
The plight of education of farm school children needs to be addressed as a matter of urgency. The education department needs to look at the high education dropout rates of children on farms and work towards enhancing education opportunities for these children. Labour unions need to organise their efforts to unionise the farm workers in the citrus industry and help monitor compliance with labour legislation in the Kat River Valley.

Although there has been an improvement in the implementation of labour laws on the Kat River Valley citrus farms since 2006, the DoL needs to reduce the number of vacant posts (20%) of labour inspectors per province. Importantly, these inspectors require specialized training for different workplace situations in agriculture, construction and industry. These measures will enable thorough inspections in each sector and help facilitate a shift from the reactive to a proactive labour inspection approach currently (2009) dominates the citrus farming sector in the Kat River Valley.

The Extension of Security of Tenure to the farms has led to unexpected land disputes, particularly for black female farmers. The land claims and conflicts between the farm owners and the farm residents require further investigation. The researcher has identified that there were migrant labourers employed on some of the farms but they chose not to meet with the researcher. Their varied involvement in the citrus industry in the Kat River Valley is worthy of further research.
APPENDIX A

GUIDING QUESTIONS FOR FARM OWNERS

1. Personal Information
   1.1. Do you own the farm? If yes, since when?
       If no, who is the owner and where is he/she?

2. General information
   2.1. Size of the farm.
   2.2. Types of fruit produced.
   2.3. Do you export your produce? Y/N
       If yes, where and how do you export?
       If no, where and how do you sell your produce?
   2.4. What is the relationship between you and your market?
   2.5. How does this relationship affect your production? (Positive and Negative)

3. Labour
   3.1. How many workers do you employ in your farm?
   3.2. How many females and males working in your farm?
3.3. Can you help me with the number of permanent and temporal, casuals and seasonal workers?

3.4. How do you structure your employees? (Explain your different types of employment).

3.5. Do you have any employees who work more than 27h/week?

3.6. What is their remuneration? (all workers preferable-Salary scale)

3.7. How has the fusion of Municipal Category A & B affected your profit?

3.9. Do you have any workers living in your farm/farm dwellers? Y/N
   If yes, how many are they?
   Do they live as families or as individuals/per worker?
   Do their children have access to school?

3.10. How far do they live from the farm, if you are aware of that?

3.11. How do you hire them?

3.12. What problems do you experience with your workers?

3.13. Follow-up Question: How do you control late coming and absenteeism?

4. Farm management

4.1. How do you manage your farm?

4.2. How many farm managers or Foremen do you have?

4.3. How many males and females in these positions?

4.4. What problems do you experience in your management of the farm?
4.5. Chemical Control of weeds; who does it-and why have you opted for it?

4.6. Do you get any assistance from the government? (Financial, training etc)

4.7. What is the relationship between citrus farmers in this local municipality?

4.8. How has agricultural restructuring/deregulation of farms impact on your produce?

4.9. Can you help me with a production sheet maybe for the past three-five years/minutes of your previous meetings?

4.10. What challenges do you encounter in as far as labour and legislation are concerned?

4.11. If yes; how many employees on the farm? How many are permanent and how many are seasonal/casual?

4.12. Do they perform the same job?

4.13. How do you structure your workers? e.g., do you have a farm manager/s?

4.14. How many are they? How many females and males? Can you explain your choice?

4.15. How do you replace a retired worker?

4.16. How do you control weeds; Chemical application/manually?

4.17. Who does it-and why have you opted for your choice?

4.18. Do you get any assistance from the government?
Financial, training etc) Explain any programme/training that is in place to improve your production.

4.19. How do you relate with the other citrus farmers in this local municipality?

4.20. How has the introduction of labour legislation to the farms impacted with your labour?

4.21. What challenges do you encounter in as far as labour after the introduction of labour legislation?
APPENDIX B

DEPARTMENT OF LABOUR QUESTIONNAIRE GUIDE

1. How long have you been in this job/Nkonkobe Local Municipality?
2. How does your office/department ensure that the labour laws are implemented on the farms?
3. How does your Department/office communicate with the farm employees and employers to ensure the understanding of each other’s rights—now that there are no unions on the farms?
4. Can you explain the monitoring process that your department put in place to see to it that the labour laws are implemented?
5. What challenges/resistance (maybe evictions; expulsions; etc) has your Department faced on the implementation process of these labour laws? Can you provide the records if you have any.
6. Are there any complaints brought to your office either by the farm workers or farm owners with regards to the violation of labour laws?
7. How does your office attempt to resolve the issues?
8. What are the current issues your office experiences difficulties in addressing them?
9. Does the local municipality (which office from them) assist your office in the implementation of labour laws. If yes, can you explain?
10. Is there any improvement on the working conditions of the farm employees now that the labour laws are extended to the farms?
APPENDIX C

GUIDING QUESTIONS FOR THE DEPARTMENT OF AGRICULTURE

1. How long have you been in this job/Nkonkobe Local Municipality?
2. What role does your Department play in citrus farming?
3. What achievements/challenges has your Department obtained/experienced from the Agricultural restructuring process?
   If the Department experiences some challenges what strategies are in place to deal with them?
4. What processes does the government engage in to ensure sustainable citrus production?
5. The Department of Agriculture has funded the black citrus farmers in the Kat River Valley:
   What criteria did your office/Department use to select the mentors?
6. How does your office/Department monitor the distribution of the funds?
7. What strategies are in place to see to it that all the farmers are comfortable with the strategy (monitoring strategy)?
8. Are there any complaints lodged to your Department, in as far as the Government Grant and loans are concerned?
   If yes, how does your office handle them?
9. I understand there are some land conflicts/claims in some of these farms, such that there are farms that are abandoned or not productive
anymore. What is the position/stand of the Department of agriculture in such cases?

10. What is the role of your Department in protecting the citrus production in the Kat River Valley?

11. What processes does the government engage in to ensure sustainable citrus production?
GUIDING QUESTIONS FOR THE WORKERS ORGANISATION

1. How many workers organisations do you have in the Nkonkobe Municipality?

2. Describe how does your organisation organise its members?

3. Does your organisation have members from the neighbouring farms/packhouses?
   
   If yes, how do you share the information with them/educate them about their rights?
   
   If no, how do they know about their rights?

4. What challenges do you encounter in your organizing process?

5. What strategies are in place to deal with the mentioned challenges?

6. How do you relate with the employers (farm owners and/or Citrus Growing Association) and the Department of Labour?

7. What procedures do your organisation follow when the employer/employee contravenes with the law?
8. Is there any progress noticed on the working conditions of the farm/packhouses workers ever since the extension of labour laws to the farms?

9. Can you share your best/worst experience with regards to farm/packhouses workers
APPENDIX E

QUESTIONNAIRE FOR FARM WORKERS

1. Identification

   a. Age Group

       ☐ ☐ ☐ ☐ ☐

       A. 16-20;    B. 21-29   C. 30-39    D. 40-49.   E. 50 & above

   b. Where are you originally from?

   c. When did you leave the farm?

   d. Where do you live?

   e. Are you married?

   f. If married where your husband is?

   g. Do you have any children of your own?
       If yes, how many is living with you?

   h. Do they work?
2. Education

Primary Education

Junior Primary

Senior /Higher Primary

Junior Secondary

Senior Secondary

Post Secondary/Tertiary

3. Occupation

a. What do you do for a living?

b. How do you manage with work and home duties?

c. At what time do you start at work?
d. How do you get there?

e. Do you pay for your transport? Y/N.

f. Does the farmer pay for your transport?

4. Cycle of activities

a. What kind of work are you doing?

b. For how long? (Period, days and working hours)

c. Are there any men working with you? If yes, how many are they?

d. Do you get the same wages as men?

e. How old are they?

f. Are there any children working with you?

g. If yes, how old are they?

h. Did they get paid for their work?

i. Is there any farm school in your work place?

5. Relationship between workers and farmers

a. Are you satisfied with your job?

b. Are you a permanent, temporal, seasonal or casual labour?

c. Do you get a written contract when you get your employment?

d. Are you paid weekly, fortnightly or monthly?

e. How much do you earn if you do not mind?

f. Do you have a Salary Advice Slip?

g. Has your salary increased since last year?
h. Are there any children schooling of your own?

i. How do you manage meet school financial requirements therefore?

h. How do you pay there?

i. Does the farmer give you any bonus at the end of the season?

j. Does the farmer give you any extra pay if you exceed the quota or if you do more than what you are supposed to do?

k. Do you have sick leaves, vacation and medical aid?.

l. Which other farms did you work for?

m. How much time did you spend there?

n. How different was it from the one you currently work for?

o. Why did you change the job?

p. What other jobs were/are you employed in?

q. Do you have a supervisor at work? If yes, is it a male, female?

Which ethnic group is he from? Coloured, black or white?

r. How is the relationship between the supervisor and the workers?

s. How do workers get the information about their rights?

t. Have you ever been to training on how to use chemicals? Y/N

If yes, how long is the training? Explain

If No who goes for it and why?
REFERENCES


http://www.cosatu.gov.za (retrieved October 06, 2009)


http://www.roediger.co.za (retrieved November 09, 2008)

http://www.wsws.org/articles. (retrieved, December 13, 2009


Mpukane, W. M. (2000). *The rise and fall of citrus farmers in the Kat-Valley*. Unpublished B SC Honours project, University of Fort Hare, Alice, Eastern Cape, South Africa.


Pereis, J. B. (2008, November). *The Sixth Frontier War (1834-1836).* In Commemoration of the Sixth Frontier War Memorial Lecture for the Local Government and Traditional Affairs, University of Fort Hare, Eastern Cape, South Africa.


Valentine, G. (2001). At the drawing board: Developing a research design. In M. Limb, & C. Dwyer (Eds.), *Qualitative methodologies for geographers, issues and debates* (pp. 39-54). London: Arnold.


