

QINA MBOKODO – STANDING IN THE GAP FOR POOR WOMEN WORKING ON THE FARMS IN KWAZULU- NATAL SOUTH AFRICA

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Abstract: Women’s empowerment is one of the global priority agendas. Qina Mbokodo (QM) is a group of women living and working on farms in the uMgungundlovu District of KwaZulu-Natal. QM mobilises and advocates for women’s land and labour rights through a series of activities, including empowerment; women claiming their rights; shaping decisions, policies and processes that affect their lives; and holding power to account by challenging systems that perpetuate poverty and inequality. This is in line with Goal 2 of the United Nations’ Sustainable Development Goals, which explicitly mentions addressing the nutritional needs of women and adolescent girls and the constraints facing women. Small-scale food producers’ poverty remains a persistent contributing factor to gender inequality, particularly for young girls and women residing within the farms of the uMgungundlovu area, which is also among the reasons why women are often rendered vulnerable as victims of exploitation. This organisation (QM) allows all women who live on farms or are labour tenants to speak out and voice their issues to policy-makers. The purpose of this paper is to document the formation of QM and to describe how the organisation is assisting women labour tenants to get justice and service delivery. The material for the paper is based on focus group discussions with QM members, the Association for Rural Advancement Land Rights Advocacy (AFRA) and the Office of the Special Master. The main finding from our qualitative study speaks to women’s empowerment through gaining knowledge about their rights and how to exercise them. Through this knowledge gained from QM, women have accessed social security benefits such as social grants and improved basic services.

Keywords: women empowerment, farm life, poverty, labour tenants, South Africa

Introduction

Part of the ugly history of South Africa is land dispossession, which occurred through a series of punitive policies that resulted in Africans being landless and selling their labour to white commercial farms. This has resulted in ‘labour tenancy’. Del Grande (2007,5) describes labour tenants as ‘impoverished communities which exchange their labour for the use of land on white-owned farms. In many cases, the labour tenants have lived on the land in question all their lives, as did their ancestors for several generations and who are buried there. They know no other way of life and having been denied education opportunities by the apartheid regime, are unable to compete for work elsewhere.

As such, labour tenants form one of the distinct categories of people who are described as a vulnerable group in the South African Constitution because they subsist on privately owned large-scale white commercial farms where they do not enjoy any form of security of tenure. They are a residual of the black people who, after they were dispossessed of their land, were confined to what was then called the ‘native reserves’ (RSAv1996, v).

To address this ugly history, the South African democratic government adopted a land reform policy with three tiers, namely land restitution, land redistribution and land tenure, which has been implemented since 1997. According to the 1997 White Paper on Land Reform Policy, Land Restitution seeks to attain restorative justice for the victims of black citizens who lost their land on 19 June 1913 because of racially discriminatory laws, while Land Redistribution seeks to correct the skewed racial land ownership which bends towards the white minority. In doing so it facilitates and subsidizes land purchase by blacks. Land Tenure Reform (this study's focus) is the most complex area of land reform. It "aims to bring all people occupying land under a unitary, legally validated system of landholding. It will devise secure forms of land tenure, help resolve tenure disputes and provide alternatives for people who are displaced in the process" (Department of Land Affairs, 1997:9).

For implementing the land tenure, the Labour Tenant Act (No. 3 of 1996) (hereinafter, the Labour Tenant Act) is used. This falls within the ambit of the land tenure reform program which deals with the land rights of people in communal areas, farm workers and labour tenants. However, the implementation has been poor and has not changed much of the conditions of labour tenancies who continue to be evicted and suffer from various abuses, especially women (Devereux, 2020).

In this article, the authors profile and sketch the role of the Association for Rural Advancement (AFRA) which started a program for women called Qina Mbokodo (QM), meaning 'be strong like a rock', after they noticed their lack of participation during the engagement meetings of the Siyanqoba Rural Transformation Forum (SRTF) for Farm-dwellers. The Association for Rural Advancement (AFRA) is a Non-Governmental Organisation (NGO) that works with Farm-dwellers, including Labour Tenants, around uMgungundlovu District, KwaZulu-Natal. AFRA mobilizes and advocates for women's land and labor rights.

The article draws from focus group discussions held quarterly with QM members. Participants were based on attendance in the particular quarter in which one of the authors observed and documented the opinions and views of the participants during the sessions. Because the session provided a safe space, we observed that participants were much more open to speaking out. To get deeper insights, the facilitator (one of the authors) would probe for more details from the participants sometimes to test their knowledge about their rights and how they respond in certain situations (scenario creation). Both young and middle-aged women which account for the majority of the labour tenant population participated in our meetings. Our approach to analysis is mainly qualitative through narration of the Labour Tenant policies and how the implementation on the ground is done. Then we describe how QM bridges the gap between policy and practice.

Labour Tenant Act implementation and how it fails women

Williams (2016) summarises the relationship between white commercial farmers and black farm workers in South Africa as that of unequal power originating in 'master-slave' relations which started at the Cape of Good Hope in the seventeenth century, which has endured to the post-colonial period, leaving workers vulnerable to exploitation and abuse.

Largely based on the principles of colonisation and the foundations of capitalism in agriculture, labour tenancy was more pervasive in KwaZulu-Natal and Mpumalanga, the latter being part of the former Transvaal settled by Boers (Andrews 2020). As such, labour tenancy has survived in two provinces, Mpumalanga and KwaZulu-Natal, despite decades of legislation aimed at abolishing it.

Estimates of labour tenants vary. According to Gumbi (1996), there was an estimated 30–40 000 families who were subject to the system in the early 1990s. Hornby (1998) reveals that there were 25 000 and 250 000 labour tenant households in the early 1990s, with 21 000 applications (affecting about 200 0000 people) having been received following the promulgation of the Labour Tenant Act (Hornby, 1998). Most of the 21 000 applications were lodged in KwaZulu-Natal and Mpumalanga, with a small percentage of applications across all the other provinces.

There are two major acts guiding the securitisation of labour tenants and farm workers, namely the Labour Tenant Act No.3 of 1996 (RSA 1996,108) and the Extension of Tenure security. According to the Labour Tenant Act of 1996 “a labour tenant is obliged to perform his or her services personally on the farm in return for the labour which he or she provides to the owner or lessee of the farm. He or she shall be paid predominantly in cash, or in some other form of remuneration, and not predominantly by the right to occupy and use land”.

However, both the Labour Tenure Act and ESTA have not served the intended purpose but have instead provoked spontaneous and organised reactions, which saw an escalation in the numbers of evictions of farm-dwellers in most parts of the country. It is estimated that after 1997, “45 000 evictions occurred and over the next decade, out of 2.7 million displacements, nearly one million people were forcibly removed from farms” (Wegerif et al., 2005: 43). In the whole process, the most vulnerable victims are always women and children. These evictions occurred because white commercial farmers have found a way to use the Acts in their favour, but the state has done little to amend the Acts. Besides the government, other role-players who advocate for change, such as workers’ representatives and Non-Governmental Organizations, have not been active. In his study, Devereaux (2020) notes there has been a consistent failure by various stakeholders involved in farming and those representing workers. For example, farmers fail to comply with labour legislation; government fails to enforce this legislation; and workers’ representatives – specifically, trade unions – fail to hold either farmers or government accountable.

Role of NGOs in enforcing farm worker rights

The end of apartheid marked the promise to change the conditions of farmworkers ‘not in political terms, but as development problems’ (Du Toit 1994, 376). Devereaux (2020) argues that the farmworkers’ need for development was not well conceived and planned accordingly. As such, it tended to be a business imperative that is determined by market forces. He notes the case of the South African wine industry as a typical example. For example, Devereaux (2020) writes that “KWV, a wine producers’ cooperative that had been at the center of the South African wine industry since 1918, performing a statutory role, responded to the political changes by first bidding to privatize, and then agreeing to establish a development trust”. He also notes the funding of a South African Wine Industry Trust (SAWIT) to promote the interests of the wine industry, equipped with two strategic not-for-profit branches: The Wine Industry Development Company (DEVCO) and the Wine Industry Business Support Company (BUSCO) (ibid). DEVCO was to carry through the development mandate of “uplifting’ members of the ‘left behind’ community and educating farmworkers about ‘responsible alcohol usage’” (Du Toit, Kruger, and Ponte, 2014).

Instead of advocating for change, in the recent era, NGOs tend to compete for available funds, setting off the neo-liberal economy of farmworker development (Ferguson, 2010). Habib and Taylor (1999, 79) have reviewed the meaning of the post-apartheid government’s broad adoption of neo-liberal policy for the NGO sector and concluded that it is an impending funding crisis in which ‘either NGOs

become the voice of privileged sectors of the community (such as business) or that they tender for government and other transnational and donor contracts against other commercial firms’.

A Non-governmental Organisation that has been more active in enforcing a change and the implementation of labor laws is Nkuzi, an NPO, which on its website mission statement claims to “provide a range of support services to historically-disadvantaged communities wishing to improve their rights and access to land. Nkuzi started operating early in 1997 and had 18 full-time staff working throughout the Limpopo Province, northern parts of Mpumalanga Province, and with farm residents in Gauteng Province”. Nkuzi has participated in all three components of the land reform policy (Restitution, Redistribution, and Tenure Reform) in Limpopo Province since its establishment in 1997. From May 2000, Nkuzi has also worked with farm residents in the Gauteng Province. Nkuzi Development Association is a member of the chapter of the South African NGO Coalition (SANGOCO) in Limpopo Province. Furthermore, Nkuzi was providing secretariat support to the coalition by housing its officials. Its subsequent closure in 2014 meant less advocacy for farm workers and labor tenants.

Qina Mbokodo

Situating the Members of QM

Arguably one of the fundamental challenges facing organized land struggles by marginalized people was as noted by Habib and Taylor (1999) “firstly the weakening of the NGOs advocating for land rights due to the leadership vacuum left by people who went on to join the mainstream political institutions of the post-apartheid government”. Such NGOs are particularly important for helping the most vulnerable groups of labor tenants, namely women.

Women also carry all of the household burden. The Association for Rural Advancement (AFRA) research suggests that they are unlikely to be employed in permanent work and are more likely to get seasonal work and employment conditions relating to them as women are regularly violated (e.g. maternity leave, sexual harassment). They are also paid less compared to men (Andrew, 2020). Additionally, women carry the responsibility in the home for caring for children and the elderly in conditions of extreme poverty and the absence of services (e.g. energy, water, healthcare access). Women are also primarily responsible for securing social grants (e.g. child grants), which is burdensome in terms of time and distance.

The following demographic review of labor tenants from Hornby et al (2018) attests that women are indeed vulnerable. Based on the 2017 AFRA survey of 838 farm-dweller households living on 83 farms across the Umgungundlovu District in KwaZulu-Natal, Hornby et al.’s (2018) analyses suggest that the average size of farm-dweller households is 7.2 members, with 52.1% being female. Furthermore, Hornby et al.’s analyses found that two-thirds of farm-dwellers (66.5%) over the age of 18 years old had no form of income.

QM standing on the gap for women

These underlying challenges are some of the issues that Qina Mbokodo sets out to address by either enforcing or holding the responsible government departments accountable. Qina Mbokodo (QM) is a product of AFRA and was established in 2019. Joining QM is free and voluntary. Its members are mainly rural farm women who have lived on farms for the rest of their lives. Most have spent very little time at school and others have no formal schooling at all. As such, their literacy levels are very

low so is their knowledge of their constitutional rights. Also, their environment, and farm lifestyle which is remote and characterized by little socialization with the broader public disadvantages them in learning more about their rights and how to exercise such rights. Most QM members are young to middle age.

After many observations from their community engagement, labor Tenants and Farmworkers with Siyanqoba Rural Transformation Forum (SRTF) and AFRA meetings, especially women, were not vocal in the meetings, yet they are the most affected. QM is a group of women living and working on farms in the Mgungundlovu District, KwaZulu-Natal. QM mobilizes and advocates for women's and labor rights. This is done through a series of activities including empowerment, women claiming their rights; shaping decisions, policies, and processes that affect their lives; and holding power to account by challenging systems that perpetuate poverty and inequality. Qina Mbokodo is a strategic partner of AFRA, established in 1979 as an independent land rights non-governmental organization based in Pietermaritzburg, KwaZulu-Natal, which aims to redress past injustices, to secure land tenure, and to improve the quality of life and livelihoods of the rural poor. After AFRA started this formulation of QM as mainly focusing on women's empowerment and addressing all the imbalances of the past, tangible progress has been noticed.

The situation has been turned around now, and the degree of involvement in the Siyanqoba Rural Transformation Forum (SRTF), which first raised concerns, has increased significantly. The SRTF district committee now has many women members, and they are contributing and actively participating in debates. They are also highly outspoken and will not back down from opposing opinions from males. This takes place at the level of their meetings and workshops as QM in terms of leading and guiding sessions and seminars. In terms of the democratic frameworks established by the government, this is a prescriptive function carried out by government officials, and it has never been possible for participants who are not government employees to serve as the chairperson or facilitator. It has also opened opportunities for QM leadership to be Facilitators and chair meetings. This is remarkable progress made by the QM since they were formulated by AFRA.

Qina Mbokodo focuses on the following areas:

- The voices of women are heard and fully participating in all decision-making;
- Actively advocating and campaigning for the changes that they want to see;
- The lived experiences of women are captured, documented and shared through art, theatre and creative media;
- A participatory documentary or documentary series is produced by the women of the project, capturing their experiences and learnings;
- Land tenure and services provision on farms;
- Food Security and Livelihoods for women who are farm-dwellers and Farmworkers;
- Facilitate the provision of mental health support for women who have experienced trauma through AFRA, the KwaZulu-Natal Council of Churches (KZNC) and Social development;
- Gender justice for all women farm-dwellers; and

- Mobilization for new members in growing and improving women's participation in QM

QM's broader contribution and areas for future work

The strong point of QM is that its members know the problems and the urgency of the problems as most of them have been victims of abuse on commercial farms. Thus, the NGO is more about activism than just advocacy. Women on farms are engaging strategically at local and national levels, thereby effectively exercising their rights and actively advocating to hold government, duty-bearers, landowners, and employees to account. They have the necessary skills and capacity to effectively mobilize, advocate, and campaign. This group of women is deepening the understanding of gender and gender dynamics (including gender norms and how this plays out) of men women and youth.

While our observation provides insights into the founding and the role played by QM, there is still much scope for future work. Particularly more concrete data on the socio-economic information of the participants such as exact age, income, and income sources, and their aspirations beyond farm life. Also on the funding of QM and its capacity as well as challenges encountered.

Conclusion

The land is fundamental to making homes, raising families, and growing food, and is the base from where farm-dwellers work. Access to and ownership of land are still severely restricted. Production land typically consists of relatively small, poor-quality, and unaccompanied water use rights sections. In some regions, women lack the right to own land on their own. Insecure land rights undermine women's identity, dignity, well-being, and autonomy. This article has endeavored to show the gap between policy and practice, with a focus on the Labour Tenant Act, which is supposed to protect farm workers but hardly does so because of poor implementation. This hits hard on the most vulnerable groups, women. The authors argue that NGOs and civil society could play a significant role in enforcing these Acts being implemented by government and farm owners by holding them accountable. The researchers specifically looked at one NGO, Qina Mbokodo in uMgungundlovu in KwaZulu Natal, which mobilizes women and advocates for women's rights. With more support and the expansion of organizations like Qina Mbokodo, rural women could be free from abuse and empowered.

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Association for Rural Advancement (AFRA) & Qina Mbokodo (QM)

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