

**Conference “Political Economy, Activism and Alternative Economic Strategies”**

**International Institute for Social Studies (ISS), The Hague, The Netherlands**

**July 9-11, 2013**

*Title*

**THE CHANGING WORKING CONDITIONS IN COMMERCIAL AGRICULTURE IN SOUTH AFRICA: A CASE STUDY OF HORTICULTURE IN GAUTENG.**

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**1. INTRODUCTION**

In South Africa there has been a renewed interest in the future of farming and working conditions of farmworkers in the agricultural sector. This interest has been heightened especially after the recent farmworkers unrest over the minimum wages and living conditions in the Western Cape. The Western Cape horticultural strikes started in the De Doorns region and spread to other parts of the province. Farmworkers in this region wanted their working and living conditions improved; arguing for an increase of R150 (€11.60) a day. The strike resulted in the minister of labour changing the Sectoral Determination, indicating that workers will have to earn R105 (€ 8.12) a day starting from March 2013; whereas previously workers earned R69 (€5.33) for a nine-hour work day (see Department of Labour, 2012 for the Sectoral Determination). The minister of labour also indicated that, given the changes in the wage bill, farmers who cannot afford to adhere to it will have to show their profit margins as proof that they cannot follow the new Sectoral Determination (Essop, 2013). Essop (2013) indicates that post the unrest and the changes in the Sectoral Determination, farmers in Limpopo and Mpumalanga have retrenched close to 2,000 workers in favour of mechanization. Farmers are able to do so because farmworkers in the sector do not have a collective voice (i.e. a trade union) that represents their

interests. What is interesting about the Western Cape is that workers began striking during the harvest season, showing their structural power in production (as I will show using Selwyn (2012) in the Theoretical Approach) and also what Chun (2009) calls the symbolic power of workers, i.e. they made their plight visible in the public domain by marching in the streets of the Western Cape and burning vineyards. During the strike a report was released by the Bureau for Food and Agricultural Policy (BFAP) titled *Farm Sectoral Determination: An Analysis of Agricultural Wages in South Africa*. The purpose of the report was to provide a number of recommendations to government, including one such recommendation, proving to be successful, stating that it is possible for the government to increase the Sectoral Determination to R104, albeit this will be followed by structural changes in the agricultural sector. The results from the sector analysis showed ‘that the labour intensive farms will not be able to pay a minimum wage of R150/day. Most industries could absorb an increase of approximately R20 per day’ (BFAP, 2012:38). This recommendation was based on their usage of what they call the BFAP farm level econometric models used to also assist farm level management decision making. The analysis used different scenarios in apple, pear, potatoes, grain, and oilseeds industries. The recommendations made by this report only argued that the improvement in the working conditions of farmworkers will result from the state adopting a progressive agricultural policy and that the blind spot in the agricultural debate lies in the fact that ‘public policy is not geared to ease this transition for either the workers or the farmers’ (BFAP,2012:50).

In this paper I argue that the framing of the changes in working conditions in agriculture, as a failure of adopting progressive policy, is problematic for it assumes some trickledown effect whereby the state will push for progressive policy in favour of farmworkers, facilitate structural change in agricultural production, and lead to local development. This trickledown effect of progressive policy does not tell us about capital-labour relations and the importance of workers bargaining power in ensuring that certain policies that favour them are adopted. The policy based approach does not tell us about labour’s agency in the process of development. I anchor my argument in Ben Selwyn’s (2012), whose hypothesis is that:

...the nature of capital-labour relations is a fundamental determinant of a region's (and by extension a state's and the entire globe's) developmental trajectory. If workers are able to organize successfully and, through class struggles, achieve meaningful concessions from capital, a region's developmental process will be very different to that where workers are unorganized and completely subordinated to the dictates of firms' accumulation strategies (Selwyn, 2012:1).

My approach, draws from Selwyn's work, that in order to understand the questions posed about the nature of farming in South Africa and the improvement of working conditions of farmworkers we need to first understand what capital-labour relations can tell us about the development trajectory of a certain region. I draw on a survey of 600 farm workers in the Gauteng province; I present a summary of the findings of the survey with the focus being on the horticultural farmworkers. In order to capture the experience of working life and the structure of production; I also undertook qualitative methods using in-depth interviews with 22 horticultural farmworkers and 5 interviews with farmers. Moving from the discussion of the findings, I conclude by going back to Selwyn's argument and pose questions to his analysis drawing on the findings in Gauteng. I argue that the usage of class struggle and bargaining power of workers becomes necessary to understand how and when a policy can be won to benefit workers and without an understanding of the nature of capital-labour relations we are likely to propose for implausible policies in agriculture and formulate the problem of changing working conditions in agriculture as that of the state failure to promote policies that favour farmworkers.

## **2. REMOVING THE BLANKET TO EXPOSE THE INVISIBLE: THE ROLE OF LABOUR IN DEVELOPMENT**

In the book *Workers, State and Development in Brazil: Power of Labour, Chains of Value*, Ben Selwyn (2012) uses the Global Commodity Chain (GCC<sup>1</sup>) approach in investigating how capital-

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<sup>1</sup> The GCC approach is grounded in the World System Theory (WST) theorized by Wallerstein and later through a Schumpeterian conception of innovation and upgrading and how lead firms in relocating their production processes to the Global South in search for cheap highly exploited labour. The GCC was later revised by Gerreffi and Korzeniewicz's, whereby the 'north-south inequalities ... were almost immediately dropped in favour of an increasingly policy-based approach concerned with facilitating upgrading' (Selwyn, 2012:14–17; Bair, 2005). The argument by the latter GCC approach has been a 'trickle-down' process of economic growth, based on the argument that the process of upgrading will lead to spillover effects for the wider economy contributing to increased employment, better working conditions, and local development (Selwyn, 2012:5–17). Selwyn (2012:5) argues 'in such interpretations labour has no role in determining processes and outcomes of global integration and

labour relations (grounded on a Marxian class analysis) impact on an emerging region's development process. Selwyn's (2012) analysis of capital-labour relations and the usage of the distinction between workers' structural power and associational power is not a new form of theoretical analysis, it builds from the theoretical work of Erik Olin Wright (2000) on *Working-class power, capitalist-class interests, and class compromise* and also from the work of Silver (2003) who divided Wright's concept of structural power into two sub categories, namely: market place bargaining power and workplace bargaining power.

Selwyn (2007; 2012) focuses on Northeast Brazil's (São Francisco) horticulture sector and the class relations that developed in this sector. Selwyn (2012:49) gives a historical timeline of the development in this region, which was 'synonymous with drought, poverty and widespread misery'. Prior to SFV horticulture sector, the dominant economic activities in this region were cattle ranching, artisan fishing, food-plain agriculture and the system of sharecropping (Selwyn, 2012). The valley, in 2008, accounted for over 90% of the Brazilian grape exports and it was able to do this because the producers organized production to take advantage of periods of low supply in Europe (Selwyn, 2012). Selwyn (2007; 2012) argues that this transformation in the valley would not be possible without state intervention, the role of European retailers, and the role of labour, and private investors. He starts by showing that the state, between the 1960s and 1970s, started participating in the agricultural sector to ensure food security by providing training to colonos (small-scale family farmers) in the production of basic food crops. From the 1970s to the mid-1990s it shifted from small-scale to medium-scale, and large-scale farmers moved to horticultural production (grapes) and state-formed private and public partnerships amongst others. This development occurred in the epoch of the rise of the Global Retail Revolution (Selwyn, 2012). This revolution speaks to the transformation of the UK and mainland European retail sectors, 'in particular processes of market concentration, enhanced buyer power, global sourcing, and increased intra-supplier competition' (Selwyn, 2012:43). The literature refers to this as a buyer-driven value chain (Tallontire et al., 2005).

The retail revolution was accompanied by the insistence on food quality standards, which include Hazard Analysis and Critical Control Point (HACCP) of packing houses (*ibid.*). With HACCP

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development'. Therefore labour in this firm-centrism argument is 'portrayed as subject to firm's strategies of cost-price rationalization, which are in turn a function of the suppliers subordination to northern lead firms'

‘[f]arms must be able to demonstrate at least annually to third-party monitors (contracted by buyers) that they have monitored all aspects of production in packing houses where a critical control point exists’ (*ibid.*:47). There is also the Euro-Retailer Produce Working Group for the Development of Good Agricultural Practices (EUREGAP) established in 1997 as an initiative of UK retailers belonging to the Euro-Retailer Produce Working Group (EUREP), which focuses on good agricultural practices such as traceability, record keeping, soil management, registered pesticide usage, site management, waste management, worker health-safety and welfare (*ibid.*). A number of scholars interested in improving the working conditions of workers have concentrated on exposing employers for not abiding by these standards (Dolan and Humphrey, 2000; Tallontire et al., 2005). Selwyn’s approach is different from such studies for it is grounded in the dialectical interactions between labour and capital and how they affect economic development.

Selwyn (2012) goes on to show that the *colonos* have failed to supply or to tap into the export market because of the inadequacy in their technical processes (i.e. having access to proper irrigation schemes, lack of fertilizers, agronomist, tight production calendars, etc.). Thus, his work focuses on large-scale farmers who have been able to upgrade and supply to the export market. Drawing from Wright’s (2000) concepts; Selwyn (2007; 2012) uses the concept of workers’ structural and associational power to show how workers in the large grape farms, in this region, were able to maintain high wages and permanent employment. This was due to large commercial farmers, exporting grapes, being subject to quality pressures from retailers in Europe and they needed a permanent workforce with the relevant skills and training required to meet the demands of the retailers. The need for a permanent workforce is also a result of the farmers producing all year round, i.e. they followed a tight production calendar (Selwyn, 2007; 2012).<sup>2</sup> This dialectical interaction gave workers structural power or marketplace bargaining power (requirements of their skills by employers) and their diligence in the process gave them workplace bargaining power (Selwyn, 2007; 2012). The workers’ structural power meant they could disrupt production if they were not satisfied with the working conditions in this sector and

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<sup>2</sup> Selwyn (2007; 2012) indicates that farmers, by retaining skilled permanent labourers who are productive and responsive, were able to benefit from high productivity and meet their retailer’s demands abroad and also upgrade to more sophisticated forms of production. Despite the introduction of scientific management and mechanization in the large horticultural farms there has been less shedding of jobs, this is because grape production is labour intensive and requires a skilled permanent workforce (Selwyn, 2007; 2012).

employers could not afford to allow this, given strict delivery requirements from the retailers. Selwyn (2007; 2012) goes on to show that the structural power meant nothing if it was not linked with associational power, which is the power to join a union. According to Selwyn (2007; 2012) the STR (Sindicato de Trabalhadores Rurais – Rural Workers’ Union) began successfully organizing in the 1970s, through staging strikes and blocking roads and farm entrances. The employers began to recognize the power of this union and it played a crucial role in ensuring there is a collective bargaining system, promotion of workers’ rights, participation of women in the union, maternity leave for women, formation of crèches, increasing wages of farmworkers in this sector (10% more than the minimum wage), a ban on unregistered labour, health and safety measures, and closed contracts with specified overtime remuneration (Selwyn, 2007; 2012).

The above concessions won by labour do not mean that work became easier; instead the need for permanent labour, which is skilled and responsive, meant that workers have to work hard to ensure that the time they put in production is linked with the farmers’ production calendar (which is all year round). Although the STR has been able to be dominant because of the *Unicidade Sindical*, which is a system of union monopoly whereby workers of a single category within a certain territory or municipality are represented by a single union, the STR gains are limited as it is only able to organize permanent workers and not seasonal workers who are mostly employed by *colonos* (Selwyn, 2012). As Selwyn concludes:

If the STR were to overcome this internal contradiction and find innovative ways of organizing the valley’s wage labour force (which do not have the same degree of structural power as workers in the export grape sector), then the positive developmental impacts of its actions and achievements to date could be extended more widely across the valley. The challenge for the STR and the valley’s wage labour force (both registered and non-registered) is to find new modes of representation, organization and mobilization. (2012:178)

### **3. CHANGING WORKING CONDITIONS IN COMMERCIAL AGRICULTURE IN SOUTH AFRICA**

Most scholarly literature in South Africa, when referring to the changing working conditions in the agriculture sector argue that during segregation and apartheid the state intervened extensively

in agriculture and food production (Roberts, 2011; Naidoo, 2011). The marketing and prices for almost every agricultural product were controlled by Marketing Boards and subsidized finance was allocated to farmers through the state-owned Land Bank (Roberts, *ibid*). However, already in the late 1960s, the state had begun to decrease its support to commercial agriculture and Marketing Boards. At the same time during this period, employment in agriculture was declining (Naidoo, 2011). In 1996, two years after the democratic elections the government “went about removing state regulations and continuing the liberalisation which had been started under the former regime” (Roberts, 2011:1). The Marketing Boards were relinquished through the passing of the Marketing of Agricultural Products Act, No. 47 of 1996 (Roberts, *ibid*). Such studies go on to indicate that employers, during the years of state intervention in agriculture, relied on permanent workers that lived on the farms and post the move from state intervention, starting from the late 1960s, employers are relying on seasonal and temporary workers, changing the nature of the employment conditions in the sector (Clarke, Godfrey, and Theron, 2002:39; Naidoo, 2011). The conclusion which is reached is that the changes in the working conditions of farmworkers were not sudden; they reflect the changes in agriculture from intervention to non-intervention (Pons-Vignon and Anseeuw, 2009).

Figures also show that the number of farmworkers employed in commercial farms has declined from 1.1 million in 1993 to 796,806 in 2007 (see Table 1). For example in KwaZulu-Natal and the Free State, the number of farmworkers in the commercial sector declined by 39% (SAIRR, 2011). The largest decline was in Mpumalanga with 45% (*ibid.*).<sup>3</sup>

The figures confirm that employment relations in commercial agriculture have undergone significant changes under the impact of trade liberalisation and withdrawal of the subsidies provided by the apartheid government. By 2007, the percentage of workers in the country employed on a continuous full-time or part-time basis (permanent workers) was 54.2%, while that of temporary workers employed for a specific period of time (seasonal workers) and casual workers (intermittent or ‘stand by’ workers) was 45.8% (see Table 1). However, the below

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<sup>3</sup> In terms of gender, 70% of workers in agriculture in South Africa are male (Department of Labour, 2010 cited in NALEDI, 2011). In Gauteng 64.7% of the farm workers are male. Only 15.7% of workers in the agricultural sector in Gauteng can be classified as skilled, 29.45% of the non-agricultural workforce have matric, and 11.98% have a post-matric qualification (PROVIDE, 2007).

figures may have discrepancies due to difficulties in accessing farmworkers on private land and sometimes unregistered immigrants choose not to participate when a census is done. Also the figures below do not show how many workers are employed in different sectors of agriculture.

**Table 1: Number of paid workers and total remuneration per province**

Province	Full-time employees		Casual and seasonal employees		Total	
	Number	Remuneration R'000	Number	Remuneration R'000	Number	Remuneration R'000
<b>Eastern Cape</b>	34 253	510 404	30 565	106 497	64 818	616 901
<b>Free State</b>	53 944	737 796	45 150	98 996	99 094	836 792
<b>Gauteng</b>	22 979	534 083	11 957	93 461	34 936	627 544
<b>KwaZulu-Natal</b>	66 685	968 455	34 383	154 286	101 068	1 122 740
<b>Limpopo</b>	35 728	625 436	31 833	124 159	67 561	749 595
<b>Mpumalanga</b>	46 520	853 396	32 826	176 363	79 346	1 029 759
<b>North West</b>	53 741	574 596	32 008	75 250	85 749	649 846
<b>Northern Cape</b>	26 871	339 948	47 874	123 723	74 745	463 671
<b>Western Cape</b>	90 943	2 029 275	98 546	485 108	189 489	2 514 383
<b>South Africa</b>	<b>431 664</b>	<b>7 173 389</b>	<b>365 142</b>	<b>1 437 843</b>	<b>796 806</b>	<b>8 611 231</b>
<b>Percentage %</b>	<b>54,2%</b>	<b>83,3%</b>	<b>45,8%</b>	<b>16,7%</b>	<b>100%</b>	<b>100%</b>

Source: Adapted by NALEDI, 2011 from Stats SA, 2007b (preliminary): percentage calculations by NALEDI

The number of farmworkers, in Gauteng, employed in commercial agriculture in 1993 was 34,302 and in 2007 was 34,936, a 2% increase. Of these 34,936 farmworkers in Gauteng in 2007, 22,979 were full-time (65.8%) with a total remuneration of R534, 083 per annum and 11,957 (33.9%) were casual and seasonal workers with a total remuneration is R93, 461 per annum. Gauteng has the largest proportion of full-time employees, although it has also the smallest agricultural output when compared to other provinces. Despite the changes in the labour force in agriculture, the BFAP (2012:4) argues that agriculture is ‘one of the most labour intensive sectors of the South African economy, and is one of the more labour intensive agricultural sectors globally. For example, Japan uses 4,500 tractors for every 100 km<sup>2</sup> of arable land, compared to 270 in the USA and only 43 in South Africa.’

The government has also tried to pass labour laws that would protect farmworkers and create employer and employee-like relations in this sector (du Toit and Ally, 2003; Naidoo, 2011; Pons-Vignon and Anseeuw, 2009). Du Toit and Ally (2003:5) argue that “[t]he intention of labour law reform was to take agricultural labour relations out of the 19th century, while deregulation was



meant to remove the ‘policy distortions’ that had led to overmechanisation and underemployment.” From this history, the contradictions are clear: first the government has liberalized, secondly the farmers have been hiring casual and seasonal workers as well as mechanizing and thirdly the post-apartheid government insists on promoting labour laws that will promote harmonious employer and employee like industrial relations. The unrest in the Western Cape also reflects this tension.

The problems with the promotion of the aforementioned labour policies when applied to the agricultural sector are:

- 1) In agriculture we are not dealing with an industrial worker who is subject to economic coercion, but this is a worker who is subject to both economic coercion mediated by the labour market and extra forms of coercion mediated by historical and political factors (in the form of feudal paternalistic relations).<sup>4</sup>
- 2) There is this implicit assumption that the promotion of labour policies that protect farmworkers will be a result of the benevolence of the employer (farmer) or the result of progressive state policy (see the BFAP, 2012 report; Webster, 2012).

The government has also promoted freedom of association for farmworkers. In spite of an estimated 34 unions organizing in an agricultural sector of nearly 800 000 workers nation-wide, union density is only 3% (NALEDI, 2011). Some attribute this lack of success to the unequal power dynamics suggesting that the rural farming sector in South Africa is characterized by feudalistic social and economic relations (South African Human Rights Commission, 2003:172–5). The unions have also failed to organize the growing seasonal and casual workers since they

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<sup>4</sup> This is an indication of how the South African agricultural sector is highly uneven with an advanced and developed commercial sector existing side by side with a subsistence sector located in the ex-Bantustans. This “dualism” is the result of a process of primitive accumulation which was a result of segregation laws like the 1913 and 1936 Land Acts, whereby the indigenous populations were dispossessed of their land to become wage labourers. This history of has also brought about paternalistic relations. Paternalism in agriculture with its slave and master like relations has not vanished, despite the accumulation from above, as du Toit and Ally (2003) show that paternalism still structures the labour relations in the Western Cape farms and this can be seen in payment in kind, the “tot” or “dop” system whereby the farmer would pay workers using surplus wine which had little commercial value, and the purpose of this system was to capture the workforce through alcohol addiction without usage of force.

“move from farm to farm and from region to region” (NALEDI, 2011:66). Atypical employment in this sector has grave consequences for unions in the agricultural sector since such workers are hard to mobilize and they do not have permanent contracts (NALEDI, 2011).

The changes in working conditions of farmworkers have been mostly attributed to the changes in policies passed by the state, thus the importance of the Western Cape horticultural strike is that for the first time in the South African discourse about the changes in working conditions; labour’s agency (the strike) is now added to the analyses. The agricultural worker has been viewed as shackled by paternalistic relations of master and servant. The strike showed the symbolic power of the workers, their ability to take their plight to the public domain. However, because workers in this sector are not unionized (lack associational power) their gains were limited since there was no union to ensure that the concessions made by the Department of Labour are adhered to. Hence farmers have already started displacing workers. The lack of associational power or union representation in this sector indicates that capital has more power hence, post the strike farmers have fired some workers opting for mechanization. However, these are the limitations of this paper since it is grounded in questions of capital-labour relations and changes in the labour process; it does not go into other broad questions like that of land. This question is important and my theoretical framework (Selwyn’s argument) fails to speak to this question of land ownership, for the plight of the South African farmworker is also linked to questions of land ownership. Hence in my findings, the horticultural farmworkers refer to their fear of voicing their grievances to the employer about their working conditions parallel to the idea of the “gate”, to indicate the importance of property ownership as a means of controlling their response. What is also missing from the above analysis on working conditions is who the farmers sell to and how this affects the working conditions of farmworkers and Selwyn is able to fill this lacuna by looking at the production calendar of the farmers and the demands of the Northern retailers. Hence later in the findings when I look at farmers I return to this question of who the farmers sell their produce to and how it affects the working conditions of farmworkers.

#### 4. FINDINGS IN GAUTENG: A FOCUS ON FARMWORKERS<sup>5</sup>

In this section I build on my earlier work in which we did a research in Gauteng focusing on a survey of 600 farmworkers and we used the nine decent work indicators to measure decent work in this sector. The sectors the survey dealt with were: livestock, fieldcrops, horticulture, and mixed farming. In the survey of 600 workers, nearly one out of four respondents (19%) worked in the horticultural sector. We found that the agricultural sector in Gauteng had a decent work deficit and if workers tried to talk to the farmer about their working conditions they were shown the ‘gate’, a metaphor of the tight boundaries through which employers exercise their power over the entry and exit of employees to their private property (see Webster and Nkosi, 2013). Please note: the survey was conducted in February 2012 when the minimum stipulated in the Sectoral Determination was R1375.94 (€106.37). In table 2 below, I present the summary of the findings with the focus being on the horticultural farms, to avoid information overload only the six decent work indicators are featured for the argument of this paper.

**Table 2: Summary of findings**

<b>Decent Work Indicator</b>	<b>Evidence on Horticulture Farms</b>
1. Stability & Security	<ul style="list-style-type: none"> <li>• 29% have a written contract</li> <li>• 44% have no dismissal procedure</li> </ul>
2. Earnings	<ul style="list-style-type: none"> <li>• 50% of workers earn below the minimum wage of R1,300</li> <li>• Women earn 20% less than men in all sectors</li> </ul>
3. Working hours	<ul style="list-style-type: none"> <li>• Above 50% work over 45 hours a week in all sectors</li> </ul>
4. Work, family, life balance	<ul style="list-style-type: none"> <li>• 72% of all horticultural workers cannot refuse overtime and the long hours impact negatively on family life</li> </ul>
5. Social protection	<ul style="list-style-type: none"> <li>• 16% get paid maternity leave</li> <li>• 1% have medical aid</li> <li>• 11% belong to a pension or provident fund</li> </ul>

<sup>5</sup> I mostly interviewed farmworkers when they were waiting for taxis, going to the shops (offering to help carry their goods) and in one instance I conducted a focus group with farmworkers who were waiting for a taxi.

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| 6. Social dialogue | • 4% are unionized in horticulture and the total in all sectors is 3% unionization |
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Source: Webster and Nkosi, 2013:24.

In this section, I give an account of the voices of the workers, and I do not deal with the voices of the farmers. I present this section first and then in the next section, I present a thematic form of the findings on the 5 farmers. The purpose of this separation is to present a contestation, grounded in the labour process. I aim to show what workers can tell us about their working conditions. As the table 2 shows that only 4% of horticultural workers from the survey are unionized. I also give some of the conversations I had with two union organizers from the Food and Allied Workers Union (FAWU) which is the largest union in the agricultural sector, albeit it organizes mostly processing industrial workers.

#### **4.1 WRITTEN WORKING CONTRACT: “NO, I WAS JUST HIRED. I DO NOT KNOW MY STATUS...”**

As table 2 indicates that, only 29% of horticultural workers had a written contract. Most workers who were interviewed indicated that they were “permanent” but their understanding of permanent is that they had a job on a continuous basis for an indefinite period, without a written contract. The unclear and precarious nature of their employment status is illustrated in the comments below:

Nthabiseng\*: No, I was just hired. I do not know my status [referring to the verbal contract], but I am full time ... because the boss wants to be able to fire anytime he feels like it (Interview, 11/03/2012).

Manthotho\*: Er ... what can I say? I don't know what to say. We work from the 9th month of the year and carry onto the following year until June and then go on leave for 3 months (Interview, 15/04/2012).

Mamtsekuoa\*: ...after working for 6 months you become a permanent worker by law. But since we have had unions, when my boss hires people he makes them casual workers and makes them

sign papers to renew their contracts every 3 months. So no matter how long a person has been working here, they will continue working as casual workers.<sup>6</sup>

#### **4.2 PROCEDURE OF DISMISSAL: “YOU ENTERED THROUGH THAT GATE AND YOU WILL LEAVE THROUGH THAT GATE!”**

When I asked workers if they knew of set procedures of dismissal, most interviewees confirmed that there was no set procedures, and if in dispute with the employer, you were shown the “gate”. The purpose of this question was to understand the power dynamics on the farms. The comments below refer to the gate metaphor, which is an indication of the power the farmer has because the farm belongs to him/her (private property) and workers fear raising any concerns because of the “gate”:

Moses\*: He tells you to leave through the same gate you came in so I just hang in there just so I can stay here. I hang in there ... I have tried telling him about the working conditions, but the problem is the gate ... The gate! You must just head straight for the gate. If you came in through it, leave through it that is what he will tell you (Interview, 25/03/2012).

Baveze\*: A lot of them would not confront the boss because of the fear of being fired. You'll talk to your boss and he'll tell you to stay home. He'll ask whether you're here for work or for raincoats [referring to not being given a raincoat] and he'll send you home and show you the gate (Interview, 01/04/2012).

Xoli\*: The difficulties we are faced is that we usually do jobs that we aren't supposed to do, it's not always safe. Sometimes we get called to go dig holes and we have to go. Sometimes when you try to tell them that this isn't the type of job for you, they tell you that you are here to work, we didn't drag you here; you came on your own accord ... you are told to leave through the gate you came in by ... (Interview, 01/04/2012).

The gate also shows the feudalistic paternalistic relations in this sector whereby the farmers is the master and the farmworkers only his slaves. As one FAWU organizer argues:

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<sup>6</sup> Most workers understood that they were employed on a continuous basis even in cases where they were seasonal workers or temporarily employed. They described the seasons where they did not work as a three months leave.

You have to understand that the farm is another world. The farm owner sees himself as owning the people as his property. If he says jump, you cannot ask how high? You must just jump, otherwise you will be dismissed.

### **4.3 WORKERS PERCEPTIONS OF THE UNION**

As table 2 indicates that only 4% horticultural workers who participated in the survey were unionized and this reflects the failure of trade unions in South Africa to organize farmworkers. For any discussion with most union organizers is centred on the fact that when they go to the farm to organize the workers the farmer sometimes does not allow them in their property or threatens to shoot them. Some farmers argue that they do so because of the fear of being killed because of the rise of farmers being killed by thieves (NALEDI, 2012). Thus, farmers can use this argument to curtail unions from organizing.

The statistics are a confirmation of the problems of organising in this sector. In the qualitative interviews Manthotho\*(Interview, 15/04/2012) comments that trade unions have failed to cater for seasonal or casual workers. Despite the problem of trade union strategies, some workers indicated that when unions organised strikes for increase in wages, workers would be fired despite being members of the unions. As a result they have decided not to join the union because they fear losing their jobs. Some do not trust trade unions because they believe it gives workers a false sense of hope. As the quote indicates:

Nthabiseng\*: The only problem with joining a union is that these people from the unions come here and give us hope. We give them money in the hope that they will represent us and help change our work conditions and just when we think they are going to fulfil their promises, they vanish and we never see them again. (Interview, 11/03/2012)...

However I did come across farmworkers who were members of FAWU and believed that the fact that they were members of the union has led to significant improvement in the working conditions and the solving of workers problems. The comment below illustrates this point:

Sophia\*: Since FAWU came to the farm people who joined them have been represented, if the employer tries to dismiss them. For example there was a tractor accident here on the 21st of December 2011, five people got hurt. All those workers we knew them to be permanent workers, but when they were hurt only two were recognised by the employer as permanent and were able to get compensation. The other three were not compensated, the employer claimed that they were casuals, and yet they worked for more than five years. The two were able to get what was due to them because they are members of the union. The union fought for their rights and they received their monies... You see the farm over there [points], there was a lady who got hit by a tractor and she is not working now. If they had a trade union their conditions would be much better, but the owners of that farm do not want trade unions, they hire Zimbabweans (Interview, 01/05/2012).

#### **4.4 THE HIRING OF ILLEGAL IMMIGRANTS**

In the interviews, I found that most of the workers were illegal immigrants, most being from Lesotho, Botswana, Zimbabwe, Mozambique, and two from as far as Senegal, who were without South African Identity Documents (ID's). These workers knew that not being South African left them at a disadvantage where the employer could easily pay them less than what is due to them (not adhere to the Sectoral Determination). The issue of being illegal immigrants also hindered these workers from joining a trade union. In the qualitative interviews the question of foreigner's wages came up and the following quotes capture the discussion:

Moses\*: [pause] He's not jealous (i.e. discriminates) of me being there just because I'm not from South Africa. Maybe, the problem is reflected on my wages, maybe the reason why I earn little is because I'm not from South Africa. I still earn R200 a week (Interview, 25/03/2012).

Alfred\*: You see the thing is with this farm, they are looking for people from outside the country... Maybe it is because of how foreigners live or cheap labour. I do not know, but they do prefer foreigners... We are from Zimbabwe we are people who work hard. That is what we do, we work but the money is problematic (Interview, 15/04/2012).

Tumelo\*: He cheats you of your money. If you give him a letter of complaint he says 'Fuck off! Your mother's cunt, I'm robbing you?' That's what the boss says. What can you do to him? 'I'm robbing you? Fuck off. Because here he hires people who have no rights, who are not from here

in South Africa. He wants foreigners, he wants us. He hires us so he can make us his slaves. South Africans do not work here. The only South Africans that work here are those that were born here on the farm... When we try to speak to him about the problems we have, the problems he causes, then we threatened to be fired (Interview, 15/04/2012).

## **5. A FOCUS ON THE FARMERS**

### **5.1 PRODUCTION CALENDER**

In the farmers' interviews, my aim was to understand how production is structured, including the farmers' production calendar, tracing the movement of the produce from the farmer to the buyers. This is the methodology that was employed by Selwyn (2012) who argued that because of how the SFV farmers have organized their production calendar, to be all-year-round producers (upgrading to higher quality), was a result of their consistently supplying to the UK retailers. His argument is that because of this upgrade there are also changes in the social relations and these changes in the social relations have helped in the development of the region.

Selwyn (2012) focuses on the global retailers and I focus on the local retailers. I also draw on the argument by Weatherspoon and Reardon (2003) that the four dominant retailers in South Africa cannot be reduced to only being local, as they have adopted food production standards similar to those of the Northern retailers and also dominate the southern African region and have also have invested in countries like India and the Middle East. The importance of local retailers is that it poses questions of whether farmers and farmworkers can come together and try to forge some symbolic power in ensuring that they can bargain with the retailers for better prices. However, this symbolic power cannot be realized since farmworkers do not have strong associational power to bargain with the employer. Prices may be changed, but the exploitation may continue, for workers will not be able to claim their share.

All five farmers indicated that their production is all-year-round. Johan\* (Interview, 22/11/2012) gives a detailed description of the production calendar in Gauteng:



With the modern hybrids and that in vegetables..., in our area here in Gauteng, we can go 12 months of the year with vegetable production. We change the varieties of the commodity as we go, so we do get a 12-month production all year round... We sometimes get a higher production in a place where it is very hot. We get very cold in the winter months but we can grow carrots, we can grow beetroots, we can grow cabbage, cauliflower, and broccoli... We have a bit of a sag in... July, August in the Gauteng area...talking in general, we can produce 12 months of the year now... we may cut out... things like lettuce, beans, and pumpkins; those you can't grow in the winter months but we... compensate with beetroot or broccoli or cauliflower...the production of beetroot, cauliflower, cabbage, carrots increases in the winter months, being May, June, July, August. Then in September we come back with our "softer crops"...

I then discussed with them the pressures they face with ensuring that the calendar follows the demands of the buyers. In asking about the production calendar I wanted to understand to whom the farmers sell and the challenges they face. Two of the farmers supply to some of the four dominant retailers (Shoprite/Checkers, Pick n Pay, Spar, and Woolworths) and I also look at the pressures they face in supplying the retailers and whether they have upgraded their production over the years. I do not neglect the small-scale farmers and I try to understand their pattern of production and the pressures they face. However, their pressures or challenges were different, with those supplying to the NFPM indicating that getting a good price on the market floor is what matters and those supplying the retailers speaking of food quality standards and issues of prices set by the retailers. Small-scale farmers were speaking of sizes of the cuts of the vegetable, size of the leaves, etc. I discovered that the production calendar of the Gauteng farmers was disturbed because of the climate change, especially cold weather in winter and hailstorms in summer. The following quotes capture this constraint.

Pete\* (Interview, 10/10/2012):

But in the last 20 years I planted, I was the biggest cauliflower broccoli planter in this whole West Rand. I planted cauliflower broccoli right through the winter and I had to stop due to this because it is killing the plants completely, the frost is bursting open the roots the cold is growing, so I stopped two years ago with cauliflower and broccoli. This year I even stopped cabbage planting through the winter.

Johan\* (22/11/2012):

... I've been in this area here for 55 years hey and we are definitely seeing huge climate changes, especially with our rain pattern... Our cold pattern has changed, our winter months... Our winter months to summer months have changed...for example here in Germiston with the hailstorm that hit us... that was R16 million turnover, gone!

Pete\* (Interview, 10/10/2012) supplies Woolworths indirectly because if Shoprite/Checkers (Freshmark) or Pick n Pay were to find out he would be delisted. This confirms the argument made by Kirsten (2009) that as retailers search for competitive prices they sometimes use coercive measures to procure products. This involves threatening to delist farmers if they do not take the price set by the retailer or restricting farmers from supplying other retailers. However, what emerges from this relationship is that as they (Conrad\* and Pete\* and most of the farmers in the West Rand region where Pete\* is based) followed the international food quality standards like the Global Gap, HACCP, EURAP, these farmers through sending their produce to distribution centres of the retailers are aware that the emphasis has been on the good quality produce. This confirms the argument made by Selwyn (2012) that most of the large-scale farmers in SFV who supplied the UK retailers had to upgrade to follow the specifications of the retailers, for example the Gauteng farmers mentioned the size and quality of carrots as being important.

The aforementioned changes meant that farmers needed workers who are reliable and 'will always come to work consistently and give me the output that will meet what the retailer wants' (Pete\* Interview, 10/10/2012). However, in large commercial farming I realized that most of the workers who were considered as permanent were the foreign migrants and most of them worked in the pack houses where the task was very repetitive. For example the carrots would be delivered from the person who drives the tractor that collects carrots from the carrot harvester then into what is called the cold chain that cleans and keeps the carrots fresh and inside the pack house workers would be standing in a line of different teams (one line checks for the quality of the carrots the other packs carrots into the plastic bags of the retailers) and there is a supervisor

mostly White or the son of the farmer. These large scale farmers did not really emphasise the importance of skilling the workforce but they spoke of disciplining the workforce to perform their tasks. With small scale farming, whereby production is labour intensive, the farmers spoke of the importance of having people that know how to handle vegetables. “I need people who will know how to handle production, from planting, to harvesting, and as well as processing...if need be I go to teach them myself” (Thandi\* Interview, 20/11/12).

## **5.2 THE FLUCTUATION IN PRICES: THE RETAILERS AND THE NFMP<sup>7</sup>**

The quotes below capture the changes in prices and the adherence by farmers to the standards set by the retailers. Some of the farmers, as I will show below, have stopped supplying the retailers sending their produce to the National Fresh Produce Markets (NFMP). Retailers, as the quotes below indicate, have threatened that they will procure the produce from the NFPMs if the farmers do not accept the prices they set. Joey\* (Interview, 19/04/12) indicated that because of the difficulties in the NFPMs (the market floor price system) and supplying the retailers, she has found a ‘niche in the micro green... the only pressure is ensuring that the handpicked leaves are in good standard and supplied on time to the restaurants.’

Pete\* (Interview, 10/10/12):

Here [West Rand], and Brits and other areas... we build up the farms, we build up to their standards, adhere to all their specifications and all that stuff, global gap orders, pack yards orders and all that stuff that has got to be replaced with them and the traceability as well, we had to get all that to place and we have been now adhering to global gap of which we faced problems with the pesticides in the last two years... from 10 years ago we had all that stuff in place so we have built ourselves up, and now all of a sudden they have employed a new guy at Pick n Pay... he does not care what the farmers get, he says he can buy the produce from the NFPM. He does not worry about traceability and all that stuff so that is sinister... if someone gets sick in Pick n Pay

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<sup>7</sup> Here I am referring to the NFPM that are controlled by government/bylaws. There are four large NFPMs in South Africa, namely: Durban, Johannesburg, Cape Town and Pretoria (Chikazunga et al., 2008; Euromonitor International, 2010). ‘The four medium markets include Bloemfontein, East London, Pietmaritzburg and Port Elizabeth, and the six smaller markets are Kimberly, Klersdorp, Springs, Uitenhage, Vereeniging and Welkom’ (ibid.:2). Respective local authorities manage the large majority of the markets. The products sold at the NFPMs are mostly fresh fruit and vegetables.

what is going to happen?...all the farmers are fed up because they follow same truck quality control stipulated by Pick n Pay and they get a shit price and yet he wants the cream of the crop...

Conrad\* (Interview, 13/11/2012):

When this farm started supplying Pick n Pay we made sure that will supply them with 20% of our produce. It was good, the price was good unlike in the national market today you get this price tomorrow your produce has been lowered. The guys from Pick n Pay later on say, sorry we have to lower our prices and yet we have followed what they taught us about packaging, food safety and all these costly things. My father and I then decided that it is best we stop this and return to the national fresh produce that is why our produce go to the markets and the family wholesaler. These guys are becoming hard and I hear from other farmers that they are being told that they will be delisted...

Johan\* (22/11/2012):

All my products, in 40 years, have only gone to national markets... I've always worked on the principle that your product gets sold by supply and demand. So, on the national market, if there's an oversupply then you get a shit price but if there's undersupply, you get a hell of a price. For you as a farmer to determine how much to charge Pick n Pay... is difficult hey.

However, the important incentive with supplying to the retailers is that farmers have a guarantee by being the preferred supplier it will mean they will have to adopt new forms of technology that will increase their output. A deal with a retailer means following the global food quality standards, promotion of efficient technology, and knowing that 'you have someone who will procure unlike the NFPM' (Pete\* Interview, 10/10). The prices in NFPM are set by a system of supply and demand (the market system or what is called the market floor), if there is an oversupply then farmers get a low price for their produce but if there is undersupply, farmers get a good price for their produce (ibid.; Interview, Johan\*, 22/11/2012). Thus, the retailers could exploit the gap (fluctuation in prices in the NFPM) by offering the incentive that they will always procure the produce directly from the farmers (unlike the NFPM where if the produce is not

bought it decays) and most large scale farmers saw the deal with retailers as a lucrative venture as Pete\* indicates they are also changing the prices.<sup>8</sup>

## 5.2 EMPLOYMENT CREATION VERSUS BETTER WORKING CONDITIONS

After discussing who the farmers sell their products to, the cost of labour came up after discussing their relationship with the buyers. The quote by Pete\* (Interview, 10/10/12) sets the context:

The costs keep escalating because the truck is costing over a million rand now...with the carrots you got R15, 20 years ago today you still getting R15, and the cabbage and the lettuce as well is killing us...plus the demands of the retailers are killing us. *So it has forced us to bring more production, to have more youth per take, to use more machines and all that stuff to minimize your wages. Where can you cut in the farm? You cannot cut on your fertilizer, your pesticides and your herbicides that sort of stuff but you can cut down on your wages by mechanizing the system* [Emphasis mine].

From the above quote one can see that the farmer perceives labour as a cost and if labour is a cost, the farmers have argued that they will mechanize production. What is interesting is that in the interviews with the farmers they all argued that they are interested in employment creation and ensuring that they have a skilled workforce, but if the workforce complains about wages and better working conditions then they will go the mechanical route. What was also interesting is that this contestation was linked to fears of the horticultural workers unrest in the Western Cape. Johan\* (Interview, 22/11/12) argued that:

In the vegetable or in the horticultural industry we can create work as long as we stay on a sustainable salary because what's going to happen if they push our salaries too high? We go very mechanical hey...The horticulture, agriculture employs a huge percentage of the labour in South Africa...But with this unrest we have got at the moment, in the Cape, it is starting to come to us already [Gauteng] and in the vegetable industry, the farmers can go very mechanical and we are

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<sup>8</sup> Please note that retailers were able to target the farmers based from their constant supply of high quality products to the NFPM.

going to have unemployment then hey. In my area we prefer employment creation and I also personally believe in this...

There is a paradox here, the farmers are arguing that they are committed to employment creation, but as long as it is not costly and does not involve benefits that will interfere with their profits. This contestation indicates the power of the employer/ capital in controlling the labour process and the inability of organized labour to push for concession. The quotes below show employers response when workers complain about the wages or working conditions.

Pete\* (Interview, 10/10/12):

I bought last year...a carrots harvester. It cuts of the leaves on the ground and picks it up like a potato harvester...what I did with that machine, I reduced my work force by 50 people and I doubled up the production in my pack yards. We used to fight the whole day with 50 people to get 40 tons of carrots into the pack yards... I doubled the production with the machines doing half a day of the work. This machine does not fall pregnant, will not complain about working, and wages! Also...The minimum wage is killing us it is too much worse. I have mostly hired Zimbabwean ladies, my whole pack yards is Zimbabwean... The Swaziland workers are mostly working outside... you do not get local people who want to work in the farm anymore. If you go next door to the other big farm... the same is happening there you get a few Tshwana people still working on the pack yards... No, unions and stuff...

Conrad\* (Interview, 13/11/12):

I believe that the government should do something for the workers, but if it interferes with how we run the farm then it is a problem... Employment creation is good we can do that, but it must not put false ideas in the minds of my workers... For example in this farm 18 months back, I use to employ 100 people to plant and now I bought this machine and I only use 2 people. 2 people!

Mechanization is seen as a way to avoid hiring workers who will demand better working conditions and at the same time to avoid conflict between the farmers and the workers. The argument put forward by farmers, as the quotes indicate, is that if they improve the working conditions they will not be able to cover their operational cost, albeit they are interested in a path

of employment creation which is not costly. What about the small farmers? Do they articulate the same views as the large-scale commercial farmers?

Joey\* (Interview, 19/04/2012) argued:

South Africans do not like working on the farms... I do not know maybe it is a status thing. In the 21 people I employ, 19 are Malawian... This job is labour intensive and repetitive, it seems like Malawians like this. They are so gregarious and they stick to each other... they are hard workers! Even most of my neighbours employ Malawians.

This view of South Africans not wanting to work on the farms was articulated by every farmer I interviewed, with Thandi\* (Interview, 20/11/12) adding:

I would prefer to have more South Africans working for me than foreigners but I found that South Africans really struggle with this industry... I have got some but they are not the majority, really... The majority on this farm are Malawians.

Thus, the unregistered foreign migrants help the farmer reduce his operation cost and maintain a profit. The unregistered foreign migrants are also hired for the reason that they will not join unions (less associational power) and even in cases where farmers were saying that they are interested in employment creation they made it explicit that unions are a problem. Johan\* (Interview, 22/11/12) made this explicit:

I do not want to work with unions... I find that they interrogate the staff. They uhm, what is the word for it? ...when the unions were with us... they put weird ideas in the staffs' heads... and give them, set standards for them that they could never give them... I started my conversation off by saying keep everything on a level [by this level, he is referring to what he termed a 'sustainable wage' which is not a high wage and unions temper with this sustainable wage].

This is a clear class tension that interferes with development on the farms. If employers want to upgrade their production, they would rather create employment for the unregistered foreign migrants who have a less bargaining power. However, they would prefer South Africans if they

were less assertive about labour rights and would not demand an improvement in working conditions. Such workers, therefore, are working under the fear of being deported. The labourers, to the farmers, are a cost and should always remain on a low wage, must not be unionized, and if these conditions are met then employers agree to employment creation, but if they are contradicted employers will mechanize and hire unregistered foreign migrants who are difficult to organize. My question is can this conundrum be solved? I return to this question when I engage Selwyn's approach in my conclusion.

## **6. CONCLUSION**

The findings of this paper show that this class (farmworkers) lacks associational power and this lack of associational power is a result of how the labour process is structured. That is to say, the farmer has employed a number of unregistered immigrants who "do not have rights" and these immigrants are able to endure this exploitation for they are in fear of being deported and not being able to provide for their families back home. The fact that migrant workers are selected to work in such farms (despite their skills level) and their struggle to feed their families in the countries they come from (through remittances), serves as an indication that employers favour them because of 'their relatively weak bargaining power and the ease with which they could be controlled and disciplined (Sender and Johnston, 2004:154).'

This is not say that workers do not possess the power to thwart production as Selwyn (2012) argues; workers have an understanding of the production calendar and how they can disturb production and distribution. The case of the Western Cape showed workers structural power or market power showing that workers have an understanding of their structural power. One horticultural worker in Gauteng mentioned that they "...would protest on Mondays because this day is important to them, it is the day when trucks go to Pick 'n Pay and the boss does not want anything going wrong this day... We chose this day because we know that he will talk to us because he fears that his distribution will be disturbed..." (Makhwezi\* Interview, 31/03/2012). However, in this case the employer has more power, "he fired those who were behind organising those protests" (Makhwezi\* Interview, 31/03/2012). The employer is able to do so because he has created institutional methods that reduce labours bargaining power as indicated above. This is



not as simple as saying we should promote associational power, even in cases where workers were organised under a trade union, workers were still fired. As another Conversation with FAWU Organizer 2\* (08/05/2012) indicates:

We stage a successful strike as union. We even organized the immigrants. The employer agreed to talk to us, and while were talking to him...we heard from some of the workers that as punishment for striking, he made them pick up heavy rocks. We later confronted the employer and he denied it. He then fired all of the workers who were organized by us... Now we took the case to the CCMA.

The recent contestation in the Western Cape shows the evolution of workers' power and how workers, despite being unorganized by a trade union, have come to articulate their concerns. Therefore, the task also lies with the trade union movement in South Africa to effectively organize and find alternative strategies of organizing farmworkers to ensure that it articulates a path that favours and empowers workers. The story of the Western Cape horticultural strike is one of a class that seeks to gain associational power to effect changes in development and should not be seen in isolation to the struggle of the horticultural farmworkers in Gauteng. This confirms Selwyn (2012) argument that without strong associational power workers may not be able to win certain concessions from capital.

The case by Selwyn (2012) also indicates that as much as workers are under the STR, the STR plays an important role in the labour processes, ensuring that once the concessions are won, farmworkers adheres to the demands made by the employer. This confirms Wright's (2000:963) argument that the '...extent of workers' power will in part be a function of capitalists' interests' for the gains won by labour ensured that farmers have a productive workforce that will meet the demands of the retailers. The limitations of the Selwyn (2012) approach when applied to the South African case is that paternalistic relations continue to dominate the agricultural sector and this dominance of capital is linked to broader questions of land ownership. Thus, without effectively addressing this question, employers will continue "closing their gates" to ensure that trade unions do not organize. Selwyn (2012) also indicates that the STR is having challenges in organizing casual and seasonal workers and the figures I have presented show that the casual and seasonal workforce in South Africa is growing. Meaning that, the trade union movement in South Africa needs to find ways of organizing this section of the working class. The big question

that is still unrequited is that, with the aforementioned changes in the labour process and the strategies used by capital to ensure that workers do not join a trade union, what is the response of the union?

The BFAP through the usage of its farm level analysis econometric models argued that:

Knowing that South Africa has un-cultivated arable soils suitable for expansion and intensification as well as additional sources of water under efficient water management systems, mechanization should not necessarily be seen as a threat against manual labour; it should rather be thought of as the opportunity to increase the output delivered per worker and stimulate the agro-economic sector... On-farm mechanization will in most cases result in the shedding of seasonal labour. It was calculated that approximately R3.7 billion is annually spent on seasonal agricultural labour wages. If 50% of these workers are taken from the system, the economy would lose R1.8 billion annually. *But if agriculture were to intensify and expand under a favourable economic and political environment*, it could result in increased efficiency and productivity due to mechanization. The seasonal labourers could be placed in the permanent labour position, increasing the remuneration bill, which will have vast positive spill off effects in rural communities... *There would be more emphasis on the workers' value to the farm, rather than just the idea of wages*. The reverse of this is also true, what is the value of the farmer to the community or workers, providing housing, transport, clothing and other benefits [*emphasis mine*]. (BFAP, 2012:39)

The BFAP report as I have indicated was influential in the Department of Labour's decision on changing the wages, meaning that its influence cannot be discarded. However, the usage of class struggle and bargaining power of workers becomes necessary to understand how and when a policy can be won to benefit workers. Hence, post the Western Cape strike there already indications that farmers are dismissing workers for workers lack associational power and farmers have more organizational power (see Essop, 2012). Without engaging with the questions of class relations and the rise of powerful corporate retailers and their effects on the working conditions in different sectors of agriculture we are likely to promote farfetched homogenous policy recommendations and formulate the problem of changing working conditions in agriculture as that of the state failure to promote policies that favour farmworkers.

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