

DISSERTATION

SOUTH AFRICA AND INDIA'S SUPPORT FOR THE ILO'S GREEN INITIATIVES: A  
COMPARATIVE STUDY USING THE POSTCOLONIALISM LENS

Submitted by

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## ABSTRACT

### SOUTH AFRICA AND INDIA'S SUPPORT FOR THE ILO'S GREEN INITIATIVES: A COMPARATIVE STUDY USING THE POSTCOLONIALISM LENS

The International Labour Organization's (ILO) green initiatives seek to protect vulnerable communities from the impact of climate change on livelihoods. Nevertheless, there has not been universal acceptance of these green initiatives by developing states, which some claim is due to fear of neocolonialism. This research shows that South Africa has been more supportive than India in the formation of green policies within the ILO. This research seeks to explain the following: How do postcolonial theories assist in the analysis of enduring colonial logic in the ILO's environmental policies and South Africa's support of green initiatives at the ILO? Departing from materialist explanations, I utilize postcolonialism, namely Said's Orientalism and Bhabha's mimicry, to explain the responses by South Africa and India towards green policies at the ILO. By doing so, I expand the comparative field using postcolonialism and a heterogenized exploration of responses by labor and states in these two cases. This research is novel through its comparative case study of two major BRICS states and their link to ILO's green policies. Primary research sources will be minutes of ILO proceedings, recorded interviews on the ILO website, digital participant observation, digital fieldwork, and archival analysis. Secondary research sources include historical texts, and biographies of labor/political leaders. Using process tracing and discourse analysis, I produce narratives that depict labor experiences through historical processes, colonial framings, and mimicry. The research project describes how colonialism has shaped relationships between labor, social movements, and government and how it has resulted in disparate responses from South Africa and India at the ILO.

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## DEDICATION

God, whose strength I drew on when mine was depleted  
Sarah and Davita, my strong daughters who pushed me to the finish line

## TABLE OF CONTENTS

ABSTRACT.....	ii
ACKNOWLEDGEMENTS.....	iii
DEDICATION.....	iv
LIST OF TABLES.....	vii
LIST OF FIGURES.....	viii
LIST OF ACRONYMS.....	ix
Chapter 1: Introduction.....	1
Chapter 2: Literature Review .....	21
Postcolonialism.....	21
Green Postcolonialism.....	33
Comparative literature on labor.....	35
ILO Literature.....	37
South Africa.....	39
India.....	46
Chapter 3: Methods.....	54
Case Selection.....	54
Most Similar Case Study.....	55
Methods.....	61
Chapter 4: Identification of Orientalist Discourses and Mimicry as a strategy in the Indian and South African Labor Movement before Liberation (1850-1940).....	71
India.....	72
South Africa.....	86
Analysis.....	98
Chapter 5: Colonial Discourses That Have Justified Intervention in The Lives of Labor During Liberation in India (1920-1947) And South Africa (1940-1993).....	102
India.....	103
South Africa.....	115
Analysis.....	127
Chapter 6: Colonial Discourses That Have Justified Intervention in The Lives of Labor After Liberation in India (1947-2010) And South Africa (1993-2010).....	130
India.....	131
South Africa.....	143
Analysis.....	156
Chapter 7: The ILO's Colonial Legacy from Its Formation to The Point of Adoption of Green Policies (1919-1990).....	159
Processes of formation.....	160
1920s: Dawn of Optimism.....	161
1930s: Reconstruction phase.....	165
1940s: ILO as a tool for modernization and exclusion.....	170
1950s: Expansion of technical assistance.....	174
1960s: Decolonization era and the perpetuation of power of colonial states.....	178
1970s: Shift from technical assistance to the World Employment Program (WEP) .....	182
1980s: Liberalization of markets in the Global South.....	184
1990s: Globalization.....	187
Chapter 8: Orientalist Discourses in the Formation of Green Labor Policies in the ILO and Responses by India and South Africa (1990-2021).....	194

Sustainable Development (1990-1999).....	195
Decent Work Agenda (1999-2009).....	202
Green Jobs Initiative (2009-2015).....	208
Just Transition Framework (2015-2021).....	215
Chapter 9: ILO's Green Projects in India and South Africa and Orientalist Discourses within the ILO.....	224
India.....	225
South Africa.....	237
Chapter 10: Conclusion.....	253
References.....	270
Appendix A: Additional statements for Chapter 8: orientalist discourses in the formation of green labor policies in the ILO and responses by India and South Africa (1990-2021).....	317
Appendix B: additional statements for chapter 9: ILO's green projects in India and South Africa and orientalist discourses within the ILO.....	330

## LIST OF TABLES

Table 3-1 ILO Sources.....	67
Table 3-2 Legislative Proceedings.....	69
Table 3-3 Historical Texts.....	70
Table 10-1 Synopsis of timeline, Orientalist discourses and responses.....	269

## LIST OF FIGURES

Figure 4-1: British depiction of the Mutiny. “Miss Wheeler defending herself against the Sepoys at Cawnpore” 1857.....	81
Figure 4-2: Afrikaner police officers checking passes.....	92
Figure 5-1: AITUC gathering at Bengaluru. Credit: The Hindu.....	112
Figure 5-2: Jay Naidoo at the launch of COSATU, Durban, South Africa, 1985.....	126
Figure 6-1: Indira Gandhi being greeted by women after rolling out Garibi Hatao.....	138
Figure 6-2: COSATU protesting the impact of globalization on workers.....	152
Figure 7-1: Members of the Commission on International Labour Legislation to the Paris Peace Conference.....	161
Figure 7-2: A view of the first plenary session of the Asian Regional Conference of the ILO. which opened in New Delhi on October 27, 1947.....	176
Figure 7-3: Nelson Mandela addressing the International Labour Conference, Geneva.....	189
Figure 8-1: India’s participation in the DWCP.....	206
Figure 8-2: Department of Planning, Monitoring & Evaluation in association with the National Planning Commission, Government of South Africa participate in a Just Transition project.....	221
Figure 9-1: Adani’s 2-gigawatt solar plant, which would tie for the world's largest.....	235
Figure 9-2: The New Partnership for Africa’s Development (NEPAD) Agency, a technical agency of the African Union and the ILO entered a Memorandum of Understanding (MoU) with the objective of promoting decent jobs.....	250

## LIST OF ACRONYMS

AAM	Anti-Apartheid Movement
ACTRAV	Bureau of Workers' Group
ADB	Asian Development Bank
AITUC	All-India Trade Union Congress
AMWU	African Mineworkers' Union
ANC	African National Congress
ASGISA	Accelerated and Shared Growth South Africa
ASIST	Advisory Support, Information Services and Training
BCRM	Blue Crane Route Municipality
BJP	Bharatiya Janata Party
BMS	Bharatiya Mazdoor Sangh
BRICS	Brazil, Russia, India, China, and South Africa
CETA	Comprehensive Employment and Training Act
CNETU	Council of Non-European Trade Unions
CPI	Communist Party of India
COSATU	Confederation of South African Trade Unions
CSIR	Council for Scientific and Industrial Research
DBSA	Development Bank of Southern Africa
DWCP	Decent Work Country Programme
ECP	Community Employment Programme
EPWP	Expanded Public Works Programme
EPZ	Export Processing Zone
ESKOM	Electricity Supply Commission
EU	European Union
FEDUSA	Federation of Unions of South Africa
FOSATU	Federation of South African Trade Unions
GDP	Gross Domestic Product
GEAR	Growth, Employment and Redistribution

GHG	Greenhouse Gases
HMS	Hind Mazdoor Sabha
HMSS	Hindustan Mazdoor Sevak Sangh
ICA	Industrial Conciliation Act
ICU	Industrial Chemical Union
IDC	Industrial Development Corporation
IIED	International Institute for Environment and Development
ILC	International Labour Conference
ILO	International Labour Organization
INTUC	Indian National Trade Union Congress
IMF	International Monetary Fund
INC	Indian National Congress
IOE	International Organization of Employers
IPCC	International Panel on Climate Change
ITUC	International Trade Union Confederation
JHC	Johannesburg Housing Company
LRA	Labor Relations Act
NAPCC	National Action Plan on Climate Change
NCOP	National Assembly and National Council of Provinces
NEDLAC	National Economic Development and Labor Council
NORAD	Norwegian Agency for Development Cooperation
NREGA	National Rural Employment Guarantee Act
NRC	Native Recruiting Corporation
NUMSA	National Union of Metal Workers South Africa
OECD	Organization for Economic Cooperation and Development
PAGE	Partnership for Action in Green Economy
RDP	Reconstruction and Development Program
SACTU	South African Congress of Trade Unions
SAP	Structural Adjustment Program
SATUCC	South African Trade Union Coordination Council
SDG	Sustainable Development Goals

SEALS	South East Academic Libraries System
SECO	Swiss State Secretariat for Economic Affairs
SEWA	Self-Employed Women's Association
SEZ	Special Economic Zones
SME	Small and Medium sized enterprises
TIPS	Trade and Industrial Policy Strategies
TUPEP	Trade Union Partnership for Environmental Protection
UDF	United Democratic Front
UNCSD	United National Commission on Sustainable Development
UNDP	United Nations Development Programme
UNEP	United Nations Environmental Programme
UNFCCC	United Nations Framework Convention on Climate Change
WEP	World Employment Report
WHO	World Health Organization

## CHAPTER 1: INTRODUCTION

Climate change is expected to have a profound impact on the already vulnerable citizens of the Global South. The World Health Organization (WHO) estimates that 250,000 additional deaths are expected by the year 2030. It is also estimated that climate change will cause damage to health to the tune of USD two to four billion dollars a year by 2030. The ones who will bear the brunt of this will be those living in countries where there is weak health infrastructure (WHO 2018). While it would seem necessary for vulnerable states to engage in Western-borne environmental agreements in order to avert environmental catastrophes, this is not the consensus among developing states. This is because the same Western powers which are prescribing the terms of these environmental agreements are the same powers that caused environmental degradation in the first place. Previously colonized states (such as India) are then wary of these green policies as they seem to encroach on their ability to manage their economies and their environment signaling a return to colonial rule.

There are, however, previously colonized countries such as South Africa that have been more open to green initiatives at the International Labour Organization (ILO). How do postcolonial theories assist in the analysis of enduring colonial logic in the ILO's environmental policies and South Africa's support of green initiatives at the ILO? This study will outline the colonial discourses that have defined the relationships between labor groups and the state in South Africa and India as they have developed from colonial to post-colonial times. This study will further explain how these relationships between labor groups and the states continue to influence India and South Africa's relationship with the ILO. In this research, I find that Said's Orientalism helps to explain the justifications of interventions into India and South Africa by Northern states because it allows scholars to identify the ways that the East has been represented as inferior. And while Said's

approach helps to uncover condescending colonial rhetoric, Homi Bhabha's work goes further to present "mimicry" as one way that natives regain agency despite being deemed as inferior.

This research sought to examine the application of postcolonial theories in the Comparative Politics field. Said's Orientalism explains the formation of discourses that inhibit the capacity of the locals and suggests how these discourses may play into the formation of labor unions in both states. Although India has resisted these discourses, that has led to the further weakening of labor in India via the adoption of a labor union system that is dependent on the government. This weaker union system has resulted in the silencing of labor at the ILO. In the South African case, the adoption of an independent Western labor union system has allowed labor to be more effective in resisting, both at the national level and at the ILO. This type of resistance through mimicry is best explained by Homi Bhabha's work. Bhabha and Said's theories produce a richer and more nuanced understanding of these responses by India and South Africa at the ILO.

This research project contributes to comparative politics scholarship through the introduction of postcolonial theories in the study of national systems and the environments produced by colonial discourses within India and South Africa. This study explains how colonial control has created unique national environments that dictate the type of labor unions that exist. The research also expands the use of postcolonial theories in the study of political processes. It has been used with more prevalence in the field of English literature, but only a handful of articles are found that utilizes postcolonial theories in the understanding of national political processes and the discourses that have shaped those policies.

### **Importance of This Project**

This research is important because it introduces postcolonialism into comparative politics in explaining the confinement of labor and its resistance to green initiatives at the ILO. Engaging with notions of marginalization and second-class citizenry, this research provides an inlet into the

life stories of those who under constricting circumstances have fought hard for liberation of their countries within and through their positioning as labor. More specifically, Bhabha's (1994) postcolonial approach is counterintuitive by explaining support for green policies as subversive resistance rather than cooptation. It presupposes the possibility of labor agency at the national and international level to push for green initiatives. Further, by incorporating postcolonialism, I am expanding the comparative historical institutionalist approach to accommodate postcolonial thought to make sense of labor capacity in previously colonized national systems. I included narratives from labor in developing states rather than a strict analysis of institution building via historical framing. It is imperative to understand labor in the Global South through this postcolonial lens if we expect any genuine change in global environmental protection. Lastly, the contribution of this research lies in the expansion of our understanding of the policy dynamics within the ILO that maintains the structure of colonial control and in explaining how constituents like South Africa and India are responding to the prevailing colonial discourses within the ILO.

This introduction details the importance and operationalization of this dissertation by reviewing background information on green initiatives and the role of the ILO, the justification in the use of postcolonial theories and how this research engages with the existing scholarship on labor activism. I briefly address the operationalization of the research through the methods used and types of research resources that will be collected. Lastly, I provide synopses of the chapters of this dissertation project.

### **Background information**

Green initiatives are part of the ILO's mandate to improve the environment and suggest policies that would produce more jobs for an expanding global population. The ILO unveiled the Green Initiative plan in 2013 to ensure that its constituents were adequately prepared to transition to green economies (ILO Green Initiatives 2022b). The goal according to the Director-General is the insertion of social components into the transition to a low-carbon, sustainable development

path (ILO 2013, 28). This Green Initiative is built on two main policy frameworks – the Green Jobs Programme (2008) and the Just Transition Policy Framework (2015).

Green jobs are defined by the ILO/UNEP as: “decent work in environment-related sectors which reduces negative environmental impacts, ultimately resulting in levels that are sustainable.” This includes jobs that work towards protecting ecosystems and biodiversity, adapting to climate change, reducing energy, materials and water consumption, de-carbonizing the economy and minimizing/eliminating all forms of waste and pollution (ILO 2012, x). Green jobs essentially protect the environment from further degradation, reverses the impact of environmental damage and improves the lives of workers. The ILO provides no standard definition for Just Transition. Borrowing from the Climate Justice Alliance, Just Transition is “a principle, a process and a practice that utilizes economic and political power to move from an extractive to a regenerative economy.” The transition to an environmentally conscious economy needs to be equitable and would deal with the past harms produced by the previous economic structure (Just Transition Alliance 2020). These two elements of green initiatives promise protection and prosperity for developing states. According to data by the Development Bank of Southern Africa (DBSA), the Industrial Development Corporation (IDC) and the Trade & Industrial Policy Strategies (TIPS), the green jobs program is poised to produce close to 500,000 jobs by 2025 (DBSA 2011, 8). In India, experts predict that the green economy could add three million jobs in the renewable sector alone by 2030 (Reddy & D’souza 2019).

The ILO plays a significant part in ensuring the capacity of states to achieve these green goals. It was established in 1919 as a tripartite specialized agency and forms the central negotiation platform within the UN that accommodates the interests of labor, states, and employers. It is the political locus for the negotiations between these parties to reach peaceful resolutions. The ILO has done this by offering technical know-how and assisting states in forming national green policies that would make a transition to a green economy a reality. It produces

labor policies through its upper chamber (Governing Body) that decides the agenda that is to be discussed and voted on in the lower chamber (International Labour Conference). Both the Governing Body and the International Labour Conference (ILC) are comprised of states, employers, and workers - with the states having double the voting power of the other constituents. It is important for workers to have state support in order to advance goals through the ILO.

Despite these lofty promises and the ILO's assistance in attaining these goals, fear of neocolonialism remains a deterrent to developing countries in signing up for environmental agreements. History has shown that these interventions have not been beneficial for the locals or their environment. However, these interventions have often been justified based on colonial discourses that represent the colonized as uncivilized and incapable of managing their environment effectively. One case in point is the Sundarbans in India and Bangladesh. Colonial discourses represented the space as a jungle infested with deadly diseases and man-eating animals. The indigenous population that resided in the area were regarded as barbarians. Colonialists took on the challenge to "improve" the space by "taming" it. This discourse on the Sundarbans led to the annual killing of 1200 tigers and the alteration of its mangrove swamps into farmlands. The British also created about 2000 square miles of conservation land that displaced indigenous communities who were its natural caretakers. With this unhinged power, they extracted valuable timber from the forests of Sundarbans and led to the loss of a vital natural barrier to the encroaching sea. Millions continue to lose their land today due to the destruction caused by the British (Chakrabarti 2009).

Colonial discourses were also used to justify extraction on a massive scale in South Africa. The British justified extraction on grounds that the locals were not maximizing the use of their land. By doing so, the British took credit for the economic expansion in South Africa as if no progress had been made until they arrived. These mines became sites of environmental damage and social inequalities as White miners were paid more than Blacks. Ninety percent of those who

died in mines were Blacks as they suffered harsher working conditions. Moreover, Black workers were not allowed to form unions and collectively bargain (BBC 2020). The adverse effects of mining in South Africa are still felt in the communities living there today. For example, communities such as those in the Witwatersrand Basin have been subjected to mercury pollution (Cukrowska et. al. 2012).

Owing to environmental damages created through colonialism, developing countries have been skeptical of entering into global environmental agreements, which are perceived as attempts by the Global North to neo-colonize. The Stockholm Conference of 1972 saw talks of boycotting the negotiations by states from the Global South. They finally decided to attend but produced a document called the “Founex report” to present their stance on environmental protection and to reject Western/affluent environmentalism. It highlighted the hypocrisy of those who have already destroyed their environment for economic gain and how the new green economy would sideline the intentions of the Global South (Founex 1971, 1-4). Led by the then Prime Minister of India, Indira Gandhi, the report stated that all states should have the autonomy to decide how to deal with the environment and the economy in the way that best fits them (Founex 1971, 10). This resistance by developing nations set into motion the principle of “Common but Differentiated Responsibilities” in the United Nations Framework Convention on Climate Change (UNFCCC). Nevertheless, this has not stopped Western powers from testing the boundaries. For instance, the EU attempted to restrict the import of palm oil citing it as an unsustainable source at the Copenhagen Conference in 2009. This move received pushback from Asian and African producers who identified it as protectionist motivation to protect their own rapeseed oil production (Erixon & Abbott 2009).

### **Why use postcolonialism?**

In this section, I explain why the application of the postcolonial approach is important in political science, comparative politics, and this project. The postcolonial approach is a broad area

of theory that examines the past and present impact of colonialism on political systems (Givens 2012; Young 2016; Gandhi 1998). The main authors in the field are Edward Said, Gayatri Spivak and Homi Bhabha (Mishra 2020). The field is primarily inspired by the works of Frantz Fanon who studied the impact of colonialism on the psyche of the colonized (Fanon 1968; Fanon 1963). He utilized the concept of “White gaze” to explain how colonizers continually observe the Blacks, seeking to intensify their Blackness in order to accentuate the differences between both races. Fanon concluded from his study of French colonization in Algeria that violent resistance to colonialism is necessary and functions as collective therapy for the colonized (Larsen 2005, 35-37). Said applies a different approach through the notion of Orientalism (Said 1978) while Spivak utilized subalternity through a Marxist feminist lens (Spivak 1988). Bhabha, in turn, introduced the notion of mimicry as resistance (Bhabha 1994).

In general, postcolonialism assumes that colonialism has excluded, marginalized, and made distorted representations of the colonized as sub-humans (Ashcroft et. al. 2000, 40-44). Colonialism is founded on the notion of “Othering” with the Other being the focus of desire and power (Spivak 1985; Boehmer 1995). Utilizing postcolonialism within the political science field would initiate decolonization of the field by calling out the contradictions in Western narratives that dub (neo)colonizing processes as “civilizing projects” (Griffiths 2007; Mondal 2014). For example, it would invalidate the colonizing impact of comparative projects that delineate between colonized countries based on levels of modernity. Second, it offers a better understanding of political reality through the analysis of colonial history utilizing an interpretivist method that incorporates ethnography (Chandra 2013, 490). It “resituates historical antagonisms” and reopens interpretations of identity within contextual historical narratives (Prakash 1994; Ahmad 1992; Loomba 2015). In comparative studies, it offers a lens to understand specific national conditions that are the result of colonial legacies. Third, it removes Eurocentrism from the center of the research goals and methodology, to include narratives from those sidelined by the color of

their skin, gender and/or sexuality (Yousaf 2019; Mondal 2014). It “flips the script” to bring alternate researchers and natives to the table. And lastly, it highlights the pervasiveness and stickiness of colonial legacies that are continually reproduced to limit the capacity of those colonized and generations that succeed them (Sa’di 2020). This research forms part of the project to reveal and resist the reproduction of colonial discourses in the field.

In this research, I utilize Edward Said and Homi Bhabha’s postcolonial theories. Said (1978) developed the concept of Orientalism and his work led to the development of postcolonialism as a distinct field. He argues that Orientalism misrepresents the East as inferior claiming a lack of morality, intelligence, and civility (Ashcroft et. al. 2000, 153-156). Art, history, and literature show this misrepresentation to justify colonization. While useful, Said’s project has been criticized for its lack of attention to enabling the agency of the Oriental (Chittiphalangsri 2009; Kapoor 2002). Further exploration of the shortcomings of Said’s project will be addressed in the Literature Review chapter. Suffice to say, the use of Said’s work has nevertheless been prolific in the analysis of art and literature through semiosis, but it has also been used to expose Orientalism in historical narratives and processes. Brubaker (2017) utilizes Said’s Orientalism in explaining the processes that led to the formation of liberal populist movements in Northern and Western Europe. Dahlstedt and Neergaard (2019) used Said’s Orientalism to explain the historical processes that led Sweden to reverse its open immigration policies to restrict the entry of refugees. Osuri (2017) used Said to study Kashmir’s response to Indian military intervention and Simaan (2017) studied the impact of Israeli occupation on local olive growers in Palestine. These studies show the importance of examining the historical contexts that have conditioned the struggle of the colonized (Alessandrini 2005).

Bhabha’s mimicry (1990), on the other hand, breaks the binary between the East and West by claiming that there is a middle space where the colonized are “not White, not quite”(Khan 2020). Mimicry is where the colonized adopts the colonizer’s cultural habits, assumptions,

institutions, and values (Ashcroft et. al. 2000, 124-127). This liminal (or transitional) space is where power is challenged and negotiated (Moore-Gilbert 2005, 458; Kapoor 2002). This occurs through “slippages” in mimicry where the colonized exposes the hypocrisies of the rules (Bhabha 1994). Again, the use of Bhabha’s mimicry in the history of art and literature is more common than in the study of historical processes. Nevertheless, its utility for comparative politics can be seen in research such as that of Alvi (2020) who used mimicry to make sense of the internationalization tactics employed by the Umbrella Revolution in Hong Kong. Leclercq and Matagne (2020) also show the extended application of mimicry to explain the processes that led to the acceptance of the Koglweogo Movement (who were previously labelled as terrorists) as legitimate security providers after the fall of the semi-authoritarian regime in Burkina Faso.

A competing approach for explaining the contextual situations in India and South Africa is decolonization theory. Decolonization scholars critically assess the notion of modernity and look to provide alternate histories that connect colonial power with subjective experiences of the colonized (Quijano 2000). The exclusionary nature of modernity deprives certain races from being able to participate in the global economy (Mignolo 2020). And this is a result of the reproduction of colonial discourses within the operation of the global capitalist system (Ashcroft et. al. 2000). For Mignolo (2000), modernity and colonialism are constitutive of each other. While modernity seeks to hide colonialism and is touted as the mechanism to save the colonized, it merely draws them back into oppression. To reverse this exclusion, we need to decolonize our minds and beings (Yates 2020). Unlike postcolonial theory, the beginning point is material deprivation rather than the identity-based approach introduced by Said, Bhabha and Spivak.

Among these various works, Edward Said’s (1978) Orientalist approach helps to identify colonial discourses in historical processes that define the relationships between labor and other actors. In the case of India, Orientalism is evident in colonial policies that restricted Indians from taking governing positions because Indians could not be trusted to govern themselves. According

to Lala Lajpat Rai (who was a lawyer by training and the first Indian ILO worker representative), the British justified their power over India on the excuse that if they left, “there would not be any buildings or virgins left in villages” and the British fleets would be begged to return and restore order. Young Indians had no prospect of being employed in the civil service unless they sat for qualifying exams in the UK. This treatment extended to labor who were not allowed to legally form unions until 1926. This Orientalism was reinforced with an unjust judicial system that tried activists and workers in secret trials that resulted in prison sentences in Hong Kong or Burmese labor camps (Myanmar)(Rai 1968). The independence movement was intensely nationalistic and rejected anything or anyone who mimicked the British. According to Rai, those who sought to free India were those who surrendered their pants and cigars for *dhotis* and *chappals* (traditional Indian attire). This would explain why India adopted a socialist styled corporatist system that partnered labor unions with political parties in parliament rather than the British autonomous labor system. This socialist system led to fragmented labor unions that rarely crossed party lines because their power was tied to these parties (Raman 1967).

This Orientalist discourse of Indian ineptitude is also evident in the ILO. In the Green Jobs India report (2010) for example, the ILO stated that India lacks capacity to green its economies and needs direction and leadership from the ILO. The report cited India’s inability to effectively manage its water resources, its failure to protect its forests and how it lacked technological know-how. The report states that India needed to set up courses in Forestry so that Indians would be more knowledgeable in managing their natural resources (Kumar et. al. 2010). The report also suggests that Indian graduates are ill equipped, and India has failed to integrate green skills into its vocational education system. Instead of mimicking the actions of its Western counterparts at the ILO, India moved away from the ILO’s government-led environmental model. India’s response has been to focus on the market and not on worker rights. It mechanized its agriculture industry by introducing industrial farming methods and increased the use of pesticides without considering

the impact to the environment (Death 2015). It set up a biofuel sector with non-edible crops that are grown on marginal lands and aggrieved the natives (ILO-ACTRAV 2018). And it also injected billions of dollars into mega projects undertaken by private actors. These projects are challenged by politically unaffiliated unions due to the limited access to affordable energy by the poor and the rejection of worker unions by these contractors (Roy et. al. 2019). These resisting unions operate outside the corporatist system of labor unions where unions are more subservient (ILO-ACTRAV 2018; Roy et. al. 2019; Bhowmik 2009; Agarwala 2012).

Said's Orientalism explains the limitations of labor in South Africa, but Bhabha's (1984) approach goes further to explain the strategies employed by labor in the South African case. Like the Indian case, Orientalism can be found in the policies that marked Blacks as too barbaric to govern themselves. Nelson Mandela in his autobiography explains how Africans were not allowed to hold positions of power in the government, schooled for leadership (Bantu education) or be unemployed. If their pass indicated unemployment, they would be sent to farms to work as cheap labor. Workers could not be trusted to govern themselves and labor unions were not legal until 1958 (Mandela 1990). Mimicry can be seen in the narratives produced by Mandela that describe the processes of articulating workers' demands as rational and calm while the response by the Boer government is so evidently savage and cruel. In 1946, seventy thousand mine workers went on strike for a week demanding for minimum wage, family housing and two weeks' paid leave. The government killed twelve miners and crushed the labor union. Fifty-two men were arrested and prosecuted for incitement and sedition but there was no violence from the side of Africans (Mandela 2013). Another example of mimicry is the drafting of the Freedom Charter 1961 by the African National Congress and their affiliates including labor groups. The claims for equality, freedom and democracy redirected the White gaze on the Boer government as the Blacks questioned their policy decisions to partition South Africa and rule through puppet Chiefs (Mandela 1990). Mandela's eloquent speech demanded that the Blacks were visible and heard

as they made the claim for basic equality while condemning the government's directive as inherently racist. At the dismantling of apartheid in 1993, certain labor groups remained autonomous from political parties unlike the processes that occurred in India.

Orientalism of South Africa is also evident in the ILO. Embedded discourses of South Africans' inability to govern themselves are evident in several green policy reports. The reports cite Africans as unskilled to work in green industries as they lack technical knowledge. This is due to its failure to utilize its vocational education system for green skill development. South Africans have also been slow to adopt green policies and has not injected capital into green projects (ILO-One World 2010). Africans were represented as lacking entrepreneurial spirit, and this has led to greater unemployment levels especially with Black Africans. The narrative is that the ILO can step in and help South Africa optimize its potential through technical expertise to ensure non-discrimination and gender sensitive policies. This is even though unions have fought for these since the 1980s (Forrest 2011). The ILO claimed that it could teach South Africans to care for the environment and develop green technology. The ILO would also direct South Africa to international donors to implement green projects according to the priorities of these foreign donors (ILO-South Africa 2018, 22).

Part of the acts of mimicry was the institutionalization of social dialogue to facilitate discussions between government, businesses, and civil society (Montmasson-Clair 2012; Cock 2014). Further, labor unions such as the Congress of South African Trade Unions (COSATU) adopted environmental goals such as the Climate Change Policy Framework in 2011 (Cock 2014). The South African government has also undertaken various environmental plans such as the Medium-Term Strategic Framework 2009-2014, Industrial Policy Action Plan, New Growth Path among others (Montmasson-Clair 2012). Bhabha's 'slippages' are also evident in the South African case because labor unions have questioned the ability of green growth policies that do not provide quality jobs, a living wage and decent work. They have sought for democratization of

the energy industry and seek a new eco-socialist order that equalizes between classes (Cock 2014; ILO-ACTRAV 2018a; Rathzell and Uzzell 2012).

While decolonization theory would have been a good option to pursue, it does not fit into this project because of its focus on maldistribution of wealth. Decolonization literature as produced by Quijano (2000) and Mignolo (2000) begins with the premise that it is necessary to delink from continued reproduction of colonial discourse within the capitalistic global economic system. The decolonization approach would be relevant for research that recognizes material factors as catalysts of resistance such as deprivation to wealth and economic opportunities. The decolonization approach would be useful if I began with the premise that South Africa and Indian labor were deprived of well-paying and safe jobs due to their race and language. However, this research starts with the notion of identity and non-recognition of Indian and South African labor as agents of their fate. While this could intersect with maldistribution issues, this is not the starting point of discussion in this research.

### **Gap in scholarship**

The study of labor within the comparative politics field is not new but there is a lack of attention paid to the impact of colonial discourse on national labor politics. An early comparative labor article critiques a report by The Royal African Society (1949) on the efficiency of African workers. After an observation by Dr. Northcott of Kenyan workers for fourteen weeks, he suggested that African workers were unable to function efficiently nor had proper work ethics. Where the impact of colonialism is studied in national politics, scholars do not utilize postcolonial theories (see Newbury 2013; Mahoney 2010; Pepinsky 2016; De Juan 2017; Lechler and McNamee 2018). My contribution to the field is through the incorporation of postcolonial theories in understanding national conditions and the formation of relationships between labor and the state.

The literature that deals with the relationship between labor and the ILO also shows a gap in the use of postcolonial theories. The literature on the ILO focuses on the ways that the ILO is not an effective institution. Failure of the ILO to protect workers is due to the nature of the ILO (La Hovary 2015) or due to the formation of the ILO by the allied forces (Torstoff 2005). Where the literature refers to the role of the ILO in perpetuating colonialism, it does not provide analysis through postcolonial theories. These articles examined the role of the ILO in excluding colonized states from decision-making (Gorman 2014), being a conduit for Western neoliberal values (Kott 2017; Maul 2009) and the exemptions of labor standards in colonized spaces (Plata-Stenger 2020). I intend to expand the literature to provide a contextual analysis of the possible postcolonial explanations for these weaknesses and limitations on South African and Indian labor capacity within the ILO's green policy formation.

Similarly, the literature on the labor movement in South Africa does not explicitly offer a postcolonial perspective on the limitations and resistance of Black labor at the national level. The literature merely documents the involvement of labor in the anti-apartheid movement and how they resisted by forming de facto trade unions (Adler & Webster 1995; Barchiesi 1996; Kurtz 2010; Freund 2013 and Money 2020). The literature also shows how these Black unions were not recognized at the ILO because they were not recognized as legitimate representatives of workers (Money 2020). I would extend the analysis of the journey of Black unions in reclaiming their position at the ILO using Bhabha's mimicry approach. There is a story to be told from the vantage point of labor that is missing here. The other gap in the literature is the assessment of worker involvement in the formation of green policies through the postcolonial lens. Current literature focuses on how workers struggle to be heard over corporate interests when it comes to green policies (Baker et. al. 2014; Cock 2014). The use of the postcolonial approach is vital here to explain the nature of repression of Black union workers and their journey towards recognition.

The same pattern emerges in the study of the labor movement in India. The scholarship does not adequately link colonialism to the disempowerment of labor in India. Articles do provide a comprehensive narrative of the historical events that took place (Bhowmik 2009; Candland 1995). Rudolph & Rudolph (1987) and Raman (1967) suggest that the initial socialist planning system has not worked out for workers since it has resulted in a fragmented union system. Labor groups' agendas are dictated by party leaders and not vice versa. While being comprehensive, the literature does not deal with the colonial roots that support labor's reliance on the government. This lowered capacity of workers is also presented in the literature describing the lackluster involvement of Indian labor at the ILO (Papola 2011, 62; Van Daele 2008). I intend to expand the scholarship by explaining the influence of colonial discourse in the development of the corporatist labor structure in India as a weakening factor to the voice of labor at the ILO.

There is also a gap in understanding the impact of colonialism on the ability of workers to form green policies. The green policy formation literature shows that much needs to be done to strengthen worker capacity to influence green policies. Roy et. al. (2019) argues for the inclusion of workers in green policy making because they can play an active role in the integration of social and climate concerns. Other authors also explain the notion of green transitions and the need for these transitions to deal with social injustices (Michael et. al. 2020; Azad & Chakraborty 2020; Pollin & Chakraborty 2015; Govindan & Bhanot 2012).

## **Methods**

I utilize the most similar case study approach in comparing India and South Africa. The main similarity between South Africa and India is the long period of colonization that both have had to go through. India was colonized by the British from 1612 to 1947. South Africa's colonialist history is more complex. It was colonized by the Dutch and then by the English (1652-1910). When the English left, power was returned to the Dutch settlers who founded the apartheid regime. And this was dismantled in 1993 after the election of Nelson Mandela (BBC 2018). Post-liberation, these

states adopted the Parliamentary government system. The first election in South Africa in 1994 ended minority rule in South Africa and added 18 million new voters to set up a government of majority rule. The Federal system was divided into a national and provincial legislative system – National Assembly and National Council of Provinces. Executive power rested with the President and the cabinet (Republic of South Africa 2021). In India, the first democratic elections were held in 1951. India became a quasi-federal democratic republic. Its legislature is also divided into two houses – the Rajya Sabha (Council of States) and Lok Sabha (House of the People)(Library of Congress 2020). Elections to these houses both in the Indian and South African cases utilizes the first-past-the-post election system that prioritizes majority rule albeit with distinct outcomes.

Another similarity is that both these states have had robust labor movements that have fought against colonialists. There are three major unions in India – the Bharatiya Mazdoor Sangh (BMS), the Indian National Trade Union Congress (INTUC) and the All-India Trade Union Congress (AITUC) (Menon 2013). In South Africa, major unions like the Congress of South African Trade Unions (COSATU) have allied with Mandela’s party to fight apartheid. Finally, the similarity between South Africa and India lies in the strength of their economies. They belong within the BRICS category and have created a political grouping with a united front at international negotiations (BRICS 2016).

Despite these similarities, South Africa has responded differently to green initiatives at the ILO than India. First, India has not adopted any of the basic ILO labor standards and has had a bad track record for violations (ILO-NORMLEX 2021). This means that any green initiatives adopted by India would fail to comply with the essence of the ILO’s goals. South Africa, on the other hand, has embedded basic labor rights within its constitution (ILO 2002). Second, there is doubt that India will keep its commitments to the ILO’s green initiatives since it has rolled back its environmental provisions leading to unprotected and displaced workers (Biswas 2020). South Africa has a better line up of environmental provisions in line with the ILO’s green initiatives (ILO-

One World 2010). Third, South Africa has shown greater optimism for green initiatives such as the Just Transition Framework in contrast with India's response (ILO 2013, 37). India has also shown willingness to collaborate with the ILO on green jobs, but its involvement has not been recent and ongoing. Lastly, India has emphasized green industrial growth and has courted foreign investment over worker welfare with relatively lesser emphasis on excluded communities (Hananel 2021). However, South Africa's labor unions have successfully fought for community-based programs that help build social resilience (Lee et. al. 2020). These differences will be elaborated at greater length in the methods chapter.

For this research, I will be using the most similar case study approach with process tracing and discourse analysis as my anchoring methods. These methods help to produce explanations of patterns and behaviors that underlie the processes of dehumanization within the context of colonialism and beyond (Jorgensen and Philips 2002). These methods enable an analysis of the contextual differences in development and capacity that are manifested at the ILO.

Discourse analysis helps this research understand the nature of human affiliation within cultures, social groups, and institutions (Gee 1999). It helps to identify the processes of meaning making and identity formation that explains why workers from the Global South are positioned the way that they are within the global economic schema (Gee 1999; Johnstone 2018). Process tracing will explain how labor relationships were formed in the processes of liberation and within the formation of green policies at the ILO (Venesson 2008).

I will derive the data to produce these narratives from primary and secondary sources. Primary sources include recorded interviews and speeches derived from the ILO website. Other sources include digital participant observation, digital fieldwork, and historical documents (minutes of ILO proceedings, transcripts of interviews of labor leaders). Secondary data will be acquired from biographies of workers/political leaders and historians' accounts. The goal in using the breadth of sources provided here is to provide 'triangulation' through a multiple method approach that would

yield research material to uncover and analyze patterns (Gray 2003). It is to show that the evidence collected accurately describe the experience of the community studied (Fife 2020, 2-21). It involves placing discourses within its context. Triangulation would include the study of immediate language, intertext, interdiscursive relationship between the words that were spoken and written texts, social and sociological variables, and broader sociopolitical and historical contexts (Wodak and Reiseigl 2001)

## **Chapters**

The chapters will be organized in the following way. In the second chapter, I will present the scholarship that governs the topic at hand. I will explain the contours of postcolonial scholarship, comparative environmental politics, and labor activism. I will explain how this research project will extend and fill gaps in knowledge in these areas. In the third chapter, I will expand my explanations on the types of methods that will be used produce knowledge to fill these gaps in scholarship. I will explain in greater detail the nature of process tracing within the context of this research as well as the type of discourse analysis that will take place. I will also describe the type of data that will be acquired from primary and secondary sources.

In the fourth chapter, I will examine the Orientalist discourses that have defined the formation of labor unions in both cases and how mimicry explains the differences between India and South Africa. I will then consider the types of Orientalist discourses that have defined labor's participation in liberation processes and the relationships that they have with the state/social movements in Chapter Five. I will use an analysis of mimicry to differentiate between South African labor unions' hesitance in participation in the anti-apartheid movement and the Indian labor participation in the path towards their independence. In Chapter Six, I will study the role of Oriental discourses that have shaped the relationships between labor and the state post-liberation in India and South Africa and examine how mimicry helps explains South Africa's distinct labor union-state dynamic as compared to India's corporatist system.

In Chapter Seven, I will examine the historical narratives that explain the ILO's formation, structure, and power and how these have been influenced by colonial discourses. I will then explain how Orientalist discourses have influenced processes of green policy formation as well as responses by the Indian and South African delegates in Chapter Eight. It will also show how mimicry differentiates between South African and Indian labor strategies. In the final chapter, I will compare the efforts taken by India and South Africa in implementing green initiatives but also describe how mimicry is used as resistance in the context of South Africa. In the conclusion, I will sum up the analysis, implications of the analysis, and future research trajectory.

### **Conclusion**

The importance of the study of the variances in labor responses between South Africa and India to green initiatives at the ILO through the postcolonial lens cannot be overstated. It is a project that needs to be undertaken to consider the vantage point of colonial workers into comparative scholarship. Said's Orientalism explains the nature of constriction on the agency of labor and Bhabha's mimicry explain efforts to resist by mimicking the colonizers. I argue that colonizing processes are perpetuated and evident even in the formal structure and negotiations at the ILO. Highlighting this mimicry strategy is essential to understanding the capacity of workers in developing states as subjects with power and agency in international organizations contrary to the general view in prevailing scholarship. The study of India and South Africa is timely because of their rising influence in global environmental governance and the environmental impact of scaling down of their fossil fuel industry. This research fills an important gap in comparative scholarship that completely ignores the story of displaced colonial labor. To bring into sharp focus these stories of grievances, I employ process tracing and discourse analysis. Through process tracing, I show how colonial discourses have shaped relationships between labor, social movements and the state. Discourse analysis reveals the extent to which colonial discourses were embedded in policy documents to justify oppressive laws and how these discourses are

perpetuated today in the green policies at the ILO. This research marks a novel and ambitious attempt to decolonize comparative environmental politics.

## CHAPTER 2: LITERATURE REVIEW

In this literature review, I examine the scope and utility of postcolonial literature and the lack of postcolonial analysis in the literature concerning the ILO, labor activism, and environmental policies. Then, I show how this research fills this gap in knowledge. The lack of postcolonial analysis creates an unfair and inaccurate representation of labor agency in developing states. To reiterate, the research question that I investigate is: How do postcolonial theories explain South Africa's support for green initiatives at the ILO and India's reluctance? To answer this question, this research intersects with literature on the role of colonial powers in the formation, structure, and power of the ILO. It also engages with literature on the effectiveness of the ILO in protecting workers. This research also expands the comparative field's scholarship on labor practices in national systems. Beyond this, this research links to scholarship on the formation of labor unions in India and South Africa. It reviews the nature and involvement of Indian and South African labor in the liberation of their countries and their capacity in forming green policies at the ILO. In this literature review, I examine these areas in the following order. First, I examine the literature on postcolonialism both for its scope and its utility in this research. Second, I examine the literature on labor in comparative politics and the ILO. Third, I examine the literature on South African labor. I conclude with an examination of the literature on Indian labor.

### **Postcolonialism**

In this section, I describe the contours, assumptions, and the utility of the field in informing this research. I provide an overview of the field, its core scholarship, and the role of postcolonialism in Western ecocriticism.

Postcolonialism as a field is both simple and complicated. It is complicated because it represents a mix of disciplines and theories. The field accommodates a varying level of analytical

and methodical discussions. This makes it difficult to traverse and it is intimidating to some because of the antagonistic approaches within the field that are in direct opposition such as Marxism and poststructuralism. One main critique is that there is no consensus on the scope and content of the field (Gandhi 1998). This fluidity causes unease to some but is liberating to others. The field is also simple because despite these accommodations to various approaches, the central goal of the field is to study colonialism and its effects. It examines how colonialism works, how it oppresses and how it has caused grave injustices to colonized states (Prasad 2003, 7; Gandhi 1998). Not only does it involve uncovering the working of colonialism, but it also examines the liberation of the colonized subject. It offers a resistance to the 'mystifying amnesia' of colonial aftermath. It brings to remembrance colonial pasts to critically evaluate colonialism's impact. Part of its project is "decolonizing the mind" through remembrance (Ngugi 1981). The goal is not to return to its precolonial state but to move forward to a system that discards its inherent racist quality (Mignolo 2000). Postcolonial analyses exist on a continuum (the study of history or at the meta-theory level) but the essence of the analysis is to understand the contours of postcolonialism (Ashcroft 2000, 171).

Postcolonialism as a term was first used by historians after World War II and carried a chronological connotation – What happens after colonialists leave? But from the late 1970s onwards, new literature surfaced of literary critics investigating the impact of colonization (Gandhi 1998). It was no longer limited to the study of "What happens after they leave?" but shifted to "What are the continuing effects of colonialism?" Colonialism's impact is not limited to when the colonizers were present but continues via the concept of modernity. The argument is that through the concept of modernity, colonialism is advanced and reproduced in different forms in previously colonized states (Darlan-Smith 1996). The field has continued to challenge the notion of modernity and the Eurocentric historical narratives that describe colonial conquests as beneficial

to the colonized. It offers a vantage point that is otherwise not offered in mainstream academia – to see through the eyes of the colonized (Prakash 1994).

The postcolonial field experienced the next expansion in the 2000s where the poststructural approach was favored over the material aspects of colonialism. The field saw analyses that covered the construction of colonial subjects, and the resistance by colonized subjects. These expansions have moved the colonial analysis beyond culture into the field of history, politics, sociology, and economy (Ashcroft 2000). This research plays a role in extending postcolonial theories into the field of comparative environmental politics and the study of labor. It also straddles the field into International Relations because it also studies the institutionalization of colonialism in international organizations like the ILO and making sense of the responses of labor unions in developing states.

The foundational philosophical roots of the postcolonial field are found in Fanon's works – *Wretched of the Earth* (1961) and *Black Skin, White Masks* (1968). Beyond Fanon, the main literature that governs the field include Edward Said's *Orientalism* (1978), Homi Bhabha's *Location and Culture* (1994) and Spivak's '*Can the Subaltern Speak?*' (1988). One critique of these works and the field is how it universalizes the experiences of the East and the West. It claims that colonized communities would always respond and resist (neo)colonial interventions. Ahmad (1992) argues that not all groups resist, and their responses are not uniform if they do. This critique does not seem to take into account the focus on contextuality that postcolonialism adopts. Spivak suggests that scholars need to look for contextual elements in understanding the opinion of the subaltern. It also does not consider that there are various forms of resistance strategies offered by postcolonial scholars. Fanon believes in the use of violence, but Bhabha argues that mimicry could be a form of resistance (Chakrabarti 2012, 6; Kapoor 2002). Another critique is the lack of attention paid to materialist aspects of colonialism (Young 2016, 168). To some, this omission impedes the effectiveness of the postcolonial approach. This critique is not

a concern for postcolonial studies because of its focus on identity and capacity. This is dealt with in decolonization literature. Mignolo (1994), for example, addresses the perpetuation of colonialism through modernity and the global capitalist market.

### Scholars in the field

Fanon's work is foundational to the field of postcolonialism. The importance of Fanon to this research is the concept of the White gaze and stereotyping based on skin color. This research seeks to understand the ways that these national systems perpetuate these dualities of Black and White. Further, it examines the responses of previously colonized systems towards these constructions of identities in the processes that led to its national liberation and formation of green policies at the ILO.

Fanon brought together various essays on colonial resistance and summed up these struggles in '*Wretched of the Earth*' (1963). He wrote the book while stationed as the head of the French psychiatric department during the Algerian War of Independence. He eventually resigned from this position to join the Algerian rebels in resisting the French occupation (Mondal 2012, 2966). In this book, he studied the role of class in waging a revolution against colonizers. He divides colonized societies into natives and settlers. Settlers exploit the natives by dehumanizing them and making them vulnerable to exploitation. This exploitation by the settlers results in disorders but it can be utilized to wage resistance against colonialists. A revolution is a necessary step towards sanity as it forms "collective therapy" for the victims of colonization (Larsen 2005, 35-37).

In '*Black Skin, White Masks*' (1968), Fanon uses Sartre's gaze to explain how the White gaze of the colonialists illuminates the blackness of the colonized. It vilifies black skin and reinforces stereotypes (Mondal 2012, 2966). Blacks are objectified, identified as inferior, dehumanized, and stripped of voice (McLeod 2000, 20; Prakash 1994, 8). The Blacks need to

redirect the gaze to the Whites and utilize violence to escape this treatment. Since violence is utilized by colonizers to attain and retain control over the colonized space, the colonized need to utilize violence for effective revolt. Violence is the only method that would shock the colonizer into recognizing the humanity of the colonized. When that occurs, the colonial system begins to unravel – both at the discursive and material levels. This unraveling results in a new postcolonial state that is formed during and after the revolution. Without a revolution, nothing significant is achieved. The lumpen proletariats would be the ones to initiate this revolution because the colonized system deems them as dispossessed and valueless. Their frustrations will catalyze a movement to oust the colonizers from their space. Negotiations by themselves cannot generate a genuine nationalist spirit. Negotiations leave the colonial system intact and reproduces a new set of local colonizers that would take control of the state (Loomba 2015, 213).

### Said's Orientalism

Said's Orientalism is important in this research to identify false narratives that have justified continued control over India and South Africa. Said's work guides this research enabling me to identify Orientalist discourses present in historical narratives and processes pertaining to the formation of labor unions and their involvement in liberation movements. His work also provides tools to understand the type of relationships that exist between labor and the state in Indian and South African systems. In addition, Said's Orientalism helps to find instances of latent Orientalism in policy making processes at the ILO through its formation, structure, and power. Orientalism may also be uncovered in reports and recommendations made by the ILO for developing states. This research supports Said's emphasis on studying the Orient through the eyes of the Orient. It adopts similar anthropological methods to provide an accurate depiction of history than presented by colonialists.

Edward Said's Orientalism comes from his personal experience of being exiled from Palestine in 1948. His work reflects personal disruption in his childhood and the issues he had

with being categorized as a displaced Palestinian. Said's Orientalism challenges the absence of literature and cultural analysis of colonialism in the West (Prasad 2003, 10). And it was initiated out of frustration with the inability of Marxism to deal with colonialism and imperialism. The method that he utilizes to study Orientalism is historical ethnology that considers the lives of Eastern societies through their eyes. He argues that it is best practice for a researcher to study a group by immersing themselves into communities in order to expose their own biases on any group that is being studied. His main method of critical analysis of western literature and Oriental discourses has been taken up by many.

Orientalism refers to the practice of contrasting the Orient (East) to the Occident (West). Its meaning is multilayered. It could include an anthropological study of the lives of the Oriental, informally differentiate the East and the West, or it could also cover deliberate separation of the East and West to establish authority over the former. For Said, the Orient is a geographic space that is controlled by the West. This control is maintained through hegemony that holds these Oriental discourses intact. There are two types of Orientalists, one who exercises power remotely and another type that directly manages the Orient. The earliest Orientalists were biblical scholars. More recent Orientalists are scholars who construct "imaginative geographies" that divide East from the West. This expansive definition covers those who are in positions power who deliberately divide the East from the West.

Orientalism is an issue because of gross misrepresentations of the East. Westerners are characterized as "rational, peaceful, liberal and logical" but Easterners are described as "irrational, degenerate, primitive, mystical, suspicious, and sexually depraved" (Kapoor 2002). And yet these misrepresentations are taken to be legitimate due to epistemic imperialism. These representations are not based on facts but a self-reinforcing system that misinforms the West of the nature and quality of the East. In the case of European colonization, these misrepresentations were harmful because they justified continued domination of the Orient. Said's Orientalism

provides a vehicle for the East to challenge the legitimacy of these misrepresentations based on the premise that these were derived from the West and not from the East. The East also challenges these generalizations made about the Orient and how it fails to consider heterogeneity of the East.

Newer forms of Orientalism are visible today. With scientific advancement, Eastern knowledge is suppressed and deemed as folk lore. Orientalism is present in the way that the East is objectified and rendered intellectually backwards. According to Said, this reproduction of Orientalism today can be attributed to the latent nature of Orientalism – permanent structure that supports manifest (or observable) Orientalism. Orientalism is also present in the rationale behind policy production and attitudes taken by states. A more recent example includes the role of the US as the new Orientalist through the vilification of the Middle East in the 1970s and the need to protect the Semites.

The concept of Orientalism is not without critique. One critique is the maintenance of “binary politics” through latent Orientalism (Chakrabarti 2012, 9). The argument is that Said is perpetuating dualism just as Orientalists are. This creates a hopeless situation where the Orientalist discourses continue to be reinforced (Darian-Smith 1996; Kapoor 2002). The defense to this critique is that Said’s writing does not deal with strategies of resistance; his methodology is in itself resistance to enduring dominant Western discourses. By uncovering Oriental discourses in Western narratives, Said seeks to restore power to the colonized through corrections made to Western misrepresentations of the East. He aims to identify the perpetuation of Orientalist narratives and dispense with the naivete – that colonialism ends when the colonizers leave. Scholars have taken up the mantle and uncovered these types of neocolonial ventures in literature and historical narratives. The other critique of Said is that he is anti-humanistic since he opposes Western principles of enlightenment. Critics claim Said’s disapproval of Western discourses seems to suggest that he is not supportive of the Western human-rights-based

approach and is supportive of the violent aspects of Islam (Ahmad 1992). Said defended his position stating that he was not defending Islam when he presented Orientalism but that narratives on Islam were not accurate. He argued that these narratives failed to take into account diverse aspects of Islam. His goal of uncovering these misrepresentations is to show how false narratives are used to justify retention of power over the East. It does not claim to present a flawless Orient. In this sense, Said's approach is essentially humanist (Chakrabarti 2012, 7; Alessandrini 2005, 439-446). It is more inclusive of Eastern perceptions of themselves.

### Bhabha's mimicry

Bhabha's work is important in this research since it offers a different perspective on conformity. South Africa's labor movement and independence mimics Western style labor unions and their openness to ILO green policies. If the purpose of the ILO green policies is to "teach" Eastern nations to care for their environment, then there would be no reason for the ILO's intervention into these states if they are already pursuing those agendas. Bhabha's blurring of lines between the East and West helps us to understand that South Africa's position is not fixed and there is a move to the middle to challenge the Western notions of environmentalism. There is evidence of "slippage" as South African labor questions the capitalist logic of green policies produced through the ILO. This "slippage" refers to moments in the mimicking actions that exaggerates or mocks in order to show the hypocrisy of the West.

Like Said, Homi Bhabha acknowledges that colonialism represents the colonized as degenerates due to their race and that colonialists take it upon themselves to "provide guidance and instructions due to their uncivilized nature" (Mondal 2012, 2966-2967; Prasad 2003, 20). In contrast with Said, Bhabha argues that the colonized and the colonizer do not occupy a set position in a binary of the civilized and uncivilized. This is because both the colonized and colonizers are shifting entities within a continuum (Chakrabarti 2012, 11; Shumar 2010, 498). Further, he argues that there are no set binaries because no matter what the natives do to be

civilized, they are treated as lesser human beings and not equals. Bhabha raises the example of colonized subjects who were converted to Christianity. There is only a partial diffusion of Christian ideas because the colonizers assumed that too much Christianity would make them too “turbulent for liberty”. Another example is the type of education systems set up to civilize the natives. They were educated and taught English only to become interpreters or middlemen between the natives and the colonizers.

Bhabha relies on Fanon to explain the notion of hybridity. This refers to the mixing of the East and the West and how this process of mixing challenges Western oppression (Singh 2009). Hybridity is the displacement of the native from being a symbol of colonial inferiority to becoming a subject with agency. The effect is the reversal of the impact of colonial discourses and the accommodation of “denied sources of knowledge and authority”. It results in the displacement of dominant discourses that supports Orientalism (Bhabha 1994, 26). In Bhabha’s words, “It unsettles the mimetic or narcissistic demands of colonial power but reimplicates its identifications in strategies of subversion that turn the gaze of the discriminated back upon the eye of power (Bhabha 1985, 154).”

When the colonized moves to the center, it bursts the colonial bubble and the Other no longer is the Other, rattling the colonizers. This disruption is referred to as “liminality” or a transitional space in which the colonizer and the colonized attempt to interact (Ghasemi et. al. 2017, 25-26).

Beyond hybridity, Bhabha introduces the concept of mimicry. It refers to a response by the colonized when they decide to do the exact thing that the colonizers wanted them to do or become. This upends the civilizing mission of the colonizers that calls for repetition and irony. Their goal is to reform the less-than-human colonized subjects but the colonized can exercise their agency by taking on this civilizing mission unto themselves. It is a tool of resistance as the colonized copy the strategies of the colonizer. The strategy utilizes the colonizers’ tool to be used

against those who created them (Loomba 2015, 174-183). Bhabha suggests that this is the most elusive and effective strategy against colonial power and knowledge (McLeod 2000, 54; Prakash 1994, 10). The colonized transforms themselves to a reformed and recognizable image to the colonizers – “White but not quite”. However, this familiarity becomes disconcerting to the colonizer because it indicates a rise in power. This menacing double image is what Bhabha refers to as “Presence Africaine”. Mimicry is resistance because it removes any justifications for the colonizer to remain in power. The colonized assumes the civilizing role of the colonizer and there is no difference between the two (Ghasemi et. al. 2017, 26). Bhabha refers to this process of colonial doubling as “metonymy of presence” that creates confusion (Bhabha 1994). It creates a blind spot in the “white gaze-panopticon” – an image that does not belong or make sense (Sealey 2018, 168). This doubling uncovers the double standard of human rights between the colonized and the colonizer. Bhabha also claims that mimicry must continually produce its “slippages” or moments that return to nativity that mock or scorn the contradictions within colonial rules (Gairola and Ali 2017, 148-149).

There are several critiques of Bhabha’s work. The first critique is that agency is only exercised or granted when there is colonial subjection (Kapoor 2003, 564-565). If there are no restricting colonizing discourses, then those who live in these spaces are rendered powerless. This critique could be construed as Orientalist, in that the power of the natives is derived from the colonizers. However, the claim misunderstands Bhabha’s goal. He is determined to explain one strategy of resistance, i.e. mimicry, which looks to highlight the counter-intuitive approach of “cooperating” as a form of subversion. Bhabha does not treat the situation as a zero-sum game where power is not available or possible outside of mimicry. Another related criticism is the limitation that mimicry places on colonized subjects. It takes away the colonized subjects’ ability to exercise violence to redeem their identity (Sealey 2018). This critique does not adequately understand the expansion of the notion of colonial resistance that Bhabha takes on here. He

adopts Fanon but adds to the literature by suggesting mimicry as possible response. This mimicry could include the use of violence as natives adopts the strategies of the White to reclaim power. Bhabha's work occurs at the metatheoretical level and may not address the use of violence, but it does not close that discussion either.

In addition, Bhabha's mimicry is critiqued on the basis that resistance occurs by repetition. If resistance occurs through copying the actions and systems of the colonizers, then this results in the reinforcement of colonialism (Kapoor 2003). However, this critique does not take into account the "slippages" and the role of mimicry. It does not involve direct copying for the purposes of retaining power, but it is a "mottled" image that reclaims power from those who have dehumanizing colonizers by the colonized subjects. Lastly, Bhabha's mimicry is critiqued due to its complexity and high level of abstraction (Mondal 2012). It is difficult to understand and operationalize since it is too general in scope. I would agree that the work is difficult to read as he weaves through narratives, quotes, specific contextual examples and metatheoretical analysis. It is as though through his writing Bhabha was mimicking Western theorists by being clear in some areas and rebelling in other parts by not conforming to Western writing style. The end product of the book *Location and Culture* (1994) seems to go against the requirements of the field and its demand for clarity. His work is mimicry in action- a work that is "White but not quite".

### Spivak

Like Bhabha, Spivak also departs from Said's dualism by using the notion of the unknown and shifting nature of the Other which she terms the "Subaltern". In this research, I do not specifically utilize the notion of 'subalternity, but it undergirds the study of differences in the struggle against green neocolonialism. It also forms the effort of contextualizing to expand the field.

The term subaltern is borrowed from Gramscian tradition where the subaltern refers to those marginalized and suppressed within society. Spivak uses this term differently to make sense of Eastern subaltern groups. For Spivak, the subaltern is a heterogeneous being who exists in fluid space and does not look the same from one system to another. It denotes different things in different places and there is no true Other, but they exist only within the discourses presented about them.

The subaltern is limited due to Western epistemic violence. Spivak argues that truth is constructed and by deconstruction of "truth", the colonizer's grip on knowledge could be loosened. The West through control over legitimate knowledge, constructs the subaltern; thus postcolonial intellectuals need to speak on their behalf. Under this Western construction of the Eastern subaltern, the latter are limited to play a certain role. They are exploited and it is their role to revolt and escape from exploitation. Spivak argues that this construction is a continuation of colonial discourse. Placing the role of emancipation in the hands of subalterns imposes an unrealistic expectation on subalterns to resist when they are the weakest actors in the global economy. For Spivak, it is important to ask the subaltern what they thought about an issue before assuming what they need. She presents the example of the British outlawing Sati (widow burning). While it protected women, no one bothered to ask what the widows wanted. There is also a political aspect to this action by the British that delegitimizes Hindu laws.

The other limitation on the capacity of the subaltern is due to universalism. Colonial discourses make assumptions of who subalterns are and what they need. Colonial discourses generalize their problems and issues. By generalizing, the colonizers justify certain actions to redeem Eastern subalterns from Eastern problems. Spivak suggests that this rhetoric of "White men saving Brown women from Brown men" assumes that local established political units have failed the subalterns. However, it erroneously assumes that colonizers have complete knowledge of subalterns despite the unfixed and unidentifiable nature of subalterns. Postcolonial critics have

the task of paying attention to differences and changes in demands. The Other do not want the same things all the time (Chakrabarti 2012, 5-6). Postcolonial work needs to continue to contextualize rather than provide simple comparisons (Boehmer 2005, 167).

### **Green postcolonialism**

In this section, I will explain the link between postcolonial scholarship and Western environmentalism and how this impacts this research. This research engages with the literature in ecocriticism as it brings to light the control exerted by the Global North over the Global South when green policies are formed at international venues such as the ILO. A new type of colonial venture is formed in South Africa and India through the utilization of green initiatives. And the same exploitative outcomes are created for nature and the natives that occupy those spaces. This research also emphasizes the importance of inclusion of labor into discussions of the environment since workers are directly impacted.

Postcolonial interventions into the Western environmental scholarship are not new. Early postcolonial scholars have explained the role that colonialism has played in environmental degradation (Banerjee 2016). Postcolonial scholars such as Fanon (1963) explain that structural patterns of colonial environmental exploitation are similar to racial and colonial discrimination of Africans (Isiguzo 2017, 51-55; Finney 2014).

Postcolonialism challenges Western environmentalism on several grounds, and these are important to understand the critiques that postcolonialism offers on the ILO's green initiatives. The first challenge is the issue of misrepresentation. Western environmentalism misrepresents nature and the natives that occupy environments through the perpetuation of hierarchies of superiority. Western environmentalists divide nature based on aestheticism. Scenic locations are reserved for the Whites and degraded spaces are reserved for the colonized (Finney 2014). Fanon (1963) describes colonialist quarters as well manicured and pristine, and "native quarters as filthy

barracks where natives are left to die.” Postcolonial scholars defend these degraded spaces and their occupants through a social justice approach (Deloughrey and Handley 2011; Roos and Hunt 2010). Guha (1989) refers to this type of environmentalism as “environmentalism of the poor” and it defends vulnerable communities of the Global South who have not been able to speak up against incursions into their surroundings. These would include dumping of toxic waste by developed states in their backyard. The postcolonial ecocritique also rejects Western notions of patriarchy and hierarchy in understanding the environment by being inclusive of all species. Postcolonialism promises to open more diverse representations of nature and greater diversity of actors that could remedy environmental degradation (Cilano and Deloughrey 2007). This inclusion is important since Western environmentalism excludes natives from participating in environmental efforts. It imperializes knowledge presented by Western environmental studies over local knowledge in the production of environmental policies. Locals do not have a say in conservation efforts because of this invisibility (Nixon 2011). Western environmentalism is criticized for ignoring the human aspect of environmental efforts and ignores inequality within human society (Guha 1989; Nixon 2005; Isiguzo 2017). Postcolonialists defend those who have been displaced and dispossessed and grants them political power to decide their own fate (Cilano and Deloughrey 2007).

The second postcolonial critique on Western environmentalism is the way that it universalizes all environmental issues across the globe and then prescribes a one-size-fits-all solutions. Postcolonialists divide the earth between the rich and poor (Athanasίου 1996). This division was catalyzed by the actions of colonial conquests, and it has also defined the way that environmental protection is envisioned in the Global North and South (Torsgeron 2005; Huggan and Tiffin 2007; Roos and Hunt 2010; Dowie 2009). Moving away from universal narratives, postcolonialists focus on the historical processes that have created hybrid spaces and heterogeneity in experiences (Nixon 2005; Isiguzo 2007). Lastly, postcolonial scholars challenge

Western environmentalists focus on capitalism, consumption, technology, and modernization. They critique Western environmentalism for its perpetuation of an economic system that continues to extract and exploit nature. Guha (1989) explains the complicit nature of Western environmentalism in environmental degradation, such as the practice of driving hundreds of miles to get to a national park to enjoy nature. Western environmentalism reinforces the notion that environmental protection can be reconciled with continued production of goods. Further, Western powers continue to plunder natural resources in previously colonized states that are resource rich and regulation poor. These Western projects leave behind environmental disasters that they expect nature to fix (Nixon 2011, 21). Guha (1989) differentiates these hypocritical actions with “empty stomach environmentalism” where the survival of nature is necessary for the continuation of livelihoods.

### **Comparative literature on labor**

A major gap in comparative politics is the study of labor through narratives produced by labor. In essence, my comparative project seeks to “speak for” and not “speak to or about” labor. There is some literature in comparative politics that does take into account contextual narratives (Locke and Thelen 1995; Almond and Connolly 2020; Hyman 2007). These works show that there is intellectual space to accommodate postcolonial theories in the study of workers’ experiences within any system.

Early comparative work on labor and colonialist experience goes back as early as 1826. The earliest work includes an article on the division of classes in the town of Bareilly in Rohilkhand in India. It is a classic example of Orientalism in earlier works in comparative politics. The author begins the article that links civility to modernity in this way.

“The degree of civilization attained by a nation may, in great measure be estimated by the progress which it has made in those useful arts, trades and employments, by means of which the necessaries, conveniences, and luxuries of life are formed, collected, and distributed.” (Glyn 1826, 467)

Another early example of the study of labor and the colonialist experience is found in the study of the migration of workers and the formation of unions in South Africa by Stent (1948). The study examined the adaptation measures that mineworkers took when they moved from their traditional patterns of tribal living. The article claimed that many natives moved to urban areas to supplement their incomes due to failure of crops or inability to farm in spaces allotted for them by the Europeans. However, the work made no mention of colonial policies that led to poor soil health and the causes for the displacement of these tribal farmers. Early critique of colonialist narratives can be found in a review of the survey by the Royal African Society on the efficiency of African labor. The piece critiqued the Eurocentric approach adopted by Dr. Northcott who did not adequately study the life of Kenyan workers but still felt confident to make derogatory generalizations on their work ethics. The survey claimed that Africans are unable to work under the discipline of organized work or under the direction of others. They were described as “irresponsible, having little initiative, showing inconsistency in effort, and having little pride in their work” (Royal African Society 1949, 236). To remedy their “inefficiencies”, Dr. Northcott mentions numerous times that they needed to suffer the consequences through training that incorporated a “touch of hardness and thoroughness about it,” (Royal African Society 1949, 239).

There were also works that looked at the historical aspect of the labor movement but did not consider the role of colonialism in forming and shaping the capacity of labor. Park (1949) studied labor in India and explained the historical trajectory of the affiliation of labor groups with parties in the Indian Congress. This explains why labor unions were loyal to party ideologies rather than forming a united front. Party loyalty developed during WWII with some unions supporting the Russian bloc and others supporting the British. However, the article does not deal with the impact of colonialism in the formation of this weaker labor union system.

More recent examples also show the gap in scholarship in studying the impact of colonialism on systems. Kwon (2015) studied labor unions in South Korea and the role of labor in

the formation of an insider/outsider system that prioritizes formal workers. Hlatshwayo and Buhlungu (2017) examined the role of the National Union of Mineworkers in the anti-apartheid movement and its inability to negotiate after the apartheid regime was removed. The argument was that the union had failed to keep up with technological advancements to produce effective arguments for negotiation. However, greater analysis could have been done to study the continued role of labor in fighting discrimination post-apartheid.

Examples of comparative literature shows that reference was made to colonial interventions, but postcolonial theories were not applied. Newbury (1983) studied the role of colonialism and the different strategies employed in protests in Rwanda and Zanzibar. The article examined the structural differences between Rwanda and Zanzibar that have contributed to ethnic violence and the differences in colonial state building processes. Postcolonial theories would have provided a better lens to understand these processes. Similarly, Mahoney (2010) studied colonialism in 15 Latin American states to explain its variations without the use of postcolonial theories. Other relevant comparative studies that consider the impact of colonialism include: Pepinsky (2016) studied informal relationships under colonial rule and how they can affect contemporary governance; Lechler and McNamee (2018) studied the impact of colonialism on the nature of democracy in Namibia (2018). This article examined the impact of indirect and direct colonial rule in the formation of Namibian democracy. The exploitative nature of colonialism led to the distrust of the traditional leaders who were socialized not to accept elections as the legitimate source of power. De Juan (2017) explains how precolonial traditional modes of conflict resolution have remained intact despite colonialism. Despite the reference made to colonialism, postcolonial theories were not utilized here nor was the position of labor examined.

### **ILO Literature**

This research studies the ways that the ILO is a conduit for Orientalist discourses that limit the agency of workers in the Global South, and I push further to argue that the notion of green

initiatives within the ILO does nothing to further the interest of workers. I investigate the dynamic between India and South Africa and the ways that workers from the Global South are excluded from these negotiations even when they are bodily present.

The literature on the ILO is mainly focused on its weaknesses caused by its formation, structure, and power. It deals with the symptoms of colonial discourses through these discussions but does not deal specifically with the impact of colonialism on systems. The arguments presented include weaknesses in its tripartite structure, its faulty formation, and bureaucracy. Tripartism was supposed to put states, employers, and workers on equal footing, but this has not been the case (La Hovary 2015). There have been more cases where employers have had their way which defeats the purpose of having an organization like the ILO to represent workers. And even though the notion of tripartism is supposed to show representation of all parties at the negotiation table, not all labor groups are invited to these meetings. Its formation is also criticized due to the push by the Allied forces to form a passive labor organization to quell a socialist labor revolution. It was formed as a compromising organization (Torstoff 2005). It is also highly bureaucratized with weak leadership (Standing 2010). They lack financial support, and they make decisions based on major donors and their policy preferences (Standing 2010, 6). These works on the ILO did not utilize postcolonial theories which could provide better insight on Western influence in the formation of the ILO and the institutionalization of colonial discourses that has taken place over the years.

There is literature on the ILO that does deal with colonial influence and this research expands the literature in the area to include analysis of green policies. This research examines the role of the ILO as part of the internationalization of imperialism. This has occurred through the exclusion of colonial states in positions of power. The British were not open to the idea of their colonies having a seat at the table. Not only were they excluded from positions of power, but they were excluded from the protection of international laws and policies. Colonizers successfully argued that labor standards did not apply in their colonies in order to ensure continued productivity

from the Global South (Plata-Stenger 2020, 96). Workers from the Global South had to fight bitterly to gain rights that were declared to be universal. This was also the case during the time when South Africa was barred from membership due to apartheid. For thirty years in South Africa, none of the international labor standards were enforced to protect Black workers (Webster and Forrest 2020).

The ILO has also legitimized Western knowledge through the selection of Western experts within the ILO. Kott (2017) concluded from an examination of the ILO archives that the organization is a power-loci where Western authority was consolidated. This legitimization of Western knowledge is a process initiated through its formation processes. Further, it has become a channel for neoliberal policies flowing from Western states. It does this by helping liberated states in their processes of development (Maul 2009). The ILO ramped up its social mission to develop states and increase productivity of labor in the Global South. It became the metropole to disseminate Western policies to offices in the Asian region (Schmitt 2020). These Western neoliberal values can be seen in the type of technical assistance it provides to developing states (Maul 2009, 386-389).

## **South Africa**

### Labor movement

There are various ways that this research intersects with the literature on the labor movement in South Africa. This research will examine the impact of colonial discourses in maintaining the separation between white and black workers in the labor market and how these discourses dehumanized the Blacks and made it illegal for them to form unions. These discourses also allowed the non-recognition of Blacks as legitimate contributors to the economy. The postcolonial approach further explains the resistance that labor unions waged while it mimicked

the Western style unions. Bhabha's mimicry explains how workers acquired agency as a response to oppressive colonial discourses.

Literature on the labor movement in South Africa documents the nature of the involvement of labor unions in the anti-apartheid movement. The anti-apartheid movement was set up to resist White South Africans (Afrikaners) who set up laws to maintain control over rich natural resources and labor in the country even though they only formed 20% of the population. They applied racist stereotyping and philosophy to deprive the Blacks from equal access to wealth. The system was enforced by military and police force that left the Blacks without any form of political or economic power (Kurtz 2010). In response to this exclusionary treatment, African labor resisted the apartheid regime by forming defacto unions. Through these unions, they fought for their rights as workers and through the anti-apartheid movement to challenge the causes of their mistreatment (Adler and Webster 1995; Barchiesi 1996; Kurtz 2010 and Money 2020). Trade unions formed a central role in the toppling of the apartheid regime. It was the cooperation of labor unions, grassroots movements and international powers that put enough pressure on the White government to negotiate. These preceding articles explain the role of bottom-up movements in liberating South Africa from their minority colonizers (Adler and Webster 1995). This research examines the relationship between South African labor unions, the African National Congress (ANC) and the White nationalists and how these relationships formed in colonial times have transferred to green policy formation in the ILO in recent days.

The literature also explains the ways that South African labor formed de facto unions. They were formed as early as the 1880s by mineworkers. But they were not given the same rights as White unions. Black unions were only legalized in 1979. They had been excluded because of their non-recognition as "employees" in the Industrial Conciliation Act 1924 that set up the right to collectively bargain (Money 2020). As more and more Black workers entered into formal employment as a result of industrialization processes, they began to demand more protection. It

was only through these de facto unions that they found their dignity and protection from harsh labor laws (Adler and Webster 1996). Some of these unions were linked with communities and they used radical strategies to convince workers to join the democratic movement (Adler and Webster 1996). These Black unions had previously been wary about joining the liberation movement because earlier coalitions with the African National Congress resulted in their complete shutdown. However, by the 1980s, the Black worker movement had gained so much momentum that it was no longer concerned about being dismantled (Barchiesi 1996). As their membership grew, they put a united front and formed the Congress of South African Trade Unions (COSATU) which had 1.2 million members. They joined forces with the African National Congress (ANC), and this led to the downfall of the apartheid regime (Kurtz 2010). The gap in the literature here is the study of the way that colonial discourses maintained the separation between the Whites and Blacks in the labor market and how these discourses perpetuated the illegality of forming unions and the dehumanization of Black workers through unjust laws. They were stripped of any recognition of being contributors of wealth for the country. And this research pushes further to examine the role of unions in separating from the apartheid movement in mimicking Western trade union practices.

The literature also provides examples of how labor has been involved in protests and strikes. South African labor unions were involved in the 1976 Soweto uprising. The uprising was initiated to protest the use of passes that limited movement of the Blacks. The protests turned violent with many dead including a thirteen-year-old boy. Workers also participated in the Defiance Campaign in 1989, which protested unjust laws in South Africa. The National Union of Mineworkers promoted a lunchtime sit-in at an all-white cafeteria and used whites-only changing rooms and toilets (Kurtz 2010). Workers also participated in various strikes. One significant example presented in the literature is the three-day strike in 1988. Three million workers took part by not going to work, and this had an immense impact on industries. The move was to protest the

passing of the Labour Relations Amendment Act, which rolled back worker protections (Kurtz 2010). It was the combination of these movements that led De Clerk, the President of South Africa to negotiate reforms within the apartheid regime (Adler and Webster 1996).

The gap in the literature is the analysis utilizing postcolonial theories. These theories could inform us of the reasons why workers have had to protest and the way that fought for their autonomy from political parties after apartheid. Adler & Webster (1996) utilized democratic transition theory to make sense of how the apartheid regime was removed. They argued that it was based on a cost benefit analysis. Continued strife would result in prolonged losses, and this would create unfavorable conditions. Therefore, the elites exercised agency to negotiate outcomes rather than explaining the situation through the agency acquired from below. The postcolonial approach would have highlighted the continued perpetuation of colonial discourses through violence that negated the effectiveness of negotiations and merely put power back in the hands of the elites (Fanon 1963)

### Labor and the ILO

This research aims to expand the scant literature in the area and examine the underlying reasons for the bias against Black unions at the ILO before and during the liberation of South Africa. And it examines if those biases have carried over in the formation of green policies at the ILO. I intend to cover scholarly gaps by showing how the ILO has become a tool of neocolonial control over South Africa. I will use Orientalism to explain why the ILO cannot effectively ensure social justice for workers in the Global South. Orientalism in ILO policies entrenches the notion of Black inferiority.

Literature on the link between South African workers and the ILO documents the struggle of Black workers to be legitimized as the primary representatives of workers. Earlier representation of workers was dominated by White unions. White unions became exclusively

white in the 1950s as these unions embraced right wing unionism. They were accepted into the ILO in 1919 but they were barred from membership in 1961, years after the apartheid regime was formed. The reason why they were not ejected sooner was that European powers held sway at the ILO. European states still wanted South Africa to be in the ILO because they were engaging in arm sales with the apartheid regime (Kissack 1995). In 1961, Nigerian delegates challenged apartheid at the ILO and the members voted to remove South Africa from its membership. Despite this vote, the White South African delegates continued to attend. Protesting delegates walked out when White union representatives spoke. And finally, in 1963, the White South African delegates stopped attending.

The ILO was complicit in non-recognition of Black unions. Black unions were not invited or nominated to attend ILO conferences prior to 1993. This was despite the fact that they had large union representation in the 1930s and 1940s. Money (2020) blamed the lack of recognition of Black workers on an ILO structure that only allowed one labor representative for each country. While valid, this argument does not take into account the underlying problem of colonial control in the ILO, where policies directly excluded Black voices from being heard. The limitation of labor representation is only one part of the puzzle. There is also the issue of the embedded legitimacy of white workers at the ILO, which is part of the continuing effect of colonial control.

In addition, Bernardts (2013) argued that the ILO was an ill-fitting mechanism for South Africa. This was because there was no existing capitalist class (or employer groups) that claims could be directed to during earlier times of interaction. And the ILO did not fully understand the nature of Black unions and the relations that they had with their states. However, it became more relevant in the 2000s when it began to refocus on social policy production and reinsert itself as a source of knowledge. Nevertheless, the ILO being a conduit for foreign donor policies, it did not ensure that locals were consulted. It created more issues than solutions for workers.

### Labor and green policies

This research introduces postcolonial theories in the study of labor environmentalism at the ILO. The literature already acknowledges the differences between environmental policies pursued by unions in the Global North and the Global South (Rathzell and Uzzell 2012). The authors point out how Western unions dominated due to increased resources and organizing power. Southern unions see this as eco-imperialism. To further this argument, this research will show how eco-imperialism can be seen in the ILO and the green policy formation.

Moving away from the materialist understanding of Southern labor domination, this work studies the identity and capacity of labor through the postcolonial approach. The work considers the nature of pushback based on dehumanization of Southern labor rather than loss of wealth. Hence it pushes farther than Cock (2014) who focuses on the global capitalist market and labor subjugation. It also goes beyond the economic analysis provided by authors examining labor and green policies, such as Baker et. al. (2014). Beyond these economic considerations, the study examines green policies through a racial lens to uncover the discrimination embedded in these green policies. The use of postcolonial theories is important to explain the nature of oppression on South African labor and the use of Bhabha's mimicry is also important as they adopted an independent Western-style-trade union system. The study shows how labor is working through the environmentalism terrain and resisting Western control of their economy.

Literature that covers the South African labor movement and green policies deals with the struggle for power between labor and corporations. It highlights how South African labor is working towards fair green policies and the type of alliances that are beginning to form to protect the environment. It has been challenging for workers to assert their rights against powerful corporate interests. Green policies are mainly enacted on compromises in order to appease all parties (including corporate interests) rather than for the sole purpose of achieving social and environmental justice (Baker et. al. 2014). This is because the energy complex is inherently racialized and dependent on coal. Racial divisions create limited access to energy for those

excluded under the apartheid regime. This division is further exacerbated by the move to attract more foreign capital without proper direction on social protection.

To reclaim power over these racialized energy policies, South African Black workers are working towards fair green policies by preventing the development of a renewable sector that is infiltrated by the global capitalist system. Unions have rejected green policies that are potentially exploitative of labor. One example is the Congress of South African Trade Union (COSATU)'s fight for holistic policies to reduce greenhouse gas emissions, food insecurity, and market mechanisms. Cock (2014) suggests that there is evidence of a transformative green transition due to worker resistance. This can be seen in through the integrated approach taken towards climate change, job production, and social justice. Rejection of exploitative green policies can also be seen in COSATU's move to ally with environmental groups to pursue the "One Million climate Jobs Campaign". The National Union of Mineworkers of South Africa (NUMSA) has also engaged in macro policy debates, set up research and development groups to set up socially owned renewable industries. They have monitored solar water heater rollouts, and mobilized resources to socially owned renewable sectors (Satgar 2015).

Workers have also identified potential allies within the state, businesses, and environmental groups. South African labor unions are showing more environmental consciousness due to the impact of environmental degradation on their livelihoods. Part of that recognition is the realization that they need to work together with others in protecting industries and jobs (Rathzell and Uzzell 2012).

Most of these preceding works do not address racialized historical processes although they do allude to it. Baker et. al. (2014) points out the importance of dealing with apartheid in the analysis but does not use postcolonial theory. They relied on International Political Economy to explain the type of influence that capital has had in renewable energy projects. The use of the postcolonial approach is important here since it explains the nature of the labor repression, and

how South African labor unions are engaging in mimicry as they adopt Western-style-trade unions and pursue Western style environmentalism.

## **India**

### Labor movement

This research takes on the position that Indian labor unions are fragmented and dependent on the state to defend their rights. Scholarship in this area studied lax labor regulations in India where workers are overworked and underpaid (Bhowmik 2009). This research examines the nature of labor exploitation under colonial rule and the continued colonial discourses at the ILO that are repressive towards Indian labor. Through Orientalism, I intend to explain how India got to the point of diverging from the Western model of unionism and utilizing the Soviet model instead. This push needs to be studied because it presents a contrast with the South African model of mimicry. This response is also reproduced at the ILO where India presents alternative forms of green policies.

Literature in the study of the labor movement in India covers three main areas: the formation of trade unions in India, the rise of the corporatist labor system in India and the incompatibility of the Western trade union models within the context of India. Bhowmik (2009) explains the importance of studying the labor movement in India and the gap in the study of labor sociology. One relevant section of the article is the explanation of how the Madras Labour Union was formed in 1917 to protest their low wages and lack of affordability of basic food items due to scarcity. It was also about this time that M.K. Gandhi entered the picture and negotiated wages for workers by founding the Textile Labour Association in 1918. He introduced the concept of trusteeship or Satyagraha which refers to the moral obligation of care that employers should have towards their employees (Bhowmik 2009; Candland 1995). There are a few ways that postcolonial theories could inform and enrich the discussion here. Bhowmik (2009) makes reference to the

impact of colonial policies in relaxing labor regulations. Workers were overworked and underpaid. The British policies also destroyed local craftsmen and subsistence farming. Colonial land laws made it impossible for farmers to survive unless they engaged in industrial farming. Postcolonial theories could explain why and how these laws came to pass.

In addition, the literature explains the formation of this fragmented labor system. Between 1920 to 1947, both the Indian National Congress (Gandhi's party) and the Communist Party of India (CPI) supported the All-India National Trade Union Congress (AITUC). This caused a split in the union with reformists and radicals. In 1947, the Indian National Congress set up the Indian National Trade Union Congress (INTUC) for the reformists (Candland 2019). The reformists were supportive of their parties and even campaigned for them during the elections. And trade union leaders in reformist unions tended to end up in political positions of power. However, this socialist turn has created a trade union system that is dependent on political parties and incapable of collective action (Sarkar and Kuruvilla 2020). Modeled after the Soviet system, India adopted a central planning system that regulated economic growth but not labor independence. The state remains the central authority where power is exercised and maintained in order to preserve unity and nationhood despite great diversity of political thoughts (Sarangi 2017, 347-348). Labor is dependent on the state to fight for their rights, and this has resulted in lack of enthusiasm by trade union leaders to take up cases on behalf of their members. They feel that their allegiance is to their parties and not to the labor rank and file (Candland 2019; Rudolph and Rudolph 1987). Further, it has given rise to "fierce inter-union competition" and these divisions have impeded any possibility of solidarity (Balasubramanian and Sarkar 2017, 665). Teitelbaum (2006) offers a different view by suggesting that collective action of workers is not as adversely affected as described by Rudolph and Rudolph (1987). He argues that it is merely a narrative drawn up by political and trade union elites to keep workers subdued. This view is not the common consensus among scholars.

The incompatibility of the Western trade union models in the Indian context was another area covered by scholars. Indian society maintains great diversity within the states and there are difficulties integrating these views into one working democracy. It is difficult to adopt a trade union system that unifies all groups under one umbrella. To incorporate various ideological differences within trade unions, it is necessary to have a fragmented labor system (Bhowmik 2009). My contribution here is the analysis of how India has not followed the Western model because it tends to shy away from mimicking them.

### Labor and the ILO

There is not much research in the study of the relationship between India and the ILO. The few articles that cover the area expands our knowledge of the early involvement of India with the ILO and India's lack of cooperation. This research expands the field by making sense of the impact of Orientalist discourses on the strategy adopted by India at the ILO. The use of postcolonial theories could explain the way that India sought to be included in decision-making processes but was not interested in complying with the ILO standards. To add to the scholarship, I will also examine the ways that the ILO perpetuates the labor's limitations in India by legitimizing the corporatist system and allowing India to flout labor standards.

India's involvement showed promise in following through with its commitment to ILO standards – India was the first developing state to become a member of the ILO while colonized in 1919 and the earliest contributor to research data (Van Daele 2008; Rodgers 2011). To reclaim their power, India fought hard to have their representatives present at the ILO meetings. The British wanted to place British citizens of Indian descent in prestigious posts at the ILO (Krishnamurthy 2011). India also fought for permanent membership at the Governing Body, in which they succeeded (Rodgers 2011). India was the first ILO post in the South Asia region that was opened in 1928. The first South Asian director P. Pillai expressed optimism in the labor movement and cooperation with the ILO. The ILO became the space to contest the control of the

British over India (Rodgers 2011; Sasikumar 2019, 2). Then, in the 1940s, India requested the ILO's help in fiscal and technical aid for its development program. The ILO was hesitant to be involved at first (Rodgers 2011). However, by the 1960s, the ILO had fully committed to India's development agenda. In response to this help, India made slow but sure commitments to fulfilling ILO standards such as the enforcement of the Discrimination in Employment by embodying it into the Indian constitution (Gavin 1967). In the 1970s, India worked with the ILO to reduce the power of multinational corporations. This led to the Declaration of Multinationals in 1977 (Rodgers 2011, 45-52). Its early and continued involvement at the ILO throughout the decades has earned the state the position as advocate for all colonized states. It has used its position to fight for newly independent states (Maul 2009). I intend to expand the analysis through the use of postcolonial theories to make sense of the formation of the ILO as a tool of Western control over Eastern economies and the rationale for India's insistence to be involved in the ILO as a way to resist colonial powers then and today.

Continued participation in the ILO has not resulted in high commitment by India towards ILO standards. It has only ratified 41 out of 188 ILO conventions (Papola 2011, 62). Earlier on, India objected to Freedom of Association on the grounds that it had a weak trade union system. Because of the corporatist system in place, they argued that Freedom of Association would not work within the Indian context (Gavin 1967). In addition, the Indian legal system had no provision that could force employers to recognize unions. Another problem is recognition of who should speak on behalf of unions. Within the Indian context, adjudication is favored over bargaining with workers (Kumar and Singh 2018). And when India does adopt ILO standards, it alters the standards to suit its own context. It has chosen only certain rights as fundamental and has a poor track record in South Asia (Sankaran 2011). It has done nothing to remove unacceptable work conditions and informal workers remain unprotected (Kumar and Singh 2018, 22). Looking at India's attitude towards ILO standards through Orientalism is important to make sense of its

response. The role of workers in relation to the Indian government can be understood through resistance against Western models of labor unions.

### Labor and green policies

This research project expands scholarly understanding of Indian labor and the production of green policies by examining the limitations in engaging in green policy production both at the national and at the international level. I examine colonial interventions that limit the participation of workers at the ILO. Temper and Martinez-Allier (2007) point out the injustice of blaming developing states such as India for high emissions when Western corporations are the ones that employ cheap labor and factory space in India as production sites. This argument highlights the impossible situations that developing states find themselves in. I also examine the limitation of formal workers in engaging in energy democracy projects due to the nature of the Indian corporatist system.

Scholarship of labor involvement in India and green policies deals with the inclusion of labor as a social justice issue, support of the state to ensure social justice, green policies as a way to improve the economy, and the pursuit of green projects by unorganized workers. The inclusion of labor in the formation of green policies is necessary to ensure equitable green policies that properly combine social and environmental concerns (Michael et. al. 2020; Azad and Chakraborty 2020; Pollin and Chakraborty 2015; Govindan and Bhanot 2012). The inclusion of workers would also reduce the influence of private investors in the formation of green policies (Roy et. al. 2019). Roy et. al. (2019) believes that if workers speak up, then the state would initiate action on their behalf. They cite examples where the government has taken back control of private industries when they fail to produce profits and protect workers. Through the inclusion of workers, there is hope for relief from the poverty trap and reversal of India's dependence on coal (Roy et. al. 2019; Azad and Chakraborty 2020). It is important to understand the role of the workers as self-advocates through the postcolonial lens because they highlight the ways that colonial

discourses have impacted the ability of labor unions to resist and define the strategies applied by labor groups to initiate action. It is also important to understand how colonial discourses have created worker groups that do not have access to energy.

State support is an important component of ensuring just green policies. Kavya et. al. (2019) suggests that national programs in India need to ensure gender justice in mitigation policies. And Ojha et. al. (2020) attempted to persuade policy makers to impose a carbon tax to redistribute wealth. They argue that a carbon tax could yield a double dividend – social justice and environmental protection. Capital collected under this tax could be reinvested into the green economy and reduce inequalities. The role of the state in India pertaining to the formation of green policies needs to be examined through the postcolonial lens. It is important to know how and why the Indian state has become the guardian of worker rights and what this means to labor union strength in the long run.

Another set of scholarship in the area examines the role of green policies in improving the economy. Since slow development lowers employment and affects livelihoods of workers, green policies need to develop skills, produce more green jobs, and improve the market (Govindan and Bhanot 2012; Maclean et. al. 2018). Sharma and Kushwaha (2015) suggests that India can effectively deal with the challenges of food security and job creation by implementing green policies. The main challenge is, however, lack of capital and technological know-how (Temper and Martinez-Allier 2007; Sarangi 2018; Sangroya et. al. 2020). Fu and Zhang (2011) suggest that technology transfer from developed states is necessary. Further, financial assistance from developed states is required (Govindan and Bhanot 2012). This research takes a step back to make sense of the underdevelopment of India. It uncovers the colonial discourses that explain why India lacks capital and technological know-how. Oriental discourses in colonial policies are reproduced today in the ILO to create the same types of deprivation on developing states. I intend to explain how this has occurred.

The literature on Indian labor and green policies also explains how unorganized workers operating outside of the formal labor union system are able to pursue green projects. There is increased local effort to produce renewable energy. For example, the Power Farmers program runs a project where solar farming takes up a central position in national energy policy. Driven by the concept of *Ecoswaraj* or environmental democracy, the project shows that citizens can produce and use energy responsibly under democratically run energy programs (Partridge 2020). Another example is the New Trade Union Initiative that facilitated an infrastructure through the cooperation of the locals. These examples show that those operating on the outside of the formal labor mechanism tend to be more effective in implementing green policies and socially owned green projects. This could be better examined through postcolonial theories. It is important to know how colonial discourses have shaped the ability of workers in the formal labor union system, but these limitations may not extend to informal workers.

### **Conclusion**

Said's Orientalism provides an invaluable tool to study colonial narratives that have justified control over India and South Africa, defined the relationships formed between labor and the states, and how they are perpetuated in the ILO's green policy formation. This research expands the use of Said's theory to uncover Orientalist discourses in colonial proceedings and documentations as well as discourses found within the ILO documents. Further, Bhabha's mimicry offers better understanding of conforming actions that challenge colonial authority. These postcolonial theories also critique Western environmentalism for its contradictions and how it could be used to advance neocolonial ventures. The scholarship in comparative politics focused on labor reveals a gap, specifically, the absence of postcolonial theories to make sense of the experience of workers in the Global South. However, it also makes space for contextual studies of labor experience that could enrich the field. Similarly, scholarship on the formation and role of the ILO also lacks postcolonial analysis of its role in advancing Western interests. In the literature

concerning the South African labor movement, postcolonial theories can enrich an understanding of the way that labor has responded to colonial narratives during apartheid, its fight for legitimacy at the ILO and its role in production of green policies at the state and international levels. In the study of labor in India, the processes of a corporatist labor system could best be understood through the experience of labor within a colonial context. Its love-hate relationship with the ILO is best understood through Said's Orientalism, which makes sense of Indian labor's resistance to adopting ILO standards and its lack of enthusiasm for the production and implementation of green policies.

## CHAPTER 3: METHODS

In this chapter, I explain the type of methods and data required to show how postcolonial theories help to analyze the persistence of colonial logic and the paths that both states have taken in the adoption of green initiatives. This chapter expands on the introduction chapter in explaining the methods, case selection, the type of data collected and where they were found. Therefore, the chapter proceeds as follows. I explain why these cases were selected, why it is a similar case-study, and the methods applied in this research to collect and process the data.

### **Case selection**

In this section, I explain why I chose to study the ILO and the capacity of South African and Indian labor within its processes. The ILO's existence throughout the period of colonization and independence of states recommends it as an ideal international body by which to study the type of colonial discourses that have and continue to operate through its various mechanisms. It is an influential body that manages labor interests through the participation by 187 states. It has also been prolific in the production of labor policy production. Further, it is important to understand how colonial narratives are seen in the argument for green initiatives and how neocolonial efforts have moved on to utilize green policies as its new tool. I argue that the ILO cannot be relied on by workers to pursue their rights, but workers need to employ more effective strategies within and outside the ILO to ensure meaningful changes. This is especially the case as developing countries' workers are likely to be most adversely impacted by climate change.

India and South Africa were chosen mainly because they make good cases for a most similar case study. They have each undergone long periods of colonization, have robust labor unions which have had challenges to overcome, and they belong in the BRICS category of

countries. And yet they seem to respond differently to green policies. These points will be elaborated in the section below. On the environmental sense, these states are similar because of their production of GHG and carbon emissions. India produces 7% of the world's carbon emission and South Africa produces 1% of the global share (Union of Concerned Scientists 2020). India and South Africa are main producers of coal. South Africa is the seventh largest producer of coal in the world with an output of 255 mt of coal whereas India is estimated to produce 700 mt of coal by the end of 2020 (McSweeney and Timperley 2018). And yet there is a lack of comparative scholarship on the impact of colonialism on labor activism and green initiatives in these countries. This needed to be studied to better understand the prospects for and to pave the way towards a labor-led green transition that would rehabilitate damaged ecosystems and would reduce the impact of climate change. These cases should show that developing states do not follow a single set of blueprints when dealing with green policies due to differing colonial legacies.

### **Most Similar Case Study**

In this section, I elaborate further how these cases are similar and how they treat green initiatives at the ILO differently. The most similar case study approach was chosen for the study of contrasting case studies despite their similarities (Yin 2003). The main similarity between South Africa and India is the long period of colonization that both have had to go through. India was colonized by the British from 1612 to 1947. It was first colonized by the East India Company from 1612-1757. The power was then transferred to the British crown due to financial hardships and abuse of power within the East India Company (Blakemore 2019). Control by the British East India Company ended due to a rebellion caused British intervention into laws pertaining to land rights, the abolition of widow burning practices and the attempts to remove the caste system (Edinburgh University 2020). Power then shifted to the British Raj and princely state system until 1947 (Groenhout 2006). After years of resistance, India was granted its independence in 1947 but much to the deep disappointment of M.K. Gandhi, India was partitioned.

In the case of South Africa, it was colonized in 1652 by the Dutch (Boers) until 1815. The British took over from 1815 to 1910. The original Dutch colonizers were settlers who occupied the east coast and the British divided South Africa between the Dutch, the natives and the British. The discovery of gold led to the break in this division as the English sought to expand their domain into these gold mines. The British left in 1910 leaving the Union of South Africa as a federation controlled by the Zulu, Xhosa, and the Dutch settlers. The parliament was left in the control of the Dutch. By 1948, they solidified a set of laws that embedded Apartheid deeply into its political system. After several decades of resistance, a new government was established in 1993 with the release and election of Nelson Mandela (BBC 2018). These simplified narratives of their colonial past show the type of complicated relationships that the states had with their colonizers.

These states also share similar systems of government. Post-liberation, these states adopted the Parliamentary government system. The first election in South Africa in 1994 ended minority rule in South Africa and added 18 million new voters to set up a government of majority rule. The Federal system was divided into a national and provincial legislative system – National Assembly and National Council of Provinces (NCOP). Using the proportional representation system, the National Assembly consists of between 350 to 400 members. It passes legislation, checks on the executive, and elects the President. The NCOP represents nine provinces with 90 provincial delegates. The permanent delegates are appointed by provincial legislatures and special delegates are rotated depending on the topic being discussed. Executive power rested with the President and the cabinet. The primary role of the NCOP is to ensure that the interest of provincial citizens are protected through legislation and by providing a platform to debate issues that are specific to provinces. It also serves as a “peacemaker” to ensure that all three spheres of government work together (Republic of South Africa 2021). In India, the first democratic elections were held in 1951. India became a quasi-federal democratic republic. It is also divided into two houses – the Rajya Sabha (Council of States) and Lok Sabha (House of the People). The Lok Sabha consist of between 530 to 552 members who are chosen by direct elections from the

constituencies in the states. The Council of States comprise of up to 250 members of whom twelve are direct nominated by the President and the others are indirectly elected through members of the Legislative Assembly (Library of Congress 2020).

Another similarity is that both these states have had robust labor movements that have resisted colonial rule. Trade unions in South Africa were formed from the 1880s by mine workers. As mentioned above, only White miners could form trade unions. With the sudden rise of Black workers in formal settings such as the mines and manufacturing during the war, Black unions began to form despite being barred by the government. By 1954, the South African Congress of Trade Unions (SACTU) was formed and became affiliated with the African National Congress (the party led by Nelson Mandela). And by 1985, Black unions were finally legalized, and the Congress of South African Trade Unions (COSATU) was formed. It would become one of the more active resisters of apartheid. By 1990, COSATU had 1.2 million members. The other significant peak labor union include the Federation of Unions of South Africa (FEDUSA) and it has half a million members (Pretorius 2014).

In India, the labor movement was initiated in the early 1900s during British rule. In 1908, industrial workers went on strike to contest the imprisonment of a resistance fighter. During this time, the Madras Labour Union became the first informally registered trade union. The group was dismantled when the leader was forced by the courts to leave its leadership. Nevertheless, workers continued in their resistance. In 1917, workers engaged in more than 30 strikes (Bhowmik 2009, 130-131). By 1920, the All- India Trade Union Congress (AITUC) was created to ensure that there were representatives at the League of Nations. Formal recognition of trade unions then came to pass with the Trade Union Act 1926. The first government backed trade unions were the 'bidi' (cigar) workers and construction workers. Today, there are three major unions – the Bharatiya Mazdoor Sangh (BMS), the Indian National Union Congress (INTUC) and the AITUC. The INTUC is biggest trade union with 33 million members (Menon 2013).

Finally, the similarity between South Africa and India lies in the strength of their economies. They belong within the BRICS category and has created a political grouping with a united front at international negotiations. The BRICS have had annual summits since 2009. They have contributed significant funds to the IMF especially in the rebounding of the economy post-recession (IMF 2009). They have also formed the New Development Bank in 2015 that rivals the IMF and the World Bank to counter Western notions of development (AFP 2015). They have entered meetings like the G20 with the combined strength of their economies to make unified statements on their policy positions (BRICS 2016).

Despite these similarities, South Africa has responded differently to green initiatives at the ILO than India. First, India's green initiatives are not supported by basic ILO labor standards in contrast with South Africa. It has not adopted rights to collectively bargain and the right to strike. Recent updates to the labor codes merely consolidated all of its laws but still does not adequately provide basic rights (Solanki et. al. 2021). The position of labor has deteriorated to the point that labor unions have sought help from the ILO in May 2020 regarding the reversal of protective labor laws. Ten labor unions complained to the ILO about proposed labor law amendments that abolish labor laws in Uttar Pradesh and Gujarat and the issuance of executive orders that increases work hours from 8 to 12 hours a day (Ojha et. al. 2020). This is in contrast with South Africa where green initiatives are supported by basic rights that are found in the constitution such as Freedom of Association, fair labor practices, right to form and join a trade union, the right to strike, and the right to collectively bargain. The Labor Relations Act 66 of 1995 was passed just after the removal of the apartheid regime and this law provides ample protection concerning employee rights and remedies (Bhoola 2002).

Second, there are questions about India's commitment to green initiatives since it has rolled back its environmental provisions. One example is the removal of the consultation requirement for the assessment of impact of development projects (Biswas 2020). Another

example is regulations that increase control of farmland by the government for industry farming. Farmers have lost their subsidies and these regulations outline industry requirements of land use. If they do not produce accordingly, then farmers may lose their lands (BBC 2021). There are also doubts on the commitment of India to reduce their reliance on fossil fuel as they have remained defensive about its new coal mining ventures as part of its pandemic recovery package (Gupta 2020). In contrast, South Africa initiated its environmental protection measures as soon as they achieved independence. They set up a National committee on Climate Change that is made up of state and local representatives, trade unions and employers to design long term mitigation strategies. These strategies included the inclusion of consultation in development projects. The Green Paper produced by this National Committee has resulted in national policies that are designed to mitigate job losses in high carbon intensity industries. It also has an emission trading system in place (EDF 2015). There are many slow-going projects that remain the pipeline such as the Clean Development Mechanism (ILO 2010).

Third, South Africa has shown greater optimism and willingness to work with the ILO on the implementation of green initiatives. Looking at the minutes on the International Labour Conference proceedings in 2013, it shows how South Africa has shown greater enthusiasm for a Just Transition framework that could accommodate social justice concerns. This contrasts with the statements made by Indian delegates who suggested numerous amendments to the policy framework in the production stage urging that the policy veer more towards economic development. India also criticized the notion of green economy for its vagueness and the difficulties of achieving a Just Transition due to this (ILO 2013, 34). Alluding to distrust, India made a claim for autonomy in decision making when it came to a transition to a green economy (ILO 2013, 37). In the case of the Green Jobs initiative, South Africa has shown more eagerness through more recent action to ensure that the green initiative is applied in its system. South Africa allowed the ILO to provide a series of trainings, conduct quantitative assessments to gauge the

impact of investing in green jobs and offer two training courses on 'Green jobs for Sustainable Development: Concepts and Practices.' It has also teamed up with the ILO International Training Centre to work with national bodies to implement green jobs programs in South Africa (ILO 2014). They also have an ongoing project on green jobs through the implementation of the Expanded Public Works Programs in the Limpopo Province through the Limpopo Department of Public Works (2005-2024) (ILO 2020a). India has also shown willingness to collaborate with the ILO on green jobs, but its involvement has not been recent and ongoing. It has conducted national studies in forestry, watershed development, wind energy and transport services. It has also reviewed decent work and green jobs in Kaimur and has also implemented a pilot program in the Jabalpur Dairy cluster. The last project conducted with the ILO pertaining to green jobs was in 2010 (ILO 2020b).

Lastly, India has emphasized green industrial growth at the expense of social protection. India has been courting foreign investment to expand its green industries without paying close attention to how investors would protect Indian labor. In February 2021, India launched the US-India Green Transition Finance Initiative and has promised the US that it will be the hub for renewable energy (Hananel 2021). It has also focused on grand infrastructure projects such as potentially upgrading the railway system. This would form part of its green transition. These projects do not identify or consider the position of excluded communities in these ventures (UN-PAGE 2018). In the case of South Africa, the government has also sought foreign capital in green projects but there has been push back by workers and communities. National programs show a focus on social resilience and providing services for excluded groups such as early child-care facilities, health services for the sick, security for women and unemployment insurance for domestic workers (Lee et. al. 2020).

## Methods

For this research, I utilize the most similar case study approach with discourse analysis and process tracing as anchoring methods. These methods achieve the two main purposes of this research. The first is to identify these colonial discourses within the processes of liberation, democratization, and green policy formation in the ILO. The second goal is to show how these colonial discourses have shaped the relationships between labor, social movements, and political parties. Utilizing these two methods helped to navigate the process of producing a complex postcolonial research project. The challenge in the use of postcolonialism as an analytical framework is that the analysis may lie within a continuum. On one end, it could be understood as a historically located set of strategies and on the other a set of discursive practices (Vine et. al. 2018, 4). The ultimate point, regardless of where the analysis lies in this continuum, is its overarching goal of bringing into focus the neglected, dehumanized, and marginalized voices of labor. It examines the subjective experience of the colonized and the historical processes that have impacted the colonized (Given 2012; Clair 2003). Process tracing and discourse analysis helps to produce narratives of the colonial processes at play in the lives of colonized labor in these two cases to explain contextual differences in development and capacity of labor organizations that manifests itself at the ILO.

Discourse analysis involves the study of language and the instances of communicative action (Johnstone 2018). This study of communicative action leads to the identification of patterns and behaviors that uncover the underlying structure of language (Jorgensen and Philips 2002; Chilton 2004). This study of language and supporting structures is important to this research question since it assumes that language is not merely a vehicle for the dissemination of information but that it also has performative functions of language in establishing human affiliations, identity formation, exercises of power and meaning making (Gee 1999). Through the use of discourse analysis, this research is able to consider social actions that organizes and

produces the social world (Jorgensen and Philips 2002). For this research, discourse analysis is important since it provides a tool to critically examine policy documents, interview transcriptions, biographies, and minutes of proceedings to understand how workers from South Africa and India interact at various levels with their leaders and the International Labour Organization (ILO). The approach sheds light on how speakers express their intentions and how hearers interpret these intentions (Johnstone 2018). These interpretations signal the positioning of workers within a hierarchy of control and power (Chilton 2004). Another reason why discourse analysis is useful in this research is because it explains behaviors. What individuals/groups can or cannot is dictated by their discourse-defined identity and through discourse analysis, I examine why workers act a certain way and how these actions reinforce these colonial discourses (Johnstone 2018; Chilton 2004). Further, discourse analysis uncovers social and material influences such as movements, material distribution and power relations in constructing arguments and telling stories. It provides a way to understand why certain arguments stick and continues to be legitimized over time within the context of labor agency in South Africa and India (Gee 1999). In addition, discourse analysis provides a tool to analyze racial relations. It does this by uncovering prejudices and stereotypes in texts. These are manifested in attitudes towards groups either through sympathy or dislike. The study of race entails a discourse-historical approach that works across historical, political, sociological and psychological dimensions (Wodak and Reisigl 2001). It unravels certain “truths” about Black and Indian workers on the basis that these “truths” were internally constructed. At best, statements on racialized groups are based on the competition to declare what constitute common truths (Jorgensen and Philips 2002). Discourse analysis declares that these “common truths” are essentially contestable.

One example of the use of discourse analysis in the study of mimicry of states include the study of “Constitutional Mimicry and Common Law Reform in a Rights-Based Post-Colonial Setting: The Case of South Africa and Malawi.” (Banda 2009). The researcher examined the

mimicking actions by Malawi of the common law system of South Africa such as the rejection of the rights-based discourse. Another example is Sharman (2008) who studied similar anti-money laundering policies adopted by developing states even when they have very little in common. The author argues that this is a manifestation of exercise of power over these developing countries through discourses. Further, Parpiansi (2012) studied mimicry and discourses to uncover colonial imperatives and intentional exercise of power over Bombay between 1898 and 1928. Discourse analysis has also been applied extensively to study states such as Holden (2001) who looks at colonial modernity in Malaya and how it was gendered through Orientalist discourses. Also, Peter (2006) utilized discourse analysis to study French discourses on Muslim immigrants and its moderating effects on the Union of Islamic Organizations.

Process tracing is an important procedure to show the link between certain conditions to certain outcomes. While it has been used in positivist research to explain the 'what' or the possible causes, it can also be used in interpretivist research to explain the causal 'how' (Vennesson 2008). Using process tracing in this research would help us understand how workers came to establish the type of relationships that they did during colonization, in the processes of democratization, and how these types of relationships manifest itself in the interactions with the ILO. The focus is on sequence, time and how processes have evolved and interacted during pivotal points in the nation's history (Guzzini 2017, 436). Process tracing in this sense would help uncover the contextual narrative that undergirds the formation of these relationships and its effect on worker capacity. It helps us to understand the motivations and strategies that actors employed based on their perceptions and beliefs (Vennesson 2008). One example of the use of process tracing is illustrated in the work of Bilgin (2009) where the author used Homi Bhabha's mimicry to explain the motives behind the adoption of secularism in Turkey. The article suggested that an emulation strategy was adopted to protect the country from Western intervention. And to show this, the author used process tracing to explain the historical processes that led to the emulation

of Western powers (Bilgin 2009, 602-604). Another example of the use of process tracing to strengthen Bhabha's notion of mimicry is found in Watson (2007). She used Bhabha's mimicry to make sense of the modernization processes that have taken place in South Korea as a response to Japanese colonization. She used process tracing to show historical examples of Japanese imperialism during this era.

I will derive the data to produce these narratives from primary and secondary sources. Historical documents form primary data to provide contextual narratives of the capacity and response of labor in these two cases. These include minutes of proceedings from the International Labour Conference and Governing Body from 1919-2021 that document the attitudes of Western ILO members on India and South Africa and the adoption of green initiatives from the 1990s and onward. These are accessible from the Labordoc (ILO online database). I also accessed transcripts of interviews with South African labor groups describing their struggles, newspaper cuttings from the Apartheid era by Ruth First (AAM activist) depicting labor injustice, and COSATU Meeting documents from 1987 onwards. These are available in open-access digital platforms such as the University of Witwatersrand website, University of Western Cape website and the SEALS Digital Commons website. I also accessed essays on labor by Mahatma Gandhi, Labor Commission Reports (1800s to 1947) and ILO India Monthly reports from 1929-1969. They are accessible in open-access digital archives maintained by the V.V.Giri National Labour Institute (an autonomous body of the Ministry of Labour & Employment, Government of India), Hathitrust.org (University of California system), the Digital South Asia Library (University of Chicago), West Bengal Public Library Network, and the Historical Papers Research Archives (University of Witwatersrand).

Another primary source of data includes recorded interviews found on the ILO website with Green Policy Officers helped to understand labor dynamics at the ILO. I also employed digital participant observation. The ILO has a database of recorded sessions that are accessible from

its website. ILO meetings can be useful sites to study how labor interacts with other delegates in the ILO. These can be valid sites for ethnographic research according to Glaeser (2005). On the same vein, I will also be doing digital fieldwork by examining the official websites of labor groups and their affiliated political parties to examine their perceptions about themselves and the relations that they have with users, social movements, and government entities. This means that I would examine their official websites, Facebook, and Twitter accounts. This type of data complements the other data acquired to provide a holistic knowledge of labor communities. It is important to consider accessibility issues, context and how the media used shapes the interaction between labor groups and others (Seligmann & Estes 2020).

Secondary data was acquired from biographies of workers/political leaders who documented the involvement of labor in the resistance against the apartheid regime in South Africa and the colonization of the British in India. These would include 'No Easy Walk to Freedom' (Mandela 1990), 'Strikes have followed me all my life: A South African Autobiography' (Mashinini 1989), 'Radical Anti-apartheid Internationalism and Exile: The Life of Elizabeth Mafeking' (Holly McGee 2019), 'Gandhi: An Autobiography – The Story of My Experiments with Truth' (Gandhi 1957), 'Nehru's Enlightened Middle Way' (Bhargava 2020), 'Young India: an interpretation and a history of the nationalist movement from within (Lajpat Rai 1968), 'The Indian Struggle, 1920-1934' (Chandra Bose 1948) and 'Netaji's Life and Writings: An Indian Pilgrim' (Chandra Bose 1948). These are available at the CSU library, inter-library loan or at online book vendors.

Another form of secondary data is historical research conducted by national historians explaining the processes that led to independence/democratization processes to understand the role of workers within the macro history of the country. This would include 'The South Africa Reader : History, Culture, Politics' (Crais and McClendon 2013), 'Historian: An Autobiography' (Gilliom 2017), 'South Africa's labor empire: a history of Black migrancy to the gold mines' (Crush et. al. 1991), 'Revolution from above, rebellion from below: the agrarian Transvaal at the turn of

the century'(Krikler 1993), 'Amma's daughters' (Shristava 2018), *The Well-Being of the Labor Force in Colonial Bombay: Discourses and Practices* (Shristava 2017), 'The emergence of an industrial labor force in India; a study of the Bombay cotton mills, 1854-1947)(Morris 1965), *Indian trade unions* (Raman Rao 1967) and 'A history of the new India : past and present' (Irschick 2015). The goal in using the breadth of sources provided here is to provide 'triangulation' in ethnography through a multiple method approach that would yield research material to uncover and analyze patterns (Gray 2003). It is to show that the evidence collected accurately describe the experience of the community studied (Fife 2020, 2-21). (Please see the tables below for the list of sources used for this research).

Table 3-1: ILO Sources

ILO reports	ILO Proceedings
Trade Union Actions to Promote Environmentally Sustainable Development 1999.	International Labour Conference 1919
Trade Unions and Environmentally Sustainable Development 1996	International Labour Conference 1921
Care work and care jobs for the future of decent work 2018	International Labour Conference 1922
A quantum leap for gender equality: For a better future of work for all 2019	International Labour Conference 1924
Employment and poverty in rural India: Which way to go now? 2008	International Labour Conference 1925
Moving the Needle: Gender equality and decent work in Asia's garment sector 2021	International Labour Conference 1927
Public Works Programmes, A Strategy for Poverty Alleviation: The Gender Dimension 1996	International Labour Conference 1928
Decent work in a globalized economy: Lessons from public and private initiatives 2021	International Labour Conference 1929
Africa's Crises: Recent analysis of armed conflicts and natural disasters in Africa 2003	International Labour Conference 1930
SAY-JUMP project: Jobs for the Unemployed and Marginalized to escape from Poverty 2010	International Labour Conference 1931
Macroeconomic reforms and a labour policy framework for India 2004	International Labour Conference 1932
World Employment and Social Outlook Trends 2020	International Labour Conference 1933
ILO Green Jobs participated in GGKP Webinar on "Green jobs and a just transition: Country perspectives 2020	International Labour Conference 1935
The Governance of Labour Administration: Reforms, Innovations and Challenges 2021	International Labour Conference 1936
Agricultural Workers and their contribution to Sustainable Agriculture and Rural Development 2007	International Labour Conference 1937
ILO News. Provinces benefit from Green Jobs Training Programme for South Africa. March 27, 2015	International Labour Conference 1938
Inclusive Future of Work: Republic of South Africa 2019	International Labour Conference 1939
Poverty alleviation through social and economic transformation 2020	International Labour Conference 1941
Independent Evaluation of the ILO's Decent Work Country Programme for India: 2007-2012	International Labour Conference 1944
Green Jobs Progress Report 2014-2015 (2016)	International Labour Conference 1945
Working Paper No. 323: From Waste to Jobs: Decent Work challenges and opportunities in the management of e-waste in India 2019	International Labour Conference 1946
National Labour Law Profile: South Africa 2002	International Labour Conference 1947
Report of the Director-General: ILO activities in Africa 2000-2003	International Labour Conference 1949
Local investments for climate change adaptation 2011	International Labour Conference 1949
Introduction to Policies and Programmes for Green Jobs 2012	International Labour Conference 1950
Fifth item on the agenda: Sustainable development, decent work, and green jobs 2013	International Labour Conference 1951
South Africa: Boosting the Employment potential of an inclusive low carbon economy 2014	International Labour Conference 1953
Guidelines for a just transition towards environmentally sustainable economies and societies for all 2015	International Labour Conference 1954
Technical Note: " Employment and labour market policies for a just transition towards environmentally sustainable economy and societies for all 2016	International Labour Conference 1955
Employment Research Brief 2018	International Labour Conference 1957
News report: Increase in heat stress predicted to bring productivity loss equivalent to 80 million jobs 2019	International Labour Conference 1959
ILO Knowledge Portal: database on South Africa.	International Labour Conference 1961
ILO Knowledge Portal: India.	International Labour Conference 1962
Working from home: From invisibility to decent work 2021	International Labour Conference 1963
	International Labour Conference 1964
	International Labour Conference 1965
	International Labour Conference 1966
	International Labour Conference 1968
	International Labour Conference 1970
	International Labour Conference 1973

<p>Green Jobs in India 2022</p> <p>The Green Initiative 2022</p> <p>Skills for Green Jobs in South Africa 2010</p> <p>MGNREGA: A review of decent work and green jobs in Kaimur District in Bihar 2010</p> <p>India Decent Work Country Programme 2018-2022</p> <p>Republic of South Africa: Decent Work Country Programme 2018-2023</p> <p>Green Jobs and a Just Transition for Climate Action in Asia and the Pacific 2019</p> <p>Reports requested and received on Decent work for care economy workers in a changing economy: India 2021</p> <p>Renewable Energy and Jobs 2021</p> <p>Green Jobs Creation Through Sustainable Refurbishment in the Developing Countries 2010</p> <p>Working on a warmer planet: The impact of heat stress on labour productivity and decent work 2019</p> <p>Game Changers: Women and the Future of Work in Asia and the Pacific 2018</p> <p>Industrial policies for structural transformation: processes, institutions and methods 2020</p> <p>Skills for green jobs in India: unedited background country study 2010</p> <p>Global Employment Policy Review 2020: Employment Policies for Inclusive Structural Transformation</p> <p>The Global Deal for Decent Work and Inclusive Growth Flagship Report 2020</p> <p>Employment Challenge and Strategies in India 2008</p> <p>Jobs for Africa 2000</p> <p>Towards a human-centred agenda: Human resource management in the BRICS countries in the face of global challenges 2021</p> <p>Skills and the Future of Work: Strategies for Inclusive growth in Asia and the Pacific 2018</p> <p>Global Jobs Pact Country Scan South Africa 2011</p> <p>Impact of Covid-19 on nexus between climate change and labour migration in selected South Asian countries: an exploratory study 2021</p> <p>Skills for Green Jobs in South Africa 2018</p> <p>Skills for Green Jobs: A Global View 2011</p> <p>Labour-based technology: the macro-economic dimension 2000</p> <p>Labour-based Technology A Review of Current Practice 1997</p> <p>The contribution of employment-intensive investment programmes to structural economic transformation for peace and resilience 2020</p> <p>Mainstreaming green job issues into national employment policies and implementation plans: a review 2017</p> <p>Unemployment among youth in India: Level, nature and policy implications 1998</p> <p>Green recovery and transition are crucial for sustainable future 2021</p>	<p>International Labour Conference 1975</p> <p>International Labour Conference 1977</p> <p>International Labour Conference 1978</p> <p>International Labour Conference 1980</p> <p>International Labour Conference 1981</p> <p>International Labour Conference 1982</p> <p>International Labour Conference 1983</p> <p>International Labour Conference 1984</p> <p>International Labour Conference 1985</p> <p>International Labour Conference 1986</p> <p>International Labour Conference 1987</p> <p>International Labour Conference 1988</p> <p>International Labour Conference 1990</p> <p>International Labour Conference 1991</p> <p>International Labour Conference 1992</p> <p>International Labour Conference 1993</p> <p>International Labour Conference 1994</p> <p>International Labour Conference 1995</p> <p>International Labour Conference 1996</p> <p>International Labour Conference 1997</p> <p>International Labour Conference 1998</p> <p>International Labour Conference 1999</p> <p>International Labour Conference 2000</p> <p>International Labour Conference 2001</p> <p>International Labour Conference 2004</p> <p>International Labour Conference 2005</p> <p>International Labour Conference 2006</p> <p>International Labour Conference 2007</p> <p>International Labour Conference 2008</p> <p>International Labour Conference 2009</p> <p>International Labour Conference 2010</p> <p>International Labour Conference 2011</p> <p>International Labour Conference 2012</p> <p>International Labour Conference 2013</p> <p>International Labour Conference 2014</p> <p>International Labour Conference 2015</p> <p>International Labour Conference 2016</p> <p>International Labour Conference 2017</p> <p>International Labour Conference 2018</p> <p>International Labour Conference 2019</p>
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Table 3-2 Legislative Debates

Indian legislative proceedings	South African legislative proceedings
16th Session of Indian Labour Conference 1958 Debate in the Rajya Sabha 1955 Parliamentary Debates: Part 1-Questions and Answers 1950 Lok Sabha Debates July 11, 1991 Lok Sabha Debates July 12, 1991 Lok Sabha Debates August 26, 1991 Lok Sabha Debates October 25, 1999 Lok Sabha Debates October 26, 1999 Lok Sabha Debates October 27, 1999 Lok Sabha Debates October 28, 1999 Lok Sabha Debates October 29, 1999 Lok Sabha Debates June 4, 2004 Lok Sabha Debates June 7, 20 Lok Sabha Debates June 5, 2009. Lok Sabha Debates June 8, 2009 Lok Sabha Debates June 9, 2009. Lok Sabha Debates December 8, 2010 Lok Sabha Debates June 11, 2014 Lok Sabha Debates June 24, 2019 Lok Sabha Debates July 5, 2019 Lok Sabha Debates July 10, 2019 Lok Sabha Debates July 15, 2019 Lok Sabha Debates July 16, 2019 Lok Sabha Debates July 17, 2019. Lok Sabha Debates September 19, 2020 Lok Sabha Debates February 10, 2021 Lok Sabha Debates March 15, 2021	Proceedings of Extended Public Committee March 23, 2010 Proceedings of Extended Public Committee April 16, 2010 Proceedings of the Joint Sitting February 4, 2000 Proceedings of the Joint Sitting June 25, 1999 Proceedings of the Joint Sitting November 19, 1999 Proceedings of the National Assembly June 28, 1999 Proceedings of the National Assembly June 29, 1999 Proceedings of the National Assembly February 8, 2000 Proceedings of the National Assembly February 16, 2000 Proceedings of the National Assembly February 22, 2000 Proceedings of the National Assembly March 1, 2000 Proceedings of the National Assembly May 25, 2000 Proceedings of the National Assembly June 8, 2000 Proceedings of the National Assembly June 13, 2000 Proceedings of the National Assembly June 14, 2000 Proceedings of the National Assembly September 21, 2000 Proceedings of the National Assembly February 13, 2002 Proceedings of the National Assembly February 28, 2002 Proceedings of the National Assembly April 22, 2010 Proceedings of the National Assembly August 26, 2010 Proceedings of the National Assembly October 26, 2010 Proceedings of the National Assembly October 27, 2010 Proceedings of the National Assembly October 28, 2010 Proceedings of the National Assembly November 16, 2010 Proceedings of the National Assembly November 17, 2010 Proceedings of the National Assembly May 14, 2021 Proceedings of the National Assembly May 18, 2021 Proceedings of the National Assembly June 2, 2021 Proceedings of the National Assembly November 25, 2021 Proceedings of the National Council of Provinces." April 11, 2000 Proceedings of the National Council of Provinces May 23, 2000 Proceedings of the National Council of Provinces June 13, 2000 Proceedings of the National Council of Provinces November 17, 2009 Proceedings of the National Council of Provinces April 22, 2010 Proceedings of the National Council of Provinces November 19, 2010 Proceedings of the National Council of Provinces May 25, 2021. Proceedings of the National Council of Provinces June 10, 2021.

Table 3-3: Historical texts

Interview transcripts	Historical texts
<p>Interview with Marcel Golding 1994                      Interview with Arthur Konigkramer 1997                      Interview with Barend du Plessis 1997                      Interview with Ben Ngubane 1995                      Interview with Helen Zille 1997                      Interview with Jay Naidoo 1995                      Interview with Kobie Coetsee 1994                      Interview with Sam Shilowa 1993                      Interview with Tito Mboweni 1997                      Interview with Willem de Klerk 1997</p> <p>Biographies                      Chandra Bose, Subhas. 1948. Netaji's Life and Writings: An Indian Pilgrim.                      Chandra Bose, Subhas. 1948. The Indian Struggle, 1920-1934.                      Gandhi, Mohandas. 1983. Autobiography: The story of my experiments with truth                      Giliomee, Hermann. 2017. Historian: An Autobiography                      Mandela, Nelson. 2013. Long Walk to Freedom                      Mandela, Nelson. 1990. No Easy Walk to Freedom                      Mashanini, Emma. 1989. Strikes have followed me all my life: A South African autobiography                      Shristava, Meenal. 2018. Amma's Daughters: A Memoir</p>	<p>India: Resources, Potentialities and Planning 1972                      Embassy of India. 1993. "India News." June 1.                      Embassy of India. 1950. "India News Bulletin."                      Moraes, Frank. 1951. "The Indian and Pakistan Year Book and Who's Who."                      Area Handbook for India 1975                      Jobs and Workers in India 1954                      Women Workers of India 1960                      Indian National Congress: A Descriptive Bibliography of India's Struggle for Freedom 1959                      India: Government and Politics 1955                      Foreign Labor Trends: India 1988                      Foreign Labor Trends: India 1990                      Foreign Labor Trends: India 1994                      The Politics of Scarcity: Public Pressure and Political Response in India 1962                      Acres and People: The Eternal Problem of China and India 1947                      Report of the Select Committee of the Masters and Servants Act 1872                      Report of Commission on Native Education 1919                      Report of the Select Committee on the Pass Laws of the Colony 1883                      Report of the South African Native Races Committee 1901                      Interdepartmental Committee on the Native Pass Laws 1920                      Statement exhibiting the Moral and Material Progress and Condition of India during the year 1925-26                      An Introduction to Co-operation in India 1922                      Gandhi's speech in Nagapatam 1919                      Young India 1930                      Wiehahn Commission Report 1979                      Contemporary Thought of India 1931                      Fawcett Commission 1931                      India without fable 1942                      India: A Sociological Background Vol. 1 1956                      Modern India 1957                      Afrikaner's Interpretation of South African History 1982                      The Black Man's Place in South Africa, 1970                      Black labor unions in South Africa 1987                      Area Handbook for the Republic of South Africa 1970                      Hearing before the subcommittee on Africa of the Committee on Foreign Affairs 1985                      Botha, Campaign speech, April 1994                      The Eternal Problem of China and India 1947                      The Politics of Scarcity 1962                      Report of the National Commission on Labour 1969</p>

## CHAPTER 4: IDENTIFICATION OF ORIENTALIST DISCOURSES AND MIMICRY AS A STRATEGY IN THE INDIAN AND SOUTH AFRICAN LABOR MOVEMENT PRE-LIBERATION (1850-1940)

Colonial discourses have misrepresented the competence of Indian and South African workers. These discourses seemed to form the foundations of laws, institutions, and the policing of labor and society. In this chapter, I examine the Orientalist discourses that have defined the labor movement in South Africa and India. The question investigated in this chapter is: How do postcolonial theories help identify the colonial discourses that may have influenced the formation and strategies of the labor movement in South Africa and India? In this chapter, I present the arguments and evidence to show how Said's Orientalism identifies Orientalist discourses on the world of work in these two states. The narratives and responses in the Indian case suggest that the move towards Indian identity reinstatement led to an anti-mimicking strategy against the West. And this led to the formation of a limited union system that is dependent on the government. However, in the case of South Africa, the move of unions and political leaders seem to mimic the West. This seems to have exposed contradictions in the Western rights-based system. By mimicking, it seems that South African labor has been able to push for greater protection within their legal framework as well as operate apart from political parties.

First, I will proceed to explain the Indian case with examples of Orientalist narratives that form the foundations for direct and indirect interventions by the British into the lives of Indian workers. These include interventions in their exercise of religion, land and tax management laws, education system, disqualification of governance, intervention into traditional modes of production, farming practices, and restriction on political participation. I then present the historical analysis of the responses by Indian political leaders and labor leaders as they sought to reinstate their traditional identities and values. Second, I present the South African case through direct and indirect interventions of Dutch settlers into the world of work through land and farming use,

conservation of animal species, disqualification of Blacks from governance, mineral extraction, restriction of African movement and the development of vocational education along racial lines. This chapter also examines the types of responses taken by South African political and union leaders that indicate mimicry of Western human rights and labor claims to highlight the hypocrisy and contradictions of these Western values. This strategy of mimicry seemed to have resulted in net positives for labor through concessions by the Dutch settlers (Afrikaners).

## **INDIA**

### Evidence of Orientalism in British Treatment of Labor

The British intervened and dominated the lives of Indian labor and society in various ways. For one, the British removed the ability of Indians to govern themselves. Leadership positions were reserved for the British and Indians could be civil servants only if they attended a qualifying exam in Great Britain. And those who could afford to attend this testing were subjected to impossible requirements such as mastering Latin in one year before they could graduate (Gandhi 1983). This impossibility is expressed in the statement by Lala Lajpat Rai who was a nationalist and labor leader in the early 1900s.

“For the first time, in the political history of India, it has become a political disqualification to be an Indian...the inferiority in both ways lies in Indian blood and Indian origin. (Rai 1968, 79)”

Some would argue that the adoption of the dual Raj system after 1857 gave sufficient authority for Indians to self-govern. Under the dual Raj system, some areas were governed by Indian royalty but, these princely states were still loosely controlled by the British. They had to keep trading open and the British built railroads through territories that connected to port cities of British India. The British justified their governance in India on the grounds that their discipline and guidance helped Indians to progress from their backward ways. They suggested that Indians owed them because the British taught them the way of the modern man. Consider the statement

below by Macaulay in a eulogy for William Cavendish Bentick's statue in Calcutta (Viceroy for 7 years).

"To William Cavendish Bentick, who during seven years ruled India with eminent prudence, integrity and benevolence; who, placed at the head of a great empire, never laid down the simplicity and moderation of a private citizen; who infused Oriental despotism the Spirit of British Freedom who never forgot that the end of Government is the happiness of the governed; who abolished cruel rites; who effaced humiliating distinctions; who gave liberty to the expression of public opinion; whose constant study it was to elevate the intellectual and moral character of the nation committed to his charge" (Cited by Lord Curzon of Kedleston, British Government in India 1925, 194).

This narrative of the benevolence of the British requires further examination within Said's Orientalist lens. If the British were the ones who helped Indians to progress, then what explains their continued domination after this benevolence was bestowed upon the Indians? You would wonder if they had done such a good job, their civilizing task should have ended sooner than 200 years. And technically, if they were as benevolent as they claim, they would have entrusted the Indians with their own governance much sooner. Even at the possibility of introducing Indian magistrates (judges at the lowest courts), the British were resistant as observed in the statement cited in Rai's book.

"Shall we be judged by the Nigger? Shall he send us to jail? Shall he be put in authority over us? Never! It is impossible. Better that British rule in India should end that we be obliged to submit to such humiliating laws" (Rai 1968)

Beyond governance, the British also intervened in the Indian education system as early as 1835. Chandra Bose (a nationalist leader) (1948) described the colonial education system as irrelevant and tone deaf to the needs of Indian society. Some of the courses taught in schools included neatness, punctuality, bible, geography of Great Britain and European fairy tales. The students were subjected to physical and emotional abuse, but the British educators were not accountable for their demeaning actions. However, there were those that Bose referred to as "Bengali Babus" who accepted this education system and were criticized for doing so. Rai (1968) refers to them as "English knowing Indians who took on his dress, he took his cheroot and pipe, and also his cup and beefsteak". They were regarded as British sympathizers who benefitted from

this education so that they could live “lazy and parasitic” lives devoted to British rule (Rai 1968, 87, 113).

The discourses that seem to support this type of colonial education included the importance of instilling Christian values and rationality that would transform uncivilized Indians into the image of the civilized Britishers. To do this, the Indians would have to discard their native tongue in exchange for English. Sanskrit could not be taught at schools because the language was the reason why superstition prevailed over scientific facts even though the British knew little about the language (Macaulay’s statement to the House of Lords 1835).

“ (Para. 8) All parties seem to be agreed on one point, that the dialects commonly spoken among the natives of this part of India contain neither literary nor scientific information, and are moreover so poor and rude that, until they are enriched from some other quarter, it will not be easy to translate any valuable work into them.” Minute on the Honorable T.B. Macaulay 1835

Macaulay (1835) goes on to say that the British had been building a distinguished class of Indians who thought and behaved like the English. And yet no matter how educated they became they had no access to governing positions.

“ (Para. 34) We must at present do our best to form a class who may be interpreters between us and the millions whom we govern, --a class of persons Indian in blood and colour, but English in tastes, in opinions, in morals and in intellect. To that class we may leave it to refine the vernacular dialects of the country, to enrich those dialects with terms of science borrowed from the Western nomenclature, and to render them by degrees fit vehicles for conveying knowledge to the great mass of the population.” Minute on the Honorable T.B. Macaulay 1835

The British also intervened into the social lives of Indians by drafting laws that prohibited Hindus from exercising their rituals. These rituals were described as backwards and barbaric, but these had been exercised by Hindus for thousands of years prior to the arrival of the British. One of the most controversial interventions into the exercise of religions was the Sati Regulation XVII AD 1829 of the Bengal Code that made it illegal to burn or bury alive the widows of Hindus. Lord William Cavendish Bentinck, a young progressive Governor for Madras decreed that it was illegal for widows to practice *Sati*. *Sati* refers to the self-immolation of widows at the cremation of their

spouses. The banning of *Sati* was very upsetting to Hindus, not because they were eager to burn their widows alive but because of the lack of understanding of the practice itself and the lack of consultation by the Governor before making it illegal. *Sati* was historically a requirement for dutiful wives from the upper castes. A woman who performed *Sati* was admired for her self-sacrifice as a *Sati-mata* and revered as a saint. The Vedas (holy books) have never suggested that it was a forced practice but there have been cases where widows have been forcefully thrown into the pyre (Capucci 2019). Instead of outlawing these forced acts of immolation, the British made a moral judgment that sidelined the wishes of Indians.

The Act that made *Sati* illegal was passed on the grounds that it was the duty of the civilized British citizens to teach uncivilized Indians for the “good of mankind” and the British stood for morality rather than giving in to barbaric acts such as *Sati*.

“It is upon this first and highest consideration alone, the good of mankind, that the tolerance of this inhuman and impious rite can, in my opinion, be justified on the government of a civilized nation.” (Statement by Lord Bentinck in Correspondence cited in Philips 1977).

The British insisted that the Indians would continue to force their widows into the fire if they, as moral heroes from the West did not intervene. This British domination based on race and religion would then pass to other aspects of Indian life.

The British intervened by revamping the land taxation system to place power into the hands of landowners rather than workers. The development of land ownership in India is highly complicated due to regional variances. This simplified summary shows that under the Indian system, subsistence farmers could cultivate without interruption. Under the ancient Indian system, grantees of land could not sell their land without permission. Under the village system, land was communally owned. Under the Zamindar system, the nobles of military descent (Zamindars) would receive taxes from those who cultivated the land based on production. As the system evolved, land was transferred to investors. Nevertheless, while all these transfers were occurring

at the bureaucratic level, farmers were passive, and their work continued uninterrupted (Bandyopadhyay 1993).

The British then intervened by setting up a sophisticated legal system that directed money to the British through the King, and thereby empowering the landlords. They streamlined the three main tax systems: the landlord-based system (Zamindari system), an individual cultivator-based (Raiyatwari) system, and a village-based system (Mahalwari)(Imperial Gazetteer 1908 Vol. 4, 207-208). Under the revamped landlord system, the landlord was free to set the revenue and remove any peasants who did not pay the specified amount. In the cultivator system, the farmers had legal rights but had to pay based on the capacity of the soil to produce, in contrast with the previous system where farmers paid only from what they produced. In the village-based system, tax collection is performed by the village leaders and farmers would also be charged based on the health of the soil (Banerjee and Iyer 2005). These reforms resulted in farmers being forced to take on cash crop farming and leave behind their centuries long practice of subsistence farming. Those who did not do so were displaced due to exorbitant tax rates and the loss led the way to social and economic chaos (Bandyopadhyay 1993; Marx 1887)

The Orientalist narratives that seem to support these laws include the incentivization of farmers to be more productive on their land. Under the old system, farmers would pay based on the actual production of the land, which did not incentivize the farmers to produce and use the land to its fullest potential. The British were proud of their “superior” and “modern” land system that took away the “archaic” Indian system that reduced the profit that landowners could get (Imperial Gazetteer 1908 Vol. 3, 448). However, the meaning of land ownership and use was different in India since it was based on community sharing agreements.

The control over revenue also spilled over to forest management. Forests were cleared for cash crop farming, building roads, and railway lines that benefitted the British. Through the railway lines, farming produce could be transported with ease to from India to Great Britain and

other colonies. These interventions into forest management forced indigenous communities out of the forests, delegitimized their knowledge, and replaced them with innovative and efficient machinery that destroyed India's biodiversity. For example, the British extracted 5,000 Deodar timber from Punjab to build 12,000 railcar sleepers in the course of 18 months and exhausted its supply (Das 2010). A similar example is the extraction of timber from the Sundarbans. The British passed the Forest Act of 1878 and the National Forest Policy of 1894 which designated the area as a protected forest. Over 2,000 kilometers of forest was set aside for the British as a permanent source of revenue while removing the Adivasis who were the forests' natural caretakers (Vivekanandan 2021). Licenses to extract timber were granted to European merchants instead (Barton and Bennett 2010; Kumar 2010). As a result of these reckless extractions of timber, soil health depletion began to occur in distinct regions leaving the soil arid. For example, in the Agra division in Doab, soil health was depleted in the 25 years between 1805-1830 (Mann 1995). Instead of taking accountability for their actions, the British began to blame the locals and indigenous communities for India's environmental degradation as can be observed in the statement below.

“(Conservation) programmes are easier to make on paper than to put into practice amongst intensely conservative and often primitive and spendthrift people who know only that their grandfathers got more out of the soil than they themselves can win, and whose contacts are bounded by their own village land. How can such simple folk be expected to see the implications of their destructive habits to others a hundred miles downstream?” (Statement by Dr. Gorrie at the Joint Meeting of the Indian and Dominions and Colonies Sections 1938, quoted in Mann 1995, 911)

The British pushed Orientalist discourses that described the Indians as “thoughtless” and “ignorant” on the grounds that they set fire to forests to open up land for grazing (Imperial Gazetteer of India Vol. 3, 114). Yet, there is historical evidence that ancestral use of controlled fires by indigenous groups such as the Soligas, Karnataka and Adivasis kept the forests safe, rich in biodiversity and sustainable before the British made it illegal (Menon 2020; Singh et. al. 2013). However, the British presented the narrative that it was through the work of British scientists and

their effective conservation principles that the fragile ecosystems in India were preserved from the destructive hands of the Indians (Ravi Kumar 2010).

The combination of these interventions led to the greatest number of famines ever experienced by India within a span of 50 years. Between 1850-1899, India suffered 24 famines, that killed over 10 million people. The reasons for the famines included soil health depletion and British food distribution policies (Mishra et. al. 2019). This was also because policies that curbed subsistence farming removed the sharing system that was in place which had allowed neighboring communities to share their crops with famine-stricken regions. Further, the British transported surpluses to Great Britain and other colonies for profit (Sourabh and Myllyntaus 2015).

There were a few Oriental discourses that seem to justify the Britishers lack of accountability and reluctance in helping India during the famines. One such discourse was that famines were unavoidable due to droughts (Imperial Gazetteer of India, Vol. 1, 460). Yet, there have not been any famines since India achieved independence in 1947 despite droughts (Mishra et. al. 2019). Another narrative was a deflection of blame on the victims since these famines were brought on by “reckless” farmers who failed to take care of themselves like British farmers would have. And if there are many mouths to feed, then it is their fault for “breeding like rabbits” (Heyden 2015). The British also justified their hoarding of grains during the famine as a necessity to protect Great Britain from invading forces during wars (Heyden 2015). Further, the British argued that famines occur in all agricultural-based societies and since farmers do not have capital, they falter when the harvest fails (Imperial Gazetteer of India Vol. 3 1908, 475). And throughout these immensely painful years, the British justified their reluctance to provide relief on the grounds that it would create dependence on handouts (Sourabh and Myllyntaus 2015). As such, they made the victims work for their relief (Major 2020). The toll on human life was high. The Great Famine of 1876-1878 affected 58 million Indians and killed 5.5 million (Imperial Gazetteer of India Vol. 3 1908, 488).

Lastly, the British industrialized the textile industry and destroyed the local artisanship (DeSousa 2010; Bhowmik 2009). There were massive investments in mill-based cotton spinning and production (Broadberry and Gupta 2005). Desperate from the effects of famines, migrant workers took on work with low wages and long working hours. Also, workers were subjected to high temperatures in the factory (up to 100 degrees) and because the mill owners did not invest in machinery with exhausts, workers suffered from breathing ailments due to inhaling cotton fluff. These workers were also beaten by European mill owners if they failed to understand their instructions (Arnold 1980, 250-251). In addition to unhealthy working conditions, the workers lived in “chawls” which were single room dormitories with shared bathing and washing spaces. The lack of proper sanitation in these cramped quarters led to the bubonic plague in areas like Bombay city in 1896. Rats carried the disease, and 2,000 people died every week (Shristava 2018).

The Orientalist discourses found in historical documents show that the British presented Indian workers as lazy and needing of discipline.

“One cause for the unpopularity of mill labour is undoubtedly the distaste for the discipline which has necessarily to be maintained in a large concern, coupled with confinement for long hours in the mill. Discipline in most mills is no stricter than it need be, and education may do much in the course of time to mitigate the natural aversion felt towards it” (Report of the Indian Factory Labour Commission 1908, 92).

Another discourse that justified worker mistreatment was that the negative health effects were not as bad as the workers claimed it to be. Further, statements in Commissions also downplay workers’ grievances and employers’ exploitative actions as illustrated below.

“The mill hands are the best class of patients, they bear operations well, their progress in the hospital is satisfactory; their wounds heal quickly” (Dr. Nair’s statement from the Report of the Medical Committee of the Factory Commission of 1884 – quoted in Shristava 2018, 56)

“The position of the laborer is overstated – the Factories Commission Report states that workers are unskilled, not tied down to their jobs, and indispensable to production. With the workers in a better bargaining position, employers are nervous to change anything or do anything that might upset them or make them leave. We have been impressed with the fact that employers are generally disposed to concede promptly all reasonable demands made by their workers; and even where the demands made are unreasonable, to treat them as proposals which it is desirable to accede to, if possible. Great nervousness is

frequently displayed by employers of labor to the effect even of trivial changes on the workers” (Report of the Indian Factory Labour Commission Report 1908, 19).

To refer to Indian workers as unskilled or lazy ignores the history of textile production in India. The Mughal Empire was the center of textile manufacturing before the British arrived. And up to 1750, India produced a quarter of the world’s textiles (Clingsmith and Williamson 2005).

### Labor’s Response to British Colonial Treatment

In response to these Orientalist narratives, the arguments presented by Indian labor seemed to indicate a move closer back to their traditional political outlook and culture rather than mimicking Western trade union structures and powers. In this section, I show how this could be observed in four main responses.

The first known response to British colonial labor practices by Indian workers was the Sepoy Mutiny of 1857 that ended the control of British East India Company and put the power in the hands of the British Crown. The mutiny was organized by private army members hired by the British East India company to maintain power in India. The mutiny took place for a few months across India. The direct cause of the revolt stemmed from cartridges that were coated with pork/beef lard which the British forced the Indians to handle against their religious beliefs. Implicit causes of the revolt included overall discontent that power was removed from their emperor, interference into Hindu laws and disrespect against the Muslims (Islam 2011). As a result of not participating in drills, 85 soldiers were imprisoned for 10 years with hard labor for refusing to carry these cartridges (Alavi 2021; Trager 2005). According to V.D. Savarkar, the mutiny was initiated for Swadharma and Swaraj. Swadharma refers to the fulfillment of one’s duties and responsibilities and Swaraj is a sacred word from the Vedas (Hindu holy books) that refers to self-rule or independence (Savarkar 1909).

“In what history is the principle of love [of] one’s religion and love of one’s country manifested more nobly than in ours? However much foreign and partial historians might have tried to paint our glorious land in dark colors...So long as the principles of Swadharma and Swaraj will be embedded in the bone and marrow of the sons of

Hindusthan!...never before were there such a number of causes for the universal spreading of these traditional and beautiful principles as there were in 1857” (Savarkar in the “Indian War of Independence 1857” 1909, 9-10)



Figure 4-1: British depiction of the Mutiny. “Miss Wheeler defending herself against the Sepoys at Cawnpore” 1857. Credit: The London Printing & Publishing Company, (c1860)

The British doubled down on their Orientalist narratives in response to the revolt. Indian rebels were described as violent and lurking about committing atrocities against “helpless British women, children, or wounded prisoners” but none of these testimonies were supported by evidence. The British were also unwilling to take the blame for initiating the mutiny by their intervening policies (Broehl 1986). The British responded to this mutiny with violence. They arrested 282 officers in one area and being unable to transport them to a formal hearing, British officer Cooper decided that it would be best to execute them without trial. 216 Indian officers were shot, and others asphyxiated in a room without ventilation (Rai 1968, 105). A similar narrative was provided in Charles Ball’s Indian mutiny (a description of the Sepoy mutiny).

“Day by day, we have strung up eight or ten men. We have the power of life in our hands and, I assure you, we spare not. A very summary trial is all that takes place. The

condemned culprit is placed under a tree, with a rope around his neck, on top of a carriage, and when it is pulled off he swings.” (cited in Rai 1968, 105).

It also seems that India veered away from Western trade union norms by not pursuing workerist rights. One departure from mimicking Western trade union practices is the move to employ violence as part of its repertoire instead of claiming Western human rights (Arnold 1984). Further, their strategy is to respond with spontaneity and as such, protests were episodic and not sustained over time (Bhowmik 2009, 130; Candland 1995). Due to these distinct Indian labor strategies, the Europeans measured these strikes against their own labor unions and did not take them seriously. These labor acts were described as effeminate with “outbursts of anger and frustration of migrant peasants who lacked political maturity” (Basu 1998, 951). Utilizing these Orientalist discourses on labor, British colonialists justified the removal of labor leaders when strikes occurred to curb the ability of workers to strike (Bhowmik 2009, 131).

These strategies employed by workers did not secure worker rights and as these protections were secured through employer benevolence and outside forces. One example was the effort pushed by British mill owners to ensure that Indian mill workers were not mistreated. They argued for the passing of the Factories Act of 1881 which afforded workers basic rights and decent working hours. This was because their higher productivity posed a threat to the survival of the British textile industry (Shristava 2018, 46-47). Another example was the revamp of chawls or worker dormitories. The revamp of the dormitories was not pushed by labor but by events such as the bubonic plague of 1896. People fled Bombay and there was a shortage of labor. Factories could not stay open without these workers and as an attempt to lure workers back, the employers initiated housing plans that included satisfactory sanitary facilities. As for the British officials, they doubled down on their Orientalist narratives by initiating a campaign to teach Indians how to be clean by setting up the Bombay Sanitary Association (BSA). Without acknowledging any blame

in the formation of these “chawls” the British reinforced their “superiority” over the Indians.

Consider the statement below by Burnett-Hurst:

“It is no exaggeration to say that the masses are utterly unacquainted with even elementary ideas of hygiene and sanitation and little improvement can take place until they have been educated to a different standard of living. Living as the working classes do in these terrible slum dwellings, is it surprising that plague, cholera etc., thrive in such breeding grounds? Nor can we wonder at high death rates and excessive infant mortality, to which the practices of the people contribute in no small measure.” (cited in Srivastava 2018, 115)

A further action taken by Indians in response to Orientalist discourses was to transform the political institutions set up by the British to “civilize” them. The British had initially established the Indian National Congress (INC) to ensure that Indians had some sort of “democratic-looking” political party (Rai 1968, 124). The purpose of establishing this party was to fill it with Indians that were “English in taste”, but it was not intended to set into motion a liberation movement. According to Rai, a new generation of reformists began to challenge the premise of the INC. Although these reformists were from wealthy backgrounds, they began to shed their “Englishness” and partnered with Indian peasantry. These young reformists gave up their “trousers for *dhotis*, coats for *chapkans* or *kurtas* (shirts), overcoats for blankets and boots for ordinary *Swadeshi* shoes (Rai 1968, 151). They rejected anything remotely Western so that they could reinstate the Indian identity through a nationalist movement (Pandit 1997). This new wing of the INC sought to destroy the “hypnotism that had caused people and the country to believe in the omnipotence and altruism of the colonizers and the elite rulers.” An example of this type of “hypnotism” is illustrated below.

“They had been told that the people of India were unfitted to manage their own affairs, and they believed it to be true. They had been told that the people were weak, and the Government was strong. They had been told that India stood on a lower plane of humanity and England’s mission was to civilize the semi-barbrous native” (Babu Pal’s quote in Rai 1968 162).

Gandhi soon became the leader of this populist wing of the INC. He initiated the Satyagraha Sabha (movement that holds firmly to the truth) at a time when workers were frustrated with their low wages and there was a sharp increase of basic commodities. At this time,

he initiated a labor system that was distinct from the Western forms of unionism. Instead of making direct claims as an entity separate from the employers, they would negotiate as partners to production and employers would be trustees of worker well-being (Candland 1995). One example was the case of Ahmedabad Textile Association where Gandhi negotiated bonuses for workers by fasting to impose pressure on their employers. The employers finally agreed to arbitration where bonuses were negotiated (Bhowmik 2009).

The British responded to this new formation of reformists by passing the Rowlatt Act of 1919 which prohibited the gathering of Indians for political purposes. Many including Gandhi and Nehru were arrested under this Act (Nehru 1941). To justify the Act and the arrests, the British described Gandhi's movement as revolutionaries and religious fanatics who did not have any real political aim but were opposed to the British because of innate hatred (Wagner 2020). The British went to present the narrative that Indians were incapable of peaceful revolt and Gandhi's movement was merely a "cloak to cover some vast secret design which would burst out in violent upheaval" (Nehru 1941, 70). The British were led by the fear that they might initiate a revolution as they had in 1857 (House of Lords 1919). This constant paranoia or what Nehru refers to as "riots of the imagination" led to the brutal killings of Indians who gathered for social occasions. One pertinent example was the Amritsar massacre 1919 where locals (men, women, and children) were gathered to celebrate Baisakhi (Spring Festival) in an enclosed space described as "sheep in a pen" (House of Lords debate 1919). General Dyer, entered this space and ordered the firing upon thousands of unarmed Indians, killing 369 and wounding thousands. After this tragedy, General Dyer was offered a generous retirement package, but the British never acknowledged their culpability for the violence perpetrated on that day (Carnegie Council 2019). Instead of condemning this violent action, there were those in the House of Lords who supported General Dyer by claiming that his act of brutal killing was an act of heroism.

“As regards Amritsar, the general opinion among the people in the Punjab, and, indeed, throughout India, immediately after the event, was that General Dyer, by his act of supreme moral courage, had saved India from immeasurable catastrophe.” (Lord Amptill House of Lords 1919).

It was about the same time that Gandhi’s movement was gaining traction that the All-India Trade Union Confederation (AITUC) was formed in 1920. It was founded by Lala Lajpat Rai, Joseph Baptista, N.M. Joshi, and Diwan Chama Lall (Park 1949). It was formed as part of the requirement of India to join the International Labour Organization (ILO). The Indian National Congress (INC) and the Communist Party of India (CPI) supported the formation of the AITUC. The connection with political parties and the labor movement was close. Sessions of the AITUC were chaired by Indian nationalist leaders such as Nehru, Chandra Bose, and V.V.Giri (Indian Labour Archives 2013). And the AITUC also made a declaration for Swaraj (complete independence of India from British rule). The AITUC pushed for the Trade Union Act to recognize unions (Agarwala 2008, 387). The bill took four years to pass due to strong opposition and was drastically modified by employers (Labor Laws and Courts Decisions 1926). Some argue that the Trade Union Act solidified the weakened state of workers because unions were not given any powers (Arnold 1984, 235-241).

In summary, the evidence points towards interventions into the lives of Indian labor and society that was justified through Orientalist discourses on the Indians. These include interventions in their exercise of religion, land and tax management laws, education system, disqualification of governance, intervention into traditional modes of production, farming practices, and restriction on political participation. In response to these interventions, the evidence points to the departure of Indian workers from the Western model of trade unionism and moves towards reinforcing their traditional identities and values. These nationalist responses by workers can be seen in the Sepoy mutiny, strategies by early labor unionists, reformation of political parties and the formation of party-reliant unions.

## **SOUTH AFRICA**

### Evidence of Orientalism in Boer Treatment of African Labor

In this section, I examine Orientalist narratives produced by the Dutch colonial settlers (also referred to as Boers or Afrikaners) and the ways that these narratives are possibly bases for the oppressive structures put in place against the Blacks. I restrict this discussion to the Boer colonization since the British were present only between 1834 to 1910 whereas the Boers continued with apartheid until 1994. The Dutch (or Boers) came to the Cape with the Dutch East India Company who used the Cape as a refreshment station for ships travelling to the East. Due to greater demands for food supplies at the Cape, the Dutch stationed their workers at the Cape to farm. Non-employees of the Dutch East India Company began to move to the interior parts to fill the increasing demand of passing ships (Du Plessis et. al. 2013). To fill the need for labor for this aggressive farming, the Dutch East India Company imported slaves from India and Indonesia from 1750 to 1834 (Dooling 2005; Worden 2016). When the British arrived in 1834, they abolished slavery and the Boers trekked away from the Cape to Transvaal and the Orange Free State. However, in the South African War of 1899-1902, the British took over Transvaal and the Orange Free State as well (Hughes 2012). And even though slavery was effectively abolished, the institution persisted through cheap labor and the use of African and colored labor as domestic and farm help (Loram 1915).

One Orientalist discourse was that the Africans were voluntarily offering themselves at a cheap rate rather than being forced. There was an ongoing joke among the Dutch that the Blacks agreed to any sum because they were not familiar with the currency system. The Dutch settlers even blamed their laziness on the Africans who were too “weak to demand more”. It made it possible for the Dutch to label certain work as “Kafir” work (“Kafir” is a racial slur). And the extension of the discourse is that since African bodies could handle more work due to their

physique and ability to tolerate more pain, they could be subjected to more work (Loram 1915).

Evidence of cheap labor forced on to the Africans is illustrated by the following statement:

“No one was too poor to have a Zulu boy do the work which was done by mothers and daughters in European countries.” (Loram 1915)

Orientalist narratives also seemed to justify claims concerning the inability of Africans to govern themselves. Their presidents were Boers who were elected by the Boers. The Boers curbed the Africans’ ability to vote for fear that through their majority presence, they would sway the results of the elections (South African Native Affairs Commission 1905). However, under the Native Affairs Act 1920, a dual system of governance was set up where tribal leaders would govern the African reserves. These leaders would be advised by Afrikaner district councils because the nature of administration was “too complex for the Natives to understand”. Mandela described the “Native chief” system as a farce supported by puppet chiefs. The Africans were not consulted when these laws on governance were drafted and passed (Mandela 1990). The Afrikaners also established a Native Parliament where the Africans would be represented by Boers who were selected “for their knowledge of the wants and aspirations of the Native population” (Union of South African Information Office 1946, 23).

The Orientalist narratives that support this deprivation included the narrative that the Africans wanted to be governed by the Boers because the Boers helped them achieve better lives. The narrative was that the Afrikaners had suppressed intertribal wars, prevented murders by witchcraft, and taught them about hygiene (Loram 1915, 4). And without the help of the Afrikaners, there would be no way that they could maneuver through complex political terrains (South African Native Affairs Commission 1905). Therefore, to grant the Africans the right to vote would lead to an “intolerable situation” because they would vote out of spite against the Boers. Consider the statements justifying the exercise of political power by the Afrikaners below.

“We would be all better this way because we will avoid racial strife and the natives would be taken care of by their own” (South African Native Affairs Commission 1905, 96).

“The native is a troublesome child – so long as he behaves himself, he is to be left to lead his simple life of semi-barbarism in the Native Reserves. But the moment that he wishes to assert his rights, he would be sternly repressed as he forms a threat to the white man.” (Loram 1915, 2)

“God meant the black man to be a hewer of wood and a drawer of water for the white man. If you attempt to raise him from that position you interfere with God’s plan and bring trouble on yourself and him.” (Loram 1915, 2)

A third form of intervention into the lives of South African society and labor was the control over land. Prior to the arrival of the Dutch, pastoralists grazed freely on their ancestral land and accessed watering points when they passed through. The Boers seized these watering points and forced the pastoralists to work for them to gain access to these watering points. The Afrikaners also established a taxation system that subsidized Afrikaner farmers but forced the African farmer to reduce their cattle (Pooley 2012). Further, the Land Act of 1913 restricted land ownership of the Natives to reserves amounting to 13% of South Africa. (O’Meara 1975). Not only did these actions reduce the capacity of the Blacks to maintain their herds but it also created deplorable conditions in arid reserves (Report of the Native Economic Commission 1930-1932). These conditions led to the syphoning of African labor into White farms and mines (O’Meara 1975).

The discourses that justified this acquisition of land from the Africans was as follows. The pastoralists were inefficient and did not optimize the use of the land (Beinart 2003). This denigration of African farmers can be seen below.

“As a stock farmer, the Native has not been very successful, and he is probably the worst agriculturist in the world” (Loram 1915, 235).

Another discourse was that the Boers were not displacing the pastoralists because they were not the original natives. The pastoralists displaced the Efe, so they do not have a claim on the land (Loram 1915). This argument seems to suggest that the Afrikaners had a claim because they were displacing the pastoralists who had displaced others.

“The common opinion that the present Native tribes were the original owners of all the land in South Africa, and that the European peoples have dispossessed them of their

ancestral birthrights, is historically untrue. While it is impossible to speak authoritatively in the absence of records, there is evidence to show that the original inhabitants of South Africa were the pigmy Bushmen.”(Loram 1915). (The term “pigmy bushmen” is a derogatory term imposed on the Efe)

The other discourse by the Afrikaners was that the Blacks owed them a favor for saving the Blacks from being exterminated by invading tribes. Since the Europeans and the Bantu-speaking tribes were the strongest, they have shared rights (Loram 1915, 3).

“The coming of the white man served at first to improve the lot of the black, in so far as it gave him some measure of protection from his enemies. Freed from the dread of tribal raids and massacres, he was able to live his life of ease and gaiety. His women-fold cultivated the gardens, his sons herded his flocks and herds, and he, the lord of creation, could spend his time in hunting, feasting, and sleeping.” (Loram 1915, 5).

Orientalist discourses also seem to support the acquisition of land in the name of conservation. The Boers introduced colonial scientism that brought botanists, hydrologists, foresters, and veterinarians to form a scientific bureaucracy. Through this bureaucracy, the Boers imposed a ban on game hunting and blamed the Blacks for hunting animals into extinction (Hornaday and Haagner 1922). This led to the starvation of many African residents who were killed on sight even if they were hunting for survival (Carruthers 1989).

The Orientalist narratives included the delegitimization of knowledge that the Blacks had over their own land which they had occupied for many years. According to the Afrikaners, the Blacks were destroying their own land and wild game, but they failed to provide data to prove this.

“Will the White population of the Union permit the Black population to slaughter game in season and out of season, so long as any game remains? Are the people of South Africa powerless to regulate, repress and at times entirely forbid game-killing by natives? Have the Blacks become so strong that they cannot reasonably be controlled?” (Hornaday and Haagner 1922, 8).

Another significant intervention of the Afrikaners into the lives of African labor was through their exploitation of African mine workers. With the discovery of gold and diamonds in South Africa, the Afrikaners passed laws to prohibit Africans’ access to the mines. Anyone who purchased minerals from Africans was subjected to cruel punishments including cropping of ears, destruction of property and fifty lashes in the public marketplace. Blacks were also not allowed to

set foot on mines without their Boer masters nor would they be granted licenses to mine (Smalberger 1976). Africans were instead hired as cheap labor. And to ensure that they had a steady stream of Black workers, the Afrikaners created closed compounds for these workers to live in. These compounds were single sex living barracks where they were served poor quality food (Bezuidenhout and Buhlunge 2011). They were watched by private mine police who were armed with batons and knobkerries. The mine police were supported by the South African police who had firearms and military vehicles. Restricted by fences and barbed wire, there was no difference between the workplace, the compound, and the jail (Kwet 2020). In addition, there was no way advancement in rank since Africans could not be promoted, supervise any White mineworkers, or leave their contracts without serious criminal prosecution (Allen 2005; Merrett 2018). They were not recognized as employees and if they missed work without a lawful case, they would be charged as criminals (Report of the Select Committee of the Masters and Servants Act 1872, 5).

The Orientalist discourses that seem to have supported this mistreatment of African labor included the need for strict discipline to ensure that the Africans would be protected from vices such as drinking (Stoddard 1898). Another discourse was that Africans were hired and worked voluntarily. However, the restrictions on movement and freedom of contract rendered them slaves. Those who go down to the mines “never came back at all or came back utterly demoralized” (Aborigines Protective Society London: Native Labour in South Africa 1903, 9). Also, the Afrikaners justified the compound system as a benefit for African workers. The statement below shows justification of this colonial exercise of power.

“The compound system in Kimberley has been one of the best things that has happened to the natives because it has saved thousands of them from misery and degradation” (Rev. Moffat in the Report of the South African Native Races Committee 1901, 145).

One significant extension of exploitation of Black workers was the introduction of the pass system. Originally used to track slaves who traveled from urban to rural areas, the system was

then used to govern race relations in the mines (Kwet 2020; Smalberger 1976). African workers had to apply for passes if they wanted to leave the compounds and this was also the case for Africans wishing to enter White areas. According to pass laws, they could only enter these areas if they were employed. Since 1916, more than 22 million African and colored people have been arrested for breaking pass laws (Savage 1986).

The Orientalist narratives that supported the use of pass laws include the notion that it was necessary to protect Boer farmers from stock theft (Statement by Bishop of St. John to the South African Native Races Committee 1901, 298). This claim was not supported by specific data, but by random statements such as the one below made by Boer farmers.

“Last Christmas, whilst I was away at church, a lot of Kafirs came on my farm. Late that evening I found that they had met for the purpose of arranging a dance. I went into their huts and took them all into custody. Not one had a pass, and not one of them had asked my permission to be there. I sent them to prison...as my experience shows, Kafirs never meet in any place except with the object of slaughtering stock and stealing.” (Statement by Van Rensburg in the Report of the Select Committee on the Pass Laws of the Colony 1883, 30)

Another Orientalist discourse that supported the pass system was that the Africans wanted the system to exist claiming that it made movement safer.

“The natives appreciate the pass system because it gives them security and eagerly wants it in order to move about without disruption and delay. When the police stops them, they tell them where they are going, and it saves them time. They appreciate it so much that they are willing to pay for it and they are not at all annoyed by it. (Report of the Select Committee on the Pass Laws of the Colony 1883, 50).

Further, Orientalist discourses also mention that pass laws ensure that Africans were not meandering aimlessly because they have “an inherent love of rambling which will induce them to travel miles on the most frivolous pretexts” (Report of the Select Committee on the Pass Laws of the Colony 1883, 25). The problem here was not whether they travel for “frivolous” purposes or not, but that Afrikaners had the power to decide when and under what circumstances the Africans could travel. Supposedly, pass laws were there to “assist the uncivilized native”, who were prone to getting into trouble (Report of the Inter-departmental Committee on the Native Pass laws 1920).



Figure 4-2: Afrikaner police officers checking passes. Credit: sahistory.org

Lastly, the Boers set up a low-quality education system that kept Africans as manual laborers. The Boer government spent less money on these vocational schools despite collecting taxes from the Africans. Money collected from Africans were used to fund the education of Boer children while African children were trained to be low-skilled workers (Loram 1915, 250-253). Black children were taught needlework, woodwork, drawing, physical education, and domestic science.

The Orientalist discourses that seemed to have supported this division in education included the narrative that Africans were “weaker intellectually”. There was a “marked arrest in the mental development in the Negro.”(Loram 1915, 14). The narrative continued to suggest that Africans needed to be exposed to the right type of education to come up to par (Report on the Education of Africa 1922, 6). Further, the only education that the African needed was how to work to ensure that they were gainfully employed (Report of the Commission on Native Education 1919, 9). He needs to do the work that “the White man will not do himself. They must learn to do manual heavy labor since anything more would bring him into unfair competition with the White man.” (Loram 1915). The narrative also pushed for the abandonment of the African’s mother tongue.

This is because “to think in English requires behaving like one” (Report of Commission on Native Education 1919, 11).

### Mimicking responses to Orientalist discourses by African society and labor

African worker responses seem to mimic the strategies of the Afrikaner trade unions through strikes at the heels of their strikes, claiming rights based on basic human rights and worker rights. One example of mimicry by the Africans is the sanitation worker strike on the Rand in 1918. About 5,000 sanitation workers engaged in a strike to fight for living wages at a time when commodity prices were on the rise (Hirson 1993, 68). These sanitation workers took the cue from the Afrikaner municipal engineers strike of May 1918. when Afrikaner engineers put the lights out in the city for five nights. The municipality caved and awarded them 23% more in wages. Tladi, a representative for the sanitation workers presented their claims to the Superintendent of Native Affairs to contest their low wages and the restrictions imposed by the pass. Due to the pass system, they could not afford to lose their jobs if they wanted to remain in the city. This system placed limitations on their bargaining capacity as workers. With great eloquence, Tladi denounced the Orientalist discourses that justified the pass system. His arguments were presented as follows:

“If a passport is supposed to be a protection for the Natives, then why should the Natives be compelled to carry this document with them at all times? Why should the police be adamant to the Native to produce this document and cause them anxiety because of it? Why couldn't the Natives place their passes in safe places so that they don't lose it? If it is a safety device, then why does it not protect the workers and their rights against their unfair employers?” (quoted in Hirson 1993).

Tladi denounced the irrational logic of the pass system and the injustices that it caused. By pursuing the logic of the Western rights-based approach, Tladi stepped into a moment that Bhabha describes as liminality – a transitional space where the lines are blurred, and the uncivilized speaks in a way that is familiar to the colonizer. He speaks in a language of freedom,

equality, and liberation. This causes confusion because in that moment, the colonizer and the colonized had swapped roles.

In response to this move to the middle by the Blacks, the Boers gave them an ultimatum – to leave or to remain at their jobs. If they stayed, they *might* be granted a small increment in their salaries. This outcome angered the sanitation workers and they engaged in further strikes. The Boers responded by arresting fifty workers at the Bezuidenhout Valley compound and thirteen more at the Vrederop compound (Hirson 1993). Then, the African National Congress (ANC) joined the protest and held rallies alongside workers. Consider Selope Thema's statement below (an ANC member), who questioned the rhetorical posture of missionaries who spoke of virtue and yet approved segregation laws.

"The Missionaries have taught us to follow the saying, "Do unto others as you would that they to you should do", but they endorse the terrible laws for natives. They teach us to think about God while they tell their brethren to take our land of our Chiefs ... Has Christ come to rob us of our land? God gave this part of the earth to the black people. He taught us our customs. There is no heaven on earth. We must have a place on earth, never mind about heaven." (Quoted in Bonner 1980, 27).

With the agitation spreading to other areas and into mining compounds, the Afrikaners relented and set up the Moffat Commission. Wages were increased for some groups and the fees for passes and night passes for women were removed (Bonner 1980, 33-34). However, these actions were token moves that left the grievances of sanitation workers mostly intact. Nevertheless, it marked a crumble in the wall built by the colonial settlers.

The African resistance through the ANC and labor continued to proceed with an ANC resolution in July 1918 calling on the government to abolish pass laws. It was a reversal in roles as the African workers claimed the rights entitled to them as human beings from the Boers who claim to be civilized. It was the women who initiated the anti-pass agitation first when they objected to being stopped, molested, and assaulted by the police. These women took on passive strategies such as tearing passes in front of police or refusing to carry them. The government relented and

abolished passes for women (Wells 1983). In the case of the general resistance against passes for African workers, the ANC met with the Chamber of Mines, the Native Recruiting Corporation (NRC) and Municipal Council but the mining authorities did not give in. After that, the Africans decided to pursue a passive resistance movement against the pass system. Still, they did not make claims for reinstatement of their identity but based their arguments on Western human rights, as seen in the following statement:

“Asked why they had resolved on passive resistance, Mbelle said they had tried to get redress through making representations from time to time for the alleviation of the grievous difficulties under which the Natives in the Transvaal laboured, but all their efforts had been without avail. Asked what their principal grievances were, the deputation stated that apart from many minor difficulties connected with the administration of the pass law in the Transvaal, their grievances could be grouped under two heads: 1. The denial of the rights of citizenship. 2. The denial, through the operation of the colour bar, of the rights of ordinary human beings... We hold that the Pass Law is nothing more or less than a system of slavery.” (Statement by Horatio Mbelle, Dunjwa and Motsoakae, three leaders of the anti-pass movement to the Star, quoted in Reddy 2012).

The Afrikaners responded by arresting 700 protesters. Large crowds began to follow those arrested to the police station. Mounted police were enlisted, and they assaulted peaceful demonstrators. This response could be understood through Bhabha as the “rattling” where the mottled image of the civilized appears as renewed identity of the uncivilized and barbaric. The Boers who claim to be superior due to their advancement and enlightened principles had become the ones were flouting the principles of justice and equality. One eyewitness to the hostilities noted:

“Police, mounted and on foot, arrived, to be greeted by hearty cheers from the Natives, then some booing, followed by 'absolute quiet'. Not a single hostile move was made by the Natives. Then to my astonishment, the mounted police suddenly spurred their horses and charged on the crowd. The police used their staves vigorously, riding over Natives - who included women. Whereupon a civilian began slashing with a stick at every Native he came near, and finally struck a Native woman a severe blow.” (quoted in Reddy 2012).

In denial, the Boer government insisted that the protests were not on the issue of passes themselves but the loose implementation of them. They claimed that many Africans wanted to keep the system intact. When the strike ended, they invited the African National Congress (ANC)

to present an apology to the Committee on Native Pass Laws and the Africans were granted one week's grace to get duplicate passes. (Interdepartmental Committee on the Native Pass Laws 1920, 7). The ANC apologized but the agitation continued.

The next point of mimicry could be seen in the mineworkers' protest of 1920. Taking their cue from Boer miners who won after engaging in a strike, African mineworkers made claims for fair wages and decent working conditions. The agitation was stirring when they were told to bear the cost of inflation for the sake of the War, but they could not even purchase boots to perform their jobs safely. They suffered from deep cuts on their feet and had to take on debt to survive. Further, they were frustrated with racial divisions of work and having to do all the work while the "European miner sat on his box and read his paper" (Bonner 1978). When the police arrested two of the strike organizers, the Canon compound began to strike with 2,500 miners. The strike spread to other mines on the Rand and to Johannesburg. Over 71,000 ended up participating in the miners' strike (Breckenridge 1996; Kallaway 1975). This time around the Afrikaners relented and opened middle class positions to African workers (Bonner 1978).

Another point in the mimicry is seen in the formation of unions based on workers' rights rather than political issues. The first union formed was the Industrial Chemical Union (ICU) that was set up in 1919. It was a radical union but was dismantled by repression (Van der Walt 2007). In the case of the mineworkers, the African Mineworkers' Union (AMWU) was a significant step in organizing. Initially set up by workers, the Communist Party and the ANC revived the union. By 1942, the union became independent of these parties. It began to recruit in great numbers in secret as they wanted to avoid any trouble with mine police (Moodie 1986, 16). Then, the union made a demand for better wages from the Chamber of Mines. In response to this claim, the Secretary of Native Affairs suggested that the Africans were not sufficiently intelligent to form unions as illustrated below.

“It is the opinion of the Committee that in the present state of development, the overwhelming majority of Native mine employees are insufficiently advanced to understand the principles of Trade Union organisation. Native mine employees as a class are, as you are aware, less advanced than many detribalised and partly industrialised Native urban residents” † It appears to the Committee that Native development in this matter must be a gradual process, not less in the interests of the Natives than in the interests of Europeans. The nature and extent of the damage to national interests and to Native interests which might result from any false step needs no emphasis.”(quoted in SAHO 2021).

The AMWU represented themselves as advocates for African workers and demanded fair wages, payment of a cost living allowance, as well as abolition of the compound system and the pass system (Moodie 1986, 19). Relenting to this request, the Afrikaners set up the Landsdown Commission to investigate mining work conditions. The Commission found that although wages were “adequate”, it recommended improvements in the lives of its lowest paid workers such as living wages and a boot allowance. The mining companies made a few concessions that were borne by taxpayers. In response to these concessions, the AMWU continued to demand the full implementation of the report and protested the intimidation campaign against the union. Despite harassment, the union began to grow steadily with 25,000 members by 1944. After that, the Chamber responded by lobbying successfully for the prohibition of gatherings of more than 20 people on mining grounds. Due to this law, unions had to meet in mining dumps in the dark (labor publication “Inkululeko” cited in O’Meara 1975).

AMWU would then organize a larger strike in 1946. The strike began with workers being upset with canned beef and lowered quantity of food in the compounds. This sparked smaller protests in the Crown mines where 5,000 workers refused to eat food from the mine kitchen. Then, 2,000 more workers protested at New Kleinfontein mines (Moodie 1986, 24). As a result, the delegates to the AMWU conference drew up a statement demanding minimum wage, family housing, two weeks paid annual leave, payment of £100 after 15 years of service, payment of repatriation fares and repeal of the laws that prohibited gathering of 20 or more mine workers in compounds (Potenza et. al. 1997). They sent these requests to the Chamber of Mines, seven

parliamentary representatives and even met with the Prime Minister, but these efforts failed. The AMWU then unanimously passed a resolution to strike and up to 62,000 miners participated (SAHO 2013). Some 45 mines were affected and reduced production for the months of July and August significantly. Nevertheless, the Afrikaners responded violently by sending out police officers and sealing compounds with armed guards. They raided AMWU's offices and fired on strikers. Within a few days, 88 workers had appeared in court for participating in the strikes. In the end, the strike was considered a failure because the workers movement caved to massive state repression. However, these workers' responses showed that workers could organize and cause Afrikaners to relent (O'Meara 1975).

In summary, Afrikaners utilized Orientalized discourses to produce policies that would control land and farming use, conservation of animal species, disqualification of Blacks from governance, mineral extraction, restriction of African movement and the development of vocational education along racial lines. The African workers' responses to these discourses were to engage in Western unionism through strikes at the heels of Afrikaner workers, protests against passes and forming worker-based unions where claims were based on basic rights rather than nationalist sentiments.

### **Analysis**

According to Bhabha (1994), English colonialism "speaks in a tongue that is forked, not false". This "forked tongue" is indicative of the dual nature of colonial conquest. On one hand, it embodies the highest ideals of human nobility and on the other, the hypocrisy with the lowest treatment of human beings – a project that discards the humanity of both the abuser and the abused. Borrowing from Weber, Bhabha explains the nature of this hypocritical civilizing mission – colonial mimicry is the "desire of a reformed, recognizable Other, as a subject of a difference that is almost the same, but not quite." However, if the colonial subject begins to behave like the colonizer, then the whole enterprise unravels (Ashcroft 2000). Hence, in the hands of the

colonized, mimicry becomes the most effective strategy against the colonizer. Instead of alienation on the ground of difference, the colonized subjects are drawn closer by way of appearance – appearing reformed and speaking the same language of liberation. This move ruptures and transforms the colonial dynamic (Bhabha 1994; Ashcroft 2000).

In this analysis of the earlier phase of colonization, it seems that the strategies taken on by the Africans in South Africa indicate this move to the middle through claims of rights – freedom of movement, fair wages, right to a family and freedom of speech (Wells 1983). These were rights that the White workers had already won by making the same claims. Instead of aligning with the ANC for a national government, the South African unions remained steadfast in their claim for equal rights. This breaks the notion of discourse and counter discourse that Said suggests in the relationship between the colonizer and colonized (Chakrabarti 2012). And at times, there were “slippages” that mocked the Afrikaner system of governance. These “slippages” were claims that the Afrikaners were hypocritical in granting the Whites more privileges. This placed the colonizer in a difficult situation and Bhabha’s complicated camouflage tactic is most evident in this “slippage”. If Afrikaners did not grant these Western freedoms to the Africans, then they would be rendered “uncivilized”, and it would be a self-declaration that they were not qualified to do the very thing that they set out to do. However, giving in to the wishes of the colonized subjects would indicate a surrender of power. I observe this confusion in the South African case when the Afrikaners gave in to the women who protested the pass system on the ground that it had resulted in molestations, in the opening of middle positions for the Africans in mines, and other forms of “cracks” in the wall (Wells 1983; O’Meara 1975). I do not observe this mimicry in the Indian case. Indian workers allied with the nationalist movement as soon as their claims for equality failed. Claiming their identity as Indians first and workers second, they reinforced the Orientalist discourses that the British produced. And by doing so, reinforced the British civilizing mission. Tilak’s push for Swadharma and Swaraj effectively brought together Indians of different classes

to oppose the British, but it had a negative impact on the ability of workers to make claims and reform labor laws (Savarkar 1909).

### **Conclusion**

In this chapter, I have presented examples of Orientalist discourses that support the production of laws and institutions that maintain control over workers in India and South Africa. Orientalist discourses produced by the British in India have defined the power to govern, exercise religion, decide ways to tax and use land, control the extraction of forest resources and delegitimize Indian culture through colonial education. Indian worker responses to these Orientalist discourses indicate resistance based on their identity as Indians through a mutiny, the formation of a reformist wing in the Indian National Congress (INC) and the formation of the All-India Trade Union Congress (AITUC). I argue that Indian labor's focus on identity and away from mimicking the West may have led to less rights for workers within the Indian legal system. In contrast, in South Africa, Orientalist discourses defined the hierarchy of labor along racial lines, land acquisition, conservation of species, extraction of minerals, exploitation of labor in mining areas, restriction of movement through pass laws and the reduction of African labor skills through the vocational education system. In resistance, it seems that the Africans engaged in mimicry through challenging pass laws, engaging in strikes to claim basic human rights and supporting the formation of unions that fought for worker rights. And by doing so, this strategy could possibly explain why the unions in South Africa have been more worker-based than Indian unions. I do not suggest that mimicry as a strategy is devoid of identity claims. This is because mimicry *is* an identity-based strategy that focuses the White gaze on itself, in that it steers attention to the hypocritical identity of the colonizer rather than on the colonized. The main claim made in this chapter using Bhabha's mimicry, is that strategies to overcome the colonizer need not be limited to direct resistance. This chapter shows that mocking the colonizer through mimicry may open

avenues to reclaim power – a claim that I will continue to examine in other phases of the colonization process in both states.

## CHAPTER 5: COLONIAL DISCOURSES THAT HAVE JUSTIFIED INTERVENTION IN THE LIVES OF LABOR DURING LIBERATION IN INDIA (1920-1947) AND SOUTH AFRICA (1940-1993)

In the previous chapter, evidence of colonial narratives in the formation of labor unions during the early years of colonialism in South Africa and India shows how Orientalist discourses misrepresented these labor movements. Evidence also showed how worker movements from these two states have responded differently to these Orientalist discourses. In this chapter, I further the analysis by examining the time-period that covers the processes of democratic transition in these two states. For India, this research examines the time-period between 1920 when the All-India Trade Union was established until the time when India was granted her independence in 1947. In the case of South Africa, this research looks at development of labor unions and their interactions with the state and political bodies from 1940 leading up to its first democratic elections in 1994.

The main question that guides this chapter is: How do postcolonial theories help explain the dynamic of labor movements in India and South Africa during their democratic transitions? The thesis of this chapter is that Said's Orientalism explains the Orientalist discourses that weaken labor in South Africa and India but the use of Bhabha's mimicry helps to explain the empowered nature of South African labor during this process. In this chapter, I will explain the trajectory of labor in both cases to show the various types of Orientalist discourses present in the official documents and policy discussions and the distinct responses to these discourses by labor movements. I show how the labor movement in India attempted to move away from the nationalist independence movement but returned to their default nationalist position due to the influence of the Indian National Congress (INC). In contrast, the South African labor movement was initially drawn into the nationalist movement but often returned to their default position, which was to mimic Western labor unions.

The outline of the chapter is as follows. First, I will proceed to explain the Indian case with examples of Orientalist narratives that seem to form the foundations for direct and indirect interventions by the British (and the Indian elites) into the lives of Indian workers during the time of democratic transition. These include pushing back against Indian communists, Gandhi's leadership, and the arrests of Indian politicians in the Meerut Trials 1929. I then present the historical analysis of the responses by Indian political leaders and labor leaders as they presented direct resistance against the West through the Bombay Strike, aligning with the Indian National Congress and in the formation of the Indian National Trade Union Confederation (INTUC). Second, I present the South African case through the interventions by the Afrikaner government in the restriction of Black workers. This was achieved through legal instruments and the distinct forms of repression from the 1940s leading up to the elections in 1994. I then proceed to show the mimicking responses by African workers through the formation of unions such as the Federation of South African Trade Unions (FOSATU) and a division of the Congress of South African Trade Unions (COSATU). I also highlight mimicry through responses of workers during and after the 1994 democratic elections. This mimicking strategy has led the Afrikaner government to relent and revise oppressive laws.

## **INDIA**

### Evidence of Orientalism in British Colonial Treatment of Labor

Throughout workers' involvement in this transition to democracy, there were various interventions and Orientalist discourses that were influential in creating a weakened union system. First, there were Orientalist discourses on the intellectual capacity of Indian workers to understand communism or proletariat uprising. In the 1920s, the All-India Trade Union Confederation (AITUC) began using communist terminology in its vernacular. To recap, the AITUC was formed in 1919 by the Communists and the Indian National Congress to represent India at the International Labour Organization (ILO). It was after this time that the Communist Party of India was officially

formed in Tashkent through the Comintern at the Second World Congress (Communist Party of India 2021). By 1927, the influence of the Communist Party would be seen through the value statements, such as the one below, issued by the AITUC at its eighth resolution.

“This Congress reaffirms that it looks upon Imperialism as a form of capitalist class government, intended to facilitate and perpetuate the exploitation and slavery of all workers, both white and coloured in the interests of the capitalist class, and declares that the only safeguard against exploitation lies in the creation by the working class of a corresponding measure of class unity, solidarity and consciousness.” (Statement by N.M. Joshi, All-India Trade Union Congress, Report of the Eighth Session 1928)

The entry of communists into the AITUC led to the three-way split within the labor confederation. As a result, the AITUC was divided into the All-India Trade Union Federation (liberals-moderates), the Red Trade Union Congress (Communists) and the general AITUC membership of nationalists (Masani 1951). This split led to internal tensions and increased influence of Communists. In one instance, the Communist bloc led by Deshpande called for the boycott of the Royal Commission on Labor since it was appointed by the British Imperialist Government (Stolte 2013). And the communists called on members of the AITUC (who were also members of the Royal Commission) to resign but they refused. As tensions heightened, the liberal bloc within the AITUC left first in 1929 followed by the Red Trade Union Congress in 1931 (Sadri 2005).

Orientalist narratives produced by the British to undermine the worker movement were directed to attack the lack of intelligence of workers about Communism. Statements like the ones below show how the British thought that Communism would never be successful in India because workers did not have the intellectual capacity to understand Communism nor have the capacity to organize.

“The development of the trade union movement is largely conditioned by the peculiar characteristics of Indian labour. The Indian workman is predominantly illiterate and has few leaders from his own class to whom he can turn for guidance. In consequence trade unionism in India has been largely led by middle-class men, professional lawyers, and others, who have not in all cases distinguished between economic and political considerations.” (Rushbrook Williams, India in 1923-1924, 202)

“The Society, early in its career, received some advertisement consequent on the proscription of one of Satya Bhakta’s leaflets; but, on the whole, its growth does not appear to have been very rapid or vigorous, despite the fact that branches were said to have been established in various other Provinces. The society, however, managed to organize the first All-India Communist Conference, which was much advertised, and was eventually held in Cawnpore at the end of December 1925 ... but who was never actually put on his trial owing to his indifferent health. The proceedings of the Conference appeared to have been conducted in an atmosphere of considerable depression, the Communists having been refused the use of the pandal of the Indian National Congress, which was then in session at the same place. Some 500 delegates attended, of whom approximately 90% were the laboring and cultivating classes, who, it is to be imagined, understood little or nothing of the proceedings. The Presidential address was somewhat colorless and uninspiring, and the resolutions passed were not of much importance. (Hirtzel A., Under Secretary of State for India, Statement exhibiting the Moral and Material Progress and Condition of India during the year 1925-26, 196)

“The need which the communists have long felt of a Press of their own in India has during the recent months, been met by the publication in Bengal...which champions the rights of laborers and workmen on the usual lines. The success of this venture from a commercial point of view appears to be extremely doubtful” (Hirtzel A., Under Secretary of State for India, Statement exhibiting the Moral and Material Progress and Condition of India during the year 1925-26, 195).

Another example of Orientalist narrative is depicting Indian workers as uncivilized when they do partake in communist activities as the nature of communism is narrated to be inherently violent and chaotic.

“The principal distributing centre for Communist propaganda is the colony of Hindustan fanatics at Chamarkand. The existence of such sources of irritation is very unfortunate; for if the tribes of the North-West Frontier are ever to become civilized, they must be free from the operation of external intrigue. Economic pressure of itself makes them restless enough; and the only hope of remedying it lies in the preservation of a peaceful atmosphere.” (Rushbrook Williams, India in 1924-25, 13)

“In last year’s report an account was given of the Cawnpore Communist conspiracy case. In so far as it has clearly affirmed the criminal character of all activities – however, ill-conceived and futile – that are directed towards the subversion of the State, the judgment in that case has probably done much to discourage active organizing work of the kind for which M.N. Roy’s confederates were tried and sentenced.”(Hirtzel A., Under Secretary of State for India, Statement exhibiting the Moral and Material Progress and Condition of India during the year 1925-26, 195).

“The labour society, which is a form of co-operative production and the general dissemination and enthusiastic prosperity of which was described in Italy, is almost unknown in India. Madras has a labour union in a rural area...the proceedings of the few labour societies which exist are not always unexceptionable...their proceedings are those of joint-stock capitalists and are opposed to cooperation.” (C.F. Strickland, An Introduction to Co-operation in India 1922, 65)

Second, the British also attacked the capacity of Gandhi's leadership to assist workers and reinforced the notion that British colonization had brought net benefits to workers. Gandhi's lack of enthusiasm to fold in workers into the nationalist movement was also problematic to the complex relationship that labor had with the Indian National Congress (INC). Gandhi was not interested in working with workers exclusively because it would impact the relationship that the INC had with local entrepreneurs. Gandhi was also determined to keep workers out of politics for fear that they would be exploited and used as political pawns (Basu 2008). Nevertheless, he exercised moral authority over them. The role of workers, according to Gandhi was to become model workers for the sake of their country. Consider an excerpt of Gandhi's speech to workers in Madras in 1925.

"In 1918, when the first strike of mill-hands took place in Ahmedabad, I refused to lead that strike upon public subscription. But I called upon them to labour elsewhere in order to be able to bring the strike to a successful end, without troubling the public. Since then, I have learned better and now I ask the labourers to learn these so that if they have to embark upon strikes, they can live to an indefinite length of time upon spinning, carding and weaving. If you are sufficiently industrious, you can weave your own cloth." (M.K. Gandhi, *Collected Works of Mahatma Gandhi* Vol. 26, 1925, 381)

According to Gandhi, the Indian economy could be jeopardized if they caused too much trouble (Basu 2008). As such, he did not think that there was conceptual space in India to accommodate the Marxist notion of labor emancipation. Gandhi stated that it was contrary to Indian values since communism is a Western creation. Thus, to be militant for Gandhi was an act of godlessness (Gandhi's speech in Nagapatam 1919, 163-164). Nehru on the other hand, believed that workers could be folded into the movement and workers could simultaneously keep their identity and ideology intact (Nizami 1968). Nehru's position can be explained through the influence of communist ideology and was even appointed as the honorary president of the League against Imperialism (Nehru 1941; Tannoury-Karam 2020). Nehru also became one of the early presidents of the All-India Trade Union Congress (AITUC) and firmly believed in the removal of Western capitalism. He believed that only an overthrow of the capitalist system would free India.

Capitalizing on the division within the INC concerning the labor issue, Orientalist narratives around Gandhi at the time was to downplay any influence that he had on the country and stressed on the insignificance of his Swaraj movement. The claim was that the Swaraj movement was mystical and had no practical value for the worker movement. Consider the statement below that was produced by British labor researchers.

“Superficially it appeared as if the Indian nation had been roused by the magic of Gandhi’s personality and the doctrine of soul force. But as the sequel showed, the strength of the movement lay in the masses of Indian workers and peasants forced into revolt by the pressure of economic circumstances, and when once it became clear that the aim of a mystical swaraj had no relation to their immediate economic needs the end of non-cooperation was in sight (The Labour Research Department, The Labour International Year Book 1923, 505)

The British also presented the narrative that practical solutions were provided by the British and therefore there was no need to resist the British administration over India. The capitalist market system introduced by the British had opened opportunities to all Indian workers that previously were non-existent.

“It is not suggested that modern mass production and the intervention of the skilled merchant are in themselves evil; the aggregation of material, labour and men in factories, the utilization of skilled brains in advertisement and marketing, have brought into the hands of every citizen and every savage an abundance of necessaries and a variety of luxuries to which his recent ancestors were strangers” (C.F. Strickland, An Introduction to Co-operation in India 1922, 2).

Third, the Meerut Trial was a turning point for labor and democracy as it manifested Orientalist misrepresentations of labor and communist activities in India. The British arrested 31 prominent trade unionists and international communists. These individuals were central in the Bombay Textile Strike of 1928 (explained below)(Lakshman 1947). They were charged with conspiracy to remove control of the King and sovereignty of British India by overthrowing the government. The argument was that through the action of agitating unions and initiating strikes, Communists were attempting to bring down British rule (Judgment of R.L. Yorke, Meerut Communist Conspiracy Case 1932). If convicted under the Indian Penal Code, the British assumed that it would break up Communist activities and publicize the “evil” goals of Communism

in India (Stolte 2013). However, the trial had the opposite effect and led to communist sympathy (Roy and Zachariah 2013; Raza 2013). The defense presented evidence that the Communists were trying to protect workers from the exploitation of capital, and this won the sympathy of the public (Stolte 2013). Public pressure to release the Communists led to light punishments for some, and for others, charges were dropped altogether (Raza 2013).

Local narratives of the Meerut Trial represented these trade unionists as victims of colonial oppression. Consider the statement below:

“The trial lasted for nearly four years, and the case became known as the Meerut Conspiracy case. The ill-treatment of the prisoners, the notoriously long time for which the trial dragged on, resulting in the death of one of them, and the heavy sentences imposed on the prisoners on the flimsy charge of “conspiracy against the King” evoked universal indignation against the British Empire in India.” (Rajni Patel, *Brother India* 1940, 30)

“...the events of the last weeks of 1929 showed the Government still continuing the long-drawn-out Meerut trial without a jury, still carrying out arrests for political speeches, still keeping political suspects in goal, in fact, still governing as a Government that fears and distrusts the people always has governed?” (M.K. Gandhi, *Young India* 1930, 1)

Out of this trial, the British presented Oriental narratives about the presence of “Communist Conspirators” - those working externally to topple down the British. This was the preferred discourse as the British colonizers refused to acknowledge that there was an uprising from below against British rule (S.F. Stewart, *Statement exhibiting the Moral and Material Progress and Condition of India 1933-1934*, 8). This type of narrative could be found in reports produced by the British as illustrated below.

“The results of the Meerut Conspiracy Trial had clearly established the relation between the Communist Party of India and the Communist International, and that the immediate object of the Indian Communist Party was the violent overthrow of the present order of society and attainment of independence for India by means of an armed revolution.” (S.F. Stewart, *Under Secretary of State for India, Statement Exhibiting the Moral and Material Progress and Condition of India during the year 1933-1934*, 11)

“There was a serious and prolonged strike at Fort Gloster Jute Mills last year, which lasted for a period of fully six months. It is well known that this strike was not of an industrial nature and was fomented all the time by men posing as labor leaders, a few of whom were arrested and are now undergoing trial in Meerut.” (Royal Commission on Labour in India, *Vol. V Part 1, 1931*, 308)

“The influence of Moscow is clearly manifest upon a group of thirty-one men who at Meerut in January 1930 were committed to the Sessions to be tried for conspiracy to wage war against the King Emperor and to deprive His Majesty of his sovereignty in British India. The magistrate who committed them said that it had been proved that they were in touch with the Communist International and in pursuance of its aims were working to execute a violent revolution.” (Professor Underwood, Rawdon College, Contemporary Thought of India 1931, 90)

### Labor’s Response to British Colonial Treatment

Responses by workers towards these narratives point to their default position - subservience to the state through a nationalist approach rather than mimicking Western trade unions. This subservience led to the compromise of worker rights and fracturing of the union system in India.

One example is the unconventional approach utilized in the Bombay Strike of 1928. The AITUC initiated a strike that lasted from April to October 1928 and involved 147,000 workers (Royal Commission on Labour Evidence, Vol. 1 Part 2 1931, 122). How the strike unfolded show how workers in India directly resisted the British rather than mimicking Western trade union practices. The strike was different from their Western counterparts because the strike was initiated without much warning and without any demands. The strike spread to all the mills in Bombay and utilized intimidation and stone throwing. In the confusion, mill managers were forced to close operations at their mills. Further, it took some time for the labor unions to form a list of demands because they could not agree on the formation of a joint strike committee. They eventually rolled out 17 demands that included restoration of wages and consultation with workers before a new system could be introduced. However, the strategy failed and none of the demands were met. And just when the strike was supposed to resume, the leader of the Bombay textile labor union asked the workers to return to work to mitigate losses (Stolte 2013). By this time, many strike leaders were arrested and imprisoned. As a result of the strike, the British set up the Fawcett Commission to examine the reasonableness of the 17 demands and to concluded that millowners

should respect and honor these demands (Fawcett Commission 1931). However, the Commission's conclusions were neglected.

This neglect could be explained through the type of Orientalist narratives about Indian labor by the British that justified labor mistreatment. The British suggested that workers were challenging these changes because they were not diligent. The British also justified worker neglect because industries needed to employ harsh measures to keep the industry afloat during difficult times. The claim was that retrenchment of workers during hard times was not anything new in the economics of labor and industry. Consider the statement below about Indian labor and justification for labor mistreatment.

"We are strongly of opinion that an extension of the piecework system to spinners would have a perceptible effect in increasing the efficiency of the Bombay Mill industry and that this should be accompanied by an increase in the number of spindles allotted to each spinner. The representatives of the Bombay Millowners' Association explained to us that it would be very difficult to introduce a radical change of this nature since it would have to be introduced by all mills, as otherwise any mill making the change would be faced by a strike" (Fawcett Commission 1928, 156)

"The Indian manual worker does not resent long hours, provided he may be irregular and unpunctual: the contractor or his paid servant, who set a different value on their time, resent the waste and delay involved by the labourer's vagaries, and try to pin him down to a programme." (C.F. Strickland, *An Introduction to Co-operation in India* 1922, 65)

Another type of narrative about labor and the Bombay strikes was that it was not initiated by labor but by external agitators such as the communists. Without these agitators, the labor movement would not have rebelled since the British believed that Indian workers were better off because of the advancements that the British brought to India. Rather, workers were forced to participate in strikes due to intimidation campaign undertaken by the communists.

"The members of the Bombay branch of the Workers' and Peasants' Party, a communist party organization, exercised a considerable influence over the cotton mill operatives, and mainly as a result of their instigation, the operatives of the Currimbhoy group of mills struck work on the 16th April, and brought out the men of all the other cotton mills in Bombay City (Royal Commission on Labour in India 1931, 122)

"Workers were intimidated and forced to participate in strikes. Intimidation and terrorization of the kinds generally agreed to exist at some of the chawls of the workers could not be permitted to continue...A Bill for the purpose of controlling picketing on the lines of the

English Law would also be placed before the Legislative Council at its next session (Fawcett Commission 1928, 126)”

Another example of the Indian workers’ move away from mimicry was by aligning with the Indian National Congress (INC) at the first provincial elections. In 1938, the Red Trade Union (Communists) and the National Trade Union Federation (liberals) merged back into the AITUC through the efforts of the newly established socialist wing of the INC (Masani 1951). Then, the newly merged All-India Trade Union Congress (AITUC) declared that it would officially accept the liberal stance taken by the National Trade Union Federation (Verma et. al. 1978, 9). And it also made a declaration that it would support the INC as it bid for seats in India’s first provincial elections in 1937 (Upadhyay 2018). In exchange for labor support, the INC included greater labor protection as part of its election manifesto. This labor support was not futile, as the INC passed the Bombay Industrial Disputes Act 1938 after it won. The Act made it compulsory for employers to recognize unions. Through this act, an industrial court was also set up to help resolve disputes between unions and employers (Sadri 2005). However, the communists within the AITUC were not pleased with the content of the bill and argued that it was “reactionary, retrograde, prejudicial and harmful to the interests of laborers” (Sharma 2004). Nevertheless, for the sake of unity, the workers committed to support the national liberation movement (Sarkar 2006). Internal strife continued within the AITUC as the INC set up the Hindustan Mazdoor Sevak Sangh (HMSS – Indian Workers’ Service Association) to counter the militant Communist unit within the worker confederation. This organization would train labor leaders of the Gandhian way which would lead to cooperation between workers and employers (Lakshman 1947).

And then after World War II, the AITUC alliances broke again, and M.N. Roy went on to form the Indian Federation of Labor (IFL) in 1941 (a Communist group). He attempted to create a worker-based organization that was not limited by the nationalist movement. This type of departure indicated a move away from participation in the nationalist movement and a move to establish its own independence. And by 1943, the IFL had accumulated half a million members.

And the federation made claims for better working conditions in war production centers (Roy 1943). The IFL competed with the AITUC for worker support but failed in 1948 when evidence that it accepted British subsidy emerged. This led to workers questioning its allegiance to India and its independence (Park 1949).



Figure 5-1: AITUC gathering at Bengaluru. Credit: The Hindu

Orientalist narratives produced by the British show the continued undermining of the role of Communists and its influence on workers despite its large membership. The British also continued to assume Indian communism was no different from international communism rather than understanding the contextual differences. This was despite the fact that Indian communism was different and its leader, M.N. Roy did not always agree with the International Communists. This can be seen in the statement below.

“The British often described the “Royist” position as communist but this is not the case. Roy was once a member of the Communist party but had set up a small faction with little following” (Kate Mitchell, *India without fable* 1942, 94)

“He did not accept the wording of the Communist International for his communist group to work with the nationalists in seeking the liberation of India. He asked for an amendment

that his group would work with the peasants instead” (Overstreet and Windmiller, *Communism in India* 1960, 70)

The formation of the Indian National Trade Union Confederation (INTUC) is another example of how unions became yoked to the state. It also marked a shift of power from the British to the Indian elites who have assumed control over labor. This process of coopting labor began with some members of the INC who thought that the AITUC could not be reformed since the Communists had a tight grip over it. This faction within the INC believed that the Communists were too manipulative and was resentful of the Communists claim that they were the true and only representative of workers (Lakshman 1947). The Hindustan Mazdoor Sevak Sangh (HMSS) then initiated the formation of the INTUC, and it was established in Delhi in 1947. The INTUC was described as the “truly nationalist organization” to represent workers. The members were top INC political leaders (Punekar 1972). This caused a split in the AITUC and reflected the move to adopt the nationalist agenda over worker rights within a trade union system. According to the Labour Commission Report, labor is not a separate class that is distinct from the rest of the community and their independence would be harmful to the overall health of society (Lakshman 1947). The basis for this unification of labor and the INC was supported by narratives found in the Congress election Manifesto as can be observed below.

“The State shall safe-guard the interests of industrial workers and shall secure for them a minimum wage and a decent standard of living, proper housing, hours of work and conditions of labour in conformity, as far as economic conditions in the country permit, with international standards, suitable machinery for the settlement of disputes between employers and workmen, and protection against the economic consequences of old age, sickness and unemployment. Workers shall have the right to form unions to protect their interests.” (cited in Lakshman 1947, 39)

“Normally the INTUC bends to support the government, the AITUC to oppose it. This is exemplified in the national centers’ attitudes toward the Five-Year Plan. The INTUC, whose officials are on the Planning Commission, endorsed the Plan although some of the members of the INTUC’s executive force have criticized it for a variety of reasons (Elizabeth Bacon and Baidya Nath Varma, *India: A Sociological Background* Vol. 1 1956, 562)

Through this shift in power, the INC began to disseminate a new form of Orientalist discourse. This new discourse put worker rights second to the economic strength of India.

Workers could not strike because they would be acting as enemies of the state. As such, workers could seek redress from injustices as individuals so long as they did not disrupt production. This view was supported by Gandhi. The Gandhian way promulgated the combination of capital and labor through the introduction of arbitration. Both their interests could be accommodated through cooperation and there was no need for strikes since it could upset the economic health of India (Agarwala 2008). These narratives on worker rights movement as antithetical to the nation's wellness can be observed in the statement below.

"In view of the dire need of the country for more goods and service, hasty or ill-conceived stoppages and the refusal to take advantage of the available means of settlement by negotiation, conciliation and arbitration, constitute a distinct disservice to the community and the working class itself." (Overstreet and Miller, *Communism in India* 1960, 159)

"In some states, labor has been made to feel that any claim, however preposterous, is worth advancing, since there is a reasonable expectation that Government will refer it to a tribunal and a fairly good chance that the tribunal will award at least some part of the claim. It is considered by some observers that the tribunal procedure has, in fact, encouraged disputes instead of settling them and has made it unnecessary for unions to learn the lesson of responsibility in the hard and only way." (Sir Percival Griffiths, *Modern India* 1957, 238)

In summary, there is evidence of colonial Orientalist discourses that impeded workers through their attacks on the Indian Communist movement, Gandhi's leadership, and the unjust arrests of politicians and activists in the Meerut Trials in 1929. These discourses represented Indian workers as weak and intellectually inferior to wage resistance against their employers. The nature of responses by Indian workers show that they did not employ strategies that would otherwise be employed by Western trade unions such as making clear demands for basic rights and safe working conditions. Instead, workers returned to their default position of relying on nationalist identity as can be seen in the Bombay strike and working closely with the INC in the elections. This cooperative relationship then culminated in the formation of a nationalist labor union – the Indian National Trade Union Confederation (INTUC).

## **SOUTH AFRICA**

In the case of South Africa, the worker movement had its moments of militancy where it did not mimic after Western trade union practices, but the workers almost always oscillated to the workerist (worker centric) stance as its default position. The trajectory in the development of the labor movement during this period of democratic transition is best characterized by a tension between a worker-based union system and a politically militant one. Even after the worker unions joined the African National Congress (ANC) in its challenge against the apartheid regime, the worker-based bloc remained consistent and retained its worker-based stance. More militant members joined the ANC government, and the worker-based bloc rebuilt the union system.

### Evidence of Orientalism in Afrikaner Treatment of Labor

One intervention into the lives of African labor appeared in the form of repressive laws in the 1940s and 1950s. The Afrikaners imposed restrictions on African workers through the Industrial Conciliation Act. Under this Act, African workers were not allowed to join registered unions nor take part in collective bargaining (Adler and Webster 1995). Despite this restriction, African workers began to organize with the help of Communists. With this help, African workers set up the Council of Non-European Trade Unions (CNETU) in 1942. By 1945, CNETU had 158,000 members in 119 unions and the federation represented 40% of the total African industrial workers. To curb the influence of Communism in labor unions, the government passed the Suppression of Communism Act 1950, and CNETU disintegrated (Maree 1985). The Act made the Communist Party of South Africa an illegal organization. It gave extensive powers to the government to ban publications that were Communist in nature and bar individuals that they suspected to be Communists from holding public office (SAHO 2011). This led to the weakening of Communism and reduced the support that workers received from the group. Further, the Boer Nationalist Party set up the Native Laws Commission in 1946 to better control African workers and a labor bureau for efficient pass management (Lambert 1983). The Native Laws Commission

(Fagan Commission) was set up to better control the influx of Africans into urban areas and manage the removal of “redundant Natives” from White occupied areas (Fagan Report 1947/1948, 1-3). In addition, the labor bureau system was set up to control the employment of contract workers within Bantustan (Black) areas (Legassick and Wolpe 1976). These mechanisms set in place greater control of Black union activities and enhanced exploitation of Black workers. A revision of the Industrial Conciliation Act was then made in 1951 to recognize Black unions but the Act still made strikes illegal. Further, the Act stipulated that the government’s approval was necessary in the appointment of union leaders, and they would be supervised by the Nationalist government. As a result, workers fought back against these requirements as they sought independence from the state.

The Orientalist narratives that seem to support the segregation between the Black and White workers include the necessity to build and unite South Africa. The argument was that segregation of Black and Afrikaner workers was necessary to preserve the identity of the South African nation. Consider the speech by Hendrik Verwoerd (Minister of Native Affairs and architect of apartheid) to the South African Senate in 1948 below.

“There is nothing new in what we are propagating, nor have we made any claim that there is anything new in it. The claim we have made is that we are propagating the traditional policy of Afrikanerdom, the traditional policy of South Africa and of all those who have made South Africa their home...whether it is called segregation or by the clear Afrikaans word apartheid.” (Speech by Hendrik Verwoerd to the South African Senate in 1948 as cited in Clark & Worger 2019, 431)

“For the Afrikaner nationalists, the term apartheid was not synonymous with segregation but the epitome of a national movement, which should bring about a permanent solution to the racial question once and for all; by means of apartheid the mistakes of the past should be corrected and new social structures are created to guarantee a secure future. Apartheid was almost something of a magic word that was needed to make the blacks disappear from the cities overnight. Academics and politicians put forward the principles of apartheid policy on rational, even biblical foundations.” (F.A. van Jaarsveld, South African historian, Afrikaner’s Interpretation of South African History 1982, 98).

Another example of an Orientalist narrative was the negative impact of including the Blacks into White unions. Since Black workers were paid less, their entry into White unions would

mean lower wages for the Afrikaners. This separation would help to maintain the Afrikaner's position of power as seen in the statements below.

"It is not in the interest of the European workers to have mixed trade unions. The reason why they become members is because of the legitimate fear that if a division takes place, if there are separate unions, the non-Europeans will undermine the wage standards of the European workers." (Minister of Labor, Union of South Africa, Debates of the House of Assembly 1948 First Session-Tenth Parliament, 815)

"We want to have apartheid in the industrial field, as far as possible in the workshops, so that we will not have the sort of thing that sometimes occurs when Europeans – frequently European women-have to work under the supervision of non-Europeans. That is a dangerous state of affairs in our country...I assert that for a country like South Africa in which the Europeans must do everything to safeguard their status and to protect it, this is pernicious and demoralizing. Do they know what apartheid is? No, if they cannot understand now, how will they ever understand anything about apartheid?" (Prime Minister, Union of South Africa, Debates of the House of Assembly 1948, 1482)

The Orientalist narratives that seemed to support continued repression of Black unions include the retention of power of White workers over the Blacks as can be observed in the statements below.

"In introducing the Native Labor (Settlement of Disputes) Act the minister of labor, Mr. B.J. Schoeman, expressed his hope that it would lead to the natural death of African trade unions. The measure sets up a complicated hierarchy in which African members work under a white chairman on regional boards, which are topped by an all-white Central Native Labor Board appointed by the minister to advise him." (Carter, Headline Series, Foreign Policy Association: South Africa 1955, 48)

"The Bill will be a guarantee to the White man that he will never be ousted. Obviously in time of full employment there is no danger to the White worker, because when there is full employment the White man has his job guaranteed to him and the non-European labourer can come in to fill vacancies." (Union of South Africa, Debates of the House of Assembly, Fourth session – eleventh parliament 1956, 617)

Another Orientalist narrative peddled by the Afrikaners to support repression of Black labor unions was that the Blacks were supportive of apartheid policies due to its "benefits" for Black communities.

"Our (Nationalist) Party says that justice must be done to the Native and that is why we have opened the road for him for development in his own area, economically and politically, and that is where he belongs." (Union of South Africa, Debates of the House of Assembly, Fourth session – eleventh parliament 1956, 100)

“The Native knows today that this government has his interests sincerely at heart and that it is doing everything in its power to do right and justice.” (Union of South Africa, Debates of the House of Assembly, Fourth session – eleventh parliament 1956, 99)

More examples of Orientalist narratives continued through repression of Black workers in the 1960s. In the 1960s, South Africa experienced an economic boom and the demand for semiskilled and skilled labor increased. This gap could not be filled by the White workforce alone and African workers were recruited. With this increased recruitment, repression of Black workers also increased, and this caused the already strained African labor relations to fester. This repression was justified on the grounds that economic growth needed to be protected. These actions by the Afrikaner government caused Black unions to fray. It was rendered as a silent decade for trade union activism (Adler and Webster 1995). Consider the statement below on the positioning of African workers within the economy.

“It is hard to be denied always the privileges of a civilized existence for which he has proved himself fit and worthy; it is hard to be treated always as an inferior and an alien in the land of his fathers” (Peter Nielsen, *The Black Man’s Place in South Africa*, 1970, 140)

With the growing African population in cities to fill these industrial positions, slums communities began to form. Some African workers could not find employment and lived in squalor. To curb slum-growth, the Afrikaners initiated a social engineering scheme that would send millions of Africans to “Bantustan”. This peripheral zone was set up to “ease pressures on White urban areas” (Legassick and Wolpe 1976). These buffer zones were set up without proper planning and led to great misery among the Africans. This was because families were allotted small lots for their dwellings, and they could not farm. There were no stores, schools, hospitals, or proper sanitation services (Evans 2014; Natrass and Seekings 1997).

The Orientalist narratives that supported this repression on workers seemed to be based on the importance of economic growth. This focus on strengthening South Africa through the economy can be observed in the statement below.

“If workers join a trade union and subscribe to its constitution and principles, they ought not to be allowed to disrupt an industry on frivolous grounds and cause hardship to their

kith and kin, but they should be taken to task by their leaders and be compelled to toe the line.” (Union of South Africa, Debates of the Senate, Fourth Session – Twelfth Parliament, Seventh Senate 1961, 2955)

There were also Orientalist narratives on the second-class treatment of African workers in debates in Parliament. The excerpt below is taken from a debate on the adoption of the Work Amendment Bill in 1960 that would extend the power of the state over labor and the reinforce the color bar.

“Mr. Chairman, what I am trying to say is that the Government is doing its best to remove as many causes of friction as possible. I can see it in that light, but my friends evidently cannot. The Government is trying to restrict the causes of friction and unpleasantness to an absolute minimum. This is what we are trying to achieve.” Senator R.G.P Pretorius, Third Session-Twelfth Parliament (Sixth Senate), 674)

The formation of Bantustan in the 1960s seemed to be supported by narratives that Bantustan territories would help Africans establish their own self-governing territories. These spaces were claimed to ensure peace between the Afrikaners and the Blacks rather than a space where they could be exiled until needed for industrial exploitation.

“By presenting the promotion of Bantu Self-Government Bill the Union Government is giving an unequivocal assurance of its intention to create self-governing Bantu national units.” (Union of South Africa, Debates of the House of Assembly, Third Session-Twelfth Parliament 1960, 843)

“As far as I can see there is no other possible way of achieving a peaceful solution. That system has worked, and it can work in our country too...But in fact it can work. And it can work without much difficulty provided we adopt the basic principle of the plural constitutions such as I have mentioned. Examining the constitutions of Pakistan and India and Burma and even Ceylon, one finds a fundamental thread running through them, and that thread is a willingness of either the dominant or the most numerous racial group, or the most powerful, to subject itself or to give away a portion of its strength to the control and the limitation of the Constitution.” (Union of South Africa, Debates of the House of Assembly, Third Session-Twelfth Parliament 1960, 2040)

#### Labor's Response to Afrikaner Treatment

As a response to these forms of labor repression and Orientalist discourses, African labor has responded with some political militancy. However, these militant actions were then followed with a mimicking strategy.

One such example of militancy can be observed in the formation of the South African Confederation of Trade Unions (SACTU). SACTU was formed in 1955 and was not specifically a Black confederation of labor. Instead of mimicking European styled trade unions that fought for worker rights, it entered into politics as it worked closely with the African National Congress (ANC) (Lambert and Webster 1987; Lichtenstein 2005). It took on nationalist issues and it even discussed liberation strategies at its first annual conference. They also pursued worker rights such as higher wages and better working conditions but felt constricted due to repressive labor laws. And with strikes made illegal, the confederation used a wide repertoire of strategies to negotiate with plant managers (Lichtenstein 2005). At their second conference, they made resolutions to resist the Afrikaner government by rejecting the Industrial Conciliation Act due to its controlling effects on unions. The confederation called unions to deregister and to form multi-racial unions. Not all unions heeded the call since some believed that recognition was the first step to being able to make claims. In the end, SACTU was prohibited from holding conferences under the Suppression of Communism Act of 1950 (Area Handbook for the Republic of South Africa 1970, 606).

Orientalist discourses on SACTU statements rendered SACTU as a pawn for the ANC rather than an independent labor unit.

“The only coordinating body of black trade unions during the 1950s was the South African Congress of Trade Unions (SACTU), which saw its role as part of the umbrella organization of the Congress Alliance...It did not take any independent political action during the 1950s but regarded itself primarily as the bread-and-butter trade union wing of the ANC.” (Freeman and Bendahmane, Black labor unions in South Africa 1987, 11)

“There were three trade union coordinating bodies in 1968. One, however, the South African Congress of Trade Unions (SACTU), described by the South African Institute of Race Relations as a left-wing organization, existed in name only. Its leadership had been banned by the government, deported, or had left the country. Many of its affiliate unions had also gone out of existence by that date.” (Kaplan et. al. Area Handbook for the Republic of South Africa 1970, 605)

And although labor engaged in political issues at the Durban strikes in 1973, workers began to organize more systematically after the event. In 1973, 10,000 workers went on strike in

Durban, and this led to many spontaneous strikes across the country. However, African labor began to organize within trade union structures when the strikes ended (Bezuidenhout 2000; Buhlungu 2008). These new unions took on a distinct worker-based format that indicated a move to mimic Western trade unions. They were decentralized and were maintained by floor stewards who were directly elected by shop floor workers (Adler and Webster 1988). The focus of these newly formed unions was to strengthen unions in each factory and made claims for better working conditions. These unions did not raise race-based discrimination (Barchiesi 2012). These unions were also not keen in aligning with social movements because of the risk of repression (Bezuidenhout 2000).

Relenting to workers, the Afrikaner government set up the Wiehahn Commission in 1977. The goal was to incorporate these unions in the discussions of restructuring. A handful of African labor representatives testified, and this inclusion of workers was regarded as the Afrikaners “great concession”. However, workers were suspicious of the Afrikaner government and argued that the move increased the supervision of unions and on Black workers (Barchiesi and Kenny 2008).

The Orientalist narratives that seem to support greater control of Black workers include the belief that the Wiehahn Commission was a step in the right direction in improving the position of workers and unions. And that there were “bad unionists” who exploited African workers for their political ends.

“It (Wiehahn Commission) rejected efforts to suppress the existing unregistered unions as infeasible and counterproductive, and instead called for bringing Black unions under the “protective and stabilizing elements of the system [and] its essential discipline and control” (Committee on Foreign Affairs, Sub-Committees on International Economic Policy on Trade on Africa and on International Organizations of the Committee on Foreign Affairs 1980, 79)

“The government accepts these recommendations, in view of the dangers of 'unbridled political activity by trade unions' . It considers that politics has no place in industrial relations and that this is particularly important in view of the 'onslaught at present being directed at South Africa and the efforts which will undoubtedly be made to exploit the industrial relations system for political gain'. The National Manpower Commission will also

be instructed to keep the matter under scrutiny.” (Kooy et. al. 1979, Summary of Wiehahn Commission Report 1979, 20)

“The independent black trade union movement which emerged in South Africa as a result of the Wiehahn Commission recommendations of 1979 represents in the words of the AFL-CIO’s Lane Kirkland, the best hope for the peaceful dismantling of apartheid,” i.e. by industrial and political action instead of burning “necklaces” and all-out civil war.” (Freeman and Bendahmane, Black Labor Unions in South Africa 1987, 1)

Another example of mimicry of Western trade unionism was the establishment of Federation of South African Trade Unions (FOSATU) in 1979. This confederation solidified the decentralized system of shop stewardship and erased the racial lines in the union system (Barchiesi 1996). They were disciplined in their strategies by pursuing worker rights and applying democratic processes to win consent of workers. They also developed a system that allowed them to negotiate with employers as well as working within the state (Bryne 2013). Shop stewards moved beyond their factories under FOSATU to negotiate and strike at the national level (Barchiesi and Kenny 2008; Adler and Webster 1995). FOSATU was not invested in a whole system change and nor did they work with the ANC in this regard. The more populist unions within FOSATU worked independently within the United Democratic Front (UDF) in 1983. However, officially FOSATU remained neutral and did not participate in the battle against apartheid (Barchiesi and Kenny 2008). This was an issue of contention between the populists and workerists.

Orientalist misrepresentations of African workers continued through the narrative that apartheid had ended because the Blacks were granted the same freedoms as Western labor unions through the actions of the benevolent Nationalist Party.

“Of great personal gratification to me have been significant changes in labor relations in South Africa in the past few years. There has been a consolidation of the trade union movement across racial lines. Companies have started to recognize shop stewards as workers representatives at the factory level, and many more companies are now conceding that black workers have a right to join unions of their own choice. These are positive steps.”(Committee on Foreign Affairs, Sub-committee on Africa of the Committee on Foreign Affairs, Internal Political Situation in South Africa 1983, 37)

“The Government stated in 1979 that the practice of reserving jobs for Whites is being phased out. Job reservation was removed in 1978 in the metal and engineering industry,

however only a few Black artisans and apprentices are employed in that work.” (Country Labor Profile South Africa 1980, 4)

This type of discourses that apartheid has been removed was challenged by unions. Emma Mashanini, official of FOSATU and General Secretary of the independent Commercial, Catering and Allied Workers Union of South Africa challenged these statements issued by the apartheid government. She referred to them as “just good cosmetics for the outside world”. Even if equality at-work principles were applied, they do not deal with the crux of the problem or the “grand apartheid”.

“The struggle in South Africa is not about who eats lunch with whom, it is about self-determination and power.” (Emma Mashanini, Hearing before the subcommittee on Africa of the Committee on Foreign Affairs 1985, 26)

The next evidence of mimicry can be observed in the divisions within the Congress of South African Trade Unions (COSATU). On one hand, COSATU joined the ANC to engage in the anti-apartheid movement. On the other hand, there was a strong worker-focused base that pushed back on COSATU’s political stance. COSATU was formed and incorporated FOSATU in 1985. When COSATU was being formed, there was increased repression by the Afrikaner government through the Labor Relations Amendment Act on African workers. COSATU responded by imposing pressure on employers through protests, stayaways, and overtime bans. It would seem that COSATU departed from the pure unionist position and was engaged in politics. This is evidenced by COSATU working closely with the Mass Democratic Movement (later known as the United Democratic Front or UDF). And the workers also participated in the national civil obedience campaigns organized by the ANC (Hirschsohn 2013). As a result, workerist blocs within COSATU were not pleased with their political activities as well as their adoption of the ANC’s freedom charter (Barchiesi and Kenny 2008; Pillay 2013). This division broke COSATU into several blocs: one that stressed shop floor stewardship, one that was moderate and another bloc that adopted the nationalist agenda (Barchiesi 1996). The industrial or shopfloor stewards were wary of joining the ANC citing that it would lead to compromises in the workers movement.

Similarly, the adoption of this politically militant strategy was concerning to the Afrikaners. To avoid widespread worker uprising, the Afrikaner government promised to reform the apartheid system. The first action taken was to free ANC leaders such as Nelson Mandela (Adler and Webster 1995). With this appeasement, the government also sought to incorporate workers through the National Manpower Commission (Laboria Minute) in 1988. It laid down the importance of bargaining rights and consent from workers. COSATU joined discussions with the Afrikaner government in restructuring industries and this raised some issues. Nevertheless, pure unionists such as the shop stewards criticized COSATU's approach. For the shop stewards, the lack of consultation of workers was worrying. This was also problematic for the populist unions. For these militants, it was a rejection of their history of political resistance (Barchiesi 1996). This intricate dance of unifying these blocs could be understood in the excerpt of Graham's interview below.

“COSATU. I mean they are taking a leading role in all sorts of little ways inside the country. Bringing people together, trying to forge unity in the sports field and cultural field and COSATU is playing a role in there. So they're not going to let the ANC negotiate on their behalf. They will want to be at the table.” (Paul Graham, Institute of Democracy of South Africa, 1989)

The Orientalist narratives that seem to support the cooptation of COSATU included a narrative that workers were not willingly militant but that they were “hijacked” by the ANC.

“Claiming some 450,000 members at the outset, COSATU is now the largest black union federation in the country. The philosophy said to bind COSATU together is “nonracialism,” but a perhaps more important characteristic which the UDF unions bring to this venture is their anti-capitalist ideology and neo-Marxist rhetoric...COSATU adopted a highly visible political profile from the outset, lending credence to the perception that it had been hijacked by the UDF, in turn considered by many as a political front for the underground ANC. (Freeman and Bendahmane, Black Labor Unions in South Africa 1987, 3)

This tension within the COSATU continued up to the first democratic elections in 1994. The involvement of COSATU in politics and democratization processes began to deepen. By 1992, COSATU had grown with 1.2 million members out of the 2.9 million in 194 registered trade unions (Barchiesi 1996). And when the Afrikaner government finally removed restrictions on the ANC, COSATU was invited by the ANC to participate in negotiations for South Africa's democracy

(Bezuidenhout 2000; Von Holdt 2002; Pillay 2013). COSATU's presence in these negotiations angered many unions which then left the group.

With a major union like National Union of Metal Workers South Africa (NUMSA) leaving the confederation, COSATU decided to change course. This loss forced COSATU to focus on its worker base and led to the rebuilding of affiliates, organizational skills, and the reorganization of its structures (Barchiesi 1996). When the ANC succeeded in South Africa's first democratic elections, COSATU was invited to construct the constitution. It was able to push for labor rights to be embedded in the country's constitution. The militant/political wing of COSATU disintegrated as these union members became consolidated into the new ANC government (Von Holdt 2002). During the transition to democracy, the moderate faction within COSATU took steps to develop and reconstruct itself within a newly democratic system. It took steps to professionalize and modernize its operation (Buhlungu 2009). South African labor unions began to copy the strategies employed by unions from Europe and the US. They began to pursue a more workerist approach by observing other unions through extensive study tours and exchanges with European and Australian trade unions (Von Holdt 2002).

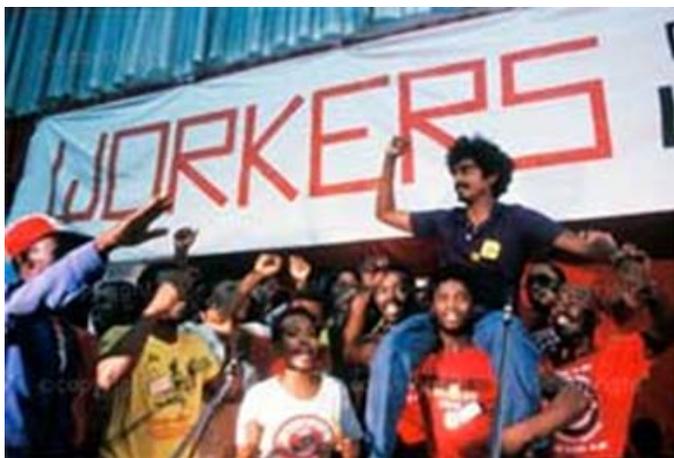


Figure 5-2: Jay Naidoo at the launch of COSATU, Durban, South Africa, 1985. Credit: Paul Weinberg

The Orientalist narratives presented by the Afrikaner government during the time of elections was that the Boers had discarded with apartheid and that the Blacks were thankful for the Nationalist Party for advancing South Africa. Consider the excerpt from the campaign speech by President Botha below.

“On Wednesday I was in Johannesburg and as I walked in the street many black people came to greet me and one of them was an ANC supporter and he took my hand and he said, "Minister, now I admit we need the National Party." This reception, this appreciation is now spreading throughout the whole of South Africa. It's like rain coming out of a drought. It's raining, for people to feel the rain, they feel the rain of hope, they feel the rain of the National Party which will save this country. The National Party does not seek black votes or white votes or Indian votes or Coloured votes. We want the votes of South Africans, all South Africans. The colour of a person's skin has disappeared from us. We now want people of quality, and we say all South Africans. We are the only party in the country that wants all the people to be under our tree and umbrella. Every community can speak his language, every person can belong to his church, there must be freedom for the communities to live the way they want to live.” Botha, Campaign speech, April 1994

“Second prize means that the days of apartheid are counted, the days of Afrikaner supremacy are counted, we have to go for a new vision which I then said is this. Blacks are going to govern the country now. The days of white political parties are counted if they have as aims to rule the country. Any white political party like the Vryheids Front or the National Party or the others who are predominantly white, who think that they can still become the government of the country it's wishful thinking. Those days are buried. I've made peace with that.” (O'Malley's interview with Koos van der Merwe on November 20th, 1994)

In summary, evidence of Orientalist discourses on African workers can be observed in laws and institutions that maintained segregation between Afrikaner and Black workers on the grounds that the African workers would reduce the rights of Afrikaner workers and negatively impact the advancement brought forth by the Afrikaners for the country. Worker responses show that they have engaged in politics through the formation of militant unions such as SACTU and COSATU. However, with the disintegration of SACTU, unions seemed to have moved to a mimicking strategy to preserve itself such as in the case of FOSATU and restructuring of COSATU during and after the 1994 election.

## Analysis

Mimicry as a strategy is the use of camouflage to deceive the enemy and its effect is uncertainty and confusion. It is the visualization of power by the Other who now looks like the colonizer and yet threatens the position of the colonizer (Bhabha 1984). The analysis of this chapter shows that mimicry itself may not by itself liberate workers from an oppressive system (Gairola & Ali 2017). However, it seems to create a cyclical state of recolonizing and mimicry where the battle between Black workers against a reconstructed post-apartheid system continues to challenge workers to become mimic men. In other words, the colonized person loses their native identity to become like the colonizer and this transformation results in narratives that continue to “natify” the colonized. And the colonized continue to mimic to challenge this process of rebranding by the colonizer. It moves subservient labor to a position of power through their menacing presence (Ferguson 2002; Chakrabarti 2012). This is especially in the case of South African labor as the move to a worker-based union system does just that. These mimicking actions signal continued reclamation of power by Black workers whose Boer gaze never leaves even after the so-called “dismantling of apartheid” in 1994. This reclamation of power makes the South African case interesting and fascinating to study. This reclamation is evidenced through shop steward unions under the Federation of South African Trade Unions (FOSATU) (Barchiesi and Kenny 2008; Adler and Webster 1995). This I argue is the evidence of mimicry since FOSATU refused to engage in apartheid politics and focused on worker issues. FOSATU then merged with the Confederation of South African Trade Unions (COSATU). COSATU joined the African National Congress (ANC) to challenge the apartheid regime. Worker involvement helped South Africa achieve its liberation, but it had an adverse impact on unions. In a marked move back to mimicry, COSATU returned to its worker-based approach and began to restructure its organization (Barchiesi 1996; Buhlungu 2009). The default position for unions seems to be in the production of apolitical labor groups like FOSATU and the reconstructed COSATU after the 1994

elections. The position of African labor in their menacing and mimicking state is best explained by Bhabha in the excerpt below.

“A desire that, through the repetition of partial presence, which is the basis of mimicry, articulates those disturbances of cultural, racial, and historical difference that menace the narcissistic demand of colonial authority. It is a desire that reverses "in part" the colonial appropriation by now producing a partial vision of the colonizer's presence.” (Homi Bhabha, *The Ambivalence of Colonial Discourse* 1984, 129)

This stands in contrast with the Indian case. The responses by the Indian workers indicate a move to reinstate their identities as Indian citizens and this could be seen in the tactics applied in the Bombay Textile strike and the formation of the Indian National Trade Union Congress (INTUC) by the Indian National Congress (Lakshman 1947; Stolte 2013). Although there were attempts by the Communists to remove workers from the nationalist movement, the nationalist agenda peddled by the INC proved too strong. The INC's move to support labor in exchange for support at the provincial elections could be argued to be a cooptation of labor from exercising their resistance through mimicry (Masani 1951). This resistance towards the British and their narratives against workers seemed to continue in its identity-based stance.

### **Conclusion**

To recap, there is evidence of colonial Orientalist discourses that impeded workers through their attacks on the Indian Communist movement, Gandhi's leadership, and the unjust arrests of politicians and activists in the Meerut Trials in 1929. The effect of these Orientalist discourses would be to weaken and make Indian workers inferior. This would in turn provide moral justification for the continued colonization of Indian workers and citizens. In response to these discourses, Indian workers based their resistance based on their nationality rather than their identity as workers. They did not employ strategies that would otherwise be employed by Western trade unions such as making clear demands for basic rights and safe working conditions. A default position is observed in the Indian case where unions are embedded politically with government and this relationship led to the formation of a nationalist labor union – the Indian National Trade

Union Confederation (INTUC). This stands in contrast with the South African case. Discourses on segregation represented Black workers as inferior, justifying Boer control over their bodies and wealth. Although they initiated the worker movement with political militancy against apartheid, this position often gave way to their default position. Unions seemed to have moved to a mimicking strategy to preserve itself such as in the case of FOSATU and restructuring of COSATU during and after the 1994 election. The resemblance of these unions with Western trade unions would point to mimicry. Whether this pattern would continue after a transition to a democracy will be examined in the next chapter.

## CHAPTER 6: COLONIAL DISCOURSES THAT HAVE JUSTIFIED INTERVENTION IN THE LIVES OF LABOR AFTER LIBERATION IN INDIA (1947-2010) AND SOUTH AFRICA (1993-2010)

In the previous chapter, evidence of colonial narratives in the formation of labor unions during the processes of liberation from the grip of colonialism in South Africa and India shows how Orientalist discourses have continued to misrepresent these labor movements. Evidence also showed how the Orientalist discourse production passed from colonizers to elitist natives and how these new forms of Orientalist discourses have shaped labor movements as they related to their new “colonizers”. In this chapter, I further the analysis by examining the time-period that covers the processes of post-liberation in these two states. For India, this research examines the time-period between 1947 when it was granted its independence until the post-globalization period in the late 2000s. In the case of South Africa, this research looks at development of labor unions and their interactions with the state and political bodies from 1994 that coincided with globalization efforts until the post-globalization period in the late 2000s.

The main question that guides this chapter is: How do postcolonial theories help explain the dynamic of labor movements in India and South Africa after their liberations were negotiated? The thesis of this chapter is that Said’s Orientalism explains the Orientalist discourses that weaken labor in South Africa and India but the use of Bhabha’s mimicry helps to explain the ways that South African labor has managed to create a variety of labor laws and safeguards for labor. In this chapter, I will explain the trajectory of labor in both cases to show the various types of Orientalist discourses present in the official documents and policy discussions and the distinct responses to these discourses by labor movements. I show how the labor movement in India had attempted to separate from political parties but remained yoked to the state through reliance on welfarist policies. In contrast, the South African labor movement show a bifurcated labor system. One that worked with the African National Congress to pass labor laws and development policies

and another faction that has been critical of these laws and the coopting capacity of the government.

The outline of the chapter is as follows. First, I will proceed to explain the Indian case with examples of Orientalist narratives from Indian elites that have intervened into the lives of Indian workers after liberation was attained. These include narratives on the adoption of a centrally planned economic system, passing of the Industrial Disputes Act, the role of the Indian Nationalist Trade Union Congress (INTUC), 5-year economic plans, Nanda's progressive labor reform and Indira Gandhi's remove poverty program. I then present the historical analysis of the responses by labor leaders as they resisted these Indian elites through strikes, formation of leftist unions and strikes against the effect of globalization. Second, I present the South African case through the interventions by the African Nationalist Congress (ANC) government in the restriction of Black workers. This was achieved through legal instruments such as the Constitution, the new Labor Relations Act 1995, other ancillary labor provisions, the formation of the National Economic Development and Labor Council (NEDLAC) and the push for Growth, Employment and Redistribution (GEAR) program. I then proceed to show the mimicking responses by African workers through the formation of unions such as FOSATU and a division of COSATU. I also highlight mimicry through their protests of globalization, their push for the Reconstruction and Development Program (RDP), and their shifting labor strategies as the alliance with the ANC fractured and the facilitation of Jacob Zuma as president.

## **INDIA**

### Evidence of Orientalism in Elitist Treatment of Labor

Throughout workers' involvement in the post-liberation of India, there were various interventions and Orientalist discourses that helped to retain reliance and subservience of labor on the Indian National Congress (INC). First, the INC adopted a central planning type economy

in 1947. This adoption signified the adoption of a Western social-democratic model that allowed the state to play a highly interventionist role in developing the state (Gupta 1989). It is a nationalistic model that promotes economic independence of the state with the exclusive use of indigenous capital (Nair 2009). As a result, the economic model created a close relationship between state officials and business owners and created elitist-managers that worked within government and enterprises. The government became a machine of patronage and subsidies. Wealth stayed in the hands of a few and a “steel frame” bureaucracy protected these individuals from accusations of inefficiency and corruption (Gupta 1989; Kothari 1997). With regards to unions, leadership had to be included in economic planning and they could not effectively participate in international unionism (Nair 2009). Vulnerable workers, on the other hand, were made to bear the burden of transitioning the economy (Ruthnaswamy 1949).

The Orientalist narratives peddled by the elitists to justify this type of state led economy and management of labor include the lack of capacity of workers to improve their lives since they lack ambition. Therefore, the government must ensure that workers become productive citizens for the sake of India’s well-being. Consider the statements below that pass the burden of development to workers:

“Under the rigidity of caste principles, the rural worker has always accepted his position of serfdom, of the hewer of wood and the drawer of water for the higher caste brethren, and for this reason, and also through want of education and lack of ambition, he has shown little inclination to try and rise in the social scale.” (Wilcox in *The Eternal Problem of China and India* 1947, 72)

“It is of utmost importance in existing conditions that measures should be devised to secure increased production and every factor militating against this aim should be discouraged. The capital formation will have to be increasingly shouldered by the common man and small savings by large numbers of people will have to be an essential feature of the ways and means of the country’s development programs.” (Embassy of India, *India News Bulletin* 1950, 3)

Second, the INC passed laws for labor that put power back into the hands of the state and elitists. One example is the passing of the Industrial Disputes Act 1947. While setting up basic standards for workers, the Act also prescribed procedures for dispute settlement such as

conciliation and arbitration. A government officer would handle all complaints, request companies to provide documents and then make a judgment on the case (Kennedy 1958). Another example is the failed attempt to amend the Indian Trade Unions Act 1926 that was left behind by the British. Any attempts to amend the Act to be modeled after the US system was met with resistance. Eventually, it was vetoed by the executive without any explanation (Kennedy 1958). The proposed amendments would have included provisions for collective agreement, the appointment of a certified bargaining agent and the rejection of unfair labor practices (Maaravarman 2020). The Orientalist discourses that justified these restricting laws to be maintained include narratives that describe Indian workers like children who do not have the capacity to differentiate between right and wrong. As such, the government needs to make the right decision for them (Mahmood 2016). Since workers cannot make appropriate decisions, they may self-sabotage and disrupt production. And when they do this, they would negatively impact their own well-being. The Industrial Disputes Act thus protects them from their own vices and immaturity. Once the worker movement matures, then it would be wise to allow workers to defend themselves. Until then, they need to be shepherded by the state. Consider the statements below.

“The old-world economy of laissez faire workers were thrown on their own resources to seek and secure justice for themselves and were even encouraged by progressive opinion to raise a cry of revolt against injustices. But the times have changed...When the entire State is working for ensuring justice for the masses, it cannot allow injustices to be perpetrated against the weaker sections of society.” (1955 speech by Desai Labor minister cited in Kennedy 1958, 498-499)

“Since the passing of the Industrial Disputes Act in 1947, it has ordinarily been required that both major and minor disputes be referred to industrial adjudicators or industrial tribunals for settlement. This is a time-consuming process, but it has generally settled disputes in a manner acceptable to employers without strikes.” (US Department of Commerce 1953, 4).

“V.V. Giri, an INTUC leader, strongly opposed compulsory arbitration until he became minister of labor. He then became convinced of the necessity of the policy and became aware of the extent to which both management and labor actually found the government’s program satisfactory. For management, it offers the hope of ensuring labor peace.” (Myron Weiner, *The Politics of Scarcity* 1962, 77)

“What may seem to management to be petty grievances on the part of employees often may lead to strikes and other difficulties in India unless properly handled. Workers tend to

be sensitive and suspicious; they are largely illiterate and often subject to the influence of political groups.” (US Department of Commerce, Investment in India, 1953, 92).

“Let them develop the working class on those lines so that collective bargaining may be possible. Let them develop the working class of the country on those lines so that nowhere will it be necessary to refer matters to adjudication, and hence to an Appellate Tribunal; let the matters be decided by collective bargaining. But am I not justified in saying that the stage is still to come, that it will take some time before that stage comes in India?” (Shri Jagjivan Ram, Parliamentary Debates: Part 1-Questions and Answers 1950, 2669)

Third, the expansion of the Indian Nationalist Trade Union Congress (INTUC) and its use as a tool for government overreach forms another direct intervention into the lives of Indian labor. By 1954, the INTUC was the largest union federation with 1.5 million members (Ornati 1954). There were a few ways that the INTUC achieved this. For one, it set out to prioritize economic development and placed social goals as secondary per Article 1 of the INTUC Constitution. It also quelled any sort of resistance for workers through its ranks (Maaravarman 2020). Pushbacks within the INTUC proved to be futile. A socialist pact within the INTUC by H.N. Shastri and Patel accused the INTUC of being government dominated and receiving favors by appeasing the Indian National Congress (Ornati 1954). At one point, efforts to mediate friction within the INTUC led to the appointment of labor-friendly Michael Jon as President of the INTUC in 1952. This mediation attempt was short-lived since he was demoted a year later. He was replaced by someone with a Gandhian outlook on labor (Ornati 1954). Orientalist discourses that justified the intervention into the lives of labor focused on the need for the INTUC to partner with the INC in order for the labor movement to be effective and productive. Consider the statements below.

“The INTUC leaders have moderate objectives and work for good relations with employers in the national interest. They try to tone down workers’ demands and limit strikes and are generally in favor of co-operation with the government, and of seeking its aid in conciliation and arbitration.” (Singhvi and Sarkar, India: Government and Politics 1955, 115)

“They had, or so the INTUC claimed successfully persuaded the central government to prevent the rationalization of textiles, to subsidize the handloom and khadi (hand-spun, hand-woven cloth) industries by raising a cess on the cloth mills, and to levy a duty on machine-made bidis (indigenous cigarettes) in order to protect hand manufacturers. On the state level, INTUC persuaded the government of Bengal to intervene and prevent further retrenchment in the jute and textiles industries, which were undergoing rationalization. INTUC successfully opposed tea garden employers in Assam and persuaded the government to retain the law that forbade recruitment of labor from outside

the state. In Mysore INTUC convinced the government to increase dearness (cost-of-living) allowances in government industrial concerns by five rupees per month.” Myron Weiner, *The Politics of Scarcity* 1962, 74)

Fourth, interventions into the lives of labor occurred through the introduction and implementation of India’s 5-year economic plans. The first plan was introduced in 1950. While the labor chapter incorporated collective bargaining as a fundamental right, it also set India up as a modern welfare state by providing legislation for organized labor such as the national minimum wage and insuring workers against illness and industrial accidents (Candland 1995). The plan initiated a national goal of self-reliance through import substitution and trade barriers to protect domestic production. Workers bore the responsibility of making this vision a reality (Sodhi 2013). The second 5-year plan remained welfarist but shifted emphasis to greater economic growth. This growth did not include lower classes but brought benefit to middle and upper classes (Kothari 1997). Worker needs had to be compromised and disputes had to be resolved through settlement at industrial committees set up by the government (Government of India Planning Commission 1956). The third five-year plan that was unveiled in 1961 continued labor policy development along the same lines as the first two plans and increased the emphasis of labor dispute settlement through government arbitration (Kennedy 1965). The Orientalist discourses that justified these economic plans were based on the following: a) the original notion that workers bore the responsibility of an economic transition (b) the labor movement needs to stay with the program for the betterment of India, (c) any opportunity lost for labor can only be blamed on labor for not optimizing their opportunities and (d) the assumption that the labor movement was in agreement on the use of government-managed industrial committees. The statements below illustrate these Orientalist discourses.

“Speaking in Parliament, New Delhi on December 15, 1952, regarding the Five-Year Plan Nehru said, “The Five-Year Plan will, therefore, be over in another three years. We must remember that this Plan is, if I may say so, essentially a preparatory venture for greater and more rapid progress in future. As I said, the Second Five-Year Plan, if we build our foundations well, will proceed at a much faster rate of progress than is indicated in the

present one” (Jagdish Saran Sharma, Indian National Congress: a descriptive bibliography of India’s Struggle for Freedom 1959 ,61)

“There are other difficulties such as inadequate marketing arrangements and the lack of contact with new techniques of production and with the changing requirements of the market which also limit the capacity of the workers in these industries to utilize their labor power and their skill to the fullest advantage. Sustained effort to overcome these handicaps and difficulties will be necessary (Government of India Planning Commission Second five- year plan 1956, 31)

“The desire shown by employers and workers to come together and settle their problems in industrial committees set up by the government has of late become a welcome feature of labor relations. In fact, much of the legislation in the last five years has been agreed to, in its broad outline, by the parties concerned in tripartite committees.” (Government of India Planning Commission Second five-year plan 1956, 571)

The discussion of the INC’s intervention into the lives of labor would not be complete without making mention of the attempts to empower the labor movement by certain groups and individuals. The case in point is the reforms initiated during Gulzarilal Nanda’s time in office (1957-1964). Nanda was a politician and economist. He was elected to office in the Lok Sabha (lower house of representatives) in 1957 and was temporarily acting Prime Minister of India twice during his life. During office, he initiated various progressive labor laws and he worked closely with the International Labour Organization (ILO). He believed that industrial relations should be based on positive orientation that was based on moral obligations rather than legal sanctions (Kennedy 1965). Through his push, he managed to model the labor system after the ILO with an annual Indian Labor Conference and smaller Standing Labor Committees. The labor ministry also sent a team to study programs of worker participation in several countries. This team then produced a set of recommendations that placed the burden on employers to recognize unions and promptly settle grievances and settlements. Through Nanda’s leadership, sweeping programs were set in place to help workers such as wage boards, welfare schemes and incentives for women workers (Sengupta 1960). Nevertheless, the system still maintained the control that the government had over labor. The discourses of labor welfare could be found in policy documents during this time. Below are a few examples.

“When we grant protection to certain industries, we must demand from them, and we have the right to demand from them, that they utilize this advantage given to them in the proper manner. And one essential aspect of utilizing in the proper manner should mean giving a fair deal to their own labour.” (Debate in the Rajya Sabha, representatives of the states, 17 December 1955, 3023)

“The state government concerned might adopt any system (service, panel or mixed) which they considered most feasible, keeping in view the conditions in a particular area and in consultation with the workers’ organizations” (16th session of Indian Labor Conference 18-20 May 1958, 90)

Further intervention by the INC on the lives of labor was Indira Gandhi’s Garibi Hatao (Remove Poverty Campaign) that was launched in 1970. It was introduced to counter the “remove Indira” campaign waged by her opponents on the grounds that she was an elitist and was not in touch with the suffering of the common Indian. Through this campaign, she promised to improve the lives of the bottom third and curb the power of the wealthy (Kothari 1997). Employers were not pleased with this program and began to initiate lockouts when industrial unrest occurred. As the conflict between employers and workers began to escalate, the government had to declare a state of emergency. This led to the complete prohibition of unions from engaging in strikes (Sodhi 2013). After the elections, the government lifted the emergency and returned basic rights to workers. However, unrest continued, and workers continued to strike. The number of strikes doubled from the period before the elections (Sodhi 2013). Then, the government began to pivot back to the liberal approach and discarded the Garibi Hatao campaign in 1980. In this move, taxes were reduced for the private sector and Indian companies began producing goods that the general population could not afford (Corbridge 2009). The Orientalist discourses became more sophisticated during this time. Instead of undermining the position of labor, the narratives focused on the primary goal of development that was conflated with labor progress. Consider the examples below.

“One of the major elections promises of Mrs. Gandhi’s ruling party in 1971 was to reduce unemployment drastically. This can be achieved only when large-scale labor-intensive activities are undertaken and by the lessening of emphasis on heavy industry. Reduction of unemployment and adequate food production are supposed to be the main basis of economic stability if the industrial sector also continues to register progress.” (Professor Ashok Dutt, India: Resources, Potentialities and Planning 1972, 121)

“In 1972, under its Craftsmen’s Training Scheme, the government was operating 354 training centers that were training 154,510 workers in about fifty-four trades. The official goal was to train a total of 700,000 workers during the Fourth Five-Year Plan (1969-1974).” (Nyrop et. al. 1975, Area Handbook for India, 494)

“The answer to class-antagonisms and world conflicts will arrive soon if we succeed in discovering a sound basis for human relations in industry. Economic progress is also bound up in industrial peace. Industrial relations are, therefore, not a matter between employers and employees alone, but a vital concern of the community which may be expressed in measures for the protection of its larger interests.” (Government of India, National Commission on Labour 1969, 54)



Figure 6-1: Indira Gandhi being greeted by women after rolling out Garibi Hatao. Credit: Indiatvnews.com

Lastly, the government’s intervention into the lives of labor increased significantly during the liberalization processes of the 1990s. In 1990, India took on a \$5.3 billion-dollar structural adjustment program (SAP) loan (Kothari 1997). Under this SAP agreement, reforms were made to open India to foreign corporations and allow for better participation in the global market (Sodhi 2013). This arrangement did not bring about net positives for workers since employment generation halved and the informal sector expanded (Mahmood 2016). Within the labor movement, further fracturing occurred. National federations resisted globalization but at the shop level, companies entered into private collective bargaining agreements with their workers (Sodhi 2013). This dual system stripped power from the national federation from being able to fight for

workers. The position was worse for workers at Export Processing Zones (EPZ) where labor laws did not apply at all (Sodhi 2013). Workers also lost social insurance that was previously provided by the government since foreign capital was diverted into private projects (Corbridge 2009). These actions to reduce the power of workers were justified based on the narrative that there was a zero-sum relationship between profit and labor protection. Consider the statements below.

“The massive advantage Punjab has in this regard is that industrialists do not face major labour problems and the bureaucratic hassles are fewer with an administration that is laying out the red carpet in its eagerness to attract capital investment to the State.” (Embassy of India, India News, June 1st, 1993, 4)

“Chief Minister Jyoti Basu increasingly emphasized worker discipline, non-coercive methods for settling disputes with management, and acceptance of the proposition that private (and public) sector firms cannot operate without showing a profit. In similar fashion, Basu’s Government overlooked ideology to encourage private sector investment by Indians, non-resident Indians, and foreign multinationals.” (US Department of Labor, Foreign Labor Trends: India 1992, 9)

#### Labor’s Response to Indian Elitist Treatment

Responses by workers towards Orientalist discourses propagated by the Indian National Congress (INC) from 1947 onwards seem to show deference to the state through a nationalist approach rather than mimicry of Western trade unions. These responses also show reflexivity to unjust actions that did not culminate in changes in the laws or policies on labor. Nor did these actions bring together the labor union system in India.

First, the nature of the strikes that labor engaged in after its independence was declared tended to be more political than claims for specific labor policies. For example, in 1947, workers at the Madura Mills engaged in a strike to protest their supervisors for denying sick leave to a worker. The worker died and this led to unrest at the factory. In the end, the standoff resulted in police firing at protesting workers (Ahuja 2020). Then in 1949, 5,000 textile workers in Rajnandgaon went on a one-day fast to protest the government’s move to decontrol food and cloth prices. They also protested the highly bureaucratized government system (Ahuja 2020). These were tactics that did not draw on Western trade unions practices such as the systematic

use of demands and escalation based on employer responses. The demands for structural changes were too vague to follow through with concrete policies. This volatility in responses led to discourses that further downplayed and limited the voice of labor. Strikes were depicted as detrimental acts that affected workers negatively rather than producing legitimate claims by workers for a better labor system. This is illustrated in the statement below.

“In regard to labour relations, the outstanding event during the year was the general strike in the Bombay cotton mill industry. The strike failed but at a considerable cost to the community in production and wages to the workers. It lasted for about two months and resulted in a time-loss to the industry of about 94 lakhs of man days.” (Frank Moraes, The Indian and Pakistan Year Book & Who’s Who 1951 ,114)

Second, Indian labor attempted to challenge the control of the INC through the formation of leftist labor unions. Nevertheless, these unions were still tied to political parties in Congress. The case in point is the formation of the Hind Mazdoor Sabha (HMS)(Workers Assembly of India) that was set up by the Socialist Party in December 1948. The aim of the HMS was to promote the interests of the Indian working class, promote the rights of workers and to promote the formation of industry specific federation of unions. The goal was also to create a trade union federation that was not connected to any political parties and set up industrial democracy. By 1954, it grew to 800,000 members strong. Most of these members were union purists who wanted unions to be free from the two major federations – All-India Trade Union Congress (AITUC) and the Indian National Trade Union Congress (INTUC). The unions within HMS initiated several attempts to resist mainstream unionism. For example, the National Fishworkers Federation launched a political campaign against seed imperialism, cultural imperialism, and short-term interests sought by elites (Kothari 1997). Leftist unions used a wide array of tactics to achieve political aims such as scuffles, physical attack, wild-cat strike against industrialists, road blockades and demonstrations (Nair 2009). Although a noble attempt, this goal did not materialize – both in demands and strategies. In response to these strategies, the government suppressed worker voices by labeling groups as “corrupt”, “anti-development”, and “anti-national”. Union members

were arrested under the Maintenance of Internal Security Act and the Terrorist and Disruptive Activities as well as the Colonial Official Secrets Act (Kothari 1997). Some unionists were also killed. The most prominent example was the murder of the Miners and Textile union leader, Shankar Guha Niyogi who was murdered for representing tribals and exploited workers (Candland 1995). Elitist discourses on this labor response were based on the logic that the Western trade union system was a neo-colonizing attempt on India by Western powers. These can be seen in the statements provided below.

“ It is often suggested that dependence of unions on outsiders as their executives is one of the many causes of unhealthy rivalries in the labor movement. While this suggestion is not entirely without foundation, it must be recognized that outsiders have played a notable part in building up the trade union movement in the country.” (Government of India Planning Commission Second five-year plan 1956, 573)

“The socialist pattern of society proposed requires that a worker’s claim to improve his economic and social status be recognized. In their turn, workers too have to realize their responsibilities. Hard and efficient work on the one hand, and avoidance of indiscipline on the other, will be needed for achieving the goal which the community desires to reach.” (Government of India Planning Commission Second five-year plan 1956, 578).

Leftist unions were also branded as troublemakers who focused on grievances pertaining to privatization and were disruptive to the processes in place to preserve peaceful industrial relations. Other discourses include the narrative that the majority of workers were pleased with the government instituted dispute resolution processes, and it was only leftist unions that were causing problems.

“ A strike by contract workers at Bata India (India’s leading footwear manufacturer) factory resulted in the Center of Indian Trade Unions (CITU) disowning its affiliated union which had participated in the strike. The state government and the affiliated CITU are bent on making the state most investor friendly.” (US Department of Labor, Foreign Labor Trends: India 1994, 7)

“A one-day strike called for the left trade unions in September to protest against the government’s economic policies was the only strike of nation-wide significance. The strike was largely successful in the financial services sector. The decline in labor unrest can apparently be attributed to increasing acceptance by workers of the logic of liberalization and of the relationship between job security and the economic viability of plants.” (US Department of Labor, Foreign Labor Trends: India 1994, 4)

Third, the attempt to form independent unions was not limited to leftist parties but to nationalist labor unions that supported liberalism. In 1952, the Bharatiya Jan Sangh party who were Hindu fundamentalists formed the Bharatiya Mazdur Sangh (BMS)(Indian Workers' Union)(Ornati 1954). This union federation has conservative roots in the Bharatiya Janata Party (BJP)(Saxena 1993). The group was not limited to dealing with wages but also the promotion of worker interests through a nationalist lens. The BMS is based on the ideology that the nation should promote worker interests within the framework of national interests. As a Hindu conservative group, they believe in Dharma – a nationalist identity that rejects any foreign symbols tied to the international trade union movement. On the economic front, it is not opposed to liberalization so long as it includes workers in the restructuring (Saxena 1993). Hence, during the liberalization in the 1990s, BMS cooperated with the government and touted the positive correlation between economic growth and wage and job production (Mahmood 2016). Despite cooperation on the liberalization front, it was opposed to the general structure of political unionism. An example of a resistance tactic initiated by the BMS was the Bombay Textile Strike 1982-1983. The approach was not conventional since the goals included independence from the influence of political parties and a demand on the government to repeal the Bombay Industrial Disputes Act 1947 (Sodhi 2013; Ghadge 2016). The government refused to negotiate due to the militant nature of the strike. As a result of the strike, mill owners closed production sites in Bombay and moved production elsewhere. In the end, 100,000 workers lost their jobs (Ghadge 2016).

The discourses on this type of militant unionism that does not conform to traditional Western trade union practices have mainly sought to justify actions of employers against workers. These militant actions were deemed to be counterproductive, leaving employers with few options. Consider the statements below.

“In the past year, there have been several clashes between management and labor on what both consider as their survival in a competitive environment. Increasingly, instead of labor giving management a charter of demands, management is making acceptance of its

demands by the unions a prerequisite for reopening factories. The choice is often between lower wages and fewer jobs or no wages and no jobs at all.” (US Department of Labor, Foreign Labor Trends 1988, 18)

“Relative to previous years, industrial relations during the reporting period (1989-1990) by and large were peaceful...As of May (the latest month for which figures are available), the number (of person-days lost) stood at 1.7 million. These raw numbers do not reveal, however, that more lost person-days have been attributable to lockouts than to strikes. This is due, apparently, to the increasing tendency of Indian managements to shut down operations – whether due to labor, managerial, or economic difficulties – in the absence of alternative options permitted under existing law.” (US Department of Labor, Foreign Labor Trends: India, 1990, 4)

In summary, there is evidence of the continuation of Orientalist discourses on labor by the INC and employers who form the elitist grouping. These discourses were present in the formation of the central planning economy, laws that preserve the control of the government over the labor movement, preservation of the INTUC as a tool of labor control, within the 5-year economic plans, Indira Gandhi “Garibi Hatao” and the liberalization processes that relaxed labor protection. The responses by Indian workers show a rejection of Western trade union practices. This can be shown through the unconventional goals and strategies employed by unions, the formation of leftist and rightist unions that were still connected to political parties. Despite distinct approaches to liberalization by these left/right unions, the overall political and nationalistic characteristic seems to be their unifying nature since there was overall resistance against Western trade unionism. None of these strategies have resulted in the formation of effective labor laws and policies.

## **SOUTH AFRICA**

In the case of South Africa, the labor movement shows a bifurcated labor system. One that worked with the African National Congress to pass labor laws and development policies and another faction that has been critical of these laws and the coopting capacity of the government. This default position to returning to a purist union position indicates mimicry of the Western trade union strategy as central to the repertoire of South African labor. This alliance between the politically militant union system and the African National Congress (ANC) led to the production of

numerous policies and laws that protected workers. However, these provisions were not readily accepted by labor due to their colonizing nature and continued Oriental discourses that watered down these laws.

### Evidence of Orientalism in ANC's Treatment of Labor

The Orientalist and colonizing nature of labor protection laws can be observed in several ways in the South African case. First, intervention into South African labor by the African National Congress (ANC) was through the formation of a constitution that continued the legacy of Boer rule over Black labor. The inclusion of labor rights into the legal provisions of South Africa initially signaled a move in the right direction. The ANC invited the Confederation of South African Trade Union (COSATU) to form the interim constitution in 1993. COSATU ensured that the constitution included fundamental worker rights. All South African workers were guaranteed a right to organize and collectively bargain (Sitas 1998). COSATU also fought for the removal of the right of employers to have the right to lock out workers and this move succeeded (O'Malley's interview with Sam Shilowa, General Secretary of COSATU on October 7th, 1993). Nevertheless, workers were not convinced of the intention and motivation of the newly minted government. Much of this could be attributed to Orientalist discourses about workers and their role within an economic system that still continued the legacy of the Boer government. The Orientalist discourses present in this time period seem to be more sophisticated in its attack on workers. There were also those who continue to give credit to Afrikaners for allowing the Blacks to gain their freedom. This did not sit well with African labor. Consider the statements on the economy and the perception of labor through the following statements.

“Labor unrest may have had some impact on the pace of investment, particularly foreign investment, but there are other factors as well. The array of foreign exchange controls is an inhibition to the free flow capital. To its credit, the Government has committed itself in principle to eliminating these controls, but it is moving with understandable caution to avoid possible capital outflows and the sudden depreciation of the Rand.” (South Africa: Since the Historic Elections, Second Session, Committee on Foreign Affairs 1994, 2)

“That was preceded, of course, by the effort to have an all-inclusive peace process. Again, that was also significant because, for the first time then (this was actually some time before the birth of CODESA), we succeeded in bringing most of the parties together, getting them to be committed, and one will never be able to assess the value of this process. Many people will say cynically that it didn't succeed because there were still deaths, people died. At times there were so many incidents and so many complaints against the participants and most of them against the ANC. But it all added up to an atmosphere in which the public and the press shared expectations from parties that they would stop doing their own thing; that they should suspend their participation in violent activities, stop the infiltration of arms. A kind of atmosphere started to grow in South Africa, emphasizing negotiation as opposed to an armed solution. I think from an historical point of view that this is sometimes overlooked. That was a major step forward because no-one thought the negotiations would succeed.” (O'Malley's interview of Kobie Coetsee, Deputy Minister of Defense and National Security for the Nationalist Party on March 9th, 1994)

Second, the African National Congress (ANC) intervention in labor was accomplished through the formation of the National Economic Development and Labor Council (NEDLAC) in 1995. The mechanism was set up as a way to include workers into the decision-making process and policy production. It was also a bargaining forum that allowed for compromises by different classes and groups (Adler and Webster 1999). The overarching purpose was to avert conflict through partnerships and form common objectives (Sitas 1998; Bezuidenhout 2000). To an extent, NEDLAC has been effective in ensuring that the voices of the marginalized would be heard before any type of labor policy is introduced in Parliament (Adler and Webster 1999). These voices are not limited to labor but community members such as civic groups, women, rural folks, youth, organizations for the disabled and other representative bodies (Webster and Buhlungu 2004). And through NEDLAC, labor unions have been able to include labor rights and international labor conventions into trade policies (Bezuidenhout 2000). Despite this inclusion of labor, there have been some shortcomings that have rendered the institution as ineffective. This includes lack of floor standards, lack of enforcement capacity of decisions made, and the goals have been ambiguous (Barchiesi 1996). NEDLAC has also been argued to be a space where worker rights are compromised to the government, and this was not what unions agreed to when NEDLAC came into formation (Forrest 2011). The discourses continue to describe NEDLAC as a peacekeeper between employers and workers and a tool to ensure effective economic

development rather than expanding worker rights. These discourses can be seen in the statements produced below.

“But the process continues not only within the Government of National Unity and its cabinet but also within bodies such as the newly formed National Economic Development and Labor Commission in which Government, Labor, Business and grass roots political organizations such as the Civics will meet to negotiate on national issues. Discussions are, for example, at an advanced stage on new labor legislation aimed not only at securing proper dispute procedures but also at creating a more flexible and responsive labor market.” (South Africa: Since the Historic Elections, Second Session, Committee on Foreign Affairs 1994, 62)

“So far, South Africa’s social partners have statutorily-entrenched tripartism through the creation of the National Economic Development and Labor Council (NEDLAC)...Although industrial action has dropped significantly during the first part of 1995, trade union efforts to secure better wage packages for workers, combined with trade union demands to end historic racially-based wage structures, improve training and career mobility, and provide workers a meaningful role in workplace organization and decision-making have increased the volatility of the workplace.” (US Department of Labor, Foreign Labor Trends: South Africa, 1994, 3)

Third, the ANC also passed a string of labor laws to solidify the protection of labor and put effect to constitutional provisions pertaining to workers. The main legislation in South Africa is the new Labor Relations Act 66 of 1995. This Act was passed to provide a framework for the determination of wages, policy and matters that pertained to workers, unions, and employers. It would also support section 27 of the constitution that sets out the democratization of the workplace as a mandate for the government (Sitas 1998; Adler and Webster 1999; Sharpe 2001; Satgar 2008). The Act also expands the definition of workers to include informal workers that were previously excluded by law (Webster and Buhlungu 2004). While introducing into code the right to organize, the right to worker participation and the right to strike without fear of dismissal, the Act also introduces various other bargaining mechanisms (Clarke 2004; Barker 1999). These bargaining mechanisms include workplace forums modeled after the German works council (Bezuidenhout 2000). The Act also introduced bargaining councils that were voluntarist in nature and brought together unions and employer associations (Barchiesi 1996; Sharpe 2001). The problem with these mechanisms is that it puts unions in an awkward dilemma – represent workers or manage decentralized confrontations? Some also question the ability of South African unions

to negotiate effectively (Barchiesi 1996). Critics also point out enforceability issues as well as the continuation of racial hierarchy through these mechanisms (Adler and Webster 1999). The discourses on the LRA 1995 tend to be directed towards labor bearing the burden of cooperating with employers. Workers also bear the responsibility of ensuring equitable growth by assuming their position to the rest of the community. These discourses can be observed in the statements below.

“There is the new Labour Relations Bill which creates a partnership between business and labour and forces consultation and negotiation on any outstanding issues which labour may feel has not been addressed. It also brings in labour to decisions on productivity, so that it's not just the prerogative of management to decide on productivity but labour is equally involved. So, if the firm is under-performing it's not just one section to blame, everyone must be held to blame. So, we are creating these institutional mechanisms to create more stability and transitions normally take a long time.” (O'Malley's interview with Ben Ngubane, participated in the formation of the Constitution, on April 6<sup>th</sup>, 1995)

“I'm a trade unionist. There is a revision of the Labour Relations Act and the new draft that's been put on the table for discussion gives all the rights to domestic workers that they have demanded. Similarly, to manufacturing workers, public sector workers and to agricultural workers. That is what we have done in terms of rights of workers. But that brings me to another issue. Freedom gives us rights and it gives us responsibility and we have got to understand our own responsibilities as individuals as communities, as political parties and as government and through the partnership that we build that we will be able to implement the Reconstruction and Development Plan (RDP) through the vehicle of the Masakhane campaign.” (O'Malley's interview with unionist Jay Naidoo in April 1995)

The other laws passed include the Basic Conditions of Employment Act 1997, Employment Equity Act 1998, and the Skills Development Act 1998. The Basic Conditions of Employment Act 1997 recognizes basic worker rights and sets out the minimum wage (Barker 1999). It has improved working hours by reducing working hours to 45 hours and has instituted “regulated flexibility” to fit industry demands (Clarke 2004). The Employment Equity Act goes beyond the nuts and bolts to deal with socioeconomic issues. It prohibits discrimination based on race, gender, sex, pregnancy, marital status and others (Clarke 2004). It ensures that past inequalities on African workers would be redressed (Rust 2017; Portnoi 2003). And under the Skills Development Act, workers are to receive adequate training and be placed in positions in the public sector. It is closely modeled after the US Comprehensive Employment and Training Act

(CETA) (Clarke 2004). The loopholes in these laws include the continued exclusion of Black workers since they do not cover non-standard work. There is also no way that these institutions can monitor and enforce these provisions. Industrial action that outsources work to casual and home work reduce the capacity of the government to ensure that African workers are sufficiently protected (Clarke 2004). A statement by Helen Zille (an activist) indicate that these laws were passed only to appease the Congress of South African Trade Unions (COSATU) and keep the alliance going but does not create anything substantive (O'Malley's interview with Helen Zille on August 18th, 1997). Not everyone was on board with the passing of these laws on the ground that Afrikaners would be sidelined, and workers would be hired based on the color of their skin rather than their skills. Consider the statement below by General Viljoen of the Nationalist Party at the National Assembly in 1999.

“There is also the issue of affirmative action. The President said on 24 March: Government will continue to apply employment policies that are not aimed at excluding anybody on the basis of race. He gave an undertaking. What does this mean in practice? The point is that people are currently indeed being disadvantaged with regard to employment because of their skin colour, and that this is bitterly unfair particularly towards new entrants to the labour market. When does he foresee the labour market normalising: Merit and only merit?” Statement by General Viljoen at the National Assembly on June 28th 1999,100)

Another discourse of these laws was that it was necessary to improve the skills of workers so that labor could be exploited for the advancement of the economy. This is indicated in the statement by the Minister of Labor in 1997.

“That's why we are putting in place a major skills development strategy to deal with the skills. So, you see as the skills deficit is changed increasingly to a skills surplus our people then are able to exploit the higher value-added change in the production process.” (O'Malley's interview with Tito Mboweni (Minister of Labor South Africa) on August 19th, 1997)

Fourth, interventions into labor by the ANC can be observed through the liberalization processes undertaken in the 1990s. The ANC entered into a secret agreement with the International Monetary Fund where it promised to control government spending and open South Africa (Webster and Buhlungu 2004). This move to liberalize was justified through trickle-down

economics (Peet 2002). The state became a weaker entity that was unable to control the citizen's economic condition and the government openly rejected the Reconstruction and Development Program promoted by workers (Sitas 1998). This created a tension within the union system with some unions embracing the alliance with political and economic elites through entrepreneurship (Webster and Buhlungu 2004). However, there were also unions that confronted the effect of liberalization and how it excluded space for labor unions to stand their ground (Satgar 2008). This would include the persistence of the workerist stance taken by COSATU and their shop steward system. COSATU unions still regularly elected shop stewards by secret ballot. This democratic labor system that was set up in the 1970s continues to form the backbone of the union system in South Africa. Adler and Webster (1999) refer to the South African case as an anomaly to the union system of the Global South. They describe the relationship between labor and the elitists as a "class compromise" where attempts to coopt workers have backfired and they have been able to win bargaining rights. Workers have been able to set wages, protect themselves from unfair dismissals and reorganized workplaces. Orientalist discourses on labor during this time continue to undermine the struggle of workers and placed economic development at the forefront. Any kind of adjustments made for workers must improve the economy. This can be observed in the statements below.

"Globalisation is placing new pressures on the poor, as capital follows the most oppressive labour markets. But globalisation is with us, and the challenge is to engage it strategically - to engage the rich and the powerful with an eye on an outcome that is the best possible solution for all." (Statement by Mr. P.J. Gomomo in the Joint proceedings at the National Assembly and the National Council of Provinces November 19th, 1999, 58)

"On the economic front the responsible way in which we conduct our monetary and fiscal policies has not gone unnoticed, but we also need other economic reforms, including a selective review of labour laws and the rightsizing of the mammoth public sector. The challenge before our Government in the new millennium is to embark on a programme of privatisation so that poverty can be addressed in a more decisive way. We need a liberalised market economy with a social conscience." (Statement by Mr. J.J. Dowry in the proceedings at Joint Sitting on November 19th, 1999, 212)

Lastly, efforts to subdue workers by the ANC can be observed through the promotion of the Growth, Employment and Redistribution (GEAR) program. In 1996, the ANC government

unveiled a five- year economic program that was copied from the apartheid government led by de Klerk (Visser 2004). GEAR emphasized fiscal conservatism and debt repayment (Freund 2007; Bezuidenhout 2000). Under this program, labor would become the scapegoats to ensure higher economic growth (Peet 2002; Streak 2004). This confounded workers as they pursued the Reconstruction and Development Program that was more empathetic to workers. Support for GEAR came from the previous apartheid administration and elitists within the ANC. This can be seen in the statement by Arthur Konigkramer below.

“I think the GEAR policy is actually quite good and this is why the labour unions are opposing it. If you look at the student hotheads at the moment at the University of Natal that are wreaking havoc on the campus here, they have come up with exactly the same thing, that they demand that the GEAR policy be undone. That's what it's all about. Now Mbeki I am quite sure is not following policies of his choice but where is the Soviet Union? Where is the lifeline? The realities are now that the global economy is driven by the western economies and by free enterprise economies from the east, Singapore and Malaysia. If you want to try and fly in the face of that you must be an inordinately stupid man.” (O'Malley's interview with Arthur Konigkramer (Chairman of the workgroup on Tourism Kwazulu Natal) on February 28th, 1997)

#### Labor responses to the ANC's discourses

Labor responses towards these discourses on African workers point to mimicry as a strategy. This can be seen in the way that they strategized against the forces of globalization and in the amplified capacity for union suppression achieved through the GEAR. Further, unions pursued the passing of several significant labor laws were cognizant of watering down effects by the ANC of these laws. Mimicry could also be observed in the rejection of political militancy as the ANC's membership demographic was altered and, in the support, given to a labor friendly candidate for Presidency. These forms of mimicry will be elaborated in this section.

First, there was an intentional move to protest globalization by strengthening the union structure and reinforcement of basic labor standards. For example, the Congress of South African Trade Unions (COSATU) set up a Commission of Enquiry that put forth six ways to combat globalization processes that included annual campaign to recruit workers, creation of advisory

services, advocacy through bargaining councils and wage board, educating union officials and shop stewards, centralized bargaining councils to enforce basic labor standards and ensure that public services comply with minimum standards (Bezuidenhout 2000). The shop steward system was retained, and unions adopted “organizational modernization” to insert democracy and ensure efficiency (Webster and Buhlungu 2004). Further, COSATU coalesced with social movement and international trade union organizations to strengthen themselves from within (Bezuidenhout 2000). Another point to note was the effort that COSATU took to deal with issues that plagued working people such as poverty, unemployment, disease, illiteracy, inequality, homelessness and landlessness (Shilowa 1993). COSATU worked with the government to produce the Reconstruction and Development Program (RDP) to deal with the abovementioned issues.

In addition to these measures, unions also rejected the Growth, Employment and Redistribution (GEAR) program during this time. Unions rejected it on the grounds that it benefitted big businesses, suppressed unions, and removed state control over social programs (Peet 2002; Habib and Taylor 2000; Streak 2004). Unions also opposed it on the basis that there was lack of consultation with workers as it was formed (Kuye and Cedras 2011). COSATU went as far as presenting a discussion paper to the ANC executive committee – criticizing how GEAR was formed and how the ANC was treating the alliance (Bassett and Clarke 2008). These efforts led to the ANC relenting to COSATU in 1997 by declaring that GEAR was not set in stone but did not retract it from the government policy lineup (Adler and Webster 1999). And then at the ANC Conference in 1997, COSATU ended up voting for GEAR. However, in 2001, COSATU led general strikes against GEAR and the ANC relented again for fears that they might lose labor support in the 2002 elections. The government presented a 10-year general policy review document that acknowledged the shortcomings of the economic structuring program (Bassett and Clarke 2008). Then in the 2004, the government responded with the People’s Budget Campaign that suggested new directions and a new economic framework was introduced called the

Accelerated and Shared Growth South Africa (ASGISA) which promised to halve poverty and unemployment by 2014 was introduced (Naidoo & Mare 2015)



Figure 6-2: COSATU protesting the impact of globalization on workers. Credit: NY Times

Mimicking strategies that were employed in the South African labor movement shows that labor unions focused on strengthening themselves to better negotiate their rights. As mentioned earlier, this shows the northern compromise experienced by northern trade unions (Adler and Webster 1999). To elaborate on Adler and Webster's (1999) point, they argue that when labor puts on sustained resistance against capitalists, a stalemate can only be avoided through concessions made to labor. Capitalists were willing to grant more rights to labor in exchange for conditions that would encourage capital accumulation. This is not the normal path that southern trade unions take because of their dependence on the state. Part of this resistance includes being adamant to retain protective labor laws such as the Labor Relations Act. Unions participated in three general strikes between 1988 and 1989 when the government and employers attempted to reverse the provisions in the Act. Due to the basic claim of human rights as embedded in the LRA, employers had no choice but to pull back on these efforts (Adler and Webster 1999).

The ANC's discourses at this time supported growth as a prerequisite to progress. Any kind of equitable program needed to be supported by a strong economic plan. The ANC also claimed that labor unions stood in the way of progress through their claims for basic worker rights. These can be observed in the statements below.

“To address pressing social inequalities, the Government proposes, has proposed the reconstruction and development program, the so-called RDP. The RDP is a blueprint for development-incorporating objectives for jobs, for housing, electrification, health, and education...Success in meeting the RDP's objectives, however, will depend most on economic growth...The economy clearly needs high rates of growth over a sustained period to reduce unemployment and increase living standards for all South Africans (South Africa: Since the Historic Elections, Second Session, Committee on Foreign Affairs 1994, 2)

“The thing is to me one can't be simplistic about selling capitalist lines. The reality of the world we live in today is that we live in a world capitalist system and South Africa is structurally linked into that system in a particular way. It's essentially vertically integrated because it provides the raw products and through the export of technology and all those things. But what we do think is that South Africa does have the possibility of moving on to a growth and development path that increases the opportunities and wealth of its people. Now to me there is no pure capitalist system.” (O'Malley's interview with Marcel Golding on February 2nd, 1994)

“But here in South Africa we've been having this problem for a very long time and with unions demanding minimum wages it makes it extremely difficult to create more jobs and now that the economy is open and we're playing internationally it's incumbent upon all exporters and the local manufacturers to be very, very competitive and that means not necessarily giving jobs even to skilled people.” (O'Malley's interview with Barend du Plessis (Deputy Minister of Foreign Affairs and Information for the Nationalist Party) on the 31st of July 1997)

Second, COSATU has been able to strengthen their workerist approach due to their changing membership. Since 2003, COSATU has experienced membership growth with white collar workers such as government employees, nursing, policing, and municipal employees (Freund 2007; Buhlungu 2008; Mine 2019; Pahle 2015). These new members have different priorities and strategies in comparison to their previous industrial base (Xulu 2012). These were careerists who were not interested in engaging in political militancy through the unions since they were interested in maintaining their jobs. This fractured the solidarity within COSATU and further challenged the maintenance of the tripartite alliance with employers and the ANC (Buhlungu and Tshoaedi 2013). This alliance was already threatened by actions of the ANC. COSATU's

concerns were not always addressed by the ANC government (Freund 2002). The ANC was also not supportive of COSATU's call for the RDP (Webster and Buhlungu 2004). The influence of the ANC seemed to be strong at times over COSATU (Habib and Taylor 2000). And then certain union leaders succumbed to this influence and left their unionism behind to embrace capitalistic ventures leaving a purist union behind (Kuye and Cedras 2011). For these reasons, COSATU seemed to return to their purist union position to better represent their members.

The discourses on COSATU during this time show the undermining of worker interests at the national policy level. Some go as far as suggesting that COSATU makes demands that are unreasonable since there is a culture of entitlement within the African culture. These discourses describe workers as “whiny” and asking too much rather than accept worker grievances as legitimate.

“I am very disappointed that this old, it may be a stereotype, but this African kind of culture of entitlement, conception of time and of duty and of performance and of productivity, that's part of Africa's heritage to a certain extent, as you will know better than I, and that this thing is alive and well within the black political environment. There are, of course, exceptions on that with certain politicians but that this thing will overwhelm the ANC and that they will fall back, they can't fall back in the globalised situation that we're all in, but they are going to fall back on the kind of socialism (I want to say another thing about that), a kind of socialism, a kind of handout culture again, a kind of authoritarianism, a kind of just survival crisis management to a certain extent. I think that's a real threat and therefore that's not the solution.” (O'Malley's interview with Willem de Klerk (renowned political analyst) on September 1st, 1997)

Third, COSATU has been proactive during this time to throw their support for a labor-friendly leader. The case in point was the support for Zuma because President Mbeki was anti-labor. Mbeki had threatened COSATU if they didn't toe the line (Freund 2007). Mbeki also collected information on COSATU leaders and accused strikers as being counterrevolutionaries (Bassett and Clarke 2008; Suttner 2002). Under Mbeki's presidency, basic services like electricity were expensive to the poor and household items were confiscated by his security forces called “Red Ants” when the poor could not pay their bills. This led to scuffles and death for community activists (Bassett and Clarke 2008). He also pursued liberalization policies and declared an

“African Renaissance” as the outcome of these policies (Peet 2002). To bring down Mbeki, COSATU supported Zuma who was described as pro poor and pro workers and was open to social economic policies (Bassett and Clarke 2008). The problem with this involvement of COSATU with the appointment of Zuma did not go far enough to demand greater transparency (Bassett and Clarke 2008). Throwing support behind Zuma also led to losing women supporters since he was also implicated in a rape charge (Bassett and Clarke 2008).

Throughout the time that COSATU was involved in the removal of Mbeki, narratives on Mbeki rendered him as a good leader and that his continued leadership would be best for the interest of South Africa. Consider the statements below on Mbeki at the South African parliament proceedings.

“It is against this background that last Friday's midterm report by our President, Comrade Thabo Mbeki, has to be assessed. We have to ask ourselves: To what extent have we identified the fundamental issues facing the country? Has the President mapped out the most appropriate response to the challenges we face? As the ANC, we answer confidently: Yes! Not only are we up to the task, but we are in partnership with the masses of our people to solve our problems.” (Statement by Mr. L. Zita in the proceedings of the National Assembly on February 13th, 2002, 184).

“The house believes: President Mbeki is a statesman of exceptional ability and has made a major contribution in leading the fight against poverty, the creation of a more humane, caring society and in forging world peace; and these attacks are unwarranted and typify sensationalist journalism that seeks to generate false perceptions and divert the attention of the world from the strides that this country is making in deepening democracy and transformation, and building a better life for all; and the house condemns this irresponsible, biased reporting without reservation.” (Statement by Mr. M.T. Goniwe in the proceedings at the National Assembly on February 28th, 2002, 11)

In summary, evidence of Orientalist discourses on African workers can be observed in the way that labor was described as being too demanding and entitled. And although workers pursued labor laws from the political arm of COSATU, these laws were deficient due to these discourses on labor. Further, interventions into labor took place through the formation of the National Economic Development and Labour Council (NEDLAC). The suppression of labor was also catalyzed through liberalization policies and the production of GEAR to counter COSATU's socially based development program (RDP). Labor has responded utilizing a distinctive strategy

that copies Western trade unions. The South African unions pursued a consistent battle against liberalization policies and programs like GEAR. They also pursued a workerist stance that rejected political militancy and supported the appointment a labor friendly president.

### **Analysis**

“Hybridity is the revaluation of the assumption of colonial identity through the repetition of discriminatory identity effects. It displays the necessary deformation and displacement of all sites of discrimination and domination. It unsettles the mimetic or narcissistic demands of colonial power but reimplicates its identifications in strategies of subversion that turn the gaze of the discriminated back upon the eye of power.” (Homi Bhabha, *Signs Taken for Wonders: Questions of Ambivalence and Authority under a Tree outside Delhi* 1985)

Bhabha’s explanation of hybridity and mimicry describe the type of agency that the colonized acquire when they begin to mimic subjugators. While the subjugated remains to be the object of colonial desire, mimicry renders this objectification as mute due to the morphed nature of the colonized. If it is difference and superiority that differentiated between the colonizer and the colonized, then mimicry breaks that divide to uncover the source of colonial power (Kapoor 2003; Ghasemi et. al. 2017). And in this study of the labor movement in South Africa and India, the former seems to engage with pure unionism that renders discourses of inferiority as ineffective since South Africa’s seem to adopt the same logic as Western trade unionism. These examples of mimicry exercised by the South African labor include the fight by labor against the liberal policies produced by the ANC during globalization through assertions and reinforcement of their basic labor rights. Further evidence can be seen through the persistence of COSATU over the years to push for the implementation of the Reconstruction and Development Program (RDP) over GEAR (Peet 2002; Habib and Taylor 2000; Streak 2004). These moves by COSATU would be deemed to be mimicry as it placed workers away from the discourse of being too demanding or that Black workers would take away jobs from the Afrikaners. These mimicking moves also led to the ANC relenting to COSATU such as backing out from GEAR and not removing worker rights as embedded in laws (Bassett & Clarke 2008).

In the case of India, this mimicking strategy seems to be absent. The motivation and strategies employed by the workers were political and not sustained towards specific policy or legislative goals. This entrenched the Orientalist discourses of labor as being too emotional or violent to negotiate with. There were attempts by trade unions to separate themselves from alliances with political parties and set up unions that protected workers effectively. However, these federations like the Hind Mazdoor Sangh (HMS) and Bharatiya Mazdoor Sangh (BMS) remained tethered to political parties and in the case of the latter, tied the identity of workers with a sense of nationalist spirit (Saxena 1996; Mahmood 2016). Many unions also entered into agreements with corporations and continued to fracture the national trade union system (Candland 1995).

### **Conclusion**

To recap, there is evidence of colonial Orientalist discourses that were continued through the elitist groups from both the Indian and South African cases. These intervening discourses on workers could be found in the way the central economy was formed and the logic that supported this type of “big government” rhetoric. Even laws that pertain to labor placed great powers into government to decide on the fate of labor. This includes the formation of the industrial arbitration system set up and run by the government. Through these processes of institutionalization and legislation, the Indian National Trade Union Congress (INTUC) remained yoked to the Indian National Congress (INC) and preserved itself as a tool to control labor. Further, 5-year economic plans and Indira Gandhi’s Garibi Hatao illustrate the discourses on need for patronage over labor. And then with the advent of liberalization, the national trade union system lost power since agreements were made by employers with their employees directly. To respond to these interventions, Indian workers strayed from mimicry of western trade unions by employing unconventional strategies and non-legislative goals. These were mostly driven by reactions to injustice and general grievances against government policies. Rightist and leftist unions were

formed to depart from their reliance on political parties, but these proved to be futile efforts. In the end, these strategies have not resulted in the formation of effective labor laws and policies.

In the South African case, workers also faced the uphill challenge of having their rights recognized by the law. Due to the dual-nature relationship with the ANC, workers were invited to form the Constitution and laws to support worker rights. Workers were also included in the National Economic Development and Labour Council (NEDLAC). Despite progresses made, workers have pointed out the deficiencies and moved cautiously with the ANC. Oriental discourses on labor persisted throughout this time by labeling them as unproductive and that they needed to sacrifice their rights for the betterment of their country. And while liberalization and globalization created adverse conditions for labor, South African labor continued to push for their development program (RDP) and ensured that rollback on workers' rights was resisted. And lastly, with the changes of demographic in membership, COSATU rejected political militancy as a strategy and further entrenched the workerist stance of unions.

## CHAPTER 7: THE ILO'S COLONIAL LEGACY FROM ITS FORMATION TO THE POINT OF ADOPTION OF GREEN POLICIES (1919-1990)

In the previous chapter, evidence of colonial narratives during the processes of liberation from the liberation processes from colonial powers in South Africa and India shows how Orientalist discourses have continued to misrepresent these labor movements. In this chapter, I analyze the historical origins of the ILO and the way that it has perpetuated Orientalist discourses within its conferences from 1919 to the early 1990s. Further, I consider the connections between these Orientalist discourses and the relationships formed by the ILO with India and South Africa.

The main question that guides this chapter is: How do postcolonial theories help explain the complicit nature of the ILO in maintaining colonial control from its formation to the period when environmental labor policies were introduced? The thesis of this chapter is that Said's Orientalism helps to identify the Orientalist discourses found in the ILO conferences and how they have evolved over the years through sophisticated human rights-based language. In this chapter, I explain the trajectory of the ILO from 1919 to the early 1990s and the shifts in approaches and the types of Orientalist discourses that were used in these decades. I show how the ILO began as an institution that protected the interest of colonial powers at the expense of colonized workers and how it facilitated the shift to perpetuating control over these territories post-independence through the same discourses introduced at its formation. I also show how India and South Africa have had opposing responses to these Orientalist discourses during this time.

The outline of the chapter is as follows. First, I begin by providing an overview of the processes that led to the formation of the ILO. Second, I explain its formation and the feeling of optimism experienced by the founding members. Then, I explain the rise of India in the 1930s as a defender for workers in colonized territories. After that, I examine the nature of the ILO as a tool for modernization and exclusion in the 1940s. Further, I look at the use of "technical assistance"

by the ILO to intervene into newly independent states. This analysis continues with the new role of the ILO while decolonization takes place. Then, I examine the popularity of the “World Employment Program” in the 1970s. This is followed by the study of liberalization of markets in the Global South in the 1980s. And finally, I examine the effects of globalization in the dissemination of Orientalist discourses within the ILO in the 1990s.

### **Processes of formation**

The ILO was formed in 1919 through the International Labour Legislation of the Peace Conference in 1919. Its predecessor was the International Association of Labour Legislation (IALL) that was formed in 1900 (Rodgers et. al. 2009). The nature of the ILO can be explained through the way that the ILO brought together liberal reformers and experts from associations in Germany, the US and France. The IALL had the support of many Western states and was described as the site where “liberal” international/European networks of social reform coalesced (Kott 2019). It was from the IALL that the ILO was formed with the goal of regulating national labor markets (van der Linden 2019). In certain ways, the central catalysts for the formation of the ILO rested on the benevolence and civilizing mission of the West. One example was the push for the abolition of slave trading by the British and that an international labor organization would rid the world of this inhumane practice. They teamed up with the French to give up slave trade for the “greater interest of humanity” (van der Linden 2019). Another civilizing mission was to avert catastrophe in the form of a global worker revolution. There was fear that worker revolutions as seen in the Bolshevik revolutions would overthrow the central tenets of enlightenment and liberal democracies (van der Linden 2019; Kott 2019; Belluci and Weiss 2020). To overcome the injustices that were occurring as states began to industrialize, the ILO became the midway option. It would do this by bringing together workers, employers, and governments at the international level within a non-confrontational setting (Rodgers et. al. 2009). Thus, today the ILO produces

conventions that require ratification from states and the ILO would provide inspection services to ensure that its conventions are complied with (Van Daele 2005).



Figure 7-1: Members of the Commission on International Labour Legislation to the Paris Peace Conference. Credit: ILO

### **1920s: Dawn of optimism**

When the ILO was formed, its members were hopeful and positive about the type of impact that the organization would make to ensure a better life for workers. Van Daele (2008) describes the ILO's first decade as the “capricious and fantastic play of constitutional texts and social realities” phase. There were great expectations that the ILO would create effective concessions that would subdue worker unrest and workers were also hopeful in the capacity of the ILO to defend the rights of workers (van Daele 2005). Workers would find their value through the ILO and its stance for the decommodification of labor (Kott 2019; Belluci and Weiss 2020). Hence, through the ILO, there was an opportunity to remake society that was battered after the war. However, the division in priorities and interests between European and non-European states defined the tone of discussions in ILO meetings. A Cuban delegate was quick to point out the way that certain rhetoric was not acceptable at the ILO:

“But I wish to point out how constantly at this tribune, and today for the third or fourth time, non-European States have been spoken of with a certain contempt. I think that it is entirely

wrong to establish geographical and ethnical differences. We should speak here as representatives of Governments, of workers, or of employers, and not as representing particular States” (ILC 1921, 351)

There was also an attitude of exclusion of colonized states. Despite various requests by India for the ILO to establish its presence in Asia, the only office set up was in Tokyo in 1923. And even though colonial powers such as the UK, France, the Netherlands, Belgium, and Portugal were participating members, workers’ living conditions in colonized territories were ignored. These colonial powers also opposed the convention against forced labor in 1929 (van der Linden 2019). The attitude of colonial powers towards workers in colonized states can be observed in the statement by Hadji Salim (worker delegate from the Netherlands):

“To speak of forced labor in the sense before us it is essential to remember that the peoples forcing this labor consider the peoples from which the labor is enforced as innately inferior. Colonies exist for economic reasons. The colonizing Powers that wish to exploit their riches may need labor for such purposes. Labor does not come forward, perhaps because the wages are too low, perhaps because the peoples can provide for their own needs by their own systems of industry without working for anybody else. Moreover, the peoples may dislike working for a foreigner, but in any case, the Power which has the authority makes use of forced labor and to justify this injustice the peoples are libeled by being called savages. The word "native" in the minds of the whites indicates inferiority.” (ILC 1929, 409)

India’s response to this exclusion was the demand for greater representation of the colonies at the ILO. The delegates from India argued for Indian princes to be able to attend ILO meeting (ILC 1925, 104-105). This continued through to 1928, where delegate Mr. Chaman Lal continued to press the ILO about the representation of native workers at the ILO meetings (ILC 1928, 183). And then acting in proxy for Black workers in South Africa, the Indian delegates also pushed for the rights of Black workers to be present at the ILO (ILC 1927, xi). For a decade, the request for representation fell on deaf ears and it was ignored. Finally, in 1929, the ILO office was directed to draft a report to decide how colonies could be best represented at the ILO. They passed the resolution concerning organization and representation in the Conference of workers in colonies and non-white workers (ILC 1929, 1056). These efforts by India corresponded with national events such as the push by Indian nationalists to have representation in the ILO and not

have British citizens represent Indian workers at international meetings. The formation of the AITUC marked this effort to have Indian labor representation at the Conference as well as the Governing Body (Krishnamurthy 2011).

In the meantime, White South African delegates allied with colonial powers and argued that ILO provisions such as the 8-hour workday did not apply to the country on grounds that it created inefficiencies in production (ILC 1922, 127). They also argued that they were not given adequate time to consider resolutions before they were voted on (ILC 1924, 204). Further, they rejected the application of universal compensation policies for Black workers on the grounds of administrative complexity and the need for time before Black workers could progress to enjoy certain rights. Consider the statement issued by the South African delegate below:

“To transform warlike barbarians into peaceful industrialists is necessarily a long process. I believe that, even in Europe, that process is not quite complete, and in South Africa it must still take some time.” (ILC 1925, 379)

This was in line with the activities of suppression that occurred during the decade to deprive labor rights to African workers. During the 1920s, the Parliament of South Africa passed various apartheid laws such as the Natives (Urban Areas) Act No 21 of 1923 which regulated the presence of Africans in urban areas and to deport “idle” Africans to reserves if they misbehaved (Legassick & Wolpe 1979). Also, it was during this time that the South African government passed the Industrial Conciliation Act 1924 that excluded the Blacks from trade union membership (Money 2020).

### Orientalist discourses from the ILO proceedings of 1919-1929

The Orientalist discourses that could be seen in the discussions of the ILO conference meetings include justifications for the exclusion of universal rights to workers in colonized territories. A resolution was passed in 1919 that states that ILO conventions would only be

applicable to colonies with permission of colonial powers (Resolution adopted in the ILC 1919, 382). Any type of exclusion would be imposed via a simple declaration by colonial states that the region was not self-governing and local conditions prohibit their application (ILC 1919, 418). Consider the wording of Art. 7 that was adopted at the Conference to reduce sleep of workers in colonized territories below:

Article 7. — In extra-European States, as well as in colonies, possessions, or protectorates, when the climate or the condition -of the native population shall require it, the period of the uninterrupted night rest may be shorter than the minima laid down in the present Convention provided that compensatory rests are accorded during the day. (Report of Proceedings in the ILO's first International Labor Conference in 1919, 382)

The “colonial clause” led to exclusion of universal standards in colonial territories on “civilizing” grounds. For example, the Belgian delegates mentioned the exclusion of the forced labor convention in Congo on the grounds that workers were forced to grow Cinchona trees for medicine. Since the bark could be used to heal the Congolese from Malaria, the Belgians were doing the locals a favor and universal standards could not apply (ILC 1929, 588). Consider the statement below that justifies exclusion of universal standards for colonized workers.

“Then there is the question of colored labor. After all, the majority of the workers of the world are colored men and there are peculiar problems arising as they become increasingly absorbed in industry. There is the fact that in the southern hemisphere there are different climatic conditions, that is to say the seasons are entirely opposite to those in the northern hemisphere.” (ILC 1924, 1137)

Another example of Orientalist discourses can be seen in the statements made of the ineptitude of workers in colonized states. Concerning seamen, the colonial powers at the ILO made statements of the inferiority of “colored seamen”. One example is provided below.

“With such a system of work, genuine sailors will obtain work more easily and the masters will no longer be obliged to engage unskilled colored labor while skilled seamen are unemployed in accessible ports. The world labor market would thus be organized to the great benefit of the seamen.” (Conclusions of the Report on Unemployment for Seamen, ILC 1919, 539)

Colonial powers also made statements concerning control over Black bodies for economic advancement and labor opportunities. For example, the Colonial Minister of the Netherlands

claimed that it was important for the home government to make decisions over colonized labor because economic health was at stake. Hence it was important for them to impose discipline on workers in colonized territories (ILC 1928, 189). The discourse was based on the notion that colonizers have brought various advancement in colonized territories such as the building of roadways and railways to connect the “subject races in the colony” and the European Portuguese. This was claimed to be a civilizing mission for those “put under their charge” rather than those held by force (ILC 1929, 44). According to the Belgium delegate, it was important for the colonial states to work efficiently and for the favor that the colonial states would bestow on the colonized, the colonized would have to repay from their own resources. Consider the statement by this Belgium delegate in the statement below:

“The problem before us is based on moral and on economic factors. On the one hand, the colonizing powers have the duty of raising the moral, intellectual, and social level of the peoples entrusted to their care. On the other hand, they have the duty of giving full effect to the latent prosperity of those countries. These two duties are complementary. It would be impossible to leave out of the world's circulation that part of the world's wealth which is lying unused in these colonies. This civilizing task must be financed and remunerated by the economic development of the colonies” (ILC 1929, 54)

By the end of the 1920s, colonial powers were no longer optimistic about the ILO since it impeded their ability to fulfill their civilizing task of advancing “colored workers”. To this end, many colonial states would vote against increasing the powers of the ILO (ILC 1929, 542).

### **1930s: Reconstruction phase**

More evidence of the waning of optimism of the ILO began to emerge in this decade. With the global economic crisis, increasing unemployment and the rise of dictators, many believed that the ILO would not be able to pull through (van Daele 2008). In addition to these overarching issues, there was also internal strife. European states began to openly resist the ILO and its conventions that they believed would infringe on their sovereignty. For example, the delegate from Portugal made a claim that it could not in good conscience accept a convention that was “incompatible with national sovereignty and the autonomy of Portuguese colonial administration”.

(ILC 1930, 749). And when the ILO requested reports of the condition of work in colonial territories, colonial states began to evade such requests citing the difficulties of assessing actual conditions. Certain colonial members complained about the challenges in gathering said information citing the difficulties of pulling together information on geographical position, climate, the nature of work, custom, religion and other causes of a specifically local character as an impossible task (ILC 1931, 621). Acquiescence of the ILO in these evasions and exclusions of universal conventions in these colonized territories could also be seen in the attitude of the ILO. For example, the Committee on Article 421 found that colonial governments were not adequately applying conventions citing the same problems that they faced a decade before (ILC 1933, 411). Nevertheless, the ILO responded by saying that it was content with the present condition of the application of its conventions in colonized territories. It claimed that colonial states had the power to choose the types of ILO conventions that would be appropriate in their colonies (ILC 1932, 603).

The Indian response to the exclusion of ILO conventions was to insist on the universal application of these conventions in labor colonies in India and other exploited territories. India's ability to speak out against colonial powers sprang from its ability to negotiate a space at the ILO table while still being colonized by the British. The ILO became the venue where it would wage resistance against their colonizer. The argument presented by the Indian delegates was that since the majority of workers in a territory were natives or colored workers, these workers needed to be represented by their own delegates and not their colonizers (ILC 1931, 583). This was pushed by Indian delegates in 1937 and 1938 (ILC 1937, ix; ILC 1938, 281). Nevertheless, this issue was never addressed or debated. This resistance by India was a follow-up to the national labor activities that were taking place. Nationalist elites rose to speak for the interest of Indian labor through the INTUC such as Lala Rajpat Rai. Gandhi's movement was also taking off at this time with the concept of Satyagraha (employer trusteeship) (Bhowmik 2009; Candland 1995).

South African participation was defined by British attacks on the South African treatment of Black workers. The British provided evidence of the dehumanization of African workers in South Africa specifically how Black workers were confined in compounds and treated like prisoners. The argument presented was that if colonial powers had to comply with ILO conventions, then non-colonial entities would also have to be responsible (ILC 1935, 415). The South African delegates responded in defense arguing that forced labor did not exist in South Africa. The South Africans also mentioned that mistreatments were justified due to the tribal nature of native tribes (ILC 1930, 476). They also argued that the 40-hour work week system would not be appropriate in the context of South Africa since Black workers still lived tribal lives, were inefficient and prone to accidents. Efficiency would also be best achieved when these workers were adequately trained (ILC 1933, 97). Further, they defended their labor conditions stating that the conditions for workers were better in South Africa than in Europe and that workers were taken care of (ILC 1931, 34). Consider the statements below by South African delegates who claim that Black workers could exercise their freedoms if they wanted to.

“The African, however, is in an entirely different position, which is in most cases a far stronger one than that of the European. The lack of any union appears at first sight to be a severe handicap, and in certain parts some attempt to remedy this has been made; there are, however, other advantages which go far to compensate for any disability in that direction. Primarily, the African is very seldom in the position of being forced by economic pressure to work at any particular task.” (ILC 1938, 283)

“The African may 'be sentenced to a short term of imprisonment [for not making it to work], not, under modern conditions, in most colonies, usually a very unpleasant experience; he has no property to lose, so does not suffer in that way, and his family are far away and entirely unaffected by his vicissitudes.” (ILC 1938, 284)

These acclamations made by South African delegates corresponded with efforts within South Africa to restrict African labor freedoms. Africans were not recognized as employees and therefore were not allowed to form unions (Report of the Select Committee of the Masters and Servants Act 1872). De facto unions rose at this time with efforts from the Communist Party especially such as the African Mineworkers Union. One catalyst for the rise of de facto unions

was the introduction of the color bar that restricted Africans from any kind of supervisory position (Allen 2005; Merrett 2018).

### Orientalist discourses in the ILO in the 1930s

The types of Orientalist discourses that were found in the ILO documents show justifications of control over labor in colonized territories on the grounds of the benefits of the colonial civilizing mission, non-application of labor conventions due to state sovereignty, and the benefits of colonial benevolence in colonized territories in sharing wealth and knowledge.

The colonial powers presented the discourse of the way that its civilizing mission would improve the lives of those in colonized territories. They argued that through the presence of colonizers, these “backward” peoples were able to progress forward. Consider the statements by the Portuguese and Belgian delegates describing their civilizing mission in advancing the minds of the Africans.

“The mental evolution of the indigenous races in Portuguese East Africa is a fact. Reports from Mozambique show it very clearly. During the ten years' administration of Governor-General Cabral, the progress in Native mentality is remarkable. The social transformations which are taking place in Africa are deeper than is generally believed. The indigenous people are beginning to form their own public opinion, their own judgment on European administration, and their own ideas of economic activities. It must be emphasized, for example, that the indigenous peoples in the south of Mozambique -who emigrate towards the Rand recognize that this emigration is an inevitable necessity.” (ILC 1936, 284)

“Belgian Employers' member, in whose view the attitude to be adopted in regard to penal sanctions largely depended on the evolution of the territories concerned. In most African territories, European colonization hardly dated back more than 50 years, and it was obvious that in so short a time their inhabitants could not have developed a civilized mentality.” (ILC 1938, 556)

And since the colonial powers already bear a heavy burden in the civilizing task, they argue that they should have absolute autonomy in dealing with colonized territories. The ILO requirements would create disorder and sabotage the civilizing mission by confusing the “natives”. Consider the statement issued by the Belgian delegate to the ILO Conference.

“The unanimous decisions of this Committee show the sense of responsibility which the colonial Powers have in regard to their mission of guiding the subject peoples through the

difficult conditions of modern life. These Powers have also the duty of protecting the natives from influences which are all the more dangerous because the people in question are primitive and easily led.” (ILC 1935, 443)

The colonial powers further argue that they have been generous in protecting labor in these colonized regions despite the volatility of labor behavior in these areas. The Spanish delegate presented a statement describing their benevolence to workers in colonized territories. The Spanish delegate for example mentioned how Spanish legal provisions were “generous and humane” (ILC 1931, 155). And that the Spanish government was the first to institute the “doctrine of protection and guardianship of colonial races, as the historic mandate of the higher civilized races” (ILC 1931, 155). In another example, the Portuguese raised the Native Labor Code 1928 noting how it was satisfactory in protecting workers but claiming that it was not practical for application in colonized territories (ILC 1931, 471). They also had the Colonial Act and the Charter of the Portuguese Colonial Empire that guaranteed the welfare of the Natives and therefore they did not need to adopt ILO conventions (ILC 1936). Similarly, the French explained how the French Act 1922 extended the rights of workers in granting workers’ compensation and this had been operationalized in colonized territories; hence there was no need to apply the ILO’s conventions in these areas (ILC 1933, 542). The French also claimed that they were eager to ensure that “colonial policies would aim at the evolution of the peoples in those territories” in reaching their full civilized potential. And hence the French put into place various laws in their colonies which also applied in the home countries (ILC 1939, 25). British delegates also did the same by claiming that they already had comprehensive common-law that prohibited forced labor and thus the ILO’s conventions were merely add-ons that need not be ratified (ILC 1935, 797).

In sum, this reconstruction phase was overshadowed by the contestation for power in colonized territories and acquiescence of this exercise of power by colonial states within the conferences of the ILO. The meetings were utilized to spread these discourses that justified

control and abuse of workers in colonized territories at a time when reconstruction and building of economies were the central goals.

### **1940s: ILO as a tool for modernization and exclusion**

During the 1940s, the ILO's development could be defined through the adoption of the Philadelphia Declaration of 1944, the presence of labor advisors from colonized territories and the reframing of relations between colonial powers and the colonized through "technical assistance".

In 1944, the ILO adopted a landmark declaration called the Philadelphia Declaration that sets out the parameters of a peacetime global order and the role of the ILO in promoting social advancement for less developed states. This was a significant move since colonial states were advised to adopt a welfarist approach towards colonized peoples and to increase the representation of labor from colonized territories (Maul 2009).

Further in 1944, the ILO finally adopted Article 18 of the Constitution that allows the Conference to appoint delegates for their technical knowledge but without voting power (ILC 1944, xi). The response of colonial states was positive with statements from the British delegates that it was a move in the right direction and pointed out how the ILO had been restrictive in adding more delegates to the meetings (ILC 1944, 237). The South African delegate, however, argued that White worker representation at the ILO was justified since their presence was supported by hundreds of thousands of African workers. Therefore, there was no need for "native" workers to be present as observers (ILC 1946, 191). India, nevertheless, continued to be adamant and insisted that this was faux representation since these colored workers were attending as observers rather than members with voting capacity (ILC 1945, 171; ILC 1947, 30).

This era was also defined by the rise of the "technical assistance" mechanism. By 1943, colonial powers were undergoing reconstruction that continued after World War II. This moved

the ILO's need to focus on economic programs for the colonies (Kott 2018). Local elites became partners with the ILO as the ILO continued to churn out conventions and recommendations between 1944 and 1947. The colonial rhetoric began to shift as these "native capitalists" began to continue the exploitation of labor in these colonized spaces. Colonial powers such as the Belgians began to change their tune and argue for the universal application of ILO Conventions in "non-metropolitan areas" (colonized territories). They stated that ILO standards should continue to stop exploitation of the natives on their own. Since these groups create imbalances in trade owing to access to cheap labor, the efforts of these native capitalists ought to be halted (ILC 1947, 255).

The ILO's new focus on "technical assistance" and development led to the establishment of new relations between the colonizers and the colonized. Under a new form of the "civilizing mission", the colonizers now had the upper hand in holding the hand of the colonized through their developmental stage post-independence. According to van der Linden (2019), this brought them into a permanent arrangement in the international division of labor. The ILO's complicit participation in this new arrangement came in the form of hiring more economists and establishing development missions in various developing states like India, Egypt, Pakistan, Yugoslavia and others (Kott 2019). At this time, India was negotiating, and power was shifting hands to the elites. It was also at this time that the INC formed a nationalist trade union, INTUC, that would temper the Communist influence of the AITUC. This unfortunately led to the weakening of labor voices at the national and at the ILO level (Lakshman 1947).

As for the South African response to the ILO, there was no change in their attitude. They were unwilling to pay fair wages and the efforts of unions to support Black workers failed due to lack of cooperation by employers who maintained segregation (ILC 1944, 85). At the national level, efforts by the Communists to set up African trade unions also failed. As mentioned in Chapter 5, the formation of the Council of Non-European Trade Unions (CNETU) was dismantled

by the Suppression of Communism Act 1950 (Maree 1985). The South African delegates also denied the mistreatment of Black workers citing that they were treated the same as White workers and that the industrial legislation in place allowed for a 46-hour work week, compulsory cost of living allowances, annual vacations, and other advantages (ILC 1944, 85). Consider the statement by the South African delegate below:

“The South African Government is not anxious to keep the African worker in a position of disguised slavery. I know something of the loose talk that there is in connection with our treatment of the African. It is talk based upon ignorance and is both mischievous and largely untrue. I am not claiming that the African worker in South Africa is not exploited, but there are millions of European workers in the world who are equally exploited.” (ILC 1944, 100)

Where there was no denial of the horrid working conditions for Black workers, South African delegates resorted to justifying their actions based on the subordinate position that Black workers held. They argued that Black workers were uneducated and incapable of managing trade unions or that they were not accustomed to progressive living since they lived in tribal conditions (ILC 1947, 26).

#### Orientalist discourses in the ILO in the 1940s

As for Orientalist discourses present in the ILO discussions, these included the reiteration of the benefits that colonizers brought to colonized territories, the exercise of benevolence through development programs, and the continuation of exclusion for territories still under the control of colonial powers. The colonial powers continued to propose that they had led colonized territories to progress through their exercise of power over them. Colonial powers at the ILO argued that they employed humanitarian approaches to protect “native workers” and would continue to help them to reconstruct their economies (statement by Government delegate from Portugal, ILC 1945, 148). The British delegate also mentioned that they would continue to care for their colonized communities. Consider the statement by the colonial powers below:

“Steps are being taken to ensure that all children shall be adequately fed. Nor have we neglected to take action directed towards raising the standard of life among our colonial peoples.” ILC 1941, 36) (British delegate on the challenges brought on by the war)

“Through colonization, the colonial governments have been able to implement social justice and Christian values that have greatly benefitted colonized territories.” (Delegate from Portugal, ILC 1946, 61)

“My country's idea of the French Union is another instance of technical assistance by highly-developed metropolitan countries to new territories without any thought of colonial exploitation but with the sincere desire of giving young nations the benefits enjoyed by older civilizations.” (ILC 1949, 59)

This type of morphing of the “civilizing mission” was endorsed by the ILO when the Report of the Committee on Social Policy in Dependent Territories recognized the contributions of colonization in colonized territories. And by claiming this, the ILO stated that it was not an apology for actions taken in the past but as a path forward to implement development programs and encourage international agreements between “colonial governments and dependent peoples.” (ILC 1944, 473).

The second type of discourses present within this decade was the declaration of neocolonial benevolence to aid newly independent states to attain economic independence. While expressing the desire to liberate colonized territories, colonial powers planned to continue intervention through development programs. This continuing civilizing mission was justified on the grounds that the “native” population could no longer be exploited for profit (French delegate, ILC 1944, 53). This intervention into their economies was justified on the ground that this was necessary to increase the quality of life of “colonial peoples” in order to secure “genuine colonial prosperity” (ILC 1944, 231). This type of attitude of superiority could be observed in statements such as the one from the British delegate below.

“In this connection, we have started in our own country a contribution to the welfare of colonial peoples. We want to see the colonial peoples standing on their own feet, and until they can do so, we have got to give them all the help we can, and, under the auspices of the British Colonial Office, we have already established committees designed to assist our fellow workers in the colonies in the evolution of their own life in those colonies.” (ILC 1944, 53)

The third type of Orientalist discourse that could be seen in the ILO proceedings included continued exclusion of the application of ILO conventions in colonized states. This double standard could be observed in arguments presented by the Belgian delegates who argued that ILO conventions could not apply to the Congolese workers because it would cause more harm

than good. They argued that it was important to hire a few workers with heavier loads rather than hire more workers because engaging too many workers into industries may lead to social collapse. This was argued by delegates from Belgium where they argued that the “scanty and scattered” Congolese society would not survive if many were hired to work in urban areas (ILC 1945, 27). In another instance, a government delegate from the Netherlands argued that child labor conventions could not apply to colonized territories because of rapid physical growth of children and therefore the minimum working age was justified (ILC 1949, 477). A similar argument was raised by the French delegate as can be observed in the statement below.

“I must add that this is an exception. The result is that the regulations which we are drawing up will more or less oblige employers to give a sort of premium for regular attendance, and this will induce workers to come and live near their place of employment and thus leave their normal village surroundings. I am not at all sure that this is a desirable development.” (ILC 1945, 197)

To put it succinctly, the 1940s was defined by the shift in rhetoric by colonial powers and the transmission of the civilizing task into newly independent territories under a new developmental mandate. This shift continued to be justified through Orientalist discourses that maintained the inferiority of the colonized and the superiority of the colonizer.

### **1950s: Expansion of technical assistance**

During the 1950s, the development of the ILO was defined by the expansion of the technical assistance program, the adoption of the US model of development, and the increasing voice of developing states. With regards to the expansion of the technical assistance program, the ILO began to cooperate with colonial administrators within regional conferences such as the African labor conference. The goal was to increase the productivity of workers by following the European model of productivity through vocational training programs (Kott 2019; Maul 2019). One example of a technical assistance program was the Andean Indian Program that spread to other parts of Latin America for the gradual integration of indigenous groups into modern society. The understanding was the ILO would be the vessel to lead “backward and underdeveloped” societies

into the modern age by using methods of social engineering (Maul 2019). These efforts were facilitated through the work of the American Director-General David Morse who brought in \$1 million USD to implement the Marshall Plan through 15 ILO projects (van der Linden 2019).

This decade was also marked by increased influence of the US model. This could be explained for the most part due to the influence of David Morse who held the Director-General role from 1948 to 1970 (van der Linden 2019). He believed that the Western liberal democratic model had to be replicated in developing states (Maul 2009). Part of this effort involved the appointment of leaders from the Global South to occupy senior posts at the ILO but many who were sent out to developing states as technical experts were those from colonial states (Maul 2019). It was also at this time that the ILO offices began to expand to the Global South – Bangalore, India in 1949, Sao Paulo in 1950 and Istanbul in 1952 among others (van der Linden 2019; Maul 2019). Driven by the need for economic development, India sought help from the ILO. The problem was that workers were not included in central planning of the economy. Elites with capital dominated decision-making with regards to the economy under the notion that they would protect workers in the processes of development (Nair 2009; Gupta 1989).

It was also during this period that newly independent states were establishing their voice at the ILO. For example, the Indian worker delegate proposed the issue of “family responsibilities” at the International Labor Conference of 1954 and the amendment was adopted when the vote was called (ILC 1954, 389). Further, representatives from the Global South began to present counter-narratives to the colonial narratives of benevolence. One example includes the questioning of the imposition of the hut and poll tax on African workers by the Portuguese (raised by the delegate from Sri Lanka). Another example was the questioning of the crimes of the “so-called Western civilization” and how they are treated with indifference and absolves the perpetrators of any kind of accountability (ILC 1951, 257). The delegate from the Philippines also

raised the issue of “low productivity” and requested that the ILO examine if this could be attributed to the colonial policy of exploitation that they were subjected to (ILC 1950, 236).



Figure 7-2: A view of the first plenary session of the Asian Regional Conference of the ILO, which opened in New Delhi on October 27, 1947. Credit: Photo Division, Government of India

As for the South African response to the ILO, it remained consistently flagrant. This was consistent with the perpetuation of apartheid laws that segregated African workers from the privileges enjoyed by the Afrikaners. Statements made in the Parliament of South Africa indicate the fear of Afrikaners of their loss of identity and lowered wages if Africans were to join White unions (Minister of Labor, Union of South Africa, Debates of the House of Assembly 1948 First Session-Tenth Parliament, 815). At the ILO, delegates from South Africa continued to denigrate Black workers through Orientalist discourses. Consider the statement of the Employers’ delegate at the International Labor Conference 1951 below.

“The backwardness of the African indigenous population can only be rectified by inculcating into the people not only the habit of work but the desire for a more interesting life and for a higher standard of living.” Employers’ delegate (ILC 1951, 30)

The South Africans continued to deny allegations of the acts of discrimination against Black workers and that they were actively pursuing the implementation of ILO conventions (ILC 1955, 281). Due to their callous responses at the ILO, South Africa became the target of constant attack. This can be seen in the statement by the delegate from Sri Lanka below.

“A glaring example is the Union of South Africa. To permit such countries to continue in membership while flouting the Organization as a result of calculated policy is to reduce the institution to ridicule.” (Worker delegate from Ceylon, ILC 1953, 89)

#### Orientalist discourses at the ILO in the 1950s

During the 1950s, the ILO was complicit in furthering Orientalist discourses against newly independent territories. These include discourses that suggest that colonial powers would be most equipped to help developing states through to self-governance and prosperity. Colonial powers would also ensure that colonized territories would adopt ILO conventions within their legal systems and that the ILO would help developing states through technical assistance.

The main Orientalist discourse that could be observed in the ILO proceedings were articulations of colonial superiority through their sole ability to guide developing states to developed status. For example, the government delegate from the UK mentioned that their role to ensure a good standard of living for previously colonized territories and protection from aggression was a task entrusted to colonial powers (ILC 1950, 33). Because colonial states have passed through a difficult stage and have prospered through their intelligence (rather than exploitation), colonial powers claimed that it was their duty to help previously colonized territories. Statement by workers' delegate (ILC 1951, 34).

The other type of Orientalist discourse is that colonial powers would ensure that newly independent or transitioning states adopt ILO conventions. For example, the delegate from the UK stated that they would try their best to persuade colonized territories to adopt ILO conventions (ILC 1950, 479). This is after the fact that these colonial powers were not willing to apply universal standards on previously colonized territories. The statements also show how colonial powers

believe that their help was necessary to ensure protection of vulnerable workers in colonized territories. This type of Orientalism is present in statements such as the one mentioned by the Swedish delegate as can be seen below.

“To state that the day of colonialism is over, that it is out of date, and thereby as it were to advise the colonial powers to withdraw from Africa, where they are accomplishing the task incumbent upon them, would be to sacrifice the indigenous workers. What good can be achieved by criticizing colonial administration when it is a fact that it is only the intervention of the colonial powers through that administration which protects the indigenous peoples against all sorts of abuses?” (ILC 1955, 443)

And the third type of Orientalist discourse is that colonial powers were the ones who could save the natives from themselves. Technical assistance provided by developed states would allow for the increase of the standard of life of those in underdeveloped regions. For example, British delegates argued that developing states were bogged down with illiteracy and unsuitable leadership, and that by increasing training by the British, these problems could be overcome (ILC 1955, 303). Similarly, the delegate from France suggested that developing countries could be helped through the expertise of developed states so that they too could develop their program of workers' education (ILC 1957, 547). In the same vein, the Belgian delegate stated that they could help “underdeveloped” states by training their workers at institutions in Belgium and then sending more labor inspectors in the colonized territories (ILC 1959, 699). In sum, the 1950s was marked by greater emphasis on the role of the ILO and the importance of continued intervention of colonial powers into colonized territories.

### **1960s: Decolonization era and the perpetuation of power of colonial states**

During this time, decolonization began to take place en-masse. By 1965, the membership of the ILO doubled from 55 to 115 countries with the majority of its members being former colonies (Maul 2009; Kott 2019). Despite this increase, it did not mean that the ILO was steered by these new free countries. By the time former colonies joined the ILO, two-thirds of the standards were already formed (Chigara 2007). Further, due to the increasing number of independent states,

worker groups began to push for the elimination of the colonial clause and the universality of application of ILO conventions across the board (ILC 1963, 517).

Despite the decolonization processes under way and the independence of colonized territories (non-metropolitan areas), the ILO could not shed its North-Atlantic bias (van Daele 2008). The corporatist structure remained northern friendly when it focused on labor productivity, higher profit margins for corporate industry and higher wages for employees (van der Linden 2019). This northern friendly model was disseminated through newly established regional offices of the ILO. In response to the assistance provided by developed states, newly independent states declared their distrust of these experts. According to the delegate from India, it was difficult to trust experts from previous colonial powers who for decades had refused to grant independence to colonized territories (ILC 1965, 114). This was because within the national level, India was determined to succeed economically and would not allow the ILO's standard to thwart its economic plans. In 1961, the third five-year plan that was unveiled continued labor policy development along the same lines as the first two plans and increased the emphasis of labor dispute settlement through government arbitration (Kennedy 1965). Labor had to bear the burden of an economic transition.

Many other delegates also raised the issue of trust in several conferences such as the Ugandan delegate in 1965 (ILC 1965, 548), Romania, Iran, Honduras, and Ecuador in 1966 (ILC 1966, 611). Some delegates also complained that the training was conducted in English and not in local languages (ILC 1965, 167). One delegate from Upper Volta argued that the training was ill-fitting since it only concerned formal employees whereas newly developing states had a different type of job market (ILC 1968, 188). Developing states also argued that the increase in ILO membership dues to developing states was a penalty for technical assistance (ILC 1968, 56).

Throughout this time, the South African responses remained the same and this agitated certain members especially those in the African region. Trade unions were heavily repressed and

harassed by the South African government. One example was the dismantling of the South African Confederation of Trade Union (SACTU)(Area Handbook for the Republic of South Africa 1970). At the ILO, Condemnation against apartheid continued but no sanctions were issued against South Africa. For example, the delegate from Canada called for the boycott of South African goods (ILC 1961, 201) and the delegate from Pakistan argued that South African delegates should be expelled (ILC 1961, 390). Since the ILO's constitution did not allow for expulsion, ILO members called for South Africa to withdraw (ILC 1960, 225). The resolution was passed at the ILO requesting that South Africa withdraw but they continued to attend the conference. In 1962, When they stood up to speak, worker representatives walked out of the conference proceeding in protest (ILC 1962, 177). South Africa officially withdrew in 1964 after much pressure. This pressure came in the form of the Declaration concerning the Policy of Apartheid of the Republic of South Africa – for the elimination of apartheid in the field of labor (ILC 1964).

#### Orientalist discourses at the ILO in the 1960s

The Orientalist discourses present in the ILO proceedings during the 1960s include statements that colonial powers have done well in ensuring that ILO conventions were applied in colonized territories (despite their extensive use of exclusions), the continued watchful eye of the colonizers to ensure the well-being of their colonies, the utility of the colonial clause for the benefit of colonized territories, the ILO's important role of providing technical assistance, and the ability of technical assistance program in advancing previously colonized territories.

The colonial powers claim that they have achieved good progress in applying ILO conventions in their colonized territories. For example, the government delegate from the UK made a statement that “very considerable progress” was made since 1955 for colonized territories (ILC 1961, 497). And to ensure that newly independent states were accountable for their actions,

the colonial powers stated that they would continue to protect their colonies by monitoring labor treatment in these previously colonized territories (ILC 1961, 444; ILC 1966, 453).

It was also during this time that colonial states began to peddle the discourse that the colonial clause was utilized primarily for the advancement of colonized territories. The delegate from the UK explained that Art 35 (colonial clause) was not an exemption but a call to apply conventions where it was appropriate. The delegate argued that the ILO Conventions were not useful to smaller colonies but provided a tool for training of colonized officials to learn the conventions first before applying them. Hence, it “has been of greatest use for those in preparation for independence” (ILC 1961, 496). Similarly, the French delegate also mentioned that it was through the colonial clause that encouraged the application of ILO conventions in colonized areas (ILC 1961, 707).

The colonial states also stressed the importance of the ILO’s role in offering technical assistance to newly independent states in maintaining universal labor standards. The representative from the EEC lauded the ILO for the system of common agreement between states and the increase of assistance granted to developing states (ILC 1963, 150). The government delegate from France also stated that it was important to increase technical assistance to newly independent countries so that worker conditions can be effectively improved (ILC 1963, 152).

It was also important to provide technical assistance to ensure that they receive the help that they need due to the chaos of shifting administrations. And it was the duty of the colonial powers to make sure that newly independent states do not make serious mistakes as they seek to establish themselves. This “benevolence” can be observed in the statement below by the delegate from France and affirmed by the ILO’s Secretary General.

“It is to help them to pass through this period of transition and to avoid such errors, and also in order to prove our solidarity with them, that we have developed this technical assistance—or technical co-operation, as it is now called—which has become our third function” Employers’ delegate from France (ILC 1963, 361)

“All this has given the I.L.O. a greater possibility of real influence than it has ever had before in its history, and an influence which can be brought to bear at the formative stage in the growth of new nations, and it is very much appreciated and sought after.” Secretary General of the ILO (ILC 1964, 407)

Further the German delegate claimed that developing states needed to “bridge the social gulf by adopting the same methods employed by industrialized states (ILC 1966, 93). Similarly, the delegate from Canada stated that developing countries would not be able to transition their economies effectively without the technical assistance offered by developed states (ILC 1968, 253). In summary, the 1960s can be described as the reentry of colonial powers back into previously colonized spaces through the ILO’s technical assistance program.

### **1970s: Shift from technical assistance to the World Employment Program (WEP)**

In the 1970s, the ILO formed the World Employment Program (WEP) to replace the technical assistance program. The technical assistance program had ended due to claims by states from the Global South that it had failed and that a new program was needed to rebuild the ILO (van der Linden 2019). Criticisms also came from the Global North for lack of data (ILC 1977, 294), and the failure to make developing states independent (ILC 1977, 294; ILC 1977, 316). The WEP would be carried out in developing states through cooperation with governments in Latin America, Asia and Africa to help these states educate and train their labor population with vocational training and employment (van der Linden 2019; Maul 2019). Much of these efforts were taken from the Ottawa Plan that came from the American Regional Conference of 1966 in Ottawa (Maul 2019).

As such, the term “technical assistance” was phased out and replaced with “vocational training”. From 1974 onwards, there was an increase in the rhetoric that education and training were key items to be improved upon in developing states. The idea is that higher skills would lead to greater productivity and income. It was as though the concept of technical assistance could not shed the optics of “colonial intervention” and there was a need to move beyond its colonial past.

By focusing on employment rather than assistance, it moved attention away from the accusations of neocolonialism through development programs in previously colonized spaces (Maul 2019). Utilizing the search engine in the document browser this research found that in the ILC 1974 report alone, training was mentioned more than 1300 times. Vocational training was mentioned in tandem with training close to 800 times.

Another aspect of the transformation of the ILO during this time was the acute regional division of states. Groups began to form as states began to ally based on geographic and economic characteristics. For example, Latin American states were present in the debates as early as 1973 and the African empire group was formed in 1977 (ILC 1977, 308). This could be the result of alliances between European states as alluded to by the delegate from India as can be seen in the statement below.

“And today, these same developed countries are undermining the structure of the international organizations, on which the developing countries pin their hopes—but nevertheless the picture we find is coolness from the developed countries. The developed countries are ganging up among themselves, both the Eastern and the Western European countries.” (ILC 1973, 389)

#### Orientalist discourses at the ILO in the 1970s

Orientalist discourses present during this time include discourses that developing states needed to work hard to establish stable environments for Western investors and that the ILO needed to work harder to justify its utility for developed states. Developing states should ensure that their environments were stable to attract private investment. The delegate from Canada, for example, stated that developing states should maintain stability in their laws and regulations for private investors (ILC 1970, 265). And then the US delegate also mentioned that the ILO should concentrate on ensuring that developing countries establish a “responsible climate that encourages productive investment” that would contribute to employment productions (ILC 1973, 623). Further, the delegate from Denmark pushed for universal standards of labor to apply to ensure uniformity in labor standards – while remaining attractive to foreign investors (ILC 1978,

29/5). By deflecting blame to developing states to ensure a better climate, colonial states completely ignore the conditions that led to the instability that could find its roots in colonial rule.

In addition, the colonial states imposed their superiority on the ILO through statements that indicated that the ILO was losing its relevance and that it needed to work harder to prove its utility for the benefit of developed states. The delegate from the UK for example mentioned that since technical assistance was cut back, this lowered expectations of the capacity of the ILO to do anything worthwhile (ILC 1975, 123). The President of the Conference of 1975 also questioned the utility of the ILO as can be observed in the statement below.

“The question is being increasingly raised about the future of the ILO. Will the ILO, like the United Nations itself, be in the end a victim of the supposed confrontation between developed and developing countries? Will politics sap the ILO's vitality and reduce its usefulness and importance as a source of policy guidance and technical assistance in the labor and social fields, especially to developing countries? Will the hopes raised by the grant of the Nobel Peace Prize to the ILO some years ago be disappointed?” The President of the conference (ILC 1975, 891).

### **1980s: Liberalization of markets in the Global South**

During the 1980s, the ILO's Keynesian model of colonial welfarism was replaced with the Washington consensus. This move was facilitated by the reentry of the US into the ILO in 1981. This support for liberalization led the ILO into a slippery slope. This was because it had to confront the practices of other International Organizations such as the Organization for Economic Cooperation and Development (OECD), International Monetary Fund (IMF) and the World Bank that reduced protections on labor and also uphold the liberal values that supported these practices (van der Linden 2019).

In response to these liberalization programs, India was outspoken of the interventions of Western powers into the growing economies of the Global South. Indian delegates criticized the tone-deafness of developed states in pushing for programs and the vision of a new international economic order that did not deal with inequality issues between the Global North and Global South. (ILC 1982, 29/8). Nevertheless, India moved towards liberalization for the sake of

economic advancement. For example, India's Indira Gandhi moved in the direction of welfarist policies to deal with extreme poverty but "increasing productivity" is regarded as a basic requirement for accelerating growth (ILC 1983, 9/25). The Remove Poverty campaign was supposed to alleviate and reduce poverty and improve the lives of the bottom third. By the end of the program, it was clear that growth was a greater priority (Kothari 1997). And the Indian employers' group were nevertheless open to receiving assistance from the Swedish International Development Authority (SIDA) and the liberal policies introduced and applied at the ILO (ILC 1986, 12/38).

It was also during the 1980s that apartheid in South Africa began to explode as a major social issue and the certain ILO delegates expressed their protest of the practice. For example, the delegate from Israel stated that it was important for states to speak up because to stay silent is to condone the action (ILC 1983, 69). Condemnation of the South African government and their actions against Black workers was also raised by delegates from Upper Volta, Zambia and Zaire (ILC 1984, 30/14; ILC 1984, 3/3; ILC 1986, 12/10). Delegates acknowledged that the ILO conventions could be applied to deal with the segregation issue in South Africa. However, no real concrete steps were taken by European states to cut ties or to deal effectively with the problem (ILC 1980, 2/6; ILC 1983, 26/14).

#### Orientalist discourses in the ILO in the 1980s

Three main Orientalist discourses were introduced during this time. These included the promotion of liberalization as the preferred method for the development of the Global South, liberalization as the way to better social protection of workers and the ability of the ILO to help developing states overcome their social issues. Delegates from the Global North pushed for Global South markets to open their business to the world rather than granting Southern states the power to decide the type of growth that they would adopt. For example, the Chairman of the Independent Commission on International Development Issues mentioned that liberalized trade

would benefit both the North and South and therefore protectionist policies could not be allowed to exist. (ILC 1980, 31/3). Similarly, the government delegate from the Netherlands mentioned that defending economies by imposing restrictive policies would maintain inequalities and would impact economic progress (ILC 1980, 20/15). Support also came from the OECD that stated that opening markets is important because there is an imbalance in the market with developing states producing goods for the developed states. And since developing states have a bigger consumer market, opening their markets would allow for developed states to have access to this market (OECD)(ILC 1982, 15/12). Consider the statement issued by the delegates from France below as an example of the push by the Global North to liberalize Global South markets.

“This is a way of moving towards economic liberalism according to the law of the jungle. I suggest that our organization should place greater emphasis on the theme of co-operation involving another type of economic relationship and another type of development which fall within the framework of the movement towards the progressive establishment of a new international economic order.” (Workers delegate France, ILC 1985).

In support of this discourse, the ILO passed a resolution that affirmed its stance that liberalizing national economies would maximize economic growth and allow for greater job creation (ILC 1988, 1/1).

The other discourse presented was that liberalization was the key to ensure better social protection of workers in the Global South. Economic progress needed to be achieved in tandem with ILO standards. For example, the delegate from Germany suggested that per capita income of countries that use a liberal market economy have a higher GDP per capita than those with state planning mechanisms (ILC 1981, 29/34). Members of the European Communities also mentioned that the objective for the European Communities is the same as the ILO is pursuing on a world-wide scale, to achieve social justice through economic progress (ILC 1988, 36/8). The delegate from Denmark also added that there needed to be greater intervention to ensure that employment situations in these developing states improve as well (ILC 1986, 25/10).

Further Orientalist discourses also utilized the inability of developing states to ensure proper labor protection as the justification for the intervention of the ILO into these previously colonized territories. For example, the ILO passed a resolution that the ILO can work to “overcome the socio-economic problems faced by the developing states such as issues pertaining to discrimination in employment, training issues and poverty through modern methods of work organization.” (ILC 1982, 1/14). The delegates from the Netherlands mentioned that giving money to developing states through the ILO out of their benevolence would help previously colonized states to achieve the type of social progress achieved in developed states (ILC 1981, 31/10).

In sum, the move to liberalize markets in the Global South in the 1980s made the interventions more pronounced and intentional. This strategy of liberalization allowed for the entry of more sophisticated discourses of modernization and advancement cloaked over a history of exploitative and oppressive practices by the Global North.

### **1990s: Globalization**

The 1990s marked an expanded role for international organizations and there was greater emphasis on the capacity of international organizations to deal with issues pertaining to women’s rights, decolonization, human rights, indigenous and forced labor. Research also emerged on the capacity of the ILO to be more effective – potentially like a dynamic intellectual actor where long-term social change could be created (van Daele 2008). It was with this background that the ILO initiated a proactive plan to reinsert itself as a major player through a focus on social protection. To this end, it worked with other international organizations such as the Secretariat of the United Nations to work on the 1995 World Summit for Social Development (Chen 2021). Chen (2021) suggests that it moved its strategy away from the formation of labor conventions to the production of norms.

As part of the expansion project, the ILO introduced the Social Dimensions of the Liberalization of International Trade, and a new organizing framework was set up to accommodate social rights over economic development. This move came in tandem with the election of its first Director-General from the Global South – Juan Somavia from Chile. Somavia extended the ILO’s mandate to provide opportunities for women and men to obtain decent and productive work in conditions of freedom, equity, security, and human dignity (van der Linden 2019). Soon thereafter, the Governing Body of the ILO set up the Working Party on the Social Dimensions of the Liberalization of International Trade (Chen 2021).

Another significant development during the 1990s was the increase of environmental policies that interfaced with labor protection. Delegates began to assert the importance of environmental protection such as the delegate from Austria who maintained that the social dimension also included care for the environment and the obligation to maintain an ecological and socially responsible approach (ILC 1994, 22/13). Further, the delegate from Cyprus also mentioned that sustainable growth was only achievable through the integration of environmental preservation and economic progress (ILC 1990, 7/16).

In response to these developments, the Indian delegates continued to highlight the exclusion exercised by Western economies on the Global South (ILC 1992, 18/15). They suggested that Western states were using the social clause in trade agreements to create disadvantages for developing states. The social clause is the guarantee that trade agreements would also include social protection for workers. Indian delegates raised the voluntary nature of the social clause in trade agreements. They cited the Delhi Declaration as the protest by developing states against preventing developing states from taking on labor conventions that were not “suitable for the socio-economic conditions.” (ILC 1995, 10/22). This was in line with the liberalization processes that were under way in India at the time. Workers were more vulnerable

with the entry of foreign corporations and the establishment of Export Processing Zones (EPZs)(Sodhi 2013).

As for the case of apartheid, the ILO delegates continued to discuss the injustices that Black workers faced in South Africa and the progress being made in ending the practice. For example, the representative of the Organization of African Unity: commended the actions of Mr. de Klerk and Mr. Nelson Mandela in removing apartheid. They hoped that a democratic and multiracial society would be formed, and peace and harmony could be established in South Africa (ILC 1990, 22/41). It was also during this time, that apartheid was officially rejected in South Africa and Black workers became representatives at the ILO. At the national level, the main trade union, COSATU was aligning its values to worker interests after participating in the anti-apartheid movement (Barchiesi 1996). Worker representatives at the ILO were therefore more open to the ILO's policies. Consider the statement issued by the South African delegate at the ILO post-apartheid.

“I am sure that our Minister will outline steps that South Africa is taking on the same issues as those raised by the Director-General. I want to place it on record that while there may exist differences in approach on certain issues, there is overwhelming support from us for the overall strategic approach that he is taking, whose aim is to foster social justice, economic development, and job creation. As a country, we even have an agreement on how to approach the vexing question of a social dimension to trade.” Workers’ adviser, South Africa (ILC 1997)



Figure 7-3: Nelson Mandela addressing the International Labour Conference, Geneva, in 1990. Credit: ILO.

## Orientalist discourses at the ILO in the 1990s

The Orientalist discourses found in the proceedings of the ILO in the 1990s include the use of social dimensions to increase the protection of workers in the Global South. These efforts seem to add a “human element” to structural programs so that they could keep going without resistance by workers. Nevertheless, these protections created additional restrictions on the ability of developing states to trade - restrictions that were not imposed on colonial powers when they had control of these territories. Orientalist statements that allude to the failure of developing states to adhere to global standards are evident in these proceedings such as the statement from the workers’ delegate from the UK below.

“What should the ILO do to assist in these endeavors? It is right that the ILO should in its appeals to the IMF and the World Bank, call for a social dimension in financial policies towards developing countries. It is a matter for the deepest regret that millions have suffered grievously because the international community has failed until recently to heed that call” (ILC 1992, 19/16).

The General conference declarations also point towards the need to include the “social clause” in structural programs. The Governing Body of the ILO was urged to intensify ILO’s positive collaboration with the IMF and the World Bank and with funding institutions so that structural adjustment programs would include social objectives that would be embedded into economic policy (ILC 1993, 1/2). To add to this, the Swedish government delegate urged that there was a positive correlation with economic growth and social protection. According to the delegate, developing states should not shy away from these standards because they are good for them (ILC 1996, 179). Some delegates even resorted to the use of biblical tenets to support their cause as can be seen in the statement below.

“The ILO should not just be humble, but, like the widow in the Bible, be persistent in knocking at the door of the World Bank and the IMF to make them include the social dimension in structural adjustment programmes. The ILO must assert its rights on behalf of women, children and the weak of the world, for the benefit of the world. We wish to see a strong ILO” (Government delegate from Denmark, ILC 1993).

Another prevalent discourse during this era was the enforcement of the social clause to ensure that workers were protected everywhere. For example, the delegate from France stated that it was important for the ILO to work closely with the Bretton Woods institution and advise them on the social dimension in the structural adjustment programs (ILC 1993, 9/13). The delegate from Sweden also expressed the importance of the social clause by referring to the mission which was based on political peace, freedom, and economic progress (ILC 1994, 4/10). The push for the social clause also came from the Managing Director of the IMF by stating that the ILO had an important role to play in advising in the area of structural adjustments and that the IMF held the ILO in high regard (ILC 1991, 25/4). There were even threats by the Global North states such as the one issued by the delegate from France. The delegate claimed that if the ILO did not enforce the social dimension of work, northern states would go elsewhere to get it done (ILC 1998, 20/102).

Hence, the 1990s marked a move for social programs expansion with a growing interest in environmental protection. Nevertheless, the move for social protection was in itself an Orientalist discourse that was meant to highlight the lack of capacity of developing states to ensure protection for their workers despite the same treatment of workers in the Global South was implemented during colonial times.

### **Analysis**

Without Said's Orientalism approach, one would assume an ahistorical premise to understanding the types of ideas presented in the debates at the ILO. However, this approach ignores centuries of oppression and subjugation of labor in the Global South. In Said's Orientalism (1978), he explains the logic behind Lord Balfour's statement about Egypt. The arguments presented by Lord Balfour are no different from the logic that undergirds the statements presented at the ILO in more recent times. Balfour's arguments included the rationale for colonization i.e., that without the British, the Egyptians would stay stuck in their backward civilization. Said

expresses his frustration of colonial powers speaking on behalf of the Orientals through assumptions made about “their history, what they might have to say, were they to be asked and might they be able to answer.” (Said 1978, 42). These statements were made in their honest belief that colonization was beneficial to the colonized. This is what Said claims to be the Orientalist logic.

“Their great moments were in the past; they are useful in the modern world only because the powerful and up-to-date empires have effectively brought them out of the wretchedness of their decline and turned them into rehabilitated residents of productive colonies” (Said 1978, 42)

These Orientalist stances could be observed in the statements by the colonial powers at the ILO from its very inception, seen in the bifurcation of the globe into North and South through a constitutional colonial clause and its optimism for the remaking of the colonized South. This forms a discourse formation by the colonialist to create a skewed reality (Ashcroft 2000). Orientalism could also be seen through the rise and expansion of technical assistance as a new tool for the civilizing mission while declaring the end of exploitative colonization. Hence, marking the continuation of “colonization” through the notion of advising and surveillance (Darian-Smith 1996). And when that “failed”, the shift to job creation and liberalization were touted as methods to civilize while opening markets to the Global North. This could also be understood as the process of “worlding of the Third World” through the acts of describing the economy and productivity of the colonized land (Spivak 1985). And then in the 1990s, the ILO’s move to add a social clause that is in essence protective of workers of the Global South may be seen as a reproduction of the colonial clause that excluded workers from the Global South access to the global economic market (Prasad 1994). In response to these Orientalist discourses, India remained consistent in their resistance against these interventions while pushing for the ILO to do more. And in the case of South Africa, they initially started as allies to colonial powers while suppressing their Black workers, but they emerged in the 1990s as a cooperative member.

## **Conclusion**

Said's Orientalism helps to explain the Orientalist nature of the ILO in maintaining colonial control from its formation to the period when environmental labor policies were first introduced in the 1990s. This chapter shows that despite the shifting rhetoric from remaking society, reconstruction, technical assistance, employment production and the introduction of the social dimension, these Orientalist discourses remain consistent and strong as the value system that drives the ILO. While the language used has become more progressive and inclusive, the inherent paternalistic nature of the ILO as guided by Orientalist logic reveals the ILO to be a self-contradictory entity.

## CHAPTER 8: ORIENTALIST DISCOURSES IN THE FORMATION OF GREEN LABOR POLICIES IN THE ILO AND RESPONSES BY INDIA AND SOUTH AFRICA (1990-2021)

In the previous chapter, evidence of colonial narratives during the processes of formation of the ILO indicate that throughout the decades, there were various Orientalist discourses that undergirded the labor provisions that were produced. In this chapter, I examine the origin of green policies that have entered the ILO from 1990 to the present and the Orientalist nature of discourses that has justified their adoption. This perpetuation of colonial legacies within the ILO has also elicited distinct responses from India and South Africa.

The main question that guides this chapter is: How do postcolonial theories help identify Orientalist discourses that have supported the adoption of green policies at the ILO? The thesis of this chapter is that Said's Orientalism provides a tool to understand the colonial nature of arguments that support the adoption of green labor policies. This chapter continues with the analysis of the ILO and the processes that led to the adoption of green labor policies.

This chapter is organized as follows. First, I examine the origins of green policies through the Sustainable Development program. I explain the nature of Orientalist discourses that have justified its adoption from the early 1990s to 1999. I also provide evidence of resistance by India towards these Orientalist discourses. Second, I examine the origin and rise of the Decent Work Agenda that incorporates social protection with environmental policies from 1999 to 2009. I further examine the pushback by India and the response by the newly liberated South Africa. Then I examine the origin and rise of the Green Jobs Initiative from 2009 to 2015 and the responses by India and South Africa. Finally, I consider the nature and origin of the Just Transition Framework within the ILO and the responses by India and South Africa from 2015 to the present time.

## **Sustainable Development (1990-1999)**

Sustainable Development is defined as “development that meets the needs of the present without compromising the ability of future generations to meet their needs” (ILC 1987, 11/17). Through the discussion of Sustainable Development at the UN, the role of the ILO as a special agency operating in favor of labor was revisited and its members began to consider the integration of labor rights with environmental protection within its policy line-up. First reference to Sustainable Development was made by the Norwegian delegate in 1987 who opened the discussion of the possibility of the ILO as an organization that could accommodate development and environmental protection efforts (ILC 1987, 11/17). In this session at the International Labor Conference, delegates also emphasized the potential of the ILO in strengthening national capabilities and the promotion of Sustainable Development (ILC 1987, 28/24). It was also at the Conference in 1987, that the ILO passed a resolution to welcome the Brundtland report and made commitments to direct programs, budgets, and activities to assist states to achieve Sustainable Development (ILC 1987). By 1990, the ILO declared that Sustainable Development would be a guiding principle for all ILO activities, and it would ensure that states are competent to operationalize the concept (ILC 1990, 4-5).

Despite these bold moves, hesitation to adopt an environmental agenda and participation at environmental summits was evident earlier on. First, there were fears by ILO members that the ILO would move away from its original mission of protecting workers and production of jobs. Some members were therefore resistant to the notion of sending representatives to environmental meetings such as the Rio Summit, but these members eventually relented due to the hype of the conference and social pressure to attend. However, in 1994, there was a shift in outlook, and this was evidenced with the ILO setting up a temporary interdepartmental project on the environment and the world of work to help the ILO achieve Agenda 21 that was introduced at the Rio Summit 1992 (Montesano et. al. 2021). Another catalyst for Sustainable Development at the ILO was its

pairing with social development at the UN World Summit for Social Development at Copenhagen in 1995. Resolutions were made at the Summit that committed the ILO with continued economic growth through Sustainable Development (Maul 2019; Posthuma and Rossi 2017). The ILO also reversed the “jobs versus the environment” discourse through the Director-General’s report “Environmental and the World of Work” (1990) that pushed for economic growth and environmental protection (Montesano et. al. 2021). The reversal of this discourse also occurred when workers themselves initiated the effort to embrace Sustainable Development through a project entitled “Workers’ Education and Environment” in 1999 (ACTRAV 1999). With these efforts, the ILO became known as the expert in ensuring Sustainable Development while ensuring job creation and it would balance environmental, social, and economic interests through the concept of Sustainable Development (Rodgers et. al. 2009; Hagen 2003).

#### Orientalist discourses in the adoption of Sustainable Development at the ILO

This declaration of the ILO’s expertise meant that it would be placed in a position of power and influence over previously colonized spaces. The Orientalist discourses that were utilized to push Sustainable Development through to these previously colonized spaces were evident in the statements that justified the utility of Sustainable Development into the policy line up of developing states.

The first type of Oriental discourse in the introduction of Sustainable Development was that the concept would allow developed states to help developing states achieve economic independence and self-reliance rather than being economically yoked to wealthier states for aid. This type of discourse was present in statements made by delegates from the Global North. An example of a statement was from a Swiss delegate who suggested that the North had a responsibility to ensure that developing states received assistance to achieve Sustainable Development.

“Although I have several reservations about the idea of sustained development, I am in agreement with this chapter and with the opinions expressed in the second paragraph of the chapter entitled " North-South: Searching for Consensus " ; indeed this paragraph, I believe, very clearly shows the state of dependency of the South on the North and the responsibility of the North for the present underdevelopment of the South.” Delegate from Switzerland (ILC 1990, 19/23)

“The industrialized countries also dispose of the greatest resources for bringing about change. They have a special responsibility to assist the developing countries so that they, too, can afford to switch to methods of production permitting sustainable development.” Government delegate from the Netherlands (ILC 1990, 22/14)

This Orientalist discourse was also presented by the ILO to present the organization as an equalizer between the Global North and South while pushing for greater intervention into the economies of previously colonized spaces through its role in facilitating technical cooperation.

“A major focus of the programme should be on increasing national capabilities and self-reliance and on promoting sustainable development. For this purpose, greater attention should be given to human resources development, the creation and strengthening of institutions, transfer of technology and the involvement of the social partners in the development process.” Conclusions concerning the role of the ILO in technical cooperation (ILC 1987, XXII)

“Vigorous action should be taken to promote technical co-operation among developing countries (TDCD) in all ILO projects including projects in favor of employers' and workers' organizations. In particular, at the regional level, the ILO should help in identifying expertise and institutional capabilities in such countries as a means of creating or strengthening sustainable development efforts in and among developing countries.” (Conclusions concerning the role of the ILO in technical co-operation, ILC 1987, 28/28)

The second type of Orientalist discourse that was observed in the statements about Sustainable Development pertaining to previously colonized spaces suggest that Sustainable Development held the promise of increasing productivity. The discourse suggests that lack of productivity was the main cause of environmental deterioration and through Sustainable Development, production processes could be more efficient and thus, protect the environment. Developed states would provide the necessary expertise through monitoring of developing states to ensure that the environment is protected rather than acknowledge blame of colonialist extraction and greater consumption practices of the West. This type of Orientalist discourses can be observed in the statements at the Conferences below:

“In order to improve the quality, efficiency and practicality of the program, greater attention should be given to systematic needs assessment, sector review, improvements in project design, including careful phasing of the project and financial planning, and project monitoring, including project evaluation by outside experts. Each project should be carefully appraised in terms of sustainability, capacity-building, and self-reliance. In this connection, the points of view of the social partners should be taken into account. To ensure a sustainable development, the environmental dimension must be incorporated.” (ILC 1987, XXIV)

“(The ILO) provides economic, financial and technical assistance for developing countries which refrain from utilizing to economic advantage those globally scarce natural resources the depletion of which would harm the environment and assist them to develop in a manner compatible with the conservation of the environment.” (Resolution concerning environment, development, employment and the role of the ILO, ILC 1990, 6)

The third type of Orientalist discourse was that environmental problems were rampant in the Global South and the Global North needed to exercise their benevolence to help underdeveloped states. Developed states could provide aid in the form of technological transfers and funding. Examples of this type of Oriental discourse can be observed at the International Labor Conference such as statements below:

“Considering that technical co-operation with the ILO as well as sustained and increased assistance, including additional financial resources and transfer of technology from the international community should be made available to the developing countries, which are faced with numerous complex problems derived from their poverty and indebtedness, their population growth and the difficulties of participation in international markets and the related problems of economic and social recovery and the rapid deterioration of the environment” (Resolution concerning environment, development, employment and the role of the ILO, ILC 1990, 5)

Having examined the nature of Orientalist discourses in these documents, I move on to consider the responses by India and South Africa towards the introduction of Sustainable Development at the ILO.

#### India's response to the ILO's notion of Sustainable Development

The first type of response observable in the International Labor Conference is the recognition that pollution was a direct result of economic growth. India justified its environmental degradation on the grounds that it lacks the ability to protect the environment since it needed to develop its own economy – a concept known as “Common but Differentiated Responsibility”. India

argued that once it has reduced its poverty through economic growth, it would be in a position to protect the environment. This attitude could be observed in the statements produced by India in the paragraphs below:

“Here I would also like to sound a word of caution. While environmental protection will henceforth be an important cornerstone of our national policies, and we shall continue to reinforce these with determination, it is extremely necessary that in pursuing global action, the capacity and capabilities of the developing country is appropriately kept in view. It should not be forgotten, as the Report itself stated, that in many ways, poverty is the most extreme form of pollution and a scourge that many developing countries cannot easily overcome by themselves. Government delegate India (ILC 1990, 8/21)

“But in India, as in many developing countries, the chief source of pollution lay in poverty. International co-operation was therefore essential if the deterioration of the global ecosystem were to be combatted effectively. The Indian delegation would have liked the resolution to contain a reference to the elimination of poverty in developing countries, and a mention of the need to give them fair access to natural resources.” Government delegate India (ILC 1990, 29/11)

The Indian position with Sustainable Development was that it would further economic growth but not necessarily lead to environmental protection. This can be explained by the events that were occurring at the national level. During the 1990s, national worker unions waged a resistance through their political parties to the impending effects of globalization. However, agreements between labor and foreign corporations sidestepped national attempts and weakened national trade unions further (Candland 1995). There were numerous times when Indian delegates at their own legislative gatherings directed the discussion of Sustainable Development solely within the context of economic growth as can be seen in one example below:

“Economic performance during 1990-91 has been characterized by considerable growth in agricultural output and industrial production. However, taking into account the growth of fiscal imbalances and the balance of payments deficit, the sustainability of growth was seriously in doubt.” The Minister of State in the Ministry of Finance (Shri Rameshwar Thakur), debates in the Lok Sabha, 12 July 1991, 35

Another type of response is the challenge of Western intervention through the ILO onto the economy of India. Sustainable Development should ensure equity among states so that developing states do not end up at the losing end.

"(The ILO needs to) establish an equitable system of international economic relations in order to stimulate and sustain environmentally sound development, especially in developing countries." (ILC 1990, 29/22)

"We appreciate the need to initiate action at the national and international levels to address concerns relating to social progress such as environmental issues, occupational health and safety, etc. However, we have noticed with concern, an increasing tendency amongst the various international organizations under the United Nations system to assume roles for which they have no mandate and to encroach upon areas where others have been entrusted with the task." (ILC 1997, 44)

This concern for equity could also be observed in discussions at the Lok Sabha (House of Representatives) when discussing Sustainable Development. The call by Indian representatives was that developed states could not impose this standard on developing states as can be seen in the statement below.

"Hon. Deputy Speaker, Sir, 193 nations signed the WTO. However, we see that the developed nations seem to follow an escape route under the garb of free trade and labour laws. Although their per capita consumption is far more than that of the developing nations, we have to have a common but differentiated responsibility with developed countries taking the lead and not finding an escape route. Targets have to be global, and targets have to be aspirational. Therefore, as much as every State Government and every country's Government needs to aspire that the SDGs are in place; so, does every individual need to aspire for this." Kunwar Bharatendra Singh, debates at the Lok Sabha, 4 August 2016.

These concerns about Sustainable Development differed from the position taken by South African delegates as illustrated in the next section.

#### South Africa's response to the ILO's Sustainable Development

During this time South Africa experienced liberation from the grip of apartheid and had their first democratic elections in 1994. After a thirty-year absence from the ILO, South Africa was readmitted into the ILO in 1993. During this time of reconstruction of South Africa, there were few statements by the delegates who attended the ILO. One statement that was found in the proceedings of the Conference was the focus on skill development of Black workers in South Africa. Without proper skill development, there would be no Sustainable Development. This could be observed in the statement provided below:

“The ILO should concentrate efforts on human resources development, especially in the field of technical and vocational education with special reference to Black youth in South Africa/regional institutions should be used as a basis for sub- regional economic integration; and the ILO should consider giving assistance in the creation of national productivity centres designed to promote sustainable development by reinforcing the work ethic.” (ILC 1992, 4/17)

This support for Sustainable Development was also not as evident earlier on in a post-apartheid system. This was probably because South Africa was in the process of transformation and the environmental agenda was not solidified. Nevertheless, the support for sustainable development was corroborated by statements from the National Assembly and the National Council of Provinces in South Africa with one example provided below.

“In the next millennium we will have to make a renewed commitment to preserving and protecting the environment. We believe it can be done more effectively and wisely. South Africans want a safer, cleaner and healthier environment. Elements of a sustainable environmental policy include rehabilitation, the principle of the polluter must pay, improved environmental awareness, a sensible and considered energy policy, and the promotion of a global environmental partnership.” Mr. M C J Van Schalkwyk, Joint Sitting of the National Assembly and National Council of Provinces, 19 November 1999, 55-56

Another discourse with the use of Sustainable Development within the South African context was the reformation of the mining industry through the mimicking of Canada’s model of Sustainable Development (statements by Canadian delegates at the South African National Assembly, 14 June 1999, 120). The Chamber of Mines also declared that it would aim to achieve Sustainable Development (Mr. J Kilani, National Assembly, 14 June 1999, 93). Beyond mining, Sustainable Development would also reduce poverty and deal with the inequities from the apartheid era (President’s speech, Joint Sitting, 25 June 1999, 23). Sustainable development would also be embedded in South Africa’s national goals as part of its ambition to achieve social progress (President’s speech, National Assembly, 1 March 2000, 183).

In sum, the use of Sustainable Development as the launch of the ILO’s green policy line-up illustrates the use of Orientalist discourses for the justification of its use such as the potential of Sustainable Development to help developing states achieve economic independence, productivity, and a channel of benevolence by Western states to assist their previously colonized

territories from environmental degradation. The overall responses by India towards Sustainable Development include the use of Common but Differentiated Responsibilities to avoid participating in the program and a challenge to direct Sustainable Development to reform the global economic system to equalize between developed and developing states. The South African response was scarce since they were in reconstruction but there seemed to be early responses favoring skill development of workers under Sustainable Development. After the introduction of Sustainable Development in the ILO in the late 1980s, the next step in the trajectory was the introduction of the Decent Work Agenda.

### **Decent Work Agenda (1999-2009)**

Decent Work as a concept takes on a broader notion of work beyond livelihood but as a concept that would allow for greater social and economic advancement that simultaneously strengthens communities (Szell 2014). To this end, Decent Work connects social justice with environmental protection (Montesano et. al. 2021). It is one thing to produce more jobs but what is needed is the production of quality jobs that fulfills social standards (Rantanen et. al. 2020). And further, Decent Work embodies Sustainable Development, universal values, and good governance (Delarue 2009).

The Decent Work Agenda was launched in 1999 through the leadership of Juan Somavia to provide opportunities for men and women to obtain decent and productive work (Deranty and MacMillan 2012). This Agenda prescribed the formation of the Decent Work Country Programme (DWCP) that created projects with the ILO members. This program set into motion the insertion of the ILO's relevance in ensuring that economic, employment, social and environmental policy objectives are achieved (Delarue 2009). Since its formation, the DWCP has initiated a large number of projects in developing states with Africa having the highest number of projects (Rantanen et. al. 2020).

The purpose of Decent Work is to ensure that the ILO achieves its four strategic objectives with gender equality as a cross cutting objective. Hence, it is a progressive mandate that places social issues pertaining to labor such as freedom of association, right to collective bargaining, elimination of forced labor and discrimination with overall societal well-being (Deranty and MacMillan 2012; Rantanen et. al. 2020). While seen as a positive, critical scholars such as Vosko (2002) suggest that Decent Work as a measure taken to reconcile the interests of labor and global capitalists in the era of globalization. Vosko (2002) also suggests that despite this partnership, there was a counter-resistance forming at the margins through a coalition of labor and NGOs to challenge the current hegemonic order. This partnership with the current economic order can be explained through the integration of Decent Work with economic growth. Statements at the ILO indicate a close connection between Decent Work with trade and investment to serve social development and this in turn would lead to the improvement of human rights (ILC 2000, 1/7). This connection with the economy was also tied to environmental health. The ILO would “promote employment policies and technologies which contribute to environmental protection and rehabilitation” that would allow for healthy environments and more stable employment (ILC 2002, 1/6). The integration of the economy, social and environment were also touted by those at high level meetings. For example, the Chairperson of the Governing Body mentioned that the ILO’s efforts on Decent Work transcends “economic, social and environmental development” in the formation of national strategies (ILC 2005, 8/4). To add, the Director-General also mentioned the environmental dimension to the Decent Work Agenda and the need to “balance economic, social, and environmental policies” (ILC 2007, 13/2).

The Orientalist discourses that have justified the adoption of the Decent Work Agenda make similar colonialist assumptions about the developing world. One strain of Orientalist discourse suggests that Decent Work is a necessary agenda that would reverse the plight of labor in developing countries and improve their lives and livelihood. This type of discourse of the

unbearable conditions of work in developing states that can be resolved through interventions of the ILO include the statement provided in the Presidential address at the ILC 1999 below:

“Furthermore, the emerging landscape of social and economic problems is aggravated by widespread unemployment and an increase in abject poverty, particularly in the developing world, which makes it extremely difficult for the majority of the world's population to scrape a decent living. With financial resources to needy countries on the decline, the ILO may wish to review its technical cooperation in order to augment and diversify support for decent work, especially for the less privileged communities of the world.” (Presidential address ILC 1999, 4/4)

The other type of Orientalist discourse presented through the utilization of Decent Work is that developing states need to follow the Western development model through the application of Decent Work and Sustainable Development. The agenda provides an avenue for developing states to “leapfrog” and provides empowerment to the communities and as such, Decent Work should be placed on national policy line-ups (Secretary-General’s speech on Decent Work, ILC 2000, 10/3). This Orientalist approach of focusing on poverty rather than viewing the condition as an aftermath of colonization and the solution being in Western notions of development can be observed in statements like the one below:

“The challenges currently faced at the global level, and widespread poverty in large parts of the international community, make it more necessary than ever before for us to stress the importance of the European social model, which encompasses our values and principles: freedom, democracy and respect for human rights. These values underline the priority that must be given to strengthening security for all citizens in the form of full and productive employment and decent work for all. This main challenge is also highlighted in the above Report of the Director-General. It underlines decent work as a parameter of stability and sustainable development.” (Statement by Ms. Palli-Petralia, Minister of Employment and Social Protection, Greece at the International Labour Conference 2008, 17/22)

An extension of this Orientalist discourse is the notion that the concept of Decent Work could eradicate poverty because it espouses efficient and productive growth while protecting worker rights and the environment. Such a statement can be observed in the International Labor Conference as provided below:

“Following discussion and many detailed comments, especially on the ILO’s role in the poverty reduction strategy process, the Working Party reached general agreement on the need to develop the decent work approach with a view to increasing the ILO’s

effectiveness as a partner in the international community's efforts to achieve agreed developments targets." (Working Party on the Social Dimension of Globalization, ILC 2001, 1/2)

Having examined the nature of Orientalist discourses in the Decent Work Agenda, it is important to examine the responses by India and South Africa.

#### India's response to the Decent Work Agenda:

As the Decent Work Agenda was introduced, India continued with its stance of claiming a different set of responsibilities towards workers due to the underdeveloped state of their economy. India argued that they could set aside the social and environmental aspects of Decent Work to pursue economic growth. Consider the statement issued by the Indian delegate at the International Labor Conference below.

"Reconciling growth with equity in a free and open society, especially in an era of global interdependence, is not an easy task. The Decent Work Agenda and the perceived gaps in decent work have to be seen in this context. There can perhaps be no absolute definition or ceiling for this Agenda as it is dynamic in concept. However, each country would set its own aspirations, capacities, capabilities and limits." Government Delegate India (ILC 2001, 14/34)

"We feel that suggestions in the Report about agreement between multinational companies and a global employment forum will be impractical at the national level. We therefore strongly feel that all issues relating to labor and decent work should be addressed within the existing ILO framework only." (ILC 2004, 19/2)

"The Decent Work Agenda, which underlines ILO strategic objectives, enshrines core values of the world of work. The four pillars epitomize the existence of this Organization, but if we were to assess the status of each of these core objectives country by country, a big gap would emerge. This, I feel, poses a big challenge to the ILO to think globally and act locally." (ILC 2005, 13/24)

The lack of protection of workers despite the introduction of the Decent Work was highlighted by other delegates who requested that additional pressure be placed on India to act. Such statements at the ILO suggest that India was not committed to the goals of the ILO in protecting worker rights. These anti-India sentiments could be seen in the statements below.

"There should be more pressure on the governments of leading countries (China for one, but also the United States, Brazil and India) that have not yet adopted the Conventions on freedom of association and collective bargaining." (Statement by Mr. Tartaglia, Worker, Italy at the International Labor Conference 2007, 26/9)

“It is even more pitiful that the ratification of Convention No. 87 stands only at 82 per cent, whilst the Right to Organize and Collective Bargaining Convention, 1949 (No. 98) stands at 87 per cent of the ILO’s membership of total 181. It is most shocking that half of the global labor force is now outside the protection of the Freedom of Association and Protection of Convention No. 87. As an Indian, I also feel it is a matter of shame that, alongside some other countries, India has also refused to ratify the Convention and the argument is that reasonable restrictions are imposed on the workers. The term “reasonable” seems atrocious to the workers, so it is not tenable.” (Statement by Mr. Sukumal Sen, representative, Trade Union International of Public and Allied Employees at the International Labor Conference 2008, 12/40)

This critique of the complacency in labor laws is also evident in the debates in the Lok Sabha (House of Representatives). Delegates at the Lok Sabha raised this labor protection gap and failure to adhere to international standards. One example is provided below.

“The President’s Address was silent on various crucial and most important questions our nation faces. As usual this time also, we may witness psycho fancy and flattery in the speeches of many hon. members. But that does not provide any comfort for the common masses. The temperature in Delhi and neighbouring states are very high and has led to deaths of poor human beings without any shelter. Labourers including women work under scorching heat without any protection. Urgent action of the Government is necessitated.” Dr. A. Sampath (Attingal), Debate in the Lok Sabha, 11 June 2014, 171



Figure 8-1: India’s participation in the DWCP. Credit: ILO

This cold attitude towards Decent Work could be explained with the events occurring in India in the early 2000s. The ninth five-year plan was being implemented with financial assistance provided by the IMF. Terms under the Structural Adjustment Program meant that fiscal austerity would reduce benefits and rights of labor (Mahmood 2016). This attitude by the Indian elites at the ILO differed from the approach taken by South African delegates as explained below.

## South Africa's response to the Decent Work Agenda

South Africa has been supportive of the role of the ILO in ensuring that Decent Work is achieved in developing states. South Africa declared that the ILO would have a pivotal role to play in light of the social challenges brought forth by globalization. This unreserved support was observed through various statements made by South African delegates at the International Labor Conference from the time that Decent Work was introduced in 1999.

Re: Decent Work - "We unreservedly endorse the primary goal identified by the Director-General's Report, the promotion of opportunities for men and women to obtain decent and productive work, in conditions of freedom, equity, security and human dignity." Employers' delegate (ILC 1999, 21/27)

"There is an enormous challenge waiting for us — to tackle this issue with speed if we want to ensure that genuinely decent work will be available across the globe, and where it is not, that proper progress is made towards it. This is not possible unless our approach to the application of standards is rapidly adapted." Employers' adviser (ILC 2000, 22/8)

"South Africa's President Mbeki, conveying the message of the Non-Aligned Movement of the Okinawa G8 Summit, stated that "decent standards of living, adequate nutrition, health care, education and decent work for all are common goals for both the South and the North" Secretary General of the Conference (ILC 2001, 5/2)

"The Director-General's Report, Changing patterns in the world of work, reflects that progress is painfully slow in creating decent work opportunities for all. And yet there is hope: despite the daunting statistics, we believe that the poverty challenge is not insurmountable. The ILO cannot afford to remain an uncommitted and disinterested spectator in a world in which, for many workers, life at work still presents serious deficit." (a statement by Mr. Mdladlana, Minister of Labour for South Africa, ILC 2006, 9/10)

"The Government member of South Africa said that, since the globalization of economic activity had not been accompanied by a globalization of social justice, the ILO had a fundamental role to play by making Decent Work a central pillar of the multilateral system. It should thus build on the perspective that had been developed in the Global Employment Agenda (GEA) by the Governing Body." (A stronger ILO: Meeting the need for a social dimension of globalization through the Decent Work Agenda, ILC 2007, 23/10)

While there is consistency in the adoption of international labor standards at the ILO, within the South African legislative processes, there has been a debate on the effect of labor standards on the economy and attractiveness of the economic environment to foreign investors. On one side, representatives have fought for the increase in stringent standards and suggested that it was important for the sake of the workers (statement by the President, Joint Sitting, 25 June 1999,

17-18). And on the other side, more elitist positions present labor standards as hindrances towards economic growth (statement by E. S. Magashule, National Assembly, 29 June 1999, 62-63). Nevertheless, there is discussion of how labor standards could be improved as opposed to the Indian case. This can be affirmed through the President's speech at the National Assembly in June 1999 (provided below):

“The Government will also place more emphasis on the development of a co-operative movement to combine the financial, labor and other resources among the masses of the people, rebuild our communities and engage the people in their own development through sustainable economic activity.” President's speech, Joint Sitting, 25 June 1999, 16

In sum, Decent Work was also justified by Orientalist discourses that justify intervention of the West into the economies of previously colonized spaces. These discourses include the argument that living conditions were unacceptable and Decent Work would be able to improve the lives of labor in these states. Decent Work would also assist developing states to follow the Western development model and reduce poverty through its environmental and social mandate. In response to Decent Work, India defends her lack of ratification of social and environmental standards on the grounds of “Common but Differentiated Responsibilities.” In contrast, the South African approach illustrates acceptance of the potential of Decent Work to ensure social equilibrium within the state. After the active production of Decent Work policies for a decade, the world faced the economic impact of the Great Recession in 2009. It is under these dire conditions that the Green Jobs Initiative was introduced in the ILO.

### **Green Jobs Initiative (2009-2015)**

Green jobs are defined by the ILO/UNEP as: “decent work in environment-related sectors which reduce negative environmental impacts, ultimately resulting in levels that are sustainable.” This includes jobs that work towards protecting ecosystems and biodiversity, adapting to climate change, reducing energy, materials, and water consumption, decarbonizing the economy and minimizing/eliminating all forms of waste and pollution (ILO 2012, x). Green jobs essentially

protect the environment from further degradation, reverse the impact of environmental damage and improve the lives of workers. Hence it deals with environmental and social issues that have arisen as a result of the current economic production system (Evans-Klock et. al. 2009). However, this does not mean that green jobs are automatically green or socially conscious. Policy makers need to ensure that green jobs are not “dirty, dangerous and difficult, causing significant damage to the environment and human health (Evans-Klock et. al. 2009).”

The connection between Green Jobs and the environment was made earlier within the International Labor Conference (ILC) through statements by the Director-General in 2007, that mentioned the International Panel on Climate Change (IPCC) report and the urgency to act for the sake of planetary health. He also mentioned that the ILO would provide support for workers as they transitioned to environmentally sustainable production processes (ILC 2007, 13/1). The Secretary-General of the Conference also cited environmental and climate pressures as catalysts for new adaptation measures for workers and enterprises (ILC 2008, 14/3).

Green Jobs was officially introduced into the ILO through the Director-General who presented a report entitled “Decent Work for Sustainable Development” (2007). This program would promote a socially just transition to green jobs (van der Ree 2019). This was followed up with a collaboration of the ILO with the UN Environmental Program (UNEP), the International Trade Union Confederation (ITUC) and the International Organization of Employers (IOE). This collaboration led to the formation of the Green Jobs Initiative in 2009. Then in the same year, the ILO adopted its own Green Jobs Program (Montesano et. al. 2021; Carbonnier & Gironde 2019). The ILO then upgraded the Green Jobs Initiatives to a full-fledged unit with its formal organization and its own budget (Montesano et. al. 2021).

This adoption of the environmental element in an employment program was also integrated with an economic element. This move was made to ensure that the program would have universal support of the program. Earlier hesitancy by the ILO members as caused by fears

that it would ignore worker interests in favor of a full-fledged environmental agenda. With a move towards economic integration, support from its members was received (Montesano et. al. 2021). With the assurance that economic interests and employment creation were central to the production of the Green Jobs Initiative, there was optimism in the capacity of the program to produce green jobs that would be good for the economy and the environment through decarbonizing (Evans-Klock et. al. 2009; van der Ree 2019). This integration was evident through statements by the Director-General in 2011 that assured delegates that “green growth must be prioritized” since investments in green jobs would allow the ILO to deal with the impact of climate change and provide a way to increase growth (ILC 2011, 6/5).

The argument presented in this paper is that the adoption of the Green Jobs Initiative may have its origins in Orientalist justifications. One such justification is that developing states would need the help of the ILO in achieving holistic growth that incorporates social and environmental justice because developing states lack the knowledge and expertise necessary. This green imperialism is evident from certain statements by delegates at the ILO. The assumption is that the mistreatment of labor in previously colonized spaces had no link with labor practices passed on by the colonizers. One such statement is presented below.

“Poverty level wages force workers and their families to work excessive hours. Recently, garment workers in Sri Lanka have had to work around the clock and twelve-year-olds in China, producing Beijing Olympic goods, are working 15 hours a day, seven days a week. Being worked to death is not the route to sustainable development. Second area for stronger ILO action. Short-term contracts and contract labor bedevil the sector in countries like Cambodia. Without job security, workers are defenseless, fired if they even think of organizing and cheated of the benefits that go with permanent employment. Rootless work is not the route to sustainable development.” statement by Mr. Kearney, representative, International Textile, Garment, and Leather Workers (ILC 2007, 26/16)

Another type of Orientalist discourse is that environmental burdens should be borne by developing states to adopt green jobs because failure to embrace the program would lead to further environmental degradation. This Orientalist discourse disregards the culpability of Western

production systems and the emissions produced through industrialization processes of the West.

This sentiment could be found in reports and discussions at the ILO such as those provided below.

“In the long term, the solution could include new technology, better competitiveness and the green economy. He concluded by stressing that the long-term solution should not only be communicated, but also promulgated by such platforms as the European Union and the G8.” (Panel 3. “The role of decent work in a fairer, greener and more sustainable globalization”, ILC 2011, 23/3)

State intervention should guide the private sector through regulations combined with incentives for innovation and public procurement policies that respect environmental and labor standards. Furthermore, sufficient funding through development cooperation was needed to assist developing countries to cope with the cost of transition. (Point 2. Opportunities for decent work creation, ILC 2013, 12/13)

After examining the nature of Orientalist discourses in the use of the Green Jobs Initiative, it is necessary to explore the nature of the responses by India and South Africa to the policy framework.

#### India's response towards the Green Jobs Initiative

India has responded to the notion of green jobs as a tool used by Western states to control the market of developing states to stunt their growth. The argument presented by India is that through the use of the Green Jobs Initiative, developing states are placed in an impossible position where they are expected to grow, deal with poverty and protect their environment. The argument is that there are many problems with the notion of green jobs, and they cannot be adopted wholesale into the economies of developing states without first addressing the loopholes. This sentiment of reservation can be observed in the statement by an Indian delegate below.

“Here, I would just like to raise a couple of issues. The objective of promoting social transition to “green jobs” requires careful thought. While the objective itself is laudable, because it aims at promoting intergenerational equity by protecting the environment, in practice it may be used as a means of erecting non-trade barriers against developing countries. The creation of green jobs is an essential adjunct to sustainable development. The interpretation of the term “green job” is itself varied. While, in the organized sector, it

is easy to identify pro-environment measures, the same may not hold true for the unorganized sector. Further, developing countries cannot be expected to leapfrog to green technologies without adequate technical and financial support. We thus have to guard against the tendency to use carbon credits as a tool. Protection of the environment is a significant reference point nonetheless for all development programs as there are major economic, social and human costs involved.” (Statement by Ms. Pillai, Government, India at the International Labor Conference 2007, 26/30)

Another complaint raised by the delegates of India was the nature of the adoption of the Green Jobs Initiative. It was produced within a short time without adequate consultation and approval of developing states. The adoption of initiatives such as the Green Jobs Initiative cannot be assumed to automatically apply within the context of developing states and therefore consultation mechanisms need to be applied when adopting green schemes such as this (ILC 2012, 15/67). Further, developing states should be entrusted with the power to decide within their national contexts to decide how to protect the environment within their territory. This claim of infringement of sovereignty can be observed in statements such as the one provided below.

“We are fully aware that environmental degradation and climate change will increasingly require enterprises and the labor market to adjust to ensure sustainable development. In fact, India was the first country to set up a task force on green jobs. However, poverty reduction, social inclusion and developmental imperatives are equally important requirements for decent and dignified human life. It should, therefore, be left to individual countries to adopt country-specific policies.” (Statement by Mr. Pant, Employer, India at the International Labor Conference 2013, 20/108)

Further critique of the Green Jobs Initiative is the lack of clear definition of what it actually entails and intends to achieve. Without clarifying the meaning of “green jobs”, “green economy”, India would not be fully on board with the program. This reservation and opposing response can be seen in the statements by Indian delegates at the ILO as provided below.

“He (Government delegate of India) was concerned about the definition of “green jobs” and believed that a country perspective for the concept needed to be developed. Skills development and capacity building were essential to the creation of green jobs. India had started a mapping process at state level to identify entry points. The Government raised awareness of social partners, training institutes and NGOs on green jobs. Finally, he stressed that the outcome of the UNCSO Rio +20 clearly showed that each country needed to develop its pathway to sustainable development.” (ILC 2013, 12/7)

In addition, the Indian delegates questioned the imposition of burden of paying for ecosystem service management since it lacked the capacity to do so. Debates at the ILO show

that India was not open to accepting the role of ecosystem management but believed that polluters themselves should bear the burden of restoration. This exchange between India and other delegates at the ILO can be seen below.

“The deputy representative of the Secretary-General (Mr. Peter Poschen, Director of the Enterprises Department) explained that the report before the Committee identified a variety of modalities by which the poorest segments of society could be compensated for environmental services including through public resources. In response, the Government member of India indicated that this places the financial burden on the state rather than the polluter, which is unacceptable and therefore withdrew the amendment.” (ILC 2013, 12/41)

The role of workers and their empowerment was not foremost on the government’s agenda during this time. The 11th National Plan was implemented from 2007-2012 focused on environmental sustainability to improve access of natural resources to the poor while mitigating the impact of climate change. However, the document did not mention the role that green jobs would play in this plan (Government of India 2008). The focus of the government pertaining to green employment was instead focused on a second green revolution that would help India advance economically. Consider the statement below.

“I seek more funding for ICAR, Agriculture Universities to deal with issues like Climate Change with an aim to usher in a second green revolution.” \*Shri D.V.Sadananda Gowda(Udupi-Chikmangalur), Debates in the Lok Sabha, 9 June 2009, 57

This response against the implementation of the Green Jobs Initiative on grounds of Western intervention and incapacity was not shared with delegates from South Africa as illustrated below.

#### South Africa’s response towards the Green Jobs Initiative

In contrast with the response by the delegates from India, the delegates from South Africa presented a different approach. The delegates from South Africa offered unequivocal support for the ILO in the production of green jobs. The delegates seem to state that the goals of the ILO and South African workers are in tandem with regards to the production of green jobs. However, the delegates were clear that despite their support, they would encourage the ILO to focus on the

human rights aspects of green jobs. This type of support and correction can be observed in statements made by South Africa as can be seen below.

“The ILO has a significant influence on our policies. The New Growth Path adopted by the South African Government as the framework for economic policy and the country’s jobs strategy makes decent work central to efforts to stimulate the rate of economic growth and the employment intensity of that growth. The draft National Policy Plan – Vision for 2030 for South Africa, now being finalized, has also elevated decent work in its proposals for development and labor policies to take the country forward to 2030. The Plan recognizes the importance of balancing the need for faster expansion of employment opportunities with the protection of labor rights. (Statement by Ms. Oliphant, Minister of Labor, South Africa at the International Labor Conference 2012, 21/33)

“The Government member of South Africa reminded delegates that there was a human element to this debate, and it was important the ILO ensured it was not lost. The ILO could help in understanding and dealing with the negative impacts of a transition and provide assistance in terms of advising on macroeconomic and employment policies in relation to sustainable development, green jobs and decent work.” Government delegate (ILC 2013, 12/31)

At the national level, there was a debate on the role of Green Jobs. Certain South African representatives believed that Green Jobs would help develop the economy and that the challenge was recruiting the private sector to participate in the program (Mr. S J F Marais, National Assembly, 17 November 2010, 70). On the other hand, there were others who believe in the capacity of green jobs to address the inequalities in South African society (Mrs. E M Coleman, National Assembly, 26 August 2010, 74). Workers were also initiating efforts to implement their own green jobs program in recognition of the role of labor in environmental protection. COSATU, for example, set up two committees in 2010 composed of labor and environmental groups to lead research into coal mining, chemicals and poultry farming ( Rathzel et. al. 2018).

The trend of Orientalist justifications continued with the Green Jobs Initiative. The Orientalist discourses that supported the Green Jobs Initiative include the need for Western expertise into developing states to achieve the “right kind of growth” that integrates the environment and social protection. Another discourse was the level of environmental degradation in developing states that need to be curbed by the participation of these states without acknowledgment of the source of historical pollution. India was quick to call out Western powers

for the use of the Initiative to intervene into macroeconomic policy building processes, poor consultation, stripping of autonomy of developing states and vague meaning of a “green economy”. The response of South Africa illustrates the attempts to steer the discussion to the social aspect of green jobs. After the introduction of the Green Jobs Initiative, the latest trajectory in the ILO’s use of green policies is the Just Transition Framework which will be examined below.

### **Just Transition Framework (2015-2021)**

There is no standard definition for Just Transition provided by the ILO. Borrowing from the Climate Justice Alliance, Just Transition is “a principle, a process and a practice that utilizes economic and political power to move from an extractive to a regenerative economy”. The transition to an environmentally conscious economy needs to be equitable and would deal with the past harms produced by the previous economic structure (Just Transition Alliance 2020). According to Uzzell and Rathzel (2012), a “Just Transition” is a process of change where the move to a more sustainable society, based on a low carbon economy, is both desirable and necessary, which in turn requires an equitable distribution, achieved via planning and proactive policy making an implementation (Uzzell and Rathzel 2012). Nevertheless, the difficulties of understanding what it is and what it achieves is dependent on the political priorities of those utilizing the term in transition projects. Cipler and Harrison (2019) explains this difficulty of pinning down the term because of the ongoing tensions of trying to reconcile inclusivity-recognition-equity and the priorities of environmental sustainability. And for Stevis and Felli (2015), the nature of Just Transition at the ILO is altered by its tripartite constituency and the nature of its negotiations.

The goal of a Just Transition is to ensure that workers do not bear the burden of a transition to a green economy (Sweeney and Treat 2018). Within the ILO what this means is that workers would benefit from skill upgrading in a shifting labor market so that these workers can acquire green jobs when they lose their carbon intensive employment (Conclusion of the ILC 2009, 13/67). A statement by the President of the Conference in 2015 mentioned that states should support

workers as the fossil fuel economy disintegrates and renewable jobs are in the process of being created (Climate Change and the World of Work, ILC 2015, 15/2).

The origin of the term within the context of the ILO came from workers. Worker representatives requested that the Working Party on the Social Dimension of Globalization use the term “Just Transition” as a way to secure worker rights as the economy transitioned to a green one (ILC 2007). This move indicated a clear connection between social protection of workers and environmental protection. According to the Worker Vice-Chairperson of the Governing Body of the ILO, sustainable development, decent work, and green jobs provides the ILO with the opportunity to investigate the impact of environmental degradation on the production of jobs and the type of protection that could be offered to workers during a transition. Workers need not be “passive victims” but drivers of their own fate as they orchestrate the changes (ILC 2013, 5/12). Just Transition was then included in the Green Jobs report and there was a call for greater efficiency in production redefining of “work” through a Just Transition (UNEP et. al. 2008, 279-280). The Governing Body then pushed for Just Transition to be placed on the agenda of the ILO and this led to the formation of the Just Transition Guidelines in 2013 (ILC 2013). The draft Guidelines were examined by the Tripartite Meeting of Experts and was eventually adopted in 2015 (ILC 2015). The consequence of this move was that the notions of social justice and environmental protection were effectively consolidated in this concept of Just Transition. It became the yardstick for the integration of social, economic and the environment and is poised to be a “conduit for fundamental change” (Montesano et. al. 2021). As a follow-up, the notion of a Just Transition was included in the ILO’s program and budget in 2016 and later on, discussions of adopting it as a labor standard has also emerged (ILC 2013, 7/5). In the latest effort to revive the ILO in its Centenary Initiatives, Just Transition was included in the Green Initiative (Provisional Record 6, ILC 2017, 8).

As for Orientalist discourses, the trend was to frame these environmental policies as necessary for the advancement and progress of the previously colonized states. One strand of Orientalist discourses suggest that Just Transition would solve the problem of inequalities and the increasing role of Western states in guiding developing states towards an equitable society structure. In one statement from the EU delegates, a Just Transition would reduce youth employment and the EU would “pay special attention to cooperating with countries beyond the EU” to introduce new research and innovation (Point 5. Policies and Institutions to seize the opportunities to manage the challenges, ILC 2013, 12/24). A second statement indicates the importance of pushing developing states to be “forward thinking about climate change, mitigation and adaptation policies” with the support of the ILO as crucial for the sake of workers (ILC 2013, 12/3). These statements suggest that developing states have serious issues (devoid of its historical origins of colonialism) and these issues could only be resolved through the benevolence of the ILO and Western states. Consider the statements on Just Transition and developing states below.

“The Sustainability Compact for Bangladesh involving the EU, the United States, the ILO and the Government of Bangladesh is a practical example of an integrated approach to working conditions throughout the supply chain. It has brought progress in labor standards and building safety in Bangladesh’s ready-made garment sector, but I am sure you agree that much more needs to be done. The EU contributes actively to the G20 subgroup on safer workplaces to improve health and safety at work in the G20 countries and elsewhere.” statement by Mr. Andor, Commissioner for Employment, Social Affairs and Inclusion, European Union (ILC 2014, 18/139)

“A Europe that is open to the world is a Europe that knows how to shoulder its responsibilities. The EU is not just a source of soft power; it is also a fully-fledged partner, active on all fronts and helping to develop the rules that will govern the world in the future as we did with climate change, during the adoption of the Sustainable Development Goals (SDGs) last year and as we do on a daily basis with regard to development issues. The EU and its Member States are already the major sources of official development assistance (ODA) worldwide” President of the European Commission (ILC 2016, 17/6)

Another type of Orientalist discourse includes the denial of “Common but Differentiated Responsibilities” (CBDR) to developing states. CBDR is the notion that developing states cannot be made to bear the responsibility of reducing emissions and protecting their environment since

they have yet to develop and lack the capacity to do so. The argument presented through this Orientalist discourse was that developing states were shirking the responsibilities of environmental protection and that they needed to step up. This approach ignores the capacity issues perpetrated through colonial ventures and continued incapacitation through the global economic system. The complaints within the ILO extended to imposing pressure on developing states to commit to greater emissions reductions as the Paris Climate agreement approached Climate Change and the World of Work, ILC 2015, 15/3). There were also accusations that progress towards Sustainable Development goals were slow and therefore focus needs to be directed towards those within the developing world (Reports of the Committee on Decent Work in Global Supply Chains: Summary of proceedings, ILC 2016, 14-2/11). Having examined the nature of Orientalist discourses in the use of Just Transition, I explain the nature of the responses by India.

#### India's response towards the Just Transition framework

One response by India was to declare that it had to first deal with its social problems before it could adequately adopt the Just Transition Framework. These issues include the large number of workers who remain unprotected in the informal sector. The second problem was the lack of awareness of workers of the importance of training and education and the third problem was the cycle of poverty perpetuated through the imposition of low wages. The Worker delegate at the ILO in 2019 highlighted the need for the government to introduce new technologies and the formalization of the economy first rather than embarking on green projects (Statement by Mr. Virjesh Kumar, Worker delegate of India at the ILC 2019, 130).

Further, India has made requests for Western states to take on the responsibility of supporting developing states like India so that a Just Transition could take place. According to an Indian delegate at the Conference in 2014, developing countries lacked resources to ensure a transition and the responsibility lies with richer nations to act. Consider the statement below.

“The Government member of India introduced an amendment seconded by the Government member of Pakistan to insert after paragraph 10, a new paragraph: “Developing countries may not have adequate resources or access to appropriate technology for transition to environmentally sustainable economies. Therefore, international cooperation should ensure adequate financial resources, equitable technology transfer and technical assistance for inclusive green growth in the interest of tripartite constituents globally, including poorest countries”. (ILC 2014, 12/40)

Since the production of the Just Transition Guidelines in 2015, Indian delegates have not mentioned the term Just Transition. Their preferred term seemed to be “Sustainable Development” as expressed in a 2013 statement at the ILO that is provided below.

“The Government member of India felt more comfortable with the use of “sustainable development” as it included environmental, social and economic components. He did not understand why greater attention was being given to the environmental dimension.” (ILC 2013, 12/57)

At the national level, Just Transition is not mentioned in the House of Representatives debates, but the notion of a green economy is mentioned extensively. This was done mostly in the context of infrastructure development without any mention of labor rights and social protection. One example of the focus of development can be observed in the example provided below.

“Sir, we are going to celebrate the 75th year of new India in the year 2022, an India which would be clean and green, healthy and wealthy, where everybody would have an access to a house and toilet, where the farmers’ income would have doubled, where the youth of India would have ample opportunities to express their abilities and to fulfill their dreams, where the women would have free access and feel secured to pursue their careers and interests and live a life with dignity and honour. It would be an India, free from terrorism, communalism, casteism, corruption, nepotism, starvation and exploitation.” Chandra Sarangi, debates in the Lok Sabha, 24 June 2019, 123-124

The consistency in rejecting labor and environmental rights for the purposes of economic growth is evident in this analysis. An opposing attitude is found in the narratives provided by the South African delegates at the ILO.

#### South Africa’s response towards the Just Transition Framework

South Africa’s reference to Just Transition was sparse but the quality of their responses was qualitatively different. First, the South African delegates continue to profess the importance of the ILO in assisting developing states to properly transition to a green economy. The South

African delegates indicate openness in accepting economic policies pertaining to Just Transition. The statements show that there was confidence by South African delegates that the ILO could help national institutions to deal with “emerging needs for skills” and that negotiations occur between workers, employers, and the government to provide the right type of policy mix (Point 6. Priorities for action and roles of member states, social partners, and the Office, ILC 2013, 12/31).

The South African delegates were also cautious with the way that a Just Transition would be defined. They called for the ILO to produce a Just Transition that took into account the type of injustices faced by labor. By doing this, it would provide genuine changes that would positively impact the lives of workers in developing states. This pushback towards the ILO for an equitable transition can be observed in the statements provided below.

“A just transition without education and skills is, again, empty rhetoric. Our report found that it is already becoming harder to recruit people with the skills needed. What is more, education systems are partially responsible for the dearth of capable and skilled workers. At the same time, our report found that businesses themselves are interested in playing an active role in skills development, and that while improving skills requires investment and new approaches, the long term necessity is apparent to business leaders. Skills development and better education are a global imperative. My group calls on the ILO and its member States to dramatically increase their focus on supporting lifelong learning and development programs.” (Statement by Mr. Mthunzi Mdwaba Chairperson of the Employers’ group, South Africa at the International Labor Conference 2019, p.3)

“As a South African who was oppressed and who spent almost half of my life with no rights and unequal treatment in the old South Africa, I struggle with unfairness and unequal treatment. The ILO has historically had a phenomenal impact in the democratization of my country and on freedom of association. This is something I want to see continue over the next 100 years. It must not stop because of inadvertence.” (Statement by Mr. Mdwaba, Employer, South Africa at the International Labor Conference 2019, 13)

At the national level, there is direct engagement with the term Just Transition and green economy. The debate about the nature of a Just Transition was also evident in the legislative bodies in South Africa. Two strands of debates stand out in the proceedings. First, the purpose and meaning of a Just Transition. On one side, representatives argued that a Just Transition would ensure economic growth (President’s speech, National Assembly, 25 November 2021, 68) and on the other side, Just Transition should be applied to ensure equity for the marginalized (Mr.

M G Mahlaule, National Assembly, 25 November 2021, 29). The second strand of debate was with the investments into corporations like Eskom (Electricity Supply Commission) to transition to green energy production. On one side, representatives took issue with the mineral energy complex and its ties to apartheid (Ms. O M C Maotwe, National Assembly, 25 November 2021, 63) and on the other hand, the importance of a Just Transition to ensure that industries like Eskom survive the shift towards a global shift to green energy production (President's speech, National Assembly, 25 November 2021, 24). The demand for worker rights and clarity of the term Just Transition was clear in the South African case. And by this time, trade unions were also adopting Just Transition within its own framework. The Central Executive Committee of COSATU adopted a Climate Change Policy Framework which stated its commitment to a Just Transition (Rathzel et. al. 2018).



Figure 8-1: Department of Planning, Monitoring & Evaluation in association with the National Planning Commission, Government of South Africa participate in a Just Transition project. Credit: oneworldgroup.co.za

Therefore, it is clear that even with the Just Transition Framework, Orientalist discourses include statements that suggest that there were great inequalities in developing states that would require intervention of Western powers. And further, certain statements have alluded to greater

environmental protection responsibilities imposed on the developing states despite their lack of capacity. To this, the Indian delegates responded by continuing to declare that they would not be able to pursue a Just Transition until it first deals with its poverty issues and did not mention much of Just Transition in the ILO since the Guidelines were produced. While the response by the South African delegates were just as sparse, there seemed to be a human-centered focus that they were attempting to achieve with Just Transition.

### **Analysis**

Post-colonialists have critiqued Western environmentalists as oblivious to the nature of environmentalism in the East by generalizing the nature of Eastern traditions that villainizes the developing world and justifies interventions into environmental protection measures into the East (Guha 1989). These scholars acknowledge that there have been profound impacts caused by colonialism on the environment that have been conveniently overlooked (Isiguzo 2017). The inequalities persistent in previously colonized spaces find their origin within the imaginaries of the colonizers to fulfill their desires of attaining the will of the colonized. In other words, the goal of the colonizers is to receive consent for their civilizing mission which justifies their superiority. Hence, these inequalities were socially and historically constructed and maintained by Orientalist discourses (Guha 1989). Any attempts to “fix” these inequalities through environmental policies of the West have created more issues than solutions (Cilano 2007). An attempt is made here to show that these Orientalist discourses are present even in green policies at the ILO to shape, control and vie for the subjugation of the colonized within the context of environmental protection without acknowledging the colonial history of extraction and environmental degradation.

Said’s Orientalism is vital here in the assessment of writing of history and assessment of Eastern environmentalism. The power to define and describe the environmentalism of developing states as “failed” or “inept” provides the necessary political ammunition for Western states to intervene and re-enter previously colonized spaces that they had trampled on for centuries. Said’s

project produces a “truth” of the West, made by the West for the West (Loomba 2015; Mondal 2012). The purpose of Said’s work was to call scholars of the Third World to engage in highlighting Orientalism by the West to disempower it through the identification of its use (Prasad 2003). For example, Said mentions:

“Lastly, for readers in the so-called Third World, this study proposes itself as a step towards an understanding not so much of Western politics and of the non-Western world in those politics as of the strength of Western cultural discourse, a strength too often mistaken as merely decorative or “superstructural.” My hope is to illustrate the formidable structure of cultural domination and, specifically for formerly colonized peoples, the dangers, and temptations of employing this structure upon themselves or upon others.” (Said 1978, 33)

In terms of response, Bhabha’s work is important here to show that despite the difference in response by the South Africans, they are resisting these Orientalist discourses by stating the importance of human rights within these green policies. They addressed the inconsistencies in the application of these green policies to ensure that workers are protected rather than enterprises. I argue that this response is a mimicking response that is a “double articulation” and a “complex strategy of reform, regulation and discipline” (Bhabha 1994; Chakrabarti 2012). This type of questioning reappropriated power away from the colonizers and is discomfiting since it calls out the inconsistencies of colonial logic (Ghasemi et. al. 2017).

## **Conclusion**

In this chapter, I explained the nature of Orientalist discourses that have influenced and justified intervention into developing states through Sustainable Development, Decent Work, Green Jobs Initiative, and the Just Transition Framework. I also explained the nature of responses by the delegates from India and South Africa. In most cases, statements issued by India indicate a direct resistance of these policies as methods of recolonizing and controlling the economies of developing states. This direct resistance is not present in the case of South Africa. Whether this continues to be the trend in these states in the implementation of green projects will be assessed in the next chapter.

## CHAPTER 9: ILO'S GREEN PROJECTS IN INDIA AND SOUTH AFRICA AND ORIENTALIST DISCOURSES WITHIN THE ILO

In the previous chapter, I examined the formation process of green policies at the ILO and showed how Orientalist discourses are present and have been used to justify the production of green policies. The chapter concluded that Orientalist discourses do support the production of these green policies at the ILO for use in India and South Africa. However, the responses of these states towards the formation and justification of these green policies have differed significantly. These differences may be best explained through Homi Bhabha's mimicry that suggests that the colonized could react in a way that conforms to the ideals of the colonizer to present a distinct form of resistance. This type of conforming resistance is present in the case of South Africa more so than in India. The South African responses show that they accept green policies but have made attempts to steer the focus towards human rights.

This chapter continues the examination of the ILO's green projects and investigates the types of Orientalist discourses present in project publications. The research question that drives this chapter is: How do postcolonial theories help us identify the Orientalist discourses within the ILO's green projects in India and South Africa? The goal of this chapter is to examine the Orientalist nature of ILO's green projects through its descriptions of the projects themselves and the neocolonial nature of relations that have been (re)constructed through the ILO. Further, the chapter goes to show the distinct responses by India and South Africa in adopting green policies and the distinct interpretations of the ILO's green policies by these states. The thesis of this chapter is as follows: India's green projects are focused on the notion of development and increased production while holding on to their fossil fuel industry. The South African case shows greater willingness to adopt green policies, but these have been challenged and molded by unions to incorporate human rights both at the national and global levels. This chapter will proceed as

follows. First, I examine the types of ILO green projects that were initiated in India through the Sustainable Development program, the Decent Work Agenda, the Green Jobs Initiative, and the Just Transition Framework. And then I analyze the same ILO's green projects in the case of South Africa. Through this analysis, I show the level of participation and the types of responses by these states towards these green projects.

## **INDIA**

### Sustainable Development

The Sustainable Development Program was introduced into the ILO through the Brundtland Commission Report of 1987. One early example of a Sustainable Development program was the Promotion of Income and Employment Opportunities for the Rural Poor in Tamil Nadu in 1987. The project was aimed at the proper functioning and utilization of infrastructures. The project was also created to increase the collective strength of tribal groups so that environmental resources were better managed. The idea was to teach indigenous groups to live sustainably on their land (Dejardin 1996). Then in 1988, India initiated their National Agenda for Governance. This project was initiated with national consensus for the formation of a National Reconstruction Corps that sought to protect the environment, ecological systems, reclaim waste land, implement afforestation projects and spread literacy in India (Visaria 1998). Further in 1994, the Trade Union Partnership for Environmental Protection (TUPEP) of India was initiated by workers. The initiative set out to develop and advance a common position on environmental issues. It would also ensure that employers and government entities would be involved in achieving Sustainable Development. Workers fought hard to set up union representation in government committees on the environment, but this effort failed (ACTRAV 1999).

Several Orientalist discourses were present in the project documents declaring the ILO's role as the expert and leader in providing assistance to India. One such Orientalist discourse is

that poor Indian women need to be educated to ensure population control and by doing so, there would be net benefits for the environment. Consider the statement found in an ILO booklet on education and training that is provided below.

“Education means not only having fewer babies but also healthier babies: mortality among Indian babies of mothers with primary education is half that of babies born to uneducated mothers. A literate mother is better equipped to understand hygiene and she can be trained as a health worker.” (ACTRAV 1996, 7)

Another statement by the ILO suggests that India’s development path cannot continue because of its impact on the environment. Rather than referring to the Western development model that India has chosen to follow per advice from the West (and the ILO) decades ago, the ILO identified this model as problematic. This unfairly lays the blame on India as a global polluter as indicated in the statement below.

“Most of the world’s people still rely on their own feet, bicycles, animal-drawn carts, and public buses and trains for their transport. But the trend is towards car ownership. Many car manufacturers link car ownership with development, and car culture has firm grips in such countries as Mexico, Brazil and India, and is making inroads almost everywhere in the world.” (ACTRAV 1996, 23)

To sum up, early responses to green projects by India were scarce and when reference was made, it was made in conjunction with poverty reduction or achieving progress. Green projects were no different from development projects and they indicated the type of sacrifices that the workforce had to bear to further economic development while pursuing environmental protection. The approach stayed the same when the Decent Work Agenda was introduced, and this analysis is provided in the succeeding section.

### Decent Work Agenda

The Decent Work Agenda was introduced by the ILO in 1999 by Director-General Mr. Juan Somavia. The agenda was introduced as a response to the impact of globalization and the capital friendly global labor regime in the Global North and the South (Lerche 2012). While the primary focus of Decent Work is the adherence to social standards, it is also concerned with

environmental protection as a condition for healthy communities and workers. Since 1999, the ILO has implemented several Decent Work Country Programs (DWCPs) that began in 2000. DWCPs cover consultations with country officials and stakeholders, the production of country diagnostics, preparation of the main country program document, implementation of and the monitoring of Decent Work standards (Rantanen et. al. 2020). When India signed up for the DWCP in 2010, the ILO declared it to be the most significant adoption of DWCP in any country. The ILO made this declaration based on India's poor track record in complying with Decent Work standards. India, however, has redirected Decent Work as a mechanism for employment creation through skills development with the extension of social protection for groups in the informal economy. This is contrary to the goal of the ILO in increasing the number of formal workers where labor rights could be better guaranteed (Lerche 2012).

These examples of reinterpretation and redirection can be seen in the attitude taken by India in the application of workers' standards in the state. India has not ratified four out of the eight core ILO conventions. It has not ratified major standards such as eradication of child labor, the right to organize, and freedom of association which form the basis for labor equity (Fields 2003; Lerche 2012). Further, India has also passed laws that undermine the ILO's core standards such as the Trade Union Act 2001 that restricts the right to organize to workplaces with 100 or more workers which is high compared to global standards as well as the requirement of a 45-day notice to strike in Special Economic Zones (SEZs) (Lerche 2012). As a result of these labor regressive laws, unionization rates remain low at 8.83% and there is continued evasion of labor rights by the private sector (Warneke and De Ruyter 2012). Although there were attempts to provide some form of protection through laws such as the National Rural Employment Guarantee Act (NREGA) that guaranteed 100 days of employment per year to one member of any rural household, these attempts were marred by corruption and inefficiencies (Lerche 2012). As a result of these

injustices against workers, groups within leftist political parties and civil society have opposed the government through campaigns (Rodgers 2011; Baccaro 2001).

Despite seemingly direct opposition by the Indian government, the ILO has worked with India to pursue Decent Work. One example is the “Promoting Decent Work by Sustaining Competitive and Responsible Enterprises in India: SCORE Project”. The project supports small and medium sized enterprises (SMEs) to grow and create more and better jobs by improving their competitiveness. It was funded by the Swiss State Secretariat for Economic Affairs (SECO) and the Norwegian Agency for Development Cooperation (NORAD)(ILO-DWCP India 2012, 56). In addition to this project, the ILO also implemented the “Decent Work for a Life-Time of Gender Equality” in 2009. The ILO helped to fund training programs for women in labor-intensive jobs to help maintain physical health in rural India (ILC 2009). The ILO also implemented “From Waste to Jobs: Decent work challenges and opportunities in the management of e-waste in India” that started in 2011 and ended in 2019. The purpose of the project was to analyze India’s progress in managing e-waste since India passed legislation to regulate the processing of e-waste in 2011 (International Labor Office Working Paper No. 323 2019).

There were several strands of Orientalist discourses that were present in the publications of these Decent Work projects. One such strand was the notion that India was a laggard in ensuring labor standards and this justified the intervention by the ILO. In an ILO Decent Work publication, the ILO claimed that despite liberalization in the 1990s, India has failed to ensure increased wages for workers and poverty reduction (Karan and Selvaraj 2008, 1). In another publication, the ILO claimed that since workers were exposed to hazardous gases and chemicals, the ILO needed to intervene with a plan that would introduce a participatory, and action-oriented training methodology. This method would improve Indian workplaces with simple, low-cost improvement measures that would create safe workplaces (International Labor Office Working Paper No, 323 2019, 20). To add, Orientalist discourses also include the inability of India to ensure

protection of work environments for women. The “Decent Work for a Life-Time of Gender Equality” was justified on the basis that women were mistreated in India through inequalities in wages (125) and the lack of incorporation of women in the formal sector (ILC 2009). The claim was that the failure to ensure standards was due to the complexities within the Indian bureaucracy. Therefore, the lack of cooperation by the Indian government and misplaced focus on efficiency rather than sustainability were reasons for the ILO’s relevance in India (ILC 2009, 70-71). These claims made by the ILO are orientalist because they highlight the inferiority of the state mechanisms without raising culpabilities of the standards that were introduced in the colonial era by the same powers insisting on these standards in the ILO.

The other form of Orientalist discourse was that India needed to progress despite its lack of access to capital. It places India in the impossible position of implementing Decent Work programs to fix its labor environmental and poverty issues with scarce financial support. This type of Orientalism does not acknowledge the inherited form of inequalities from colonial economic systems or extractive industries that were used to increase the wealth of the colonizers. Consider the statement issued by the ILO below that illustrates this dichotomy.

"In an economy such as that of India, the generation of productive employment opportunities spread over a wide base of population is obviously the key to any sustainable economic expansion, besides being necessary for the reduction of poverty and more equitable distribution of income. Indeed, the inability to generate such employment, thus improving aggregate productivity of labour in the Indian economy rather than just in a few chosen sectors, has been the most obvious symptom of the failure of the Indian economic development process over the decades, along with the persistence of widespread absolute poverty and the slow rate of improvement in human development indicators" (Ghosh 2004, 9)

The third type of Orientalist discourse with Decent Work is that India needs to improve its labor skills before it can establish a Decent Work program. The accusation was that India has failed to match supply and demand of labor. And as such many labor demands have remained unfulfilled and there are many who are unemployed because Indians lack skills.

“The problem is essentially two-fold: a large part of the Indian workforce has no acquired skills, and many have skills which are not in demand. Thus, a certain part of the labor force does not get employed due to their "unemployability". (Papola 2008, 22)

One last type of Orientalist discourse on Decent Work was that India needed to move her workers into the industrial sector if it truly desires to succeed globally. This is a reconstructed colonialist argument that workers needed to remove themselves from “unproductive” artisan work and embrace mass production industries to improve their economies and the quality of their lives. This can be observed in the statement provided below:

"Nonfarm employment creation is an important tool in handling rural poverty. Manufacturing industry in rural India shows great promise in terms of employment generation and poverty alleviation. It is of extreme importance that we identify the potential of textile and garment export and related industry. Thus, poverty alleviation can be bifurcated into farm and nonfarm measures, both of which offer a wide range of possible improvements that need to be undertaken in order to reduce the incidence of poverty that currently affects more than two thirds of rural India" (Chadha 2008, V)

Hence it can be observed that India’s response to the human rights aspects of Decent Work has come up short. This is due to the need to first develop the economy at the expense of labor. This response by India towards the ILO has stayed consistent. The ILO has remained to be the space for contesting Western neocolonial notions of development. The ILO’s Orientalist responses are orientalist not because of its recognition of India’s failure to adhere to basic labor standards but its hypocrisy and complicity in erasing the West’s influence in shaping India’s unjust labor laws.

### Green Jobs Initiative

Green jobs are jobs that maintain a transition to environmentally sustainable forms of production and consumption (Kumar et al 2010). Green jobs would help protect ecosystems by reducing energy, materials, and water consumption through high efficiency production systems. This efficiency would in turn result in the protection of the environment (Maclean et al 2019). India has initiated several green job programs. For example, India launched the National Action Plan on Climate Change (NAPCC) in June 2008 to present its strategies to deal with climate change

and to ensure that India's development path enhances ecological sustainability (Government of India NAPCC 2008). India also launched an afforestation program that would train forest personnel, improve management of forest areas, and strengthen management of forests and reducing forest fires (Narain and Maron 2018). Further, India set up energy efficiency standards that have developed energy efficiency rating for appliances and building codes for government buildings (Maclean et al 2019). Also, India has built the Jawaharlal Nehru National Solar Mission with the goal of producing an addition 20,000 MW of power in India by 2022 (Akoijam and Krishna 2017).

These green projects have produced many jobs; however, these programs do not align with global environmental and labor standards prescriptions of the ILO. Despite these green projects, the government has not provided support for the production of green jobs and green skills. Attempts have been piecemeal and there has been no national regulation to increase green skills (Maclean et. al. 2018). Further there are no regulations for industries to ensure that green jobs are produced and that standards are kept. There is no way to rein in manufacturing industries and the scope of green jobs is limited (Maclean et. al. 2018). Overall, there has been a focus on development at the expense of the environment. India has not committed to emissions reduction and its economic priorities have prevailed over environmental protection (Kumar et. al. 2010).

This response to green jobs explains the nature of the interactions between the ILO and India in the project implementation of green jobs. These projects have been in the form of assessments and studies of how India has fared in the production of green jobs. For example, the "Skills for Green Jobs in India" is an ILO report on India's green jobs economy that identifies the most important skills employers need for a green economy (Kumar et. al. 2010). Further the ILO conducted a review of Decent Work and Green Jobs in Kaimur District in Bihar. The ILO assessed occupational health and safety standards of green jobs in Kaimur and issued recommendations to improve their effectiveness while keeping workers safe (ILO New Delhi

2010). Then in 2011, the ILO produced a report for the identification and design of climate change adaptation at the local level (ILO-Asia Pacific 2011). Another example of the ILO's analysis was the examination of the effectiveness of green cooperatives in South Asia including the electrification of 100 villages in India (International Labor Office Cooperatives Unit 2013). Nevertheless, it must be noted that during this time there were few references of Green Job Programmes in India except for the joint ILO-DANIDA water conservation project (ILO-Asia Pacific 2019, 127) and the green jobs through the dairy sector in Jabalpur, Madhya Pradesh (ILO 2022).

There are several types of Orientalist discourses that are presented in these analyses of green jobs in India. The first is that through green jobs, India would capitalize on its labor force and make gains in achieving economic growth. This discourse sidelines the discussion of inequalities created through colonial ventures and assumes that the green jobs programs would remedy India's shortcomings. This discourse suggests that despite growth, India has not been able to ensure safe working conditions and it needs to pivot toward equitable green jobs to properly protect workers. Consider the statement by the ILO below:

"In developed economies the measures in this direction have been initiated but developing nations have not yet taken the leap. The phenomenal growth rates achieved by some of the developing countries like India and China has changed the carbon footprint of the world. In this context keeping in mind the importance of sustainable development, these countries will require a radical shift in developing new skills and qualifications which will offer great potential for the creation of green jobs." (Kumar et. al. 2010, 1)

An extension of this Orientalist discourse is the assumption that India merely needs to improve its labor management to capitalize with green jobs. Like past promises of prosperity with Western notions of development, this is a mutation of the Orientalist discourses from decades past (Kumar et. al. 2010, 9). Consider the statement issued in an ILO publication below:

"The Indian country report, for example, recognizes that if the country is to make the best use of emerging employment opportunities, while also minimizing the social costs and dislocation associated with restructuring, it is of critical importance to address the level and quality of skills that the nation possesses. An oversupply of highly skilled workers may also impede efficient restructuring and cause unemployment" (Strietska-Illina et. al. 2011, 80)

The second type of Orientalist discourse that can be seen in the project publications include the notion that the Indian education system is subpar and maintains low productivity. The claim is that India has not worked at improving the knowledge of her people. The low level of education and formal training of the workforce would lead to workers being stuck at the bottom of the labor market with low productivity and earnings as well as the inability to conserve resources and lack of skills and knowledge about cleaner technologies (Kumar et. al. 2010, 10 & 46). This type of discourse ignores the type of education system left behind by the colonialists that have conditioned workers in the colony to be low-skilled laborers. This critique on the skill level of Indian workers can be observed in the statements below.

"Although the Indian economy has experienced rapid growth over the recent period, the low levels of education and formal training of the workforce are a matter of concern. Workers without education and skills are stuck at the bottom of the labour market with low productivity and earnings. From the point of view of the economy, the lack of skills, the inability of the workers to adapt to changing technological and market conditions, and the existence of low productivity sectors cannot but constrain the growth of the economy and lead to a lop sided growth structure in which the majority of workers are not able to participate effectively in the development process." (Kumar et. al. 2010, 10)

The third type of Orientalist discourse is that India needs to adopt the Green Jobs Program to ensure better protection of her workers. Intervention by the ILO and the West is justified due to the weak standards kept by India rather than acknowledging that these standards were established in colonial times. In the study of Green Jobs at the Kaimur District in Bihar for example, the ILO mentions that India scored low points on social protection and social dialogues and there needed to be clearer expectations for employers to raise the protections offered to workers (Kumar et al 2010, 30). Consider the statement found in an ILO document below.

"High economic rates of return" on joint ILO-DANIDA water conservation project (p. 127), donors and national governments must fund climate adaptation projects to protect the vulnerable (ILO Asia-Pacific 2011, 288)

Thus, the example of the Green Jobs Initiative shows the continued focus by India to develop its economy over the priorities of producing social and environmental policies. The ILO has produced reports on the deficiencies of these programs and has continued to "recycle"

colonial discourses to describe these green projects in India. In the next section, I explain the next point in the trajectory of the ILO's green policies that finds its origin in the worker movement.

### Just Transition Framework

Just Transition is a policy framework that facilitates a transition to a low carbon society while dealing with the social and economic hardships experienced by those engaged in carbon generating industries. This policy framework minimizes disruption for workers and communities who have been reliant on unsustainable carbon-based industries (Piggot et. al. 2019). Produced from the ranks of workers, Just Transition rose to popularity from the 1970s (Stavis and Felli 2015). In the case of India, there is some evidence that it is scaling up efforts to transform its energy sector towards lower GHG emissions but remains reliant on coal as its main source of energy. To this end, it has indicated its intention of lowering its carbon use by 35% in 2030 from its 2005 levels (Hirsch et. al. 2017).

The types of Just Transition projects initiated by the Government of India show a focus on renewing and transforming the energy sector rather than expanding labor rights. One example includes the Rajasthan Renewable Energy Transmission Investment Program 2013 that was funded by the Asian Development Bank to improve electricity transmission systems in Rajasthan. The goal of the project was to enable the capacity of Indian government officials in developing renewable energy parks (ADB 2013). Another project is the promotion of green growth and sustainable development in Himachal Pradesh in 2013. The project was funded by the World Bank to improve natural resource management in Himachal Pradesh and to promote environmental and social sustainability of hydropower development (World Bank 2013). Further, India has adopted the Solar Rooftop Investment Program in 2015 and the Scheme for Development of Solar Parks and Ultra Mega Solar Power Projects in 2014 (Climate Investment Funds 2021). The objective is to increase solar power production in India.



Figure 9-1: Adani's 2-gigawatt solar plant, which would tie for the world's largest. Credit: Adani Green.

Despite the evidence of adoption of these projects, there seems to be a disjuncture between the nature of the ILO's Just Transition and the nature of these projects in India. First, there have been instances of injustices caused to communities through these projects. The "Scheme for Development of Solar Parks and Ultra Mega Solar Power Projects" (2014) has displaced communities in the Bhadla Solar Park who were accused of "harvesting illegally" on their ancestral land (Climate Investment Fund 2021). Further, India's commitment to Decent Work standards and resilience has been categorized as weak due to lack of respect of labor rights. Workers from the agricultural field have been sidelined in upskilling projects even though they are the most affected by the volatile climate (Hirsch et. al. 2018).

The interactions between the ILO and India with regards to Just Transition projects have been scarce. One project that was undertaken in 2015 was the "barefoot" technicians project where the ILO provided training materials to support contractors and field engineers to connect rural folks to the mainstream economy (Tsukamoto and McCord 2020, 106). For the most part, the ILO documents continue to show an interest in evaluating India rather than providing

assistance in the implementation of programs. For example, in the report entitled “Green Jobs and a Just Transition for Climate Action in the Asia Pacific region” the ILO analyzed Asia Pacific countries including India to examine their progress towards a Just Transition. The report indicated that the ILO is aiming to create up to 14.2 million jobs by 2030 in the region through Green Jobs and Just Transition (ILO Asia-Pacific 2019, 14). In another project, the ILO analyzed where the ILO’s intervention has alleviated poverty and considered ways that it could help India advance their economies through a Just Transition (ILO-BRICS 2020, 24). In addition, the ILO has provided an overview of the garment industry in South Asia and how the ILO through its Just Transition framework could improve gender equality and decent work. The program was initiated in 2021 and the ILO claims that it has empowered women in this industry by supporting gender equality measures (Clarke et. al. 2021).

Three types of Orientalist discourses are present in the project publications pertaining to Just Transition and India. The first type of Orientalist discourse is that India needed to participate in the Just Transition framework. Without its participation, the global goals of achieving the Sustainable Development Goals (SDGs) would not be achieved. According to the discourse, India plays a leading role in achieving the SDGs since it could increase the income of rural folks through its commitment to environmental protection and economic growth (ILO-New Delhi 2018, 8). It also bears the responsibility of ensuring that jobs that are produced in a Just Transition mindset would be labor oriented (ILO-BRICS 2020).

“While the contribution of agriculture has declined in all BRICS economies, the share in services has risen. India stands out as a service-driven economy, which has enabled the economy to grow faster but poses challenges in terms of creating enough decent jobs for the burgeoning labour force.” (ILO-BRICS 2020).

The second type of Orientalist discourse is that India needs to manage its labor force to better enhance its chances of continued economic growth. This discourse suggests that since India is lagging in upskilling its workers, it needs assistance from the ILO and the West. This type of Orientalism can be observed in the statement below.

“This structural change will require a better educated and more vocational skilled workforce. Otherwise, the workforce quality will become a constraint upon the pace of structural transformation. In other words, the skills of the labor force will need constant upgrading if the pace of economic growth, and especially its inclusiveness, is not to be compromised.” (Sakamoto and Sung 2018, 386)

The third type of Orientalist discourses found in the ILO project publications include the failure of India to manage an inclusive growth. The ILO has justified its continued intervention into India based on the exclusion of women in the workforce. This type of Orientalism is a reconstruction of the White savior syndrome where “White men have to save Brown women from Brown men” (Spivak 1988). This type of Orientalism has political ramifications for the empowerment of women despite its best intentions. Consider the critique of India’s inability to protect its women in the statement below.

“India’s declining female labor force participation has been the focus of much speculation and research in recent years. There is broad consensus that this trend is not only bad for women’s empowerment but also leads to significant productivity losses for the economy. Although the Government introduced policies to foster gender diversity in the workplace to draw more women into the labor force, many of them have fallen short in practice, owing in part to their limited take-up by the private sector.” (Kring et. al. 2018, 10)

In sum, India has shown that it has pursued Sustainable Development, Decent Work Agenda, Green Jobs Initiative, and the Just Transition Framework through certain national initiatives. Nevertheless, the nature and implementation of these projects indicate a departure from the core standards of labor rights professed by the ILO. I argue that this resistance to the ILO’s green policies forms a direct resistance to the type of Western rhetoric and Orientalism that justify the imposition of these projects on a previously colonized state like India. It has chosen to pursue labor and environmental policies that would best fit its context rather than bow to “colonialist” requests in the form of green policies.

## **SOUTH AFRICA**

### Sustainable Development

South Africa was a latecomer to the adoption of Sustainable Development due to its struggle against apartheid. The first integrated Sustainable Development program was only adopted in 2002 after the World Summit on Sustainable Development was held in Johannesburg that same year. The democratic South African government initiated two programs namely, the National Framework for Sustainable Development and the National Development Plan (Rennkamp 2012).

Early use of Sustainable Development tied the program with resolving high inequality levels left behind by the apartheid regime. To eradicate the persistence of Boer influenced divisions, there were two priorities of action initiated to build capacity and institutional strengthening and orientation. First, a new type of economy needed to be formed that would level the playing field between the Blacks and Whites. Second, a peaceful government structure needed to be established (Munslow and Fitzgerald 1994).

The projects adopted by South Africa were environmental and community based in nature. Some examples include the LED lighting retrofit program that was initiated in 2010 that involved large scale refitting of inefficient traditional lights with highly efficient LED lights. This action was projected to reduce emissions of 5.6M tons of carbon dioxide. Other projects include the “Soil and More Reliance” (2010) which pushed for certified organic composting to produce fertile soil and create stable income for farmers. Through this process, the South African government claimed that it reduced green waste in landfills and reduced emissions. In addition, the government initiated the “Solar and Fuel-Efficient Cookers” project that recruited community-based entrepreneurs to promote solar and fuel-efficient cookers (stoves) in Soweto, Polokwane and Acornhoek. The project distributed 1500 solar and fuel-efficient cookers in each household and was projected to reduce carbon emissions by 37 tons in 6 years (Government of South Africa 2021).

This willingness to adopt green projects at the national level could be traced to early and strong government support for the environment. For one, environmental protection is firmly embedded in Section 24 of the 1993 South African constitution. The rationale for the incorporation was the notion that environmental problems were the culmination of social problems both in their causes and effects. Environmental problems are felt by those most vulnerable and hence, environmental protection was central to the health of communities. Section 24 therefore, places a positive obligation on the state to make decisions that would protect the environment and ensure Sustainable Development (Feris 2010). Part of its commitment to the environment is also illustrated in the willingness of South Africa to host the World Summit on Sustainable Development in Johannesburg in 2002. At this Summit, South Africa declared that it would commit to Sustainable Development incorporating a long list of old targets, and 37 new targets (Rennkamp 2012).

This openness to adopting environmentally based policies and projects was also reflected in its willingness to work with the ILO in implementing sustainable development projects. One such project was the “Workers’ Education and Environment” Project. The South African Trade Union Coordination Council (SATUCC)(a regional trade union organization representing all major trade union federations) participated in a few regional workshops that raised awareness of environmental issues and develop plans for trade union action (ACTRAV 1999, 36). The South African Department of Public Works also worked with the ILO and the United Nations Development Programme (UNDP) in the Community Employment Programme (ECP)(1996). The ILO provided technical assistance in labor policy building in infrastructure works and training (de Even 1996). The project included irrigation for the fields of the families of the blind and sustainability was closely tied to social progress (Tournee and van Esch 1997, 36).

In terms of Orientalist discourses, the interventions in South Africa in achieving Sustainable Development were justified through the notion that South Africa needed the ILO’s

help in achieving its environmental and social goals. Consider the statement by the ILO pertaining to infrastructure projects in South Africa below.

“Appropriate planning and organization of projects is being addressed at policy level in a number of programmes supported by ASIST, like the South Africa public works programmes. This is an area where ASISTS’s involvement is increasing. Whereas many integrated development projects were given a bad name in the past, we believe that the role of accessibility planning and reinforcement of benefits through careful selection and coordination of projects is the way to go for both rural and urban development programmes.” (Taylor 2000, 2)

Further, the ILO would help South African officials to manage future projects on their own without needing help from outside sources. This has roots in the civilizing mission to teach and instruct colonized states in the right way to develop. Consider the statement by the ILO that bears resemblance to this type of Orientalism.

“The long-term aim is to enable the Department of Public Works South Africa and other concerned departments to draw up policies and practical guidelines for programme administrators, project planners, managers and beneficiary communities to maximize the prospects for successful operation and maintenance (Taylor 2000, 15)

In sum, South Africa has been willing to adopt Sustainable Development within its policy framework and build programs around this concept. Its willingness to host a global environmental meeting and the adoption of ILO project supports this point. And the ILO’s intervention into South Africa is also shown to be justified by Orientalist discourses of superiority of the organization against the incapacity of South Africa. This is orientalist because it disregards the culpability of colonial powers in the setting up and maintenance of apartheid in South Africa. This persistence of Orientalist discourses and willingness by South Africa could also be seen in the human rights-based approach pushed by the Decent Work Agenda that is examined below.

### Decent Work Agenda

The concept of Decent Work is based on the notion that work provides livelihoods and is also the source of personal dignity, family stability, peace in the community and economic growth. The concept is a tool for the assessment of deficits and the production of targets to overcome

these deficits of social protection (Heeks et. al. 2021). South Africa engaged with the ILO's Decent Work Agenda at the same time as India in 2010 but has shown greater openness towards it.

Evidence of the openness of South Africa to the Decent Work Agenda include the constitutional adoption of the ILO's Core Standards that protect workers against labor and discrimination, the right to pursue livelihoods and the protection against the exploitation of children. There are also extensive South African statutes that regulate labor relations and maintain ILO standards (Swilling and Annecke 2012; Cohen and Moodley 2012). South African laws go as far as providing unemployment protection through the Unemployment Insurance Act of 2001 that regulates unemployment insurance and maternity benefits (Ndung'u 2012). These efforts have resulted in the ILO recognizing the up-to-date labor legislation in South Africa. The ILO recognized that South Africa has drafted laws that provide access to more women, men, youth, and persons with disabilities with productive and decent employment (ILO DWCP South Africa 2022). The ILO also recognized South Africa as a model for successful community contracting and suggested that their strategies could be replicated in other developing states to overcome issues of underdevelopment and environmental protection (Tournee and van Esch 1997). Further evidence of South Africa's openness to Decent Work can be seen through visits by trade union delegations to Western states such as the delegation in 2002 to visit the Swedish trade union Kommunal to study workplace safety (Hurst et. al. 2007).

To add to this openness to Decent Work, South Africa has also worked with the ILO to achieve Decent Work. National Decent Work projects have involved the ILO extensively. One example includes the "Jobs for Africa" program. For this project, the ILO worked with the UNDP with the goal of increasing jobs while simultaneously expanding economic growth. The program was created to ensure that poor people would have access to productive employment opportunities (ILO-JFA 2000). Further, South Africa also entered into a partnership with the ILO and the Flemish government for the SAY-JUMP Project in 2006. The program was initiated to

alleviate poverty through decent and sustainable jobs for poor and marginalized women and men. It was implemented in three of the poorest municipalities in South Africa (EMP/COOP 2010, 7). In addition, South Africa also took part in the Decent Work for South African Farmers through Effective Social Dialogue. The goal of the project was to connect national and international stakeholders so that agricultural workers could be better protected. The goal was to ensure that agricultural workers could increase the quality of employment and their ability to organize (Ethical Trading Initiative 2021).

These interventions by the ILO into South Africa were justified by several types of Orientalist discourses that were present in the ILO's project publications on Decent Work. The first type was that the ILO can help guide South Africa to deal with the effects of climate change and social equity since South Africa lacked the ability to maneuver through the volatile conditions that climate change would cause. Consider the statement by the ILO below pertaining to South Africa's capacity.

“South Africa has pursued various strategies to counter the effects of natural disasters, but it is recognized that the strategies were inadequate because of lack of clear proactive and reactive policy on disaster management. The loss of life and economic and ecological disruption can be minimized by enhancing households' coping strategies, preparedness, advanced warning, and timely responses. Labour-based intensive reconstruction programmes are not seen as essential and fundamental to support people in a sustainable manner...” (Dunne and Mhone 2003, 61)

The second type of Orientalist discourse was that the ILO needed to monitor the progress made in South Africa to ensure that Decent Work and environmental protection occur. This can be observed in the statement by the ILO below.

“For Egypt, Algeria, Namibia and South Africa, although initial consultation missions have been undertaken, no activity of the programme has been implemented. On the basis of this review process, there is a need for needs assessment missions to these countries to determine the entry points (i.e. appropriate institutional framework, budgetary needs, staffing requirements and existing capacities) which should be the basis for the design and formulation of a country programme.” (ILO-Jobs for Africa 2000, 25)

The third type of Orientalist discourse is that South Africa has failed to ensure that women were adequately protected and therefore the ILO needed to intervene so that mitigation and

adaptation strategies took into account gender equality. The ILO drew on survey data to conclude that since women performed unpaid care work, it formed a barrier for equality for women (ILC 2009, 166).

The fourth type of Orientalist discourse found in the project publications was that the ILO was indispensable for the training of South African workers. The ILO took pride in the training that it provided for labor inspectors and policy makers on the importance of applying ILO standards at the workplace. The ILO was also proud of the postgraduate diploma course on the management of HIV/AIDS in the workplace in collaboration with Stellenbosch and the Medical University of Southern Africa (Report of Director-General ILO 2003, 38-39).

The final type of discourse found was the support for continued growth by supporting President Jacob Zuma's New Growth Path as a way of achieving Decent Work. Consider the statement issued by the ILO below.

“There is growing consensus that creating decent work, reducing inequality and defeating poverty can only happen through a New Growth Path. The government has issued a draft NGP for discussions with the social partners before finalization and adoption. The NGP is founded on the premise of restructuring of the South African economy to improve its performance in terms of labor absorption as well as the composition and rate of growth.” (Salazar-Xirinachs 2011, 52)

Therefore, there is more evidence in the South African case on the compliance of the state to adopt measures to ensure Decent Work than in India. There were also several projects that have taken place in South Africa through the ILO framework to promote Decent Work. The ILO's involvement in South Africa through Decent Work has been justified through South Africa's lack of capacity and its lack of follow-through. In the next section, I examine the continued cooperation by South Africa in the adoption of environmental policies through the Green Jobs Initiative.

### Green Jobs Initiative

Similar to the other ILO initiatives pertaining to the environment, South Africa showed early interest in the adoption of the ILO's Green Jobs Initiative. These green jobs programs were put in

place mostly in the formal sector. South Africa has also adopted green jobs at the household scale with improvements in energy technologies organic waste management and urban farming (Smit and Musango 2015).

There are several examples of Green Job projects initiated by the South African government. This includes the CHOICES project that was started up at the Eastern Cape's Blue Crane Route Municipality (BCRM) to help local communities make environmentally sound decisions regarding their energy options and link them with potential investors (iied 2013). Another example is the Youth Jobs in Waste Programme 2013 that was initiated to create green jobs in the Waste sector as an expansion of South Africa's green economy (Government of South Africa 2021). There were various forms of green jobs projects in place by the Government of South Africa that were in operation in several states. In the Free State, the Climate Change and Air Quality Management established industries that require emission control equipment, food security, medicinal plant conservation and biofuel production. In Limpopo, green jobs projects include water management, sustainable waste management practices, clean energy and energy efficiency, resource conservation, green buildings, and sustainable transport. In the Western Cape, Cape Town is in the process of retrofitting administrative buildings, street, and traffic lights with LED lights. There are also innovative products such as NewLife Plastics that would utilize recycled plastics for construction materials (Government of South Africa 2021).

Beyond active green jobs projects in place at the state level in South Africa, there is evidence to show continued openness to the ILO's Green Jobs Initiative. In 2010, South Africa convened a Green Economy Summit to gather information on the implementation of the green economy plan. The Development Bank of Southern Africa (DBSA) was requested to identify ways to produce more green jobs (Lethoko 2014). In addition, South Africa set up Renewable and Sustainable Energy scholarships to increase interest towards science, engineering, and technology because enrollment in these programs was low in South Africa (Lethoko 2014).

Further, the Sector Education and Training Authorities (SETAs) under the Ministry of Labor assessed green skills in South Africa (Mwaura and Glover 2021). Beyond self-assessment, the government also set the National Cleaner Production Centre of South Africa that provided six-month internships that would enhance the employability of graduate engineers (Mwaura and Glover 2021). The Cabinet's Economic Cluster also formulated a green economy approach that would channel state funds into Green Jobs and Industries in South Africa (Swilling and Annecke 2012). As for training, the government of South Africa brought together 50 government officials to the Green Fund Training Program to enhance knowledge in green jobs and sustainable development (Government of South Africa 2021).

There were several ways that South Africa worked with the ILO to implement the Green Jobs Initiative. One such example was the Green Jobs through Sustainable Refurbishment in Developing Countries (2005). The purpose of the project was to support energy efficient refurbishment. The ILO funded energy efficiency improvements in South Africa's residential and building sectors. Through this project, South Africa was again declared as an exemplar. Some examples of projects include the Johannesburg Housing Company (JHC). The project provided jobs for over 1,000 contractors in maintenance, cleaning, and security services. Another example was Wateryg, Soweto that provided an efficient water supply system to reduce excessive consumption and wastage. The project rehabilitated private plumbing fixtures. The project created 1500 temporary jobs in communities where the project is being implemented (Keivani et. al. 2010). Another example of cooperative project between the ILO and South Africa was the "Promoting Green Jobs through Small and Medium Scale enterprise development" (2011-2014). The purpose of the project was to fund green jobs in South Africa by supporting small and medium-size businesses. The ILO helped by providing decent employment opportunities for marginalized communities in South Africa. The project was funded by the Flanders International Cooperation Agency which provided over USD\$6M for the project (ILO-EMP-ENTERPRISE 2014). In addition,

South Africa and the ILO has also partnered in the “Provinces Benefit from Green Jobs Training Programme for South Africa” project (2015). The goal of the project was to fund green jobs training to decarbonize South Africa. The ILO also funded a conference for 50 South African officials to learn more about green jobs. The ILO stated that the conference helped to connect industries and catalyze discussions around incorporating green jobs into specific industries (ILO News, 27 March 2015).

There were several types of Orientalist discourses that justified the intervention of the ILO into South Africa. The first type was that the ILO’s help was necessary for South Africa to succeed in producing green jobs. The claim was that the complexities involved in the production of green jobs require the intervention of the ILO in the production of labor and environmental policies for South Africa. Consider the statement by the ILO below that takes credit for the help that it had offered to South Africa.

“South Africa has established a range of financial instruments to assist the private sector in adopting new technologies and investing in green markets. The ILO has provided capacity-building support on green jobs to one of the facilities set up by the Development Bank of South Africa, the Green Fund... The ILO, through the ITC in Turin, has supported the quality of the green jobs created through a dedicated capacity-building programme targeting local government officials, social partners and staff from national ministries and civil society organizations. With funding from the DBSA, a total of 140 people were trained during 2014–15...” (van der Ree 2017, 46)

The second type of Orientalist discourse is that South Africans lack the skills necessary to ensure the success of Green Jobs Initiatives and therefore the assistance of the ILO is vital in the development of green jobs. This type of Orientalism suggests that despite the initiatives undertaken by South Africa, they still needed guidance to ensure that they complete the implementation of these projects successfully (ILC 2017, 9). Other statements like the one below suggests that South African workers need be upskilled since their knowledge and expertise do not align with the demands of a green policy framework.

“One legacy of apartheid that has negatively impacted the construction industry is the low educational level of the majority black population. As such construction workers may be

unable to receive simple instructions during project execution or in community training workshops. Furthermore, a report by the ILO (2002) concludes that employers are making insufficient contribution to raising the awareness and education of their employees.” (Keivani et. al. 2010, 38)

Similar to the Decent Work Agenda, South Africa has been eager to adopt and implement Green Job Initiatives. It also worked closely with the ILO for the implementation of the programs. And the ILO through its project documents show that it was motivated through Orientalist discourses of the inferiority of skills and capacity of South Africa to manage these projects by themselves. Again, there was an absence of the discussion of the impact of settler colonialism in the state in establishing these inequitable situations in the employment market. In the next section, I examine the labor led Just Transition Framework to consider the ways that the ILO has justified intervention in South Africa and how South Africa has embraced this concept.

### Just Transition Framework

Just Transition is a policy strategy aimed at protecting those whose jobs, income and livelihoods are at risk with the implementation of climate policies. The policy framework engages workers and members of affected communities to be involved in a transition to a low carbon economy. The framework gives voice and power to vulnerable communities to mold the future without carbon emissions (Rosemberg 2017). To accommodate that shift, South Africa has committed to reduction of emissions under the Paris Climate Agreement to deal with the vagaries of climate change (Todd and McCauley 2021).

Some examples of Just Transition projects in South Africa include the establishment of a green fund that would support poverty reduction and job creation. The fund would support the transition of the South African economy to a low carbon, resource efficient and climate resilient growth path. Another Just Transition project is the creation of green cities and towns. The goal is to create well-run, compact, and efficient cities that would deliver essential services to their residents by using natural resources efficiently and sustainably. The focus areas include

sustainable transport, sustainable waste management and recycling, renewable energy, sustainable water management, energy efficiency, green buildings, and ecosystem services. Further, South Africa has committed to a low carbon economy by adopting lean production methods to mitigate and adapt to the effects of climate change. These actions include industrial efficiency reduction of pollution from industrial processes, waste management and reuse of by-products (Government of South Africa 2021). Beyond these national projects, South Africa has also joined a global program – Partnership for Action in Green Economy (PAGE) in 2015. Through this partnership, South Africa would have sufficient support to transition to a low-carbon, resource-efficient and pro-employment development. According to a government pamphlet, South Africa has 357 green economy initiatives in place to facilitate a transition to a green economy (Government of South Africa 2021).

There has also been early interest in the Just Transition Framework through the adoption of the Integrated Resource Plan in 2018. Through this integrated approach, South Africa has shown a deep commitment to social justice and the inclusion of marginalized communities (Swilling et. al. 2016). In 2016, South Africa also engaged the Council for Scientific and Industrial Research (CSIR) to study the ability of the South African electrical network to incorporate solar and wind energy. The study concluded that South Africa was able to accommodate that shift (Todd and McCauley 2021). Early interest in Just Transition is also evident in the participation of South Africa at the International Training Center in Turin. South Africa has partnered with the ILO to implement a two-year training program for the promotion of green jobs and decent work to transition to a green economy in South Africa (ILO Green Jobs Progress Report 2016, 27). Despite interest in the adoption of a Just Transition Framework, South Africa has also expressed that a Just Transition needed to be holistic in its approach towards lifelong learning. This is indicative of a departure from the ILO's development focus (ILC 2019, 3).

With regards to partnership projects with the ILO, it has engaged in several projects. The first was the “Employment and Labor market policies for a Just Transition towards environmentally sustainable economy and societies for all” (ILO Technical Note on Just Transition 2016). The purpose of the project was to provide better understanding into the work of the ILO in decarbonizing national economies. Further, the ILO helped by building earthen dams in South Africa through the national Expanded Public Works Programme (EIIP), EPWP Labor intensive construction guidelines for water provision, sanitation, solid waste and building works (ILO Technical Note on Just Transition 2016). The second project was the “Poverty Alleviation through Social and Economic Transformation” (2020). The purpose of the program was to analyze case studies where the ILO intervention has alleviated poverty. The ILO helped by providing funding and recommendations for social policies in South Africa. The ILO believes that this project can support greater trade while facilitating a Just Transition (ILO-BRICS 2020, 24)

The project documents show evidence of one main type of Orientalist discourse. It claims that South Africa lacks the skills necessary for the transition to a green economy and the ILO would provide support programs for the success of South Africa’s Just Transition. The justification for the ILO’s intervention was based on South Africa’s “lack of awareness of programs and incentives, limited funding, lack of skilled labor and access to capital” (ILO Employment Research Brief 2018, 4). The claim was that if South Africa was going to succeed, it needed to increase its labor skills and education policies. Further evidence of this type of Orientalist approach can be found in the statements provided below.

“In evaluating post-apartheid reforms that encouraged skills development, the authors quote one scholar who said, “in terms of the system’s own (arguably questionable) targets, the system has not been a total failure. There is no doubt, however, that levels of training for artisans and other mid-level skills remains extremely low... Numbers enrolled in vocational and occupational education programmes are low. The quality of provision is very erratic... In short, the Skills Development Strategy led to little ‘skills development’.”(ILO Employment Research Brief 2018, 42)

“While educational attainment has been on the rise, many South Africans leave the education system with poor foundational skills (such as numeracy and literacy) and are

therefore ill-equipped for the demands of today's labour market as well as higher education opportunities... Limited availability of tertiary-qualified workers has meant that employers looking for high-skilled workers in emerging and innovative sectors have had to hire underqualified workers as well as foreign workers... At the same time, the large pool of available unemployed high-school graduates has led to the displacement of those without qualifications, as employers are filling low-skilled positions with high-school graduates instead, generating a situation of skill-related underemployment." (ILO-BRICS 2019, 5)



Figure 9-2: The New Partnership for Africa's Development (NEPAD) Agency, a technical agency of the African Union and the ILO entered a Memorandum of Understanding (MoU) with the objective of promoting decent jobs. Credit: au-pida.org

In sum, there are differences in the level of interest of South Africa in Sustainable Development, Decent Work, Green Jobs Initiative, and the Just Transition Framework. The Government of South Africa has committed to green policies on its own and has aligned its interest with the ILO. This can be observed in the numerous partnerships between the government of South Africa and the ILO in the implementation of these green policies at the national level. At times, it seemed that South Africa continued to push for the human rights aspect of these green policies. This study does not ignore the scholarship that is critical of South Africa's inefficiencies

in these applications of green policies but acknowledges that more steps have been taken by South Africa in comparison with India.

### **Analysis**

In Said's work on Orientalism, he explains the notion of the West speaking for the Orientals. The latter being "a subject race, dominated by a race that knows them and what is good for them better than they could possibly know themselves. Their great moments were in the past; they are useful in the modern world only because the powerful and up-to-date empires have effectively brought them out of the wretchedness of their decline and turned them into rehabilitated residents of productive colonies." (Said 1978). This type of Western rhetoric within the ILO can be observed through statements made by the ILO about India and South Africa. These Orientalist responses towards India and South Africa in these green policies show a reconstruction of this colonizer and colonized relationship through justifications that undermine the capacity of these states to implement these programs on their own (Alessandrini 2005). The rhetoric is that the "wretched" state of these governments renders them as inept, inefficient, and incapable of implementation of green policies which is a standard Orientalist strategy (Kapoor 2002). Although taken for granted as standard policy language, these Orientalist statements in the green project documents reveal the civilizing mission of the West within the ILO through upskilling and productivity building. Despite the same Orientalist statements present in both the cases of India and South Africa, the responses by the South African government show mimicry through its copying of the ILO's green projects within its own system. This type of mimicry is also evidenced through invitations of the West to assess the programs in place as well as visits to other Western states to consider the nature of labor protection (Hurst et. al. 2007). Mimicry removes the notion of dependency by the colonized on the colonizers (Bhabha 1984, 129). It transforms the "thing" or "object" of the colonized into a recognizable entity – a human (Sealey 2018). This type of transformation in the case of South Africa renders the justifying arguments of intervention of the

ILO as petty attempts to revive its relevance and uncovers the structural hold of Western powers over the ILO's existence. The pushback by South Africa (specifically unions and social movements) to focus on social protection of workers rather than push for growth is indicative of the reconstructed and empowered colonized subject (Kapoor 2002).

### **Conclusion**

This analysis showed the distinct types of Orientalist discourses that were inserted into ILO publications on green publications and how these discourses were used to justify interventions into India and South Africa. Responses to these discourses differed between India and South Africa pertaining to the ILO's green policies. In the case of India, adoption of Sustainable Development was scarce and when India did adopt Sustainable Development projects, they were more focused on the development aspect. With the Decent Work Agenda, there was direct resistance in the form of rejection of basic labor rights. This pattern of not abiding by basic labor and environmental standards also appeared in the ways that India embraced the Green Jobs Initiative. Lastly, with the Just Transition Framework, there has been energy transition programs initiated by the Government of India, but these do not necessarily adopt worker's social protection measures. In the South African case, the adoption of Sustainable Development could be observed in the early 2000s. In South Africa, there was also evidence of healthy interest in environmental protection that was absent in the Indian case. Close alliances with the ILO in project implementation was also observable in South Africa in the Decent Work Agenda and the Green Jobs Initiative. The central argument that I present from this analysis is that while India presents direct resistance against Western rhetoric of the ineptitude of the Global South, South African "compliance" can be understood as a subversive strategy to weaken the strength of the ILO by uncovering its hypocrisy.

## CHAPTER 10: CONCLUSION

In this conclusion, I present the main research findings and summarize findings in distinct eras in the national politics of India and South Africa as well as the ILO. I also consider the value of postcolonialism in this study, reflect on the methods and data collection employed and, the significance of this research and how it fills the scholarship gaps as well as future research directions. The premise underlying this research is that climate change is a wicked problem that compounds the challenges faced by workers in the Global South. In addition to dealing with income inequalities, workers are subjected to challenging work environments. The problem assessed in this research project is the perpetuation of colonialism through global environmental policies that exacerbate the position of workers. As such, the research sought to answer this question: How do postcolonial theories assist in the analysis of enduring colonial logic in the ILO's environmental policies and South Africa's support of green initiatives at the ILO? This is an important question to ask since states in the Global South were formed through processes of colonization. Through a historical approach in studying the continued nature of colonial logic in environmental policies in India and South Africa, this study highlights the ways that responses to these colonial discourses can differ.

The basic answer to the question guiding this research is that postcolonial theories help to explain India's and South Africa's responses to the ILO's green policies in four ways. First, Said's Orientalism has helped to trace the nature of colonial discourses that have justified the suppression of workers during colonial periods. Second, it has helped to explain the reproduction of green policies under the same colonial logic of superiority. Third, it has helped to understand the cooperative nature of South Africa as indirect resistance to colonial discourses. And fourth, the use of postcolonial theories has helped to make sense of the direct resistance of India against green policies as resistance towards colonial powers and their continued intervention. This

differentiation of direct and indirect resistance in the case of India and South Africa shows distinct results in the protection of workers in these systems. In the Indian case, there was direct resistance towards the ILO's green policies as it was perceived as neocolonialism. This response has been consistent since India first requested to be a member of the ILO early in the formation of the institution. The utilization of the ILO as a space to contest the British through a nationalist approach led to compromises in the formation of an independent labor union system. In contrast, the South African openness to the ILO's green policies can be best understood through the internal struggles for labor equity. This struggle also shows the mimicking nature of the labor movement in South Africa. This mimicry of the Afrikaner labor movement as well as the European labor union system has resulted in the expansion of labor rights in South Africa.

### **Summary of Findings**

In Chapter 4, Said's approach helped to identify the various strands of British Orientalist discourses that supported the formation of oppressive labor laws and policies in India and South Africa during its pre-liberation period (1850-1940). In the Indian case, the British presented Oriental discourses that justified the restrictions placed on Indians to govern their own space and people, suppression of religion, land law reforms that displaced farmers, restriction of community use of forests and the delegitimizing of Indian knowledge through colonial education. The Indian responses towards these colonial strategies was through the formation of an Indian nationalist movement. This nationalism was evident through the Indian mutiny, the formation of a reformist wing within the Indian National Congress (INC) and the establishment of a labor union – the All-India Trade Union Congress (AITUC). This focus on nationalist identity formation steered the focus away from building labor protection policies. Workers had to sacrifice their rights for the freedom and independence of India. In contrast, the South African case showed a different set of Orientalist discourses that separated labor along racial lines. This segregation was operationalized in land acquisition by settler colonialists, conservation of species, extraction of

minerals, the exploitation of Black labor in mines, restriction of movement of the Blacks and the streamlining of African labor to serve White interest through a vocational education system. In response to the colonial strategies, the African labor responded by challenging pass laws in legislative hearings, engaging in strikes at the heels of White unions and by forming unions that mimic Western trade unions.

Then, to examine the continuation (and shifts) in the use of Orientalist discourses, I researched the colonial justifications for continued control during the liberation period of India (1920-1947) and South Africa (1940-1993). In Chapter 5, I showed evidence of Orientalist discourses in India that undermined the emerging labor movement. Early Orientalist discourses challenged the character and capacity of the Indian Communist movement, berated Gandhi's liberation movement, and led to the unjust arrests of the reformists and labor activists in the Meerut Trials. These Orientalist discourses not only weakened the labor movement but also justified the continued control by the British over India. In response to these colonial strategies, the Indians continued to employ a nationalist response and by doing so tethered the unions tightly to its political system. As a result, unions would end up being embedded politically with the government. And to ensure a complete tethering of workers to the government, a nationalist trade union was established - the Indian National Trade Union Confederation (INTUC). In contrast with the South African case, the nature of the Orientalist discourses differed. The Afrikaners claimed that Black workers were inferior to the settler colonialists. This inferiority justified laws to suppress African worker rights through the Industrial Conciliation Act (ICA), the Labor Bureau and the Fagan Commission (Native Laws Commission). In response to these colonial strategies, the African workers responded with a radical union system through the South African Confederation of Trade Unions (SACTU). These attempts were quickly squashed by the Afrikaner government. However, a default worker position began to emerge through the formation of shop floor unions. The shop floor system under the Federation of South African Trade Unions (FOSATU) stayed out

of apartheid resistance and channeled their efforts into building worker rights. When FOSATU was dismantled and joined with other labor unions to become the Confederation of South African Trade Unions (COSATU), the union bifurcated into two sections – some union members favored the involvement of unions in the anti-apartheid movement and the other maintained a purist trade union position. This latter position illustrates the strength of the mimicking strategy in maintaining worker rights in South Africa especially after their first democratic elections in 1994.

Then in Chapter 6, I presented evidence of the shift of use of colonial discourses by the elitist grouping within the Indian National Congress (INC)(1947-2010) and the African National Congress (1993-2010) to justify the suppression of labor. In India, this was achieved through the formation of a central planning economy that placed power in the hands of elitists rather than labor. Further, the newly minted democratic government also produced laws to keep labor under control to pursue economic growth. In addition, the government also initiated 5-year economic plans that sped up liberalization processes at the expense of labor. In response, labor groups initiated unconventional strategies to reinstate their position as Indian nationalists rather than workers. These strategies, however, failed to result in the formation of strong labor laws. In the South African case, colonial discourses were also reproduced by elitists who suggested that workers were making unnecessary demands for labor protection and that workers needed to increase their productivity. These colonial discourses justified the formation of the National Economic Development and Labour Council (NEDLAC) that managed industrial disputes between labor and employers. These often resulted in losses for labor. The suppression of labor also occurred through economic planning and the liberalization of the South African economy through the Growth, Employment and Redistribution (GEAR) program. In response to these attempts, workers resisted GEAR and sought to advance worker rights amidst the challenges of globalization. This mimicking strategy of Western labor unions has helped unions in South Africa push for better worker protection laws at the national level.

After setting up the nature of colonial discourses in India and South Africa, I shifted the analysis towards the ILO. In Chapter 7, I presented evidence of the evolution of the ILO from its formation in 1919 and how Orientalist discourses surrounding the formation of the ILO evolved from blatant racist remarks to sophisticated human rights and development language. In the 1920s, despite optimism in creating a fair and just world for workers through the ILO, the institution became a site of contested interests between the North and the South. Colonial powers used their authority to limit the power of the ILO to stop the intervention into their colonized territories. In the 1930s, contestation continued during the reconstruction of the global economy phase. Colonial discourses prevailed in the ILO to justify the exploitation of workers in colonized territories to improve the global economy. Then in the 1940s, the ILO was utilized as a tool to expand modernization and simultaneously exclude colonial territories from universal labor provisions. After that, the ILO introduced the term “technical assistance” in the 1950s as a tool to intervene into colonized spaces and assert its relevance. As the processes of decolonization began in the 1960s, the concept of “technical assistance” was also used to facilitate the re-entry of colonial powers into previously colonized spaces. Then in the 1970s, there was a shift in language away from “technical assistance” on the pretext of its failure and the World Employment Program (WEP) was unveiled. Vocational training and advancement became the new buzzwords to justify continued intervention into developing states. After this decade, the 1980s marked the adoption of the Washington consensus and led to the push to liberalize markets in the Global South. This strategy allowed for the use of more complicated policy language that hid/erased the history of exploitation of the North over the South. With the advent of globalization, the 1990s increased the power of the ILO to intervene in the Global South through the “social clause” that promised protection for workers. With this new social agenda, the ILO reinforced its position as facilitator for the civilizing mission for Global South nations who were “incapable of saving themselves”. Through these decades, the Indian responses to colonial strategies have been consistent. They have questioned the intentions of the ILO and have denied the ILO the power to intervene. In the

case of South Africa, the Afrikaner representatives were allies to other imperial powers in the ILO in the beginning decades. However, they were rejected by African states in the 1960s as the apartheid regime strengthened. South Africa was reinstated after their first democratic elections and have been a cooperative member since.

After the examination of the formation of the ILO, I continued the analysis of the ILO and the formation of its green policies (1990-2021). The Sustainable Development policies were formed in the late 1980s to assist developing states in achieving economic independence, increase their labor productivity and achieve Western environmental protection standards. India responded by claiming that they had a different set of responsibilities since they were developing their economies. South Africa was open to the concept especially as a tool for skill improvement of African workers. And then the Decent Work Agenda was introduced in 1999 and was justified based on the deplorable labor conditions that existed in developing states. Decent Work would help developing states progress their social and economic goals with the assistance of Western states and be able to reduce their poverty at the same time. In response, India defended her non-compliance to labor standards based on differences in responsibility while South Africa endorsed the notion and its capacity to bring about social equality. And then the Green Jobs Initiative was introduced in 2009 and was justified on the grounds that it would help developing states achieve the “right kind of growth”. It was also justified on the grounds that developing states were not being responsible with their natural resources and with environmental protection. India was skeptical of the Green Jobs Initiative and called out Western powers for their attempts to intervene into India’s economy. They also questioned the notion of a “green economy” as it was vague and undefined. As for South Africa, they were keen to introduce green jobs so long as it embodied human rights for workers. In the final trajectory, the ILO adopted the Just Transition policy framework on the grounds that developing states lack the capacity to protect their environment and ensure equality in society. To this end, the Indian delegates continued to rely on a different

set of responsibilities that it had since it was still in the development stage. As for South Africa, they were open to the concept but continued to push for a human rights-based approach that would assist marginalized workers. Hence, their response shows an interest in expanding worker protection within the context of green policies mimicking strategies and priorities of Western trade unions.

As an extension of the discussion in Chapter 8, Chapter 9 examines the nature of Orientalist statements in the implementation of green projects in India and South. In the Indian case, early responses to green projects were difficult to find and when found, these green projects referred to poverty reduction. In addition, there was a reproduction of the colonial discourse that workers had to bear the burden of the implementation of such projects. With the Decent Work Agenda, the Indian response has been weak in adopting labor and environmental standards. Nevertheless, India's insistence to ward off intervention of the West can be seen in the statements issued both at the ILO and in its Representative Assembly (Lok Sabha). As for the Green Job Initiative, India shows a continued commitment for economic growth against the social and environmental standards prescribed through the ILO's Green Jobs projects. And with regards to the ILO's involvement in India, this has been scarce and is mostly in the form of reports. Similarly in the case of the Just Transition policy framework, India has not worked with the ILO extensively and on the ILO's end, there have been more reports about India's flouting of labor standards. In contrast, the South African case shows greater willingness to adopt green policies but a push from within South Africa has forced the elites to incorporate human rights both at the ILO and at the national level. In the context of Sustainable Development, South Africa shows openness through its adoption of ILO programs and hosting a UNFCCC meeting. With regards to the Decent Work Agenda, there is more evidence of compliance on the part of South Africa than India to the ILO's labor standards. There have also been Decent Work Projects that have taken place in South Africa. The ILO intervention was justified by the lack of capacity and lack of follow-through by the

South African government. A similar response by South Africa could also be observed in the adoption of Green Job Initiatives and its level of cooperation with the ILO to produce green jobs. And finally with the Just Transition framework, there has been early and frequent engagement with the ILO to implement this concept. The basis for assistance was framed through the inferiority of South Africa and the lack of skills of its workers. The approach taken by South Africa seems to mimic the West through its focus on development and worker rights. This can be attributed to the debates within the legislative bodies in South Africa that indicate the intense struggle for worker protection versus development. Please see the table 10.1 below for a synopsis of the timeline, Orientalist discourses and responses.

### **Value of the Postcolonial Approaches**

Postcolonial approaches were valuable in this research because it provided the lens to detect Orientalist discourses in colonialist policy documents and responses by India's and South Africa's responses to the ILO's green policies for the following reasons. First, they helped to identify the colonial strategies that exclude and dehumanize colonized subjects under the guise of progress. Second, the postcolonial approaches help identify the timeline of colonization as an enduring and continuing process. The "post" in postcolonialism does not indicate an end to colonial intervention but the continuation of intervention. These types of strategies could be otherwise disguised today under the context of modernity which strengthens the colonizing/civilizing projects. Hence in the study of green policies of the ILO, this type of colonizing rhetoric may not be obvious without the use of the postcolonial approach. The use of neutral, policy language often hides the colonial logic that is embedded within them. Lastly, the postcolonial approaches have been instrumental in this research to show comparative methods could also maintain certain value sets that work against scholarly decolonizing projects. The approaches assist in the production of alternative explanations and descriptions of resistance within the context of South Africa and India.

I applied Said's Orientalism in this research. And to reiterate, Said (1978) argued that Orientalism produces a narrative about the nature and character of the East that renders them as inferior (Ashcroft et. al. 2000). These Orientalist statements can be found in various sources such as art, history, geography, and literature. These narratives provide the justification for colonization. Through the colonizing project, these misrepresentations and generalization provide the impetus for the civilizing project. The civilizing project claims that natives can be civilized, and their lives can be improved since they could not do it on their own. This notion of inferiority of developing states was found peppered extensively across documents before, during, and after India and South Africa achieved their independence. Said's Orientalism was vital in identifying these statements. Although initially Orientalism was blatant and racist, the findings in the latest ILO documents show that the sophisticated use of technical or neutral language hides the intrinsic Orientalism embedded within.

Further, I applied Bhabha's mimicry to produce an alternative narrative to understand the complexities of the South African case. Bhabha's mimicry allows the analysis of the unfixed colonized subject. According to Bhabha (1990), the colonized subject can move from one end of the spectrum to another. By mimicking the mannerisms, culture, assumptions, and values of the colonizer, the colonized can challenge the power of the colonizer. This is achieved by undoing the civilizing mission or by rendering it as pointless. Since the uncivilized have become civilized, there is no need for the leadership and guidance of the colonizer in the development space. Further, the colonized can engage in "slippages" to show the true "barbaric" nature of colonization and its effects. Hence, in the study of South Africa before its transition to a democracy, there were various ways that South African labor mimicked Western labor union practices and made demands through civilized protests and the expansion of labor laws. And after democracy was achieved, this tug-o-war for worker rights continued between workers and the elites. Nevertheless, in the South African case, there has been consistency in the goal of establishing a

progressive union system that mimics the West. Without Homi Bhabha's work, the South African response could be understood solely as a compromise to neoliberal values. This type of analysis fails to attribute strength and successes achieved by workers in South Africa.

### **Addressing the ILO's Green Policy deficiencies**

The value of postcolonial critique does not stop at critique alone, but it alludes to options moving forward. What does ILO have to do to provide space for labor agency and voice? Fundamental changes must occur. First, it must acknowledge its continuing role in the maintenance of the international order and reverse this trajectory. The history of the ILO suggests that it is implicated in "normalization" of processes which perpetuate the control of colonizers at the international level (Epstein 2014). Through recognition of this culpability, this research aspires for the reversal of power dynamics within the ILO. This is achieved through the rejection of Orientalist discourses in the ILO's green policies. The ILO must make a choice to depart from empowering the polluters and punishing the global poor who occupy the Global South (Guha 1989). Related to this point, is the continuation of power exercised by "colonial" authorities to assign polluted spaces for global colored labor through the ILO's green policies (Fanon 1963). This division of space and the exercise of environmental privilege of Western states through the ILO disguises the hypocrisy of exported pollution and emissions at the expense of governments of the Global South.

Beyond this acknowledgement, Bhabha (1994) suggests the rejection of the notion of Western modernity that maintains the difference between workers in the North and South. This requires a shift in the ILO's value system and priorities. This is even more pertinent in the context of green policies. Green policies cannot be used as a vehicle for the perpetual domination of the Western modernity discourse especially in previously colonized spaces. It deflects and distracts from the genuine environmental improvements that need to take place in these regions.

In addition, Bhabha (1994) also suggests a need for the expansion of the notion of “Third World” to Northern spaces where workers are similarly mistreated. At the practical level, this means that the ILO needs to shed its Southern biases and initiate more projects to examine the precarious labor conditions in the US and Europe to uncover labor injustices. The ongoing claim by developing states (as illustrated in this research) is how green policies are weaponized as a trade tool. A recurring complaint raised by India is that green policies were used by Northern states to restrict trade on environmental and social grounds. By increasing research on the “Third World” spaces within Western states, the ILO could even the playing field and restore the confidence of developing states in global environmental protection efforts.

Another practical solution for the ILO is to reject objectifying language in policy documents i.e., workers in the South are objects to be saved from their oppressive governments (Bhabha 1994). Current ILO language on nature similarly objectifies nature as a commodity that ensures continued employment rather than valuing nature for its own sake. ILO documents should contain language that consistently describes workers and the environment as subjects with agentic capacity. This type of empowering language should be supported with greater opportunities for workers to define and initiate green projects. Without these actions, efforts by the ILO to be relevant for workers in the 21<sup>st</sup> century will fall short.

### **Reflection on the Methods**

The similar case study approach was utilized in this research to show that despite the similarities between South Africa and India in history and economic growth, their responses to resist colonization and the ILO’s green policies have differed. Choosing the ILO as a case study was important since it is a major international labor group operating at the international level. It was important to know the extent to which the ILO has been complicit in furthering the civilizing mission through its operations.

Further, I utilized process tracing and discourse analysis to provide a narrative of South Africa and India's colonization experience. These methods helped in achieving two main goals of the research. The first was to identify colonial discourses in the processes of liberation, democratization, and green policy formation in the ILO. The second was to show how these colonial discourses have shaped the relationships between labor, social movements, political parties, and the ruling governments. Process tracing has helped to document the events that solidified colonial discourses in policy documents as well as green policies in the ILO. These events explain how and why India and South Africa followed a certain trajectory and made the decisions that they did in response to colonial discourses and the ILO's green policies. Discourse analysis also proved to be important in this research analysis. The utility of studying the strategic use of terminology in policy language has been indispensable in showing the shifting nature of colonial discourses as they morphed through the decades. The method uncovers the position of power maintained by the colonizer in narrating histories and legitimating Orientalist views of labor in India and South Africa. While process tracing explains how power was acquired by the colonizer, discourse analysis aided in explaining how that power was retained through Orientalism in the context of India and South Africa.

### **Limitations**

It was challenging to enlist participants for interviews due to accessibility issues. These challenges could be attributed to the unions' access to technology and reliable Wi-Fi. In the advent of Covid, accessibility issues could have been further exacerbated. Inability to travel to India and South Africa also posed problems in engaging in conversation with union members. Nevertheless, I researched and gathered transcripts of dialogues and debates in parliamentary sessions in South Africa and India which were accessible from their respective government portals. Similarly in the case of the ILO, I accessed 100 years of proceedings that were comprehensively compiled in Labordoc (data repository for the ILO). Further, I conducted digital

observations of the meetings at the ILO and took down notes for analysis. These observations did not contradict the statements or ideas presented by the representatives of India and South Africa at ILO conferences and legislative discussions. Also, secondary sources were helpful in corroborating the observations and analysis of the central policy documents and transcripts. These included biographies of leaders such as M.K. Gandhi and Nelson Mandela to name a few. These narrations provided the testimonies of experiences faced by those involved in these historical events leading up to democratization. While interviews would have helped to strengthen the data presented in this research, I sought to triangulate using reliable sources from various governmental and labor groups.

### **Importance of this Research Project**

This research is important because it fills a methodological and theoretical gap in the comparative field by utilizing the postcolonial lens. Without the use of postcolonial theories, it is difficult to ascertain the nature of resistance by previously colonized states towards global environmental policies. This research enriches the comparative field by extrapolating the internal tensions and exogenous pressures brought on by the colonial experience. Further, through Southern-centric labor perspectives revealed with the use of postcolonial theories, the comparative field is better able to gauge the nuances and the challenges faced by labor to carve out their rights before, during and after a transition to democracy in India and South Africa. This comparative study of South Africa and India through postcolonialism also explains how these experiences have defined the relationship between these states and the ILO. It shows how national responses to colonial discourses have bled through to the international level.

This research also fills a research gap in the study of labor in comparative politics. Worker experiences are omitted in the analysis of national studies (Locke and Thelen 1995; Almond and Connolly 2020; Hyman 2007). Early comparative studies on labor have supported the narratives of the inferiority of the colonized subjects (Glyn 1826). Then, critiques of the Orientalist approach

in comparative politics began to emerge in the 1940s. This piece furthers this critique in today's context. Beyond Orientalism, there was also a failure to consider the role of colonialism in the formation and agency of unions. Although some scholarship alluded to colonialism, it was not fully fleshed out. This research shows the value of postcolonial theories in bridging that gap and producing contextual analysis of labor in India and South Africa.

In terms of the study of the ILO, this research fills a gap in the study of the institution through a postcolonial lens. There has been some work assessing the ways that the ILO has failed to adequately protect workers. This is due to its historical origins, the nature of its composition and the compromises struck by workers within its negotiation processes. Nevertheless, scholarly work in the area does not deal with the nature of colonial control and how these controls were embedded early in the formation of the ILO. This study fills this gap by examining the ways that colonialism has influenced the type of policies and the power configuration within the ILO. From the "colonial clause" that excludes labor rights to the colonized leading up to Just Transition policies at the ILO, this research highlights the persistence of Orientalist discourses that have maintained power for Northern states.

In the scholarship of the South African labor movement, there is rich discussion of the labor movement and its involvement in the anti-apartheid movement. The literature documents the progress that the union system has made from its de facto origins to its partnership in the removal of the apartheid regime. One major gap in the current scholarship is that it does not deal with the continuing segregating effect of colonial discourses on Black workers. This research fills this gap by showing how colonial discourses justified the suppression of African workers and how utilizing mimicking strategies can form resistance against colonial civilizing strategies. With regards to the relationship between South African workers and the ILO, the literature does show how Black workers were excluded from representing workers at the ILO. This research pushes further to highlight how the ILO legitimized and allowed the settler colonialists to represent Black

workers at the ILO. And within the context of South Africa and the formation of green policies, this research extends the discussion of the fight that is taking place for labor rights in South Africa today against foreign corporate interests. It highlights the nature of internal struggles for worker freedom taking place within its political system and how this is facilitated through mimicry.

In the scholarship of the Indian labor movement, there is much discussion of the fragmented nature of the union system and their dependence on the state. The literature in the area has documented the rise of the corporatist union system and the rationale for this system in the Indian context. This research fills a knowledge gap in the scholarship by explaining the colonial justifications that have kept labor oppressed in India. Pertaining to the connection between the ILO and Indian workers, the scholarship deals with the early involvement by India at the ILO and the ways that she has not adopted ILO standards. This research helps to make sense of the direct resistance by India to push back on Orientalist narratives that misrepresent the work ethic of labor in India. When it came to green policies, the scholarship identifies the challenges by formal labor to engage in energy democracy projects due to the central role of the state as the primary producer of green projects. This research fills a gap by identifying the colonial discourses that have allowed the state to maintain power over workers. This research suggests that workers need to counter these colonial discourses before they can ensure better protection for themselves.

### **Future research**

Future research that would extend knowledge in the area of environmental policies, labor and race could include the analysis of other institutional bodies such as the World Bank or the International Monetary Fund which have initiated environmental projects for states in the Global South. It would be interesting to examine the nature of Orientalist discourses within the policy documents that they have produced and their impact on labor in the Global South. Another area of interest is the regional study of gender in Southern states through postcolonial ecofeminism. A study of this nature would analyze the impact of colonial discourses in the dis/empowerment of

women in environmental protection in spaces in the Global South. For example, it would be worthwhile to study the interactions between the United Nations Framework Convention on Climate Change and the Self-Employed Women's Association (SEWA) of India. Are there any disempowering Orientalist discourses in the policies produced at the Conference of Parties? Another direction that research could take would be the study of the impact of colonialism in extractive sites such as the Mpumalanga (South Africa) through the postcolonial ecology of race approach. This type of research would examine the impact of a Just Transition and the possible challenges faced by communities left behind in mining communities.

Table 10-1 Synopsis of timeline, Orientalist discourses and responses

	Pre-liberation (1850-1920)	Liberation (1920-1947)	Post-liberation (1947-2010)	Sustainable Development (1987-1999)	Decent Work (1999-2009)	Green Jobs (2009-2015)	Just Transition (2015-2022)
ORIENTALIST DISCOURSES	<p>a) Restriction to govern - policies made it difficult for Indians to govern themselves</p> <p>b) Suppression of religion - policies on religion were produced without consultation with Hindus</p> <p>c) Land law reform - removal of rights via primitive accumulation</p> <p>d) Restriction of communal use of forests - displacement of indigenous communities; industrial logging by European companies</p> <p>e) Delegitimizing local knowledge - suggesting that Sanskrit was a language that was non-scientific</p>	<p>a) Berated labor movement - restriction of labor rights because they were not able to understand communism</p> <p>b) Berated Gandhi by statements about his ineptitude; he was a dreamer</p> <p>c) Meerut Trials - arrest of labor activists without trial for 4 years; charge: bring down the British sovereign</p>	<p>a) Elite control of economy - 5 year plans did not include the views of labor; did not bring benefits to the poor</p> <p>b) Restrictive labor laws - amendments to the British Trade Union Act was resisted to continue repression of labor</p> <p>c) Liberalization of economy - the opening up of India made labor more vulnerable; setting up of SEZs without any labor provisions</p>	<p>a) Labor productivity - SD could improve the economic productivity of developing states; lack of productivity caused environmental problems</p> <p>b) Economic independence - SD will help developing states achieve economic autonomy; expertise of the West could assist</p>	<p>a) The deplorable working conditions in developing states justifies the use of Decent Work</p> <p>b) Through Decent Work, poverty of the developing world could be reduced - this can be achieved with help of Western powers - there will</p>	<p>a) Green Jobs will help achieve holistic growth - The Western model should be followed</p> <p>b) Reckless environmental management - developing states have failed to ensure environmental</p>	<p>a) Developing states have failed to protect labor and the environment</p> <p>b) Developing states cannot shirk their responsibilities by utilizing CBDR</p>
RESPONSES	<p>a) Formation of Indian Nationalist movement - the INC was formed with anti-British culture</p> <p>b) Mutiny of Sepoy - based on Swadharma - loyalty to one's nation</p> <p>c) Formation of the AITUC - to counter British powers at the ILO</p>	<p>a) Labor parties became tied to parties - AITUC tied to Communist Party; INTUC tied to the INC</p>	<p>a) Unconventional strikes - strikes were initiated without demands; fasting as resistance</p>	<p>a) CBDR - India has not yet developed their economy and SD cannot be used to hinder India's development</p>	<p>a) CBDR - India has not yet developed their economy and SD cannot be used to hinder India's development</p>	<p>a) India was skeptical of the concept - lack of definition of green economy; Western intervention into the economies of the developing world</p>	<p>a) CBDR - India has not yet developed their economy and SD cannot be used to hinder India's development</p>

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APPENDIX A: ADDITIONAL STATEMENTS FOR CHAPTER 8: ORIENTALIST DISCOURSES  
IN THE FORMATION OF GREEN LABOR POLICIES IN THE ILO AND RESPONSES BY INDIA  
AND SOUTH AFRICA (1990-2021)

<p>Additional data: Orientalist statements in the ILO about developing states in Sustainable Development</p>
<p>a) Developing states are solely responsible for bad working conditions and degradation of the environment</p> <p>“Considering that technical co-operation with the ILO as well as sustained and increased assistance, including additional financial resources and transfer of technology from the international community should be made available to the developing countries, which are faced with numerous complex problems derived from their poverty and indebtedness, their population growth and the difficulties of participation in international markets and the related problems of economic and social recovery and the rapid deterioration of the environment.” (Resolution concerning environment, development, employment, and the role of the ILO, ILC 1990, 5)</p> <p>“Were poverty wages, long hours and appalling working conditions the passport to sustainable development, the key textile, clothing and shoe producing countries would be economic and social chart-toppers instead of wallowing in poverty. Such industries have highlighted, over the past two decades, how exploitative working conditions dehumanize and impoverish workers, their families and communities.” (A statement by Mr. Kearney, representative, International Textile, Garment, and Leather Workers’ Federation, ILC 2007, 19/59)</p> <p>“Both factories are in Bangalore, now a powerhouse of India’s booming garment industry. Workers there dare not even complain about conditions. One employer, fibers and fabrics industries, under attack for alleged abusive labour practices, has succeeded in having court-imposed gagging orders applied to its critics, including the trade union representing its workers. Fibers and fabrics industries are making a mockery of labour law, international labour standards and freedom of speech, while the Indian Government stands silently by.” (A statement by Mr. Kearney, representative, International Textile, Garment, and Leather Workers’ Federation ILC 2007, 26/16)</p> <p>“The EU’s role on the international stage is also visible every day in the area of trade. The EU, the world’s largest trading partner, is now the market most open to exports from developing countries. If we exclude energy products, the EU imports more from the least developed countries than the United States, Canada, Japan and China together. For us as Europeans, trade is not just a question of sharing economic benefits; it is also a matter of values and basic principles which must be defended at home and elsewhere. We do not hesitate to use our trade policy to promote respect for fundamental international standards: human rights, workers’ rights, environmental protection, good governance and greater responsibility in global supply chains. That is why we work closely with the ILO in several countries. In Bangladesh, for example, we are trying to improve working conditions and health and safety at work. But Bangladesh is not the only example; at the moment, we are cooperating with the ILO in four countries – El Salvador, Guatemala, Mongolia and Pakistan – to assist with the implementation of international labour Conventions. In exchange, these four countries benefit from a preferential trade relationship with the EU.” (A statement by Mr. Juncker, President of the European Commission, ILC 2016, 17/6)</p>

“Considering that the poverty and underdevelopment of countries are related to geographic and climatic conditions, poor economic and social policies, the inefficiency of programmes in the sphere of employment and training, the imbalance in commercial and financial relations between rich countries and developing countries and excessive debt result in migration flows.” (Resolution proposed by delegates from the Philippines, ILC 1991, 1/11)

b) Adopting Sustainable Development is not an option and is achievable by developing states if they tried harder

“Third, at the world level, there is a real employment crisis. It is young people in particular, but also women and older workers, who are the primary victims. Mobilization for employment, especially youth employment, must remain one of the core tasks of our Organization. But let us not be under any illusion: without macroeconomic policies that focus on employment, there will be no rapid progress. The creation of new jobs is not beyond our reach, either in the North or the South. It is a question of directing resources, which are certainly not lacking, towards investment in employment-generating spheres, such as sustainable development (the only way to combat global warming), education, health, the spread of new technologies, and the creation and promotion of small businesses.” (A statement by Mr. Schmit, Minister of Labour, Employment and Immigration, Luxembourg, ILC 2013, 20/179)

“At the same time, we are convinced that the formalization of the informal economy will contribute to sustainable development and poverty alleviation in developing countries. It is now up to all of us to ensure that social dialogue is strengthened and to develop new policies and strategies to deal with the informal economy. The Recommendation is just the basis; we have to ensure that it is implemented at the national level. There is certainly a lot of work to be done by governments and the social partners in preparation for next year’s session of the Conference.” (A statement by Ms. Knuppert, Worker, Denmark, ILC 2014, 18/165)

#### Additional data: responses by India

a) India recognized the importance of SD and pollution as a direct result of economic growth but emphasized the notion of CBDR

“India has had a deep commitment to environmental conservation drawn from its ethos. India shares the emerging global concerns in the context of the environmental changes induced by economic and technological activities. We shall take the required initiatives to ensure that our commitment to sustainable development crystallizes. Wasteland and water resource development have enormous potential for employment and productivity. A new policy on abatement of pollution is under preparation which aims at promoting environmentally sound and clean technologies to minimize waste and control pollution. A National Forestry Action Programme is being prepared with the involvement of all State Governments. The role of citizen groups will be encouraged” (President’s address, Debates at the Lok Sabha, 11 July 1991)

“The Governments of India and the United States, guided by the objective of using the immense opportunities and their vast pool of resources and skills for fruitful cooperation in the Energy sector, in both bilateral and International context, resolve to take appropriate measures to foster private sector energy ventures, cooperation in research and development, and greater utilization of environment enhancing and climate friendly energy sources and technology for balanced and sustainable economic development.” (Statement by Minister on recent visit of US Secretary of Energy, debates in the Lok Sabha, 28 October 1999)

“We are living in a neighborhood of great turbulence. I have believed India cannot realize its ambitions unless there is peace and prosperity in South Asia as a whole and if our neighborhood is suffering from instability, turbulence that has direct bearing on our own

evolution as a democratic polity committed to sustained growth and development. I have, therefore, a vision for a transformed South Asia where, with the cooperation of all our neighbors, we move from poverty to prosperity, from ignorance to knowledge society and from insecurity to lasting peace.” The Prime Minister, Dr. Manmohan Singh, Debates at the Lok Sabha, 9 June 2009, 70)

b) Sustainable development should establish equality in the global economy

“Hon. Deputy Speaker, Sir, 193 nations signed the WTO. However, we see that the developed nations seem to follow an escape route under the garb of free trade and labour laws. Although their per capita consumption is far more than that of the developing nations, we have to have a common but differentiated responsibility with developed countries taking the lead and not finding an escape route. Targets have to be global, and targets have to be aspirational. Therefore, as much as every State Government and every country's Government needs to aspire that the SDGs are in place; so does every individual need to aspire for this.” Kunwar Bharatendra Singh, debates at the Lok Sabha, 4 August 2016

c) Sustainable development as a tool for water conservation/infrastructure development

“Talking about Sustainable development I want to bring in to notice the importance that has been given to Water Management and Conservation in the Budget. The Government has set up plans to make water accessible to the remotest areas along with the conservation, hereby urge the people of the country to rise to the occasion and help to rejuvenate the water ecosystem of the country.” Shri Kamlesh Paswan (Bansgaon), Debate in the Lok Sabha, 10 July 2019, 306

“Scarcity of water is fast becoming a serious national problem. Unless water is conserved and managed properly, there will not be enough to meet the country's burgeoning demand from households, farms, and industries. Government will present a Water Policy that will facilitate the creation of appropriate administrative, commercial and technological solutions to ensure that the present and future generations are not deprived of this life-sustaining resource. Inter-State water disputes will be equitably resolved. The needs of environmental protection and afforestation will be fully addressed in achieving the goal of sustainable development.” President's Address, debates in the Lok Sabha, 25 October 1999, 6)

“Her Excellency has given a right note on the success story of Bharat Nirman launched five years ago. We welcome the enhanced targets of Bharat Nirman in the second phase in respect of the Indira Awas Yojana, Rural Water Supply Programme, rural telecommunication, rural electrification, irrigation, and road connectivity. The Father of the Nation, Mahatma Gandhi rightly said: "India lives in villages". For an equitable and sustainable development of the country, we have to develop rural India. Without fully developing rural India, our development process will never be complete. Development is the key to every problem of a developing country.” Dr. Thokchom Meinya from Inner Manipur, Debates at the Lok Sabha, 8 June 2009, 149)

Additional data: responses by South Africa

a) Declaration of environmental focus by South Africa

“These human rights values are reflected in a Bill of Rights which lays out a minimum flow of rights stretching from first generation rights, which are civil and political, right through to third generation rights such as the right to a clean, healthy and sustainable environment. This comprehensive approach to human rights is in line with international human rights instruments in that it is based on the recognition that human rights are indivisible and interdependent. It is especially the second-generation rights, that is the socioeconomic rights enshrined in our Bill

of Rights, that reflect our indigenous value system which has a strong socioeconomic base.”  
Mr. M T Masutha, Joint Sitting, 19 November 1999, 166

“In the next millennium we will have to make a renewed commitment to preserving and protecting the environment. We believe it can be done more effectively and wisely. South Africans want a safer, cleaner and healthier environment. Elements of a sustainable environmental policy include rehabilitation, the principle of the polluter must pay, improved environmental awareness, a sensible and considered energy policy, and the promotion of a global environmental partnership.” Mr M C J Van Schalkwyk, Joint Sitting, 19 November 1999, 55-56

“We further commit ourselves to tourism development in tourist destination areas that are able to maintain a balance between the interests of local people and those of tourists by promoting tolerance between tourists and local communities, which is based on the principle of equality, so that mutual understanding and respect for differences are enhanced, and so that a safe and peaceful atmosphere prevails. Whilst this happens, it is important to balance economic, social, cultural and religious values with environmental conservation, so that sustainable development is achieved. We thank the Minister for introducing the Bill, as it stands, in order to improve the lives of many South Africans.” Ms C M P Ramotsamai, National Assembly, 1 March 2000, 126

b) Environmental protection entails sustainable development of the mining industry

The meeting concluded with the Canadians expressing the hope that stronger relationships and links with South Africa in the area of minerals and mining would be desirable. There is also the possibility of promoting the "safe use" principle and Canada's mineral policy based on sustainable development objectives in South Africa.” Notes on Natural Resources in Canada, National Assembly, 14 June 1999, 120

“The reason we are nudging in the direction of diesel is that South Africa, in the refining process, produces a surplus of diesel which we cannot use locally and we are actually currently exporting it at a loss to our economy. Therefore, it is obviously attractive to use diesel in this taxi fleet, but we need to weigh that up intelligently, and with farsightedness, against environmental sustainability.” Mr. J P Cronin, National Assembly, 16 February 2000, 128-129

c) Sustainable development for the sake of reduction of poverty and deal with inequities from the apartheid era

“The implementation of this programme will begin this year. The strategic objective we will pursue will be to ensure that we achieve integrated and sustainable development in our rural areas outside of and in addition to the commercial farms by the year 2010. We chose to focus on these areas to reverse a century-old legacy of white minority rule according to which millions of our people were confined in poverty-stricken areas alternatively described as native reserves, Bantustans and homelands. The hon Deputy President and Leader of Government Business will provide the details on this matter.” President’s speech, Joint Sitting, 4 February 2000, 20

Additional data: Orientalist statements in the ILO about developing states in the Decent Work Agenda

a) Push for western social development model

“He drew attention to the strong and dynamic social dimension of the process of European integration and commended the European economic and social model with its different aspects of employment-related measures, social dialogue and social protection. Developing countries could certainly use some aspects of that model in their policy design, although it might not be

directly applicable.” (a statement by Mr. Louis Michel, European Commissioner for Development and Humanitarian Aid, ILC 2007, 1/10)

“The stabilization and adjustment process must include growth and employment goals, as well as the improvement of social conditions. In brief, the coherence of international economic policies should be significantly improved, with the ILO in the front line of this global effort. The "millennium round" of trade negotiations due to start in the next few months should embody social and environmental dimensions as a common goal, not for protectionist purposes but, on the contrary, for truly sustainable development for all. Trade rules need to take into consideration the fragility of developing countries. (A statement from the delegate from Italy, ILC 1999, 21/12)

“What I would like to say, and with this I will end, is that I believe that we should be at the forefront of forging a global coalition for decent work. To do so we need a new spirit of entrepreneurship. I believe profoundly in entrepreneurship as a creative phenomenon, but I think that we all have entrepreneurship in ourselves. The capacity to combine resources means ideas to make something happen, to make a new product emerge. Everybody has that potential in himself. We have to unleash it; we have to decide to use it and to make it happen in practice. So we need a new spirit of entrepreneurship, to invent new enterprises, new cooperatives, new initiatives, new international agreements, new global.” (From the Secretary General of the Conference, ILC 2000, 10/4)

“Some people say that labour and environmental concerns are reasons not to pursue free trade. I believe the opposite is true. In my view, the goal of improving global labour standards and the goal of free trade are complementary...The greatest challenge that everyone in this room faces is the challenge of developing a trained workforce, one that is prepared for the kinds of decent, productive work that Director-General Somavia envisions.” (A statement from a delegate from the United States, ILC 2001, 7/14)

b) Developing states are solely responsible for setting up an unfair labor system and damaging the environment

“My group also deplores the attitude of Zimbabwe, which refused to come before the Committee, saying that it did not want to be an accomplice of the political instrumentalization of the Committee by the colonialists. Do I look like a colonialist? The Government also demonstrated its duplicity in putting its observers anonymously in the room. However, we are pleased that Zimbabwe is dealt with in a special paragraph by the Committee, referring to the seriousness of violations of union rights in that country” (a statement by Mr. Blondel, Worker, France, ILC 2007, 27/19)

“Where exploitation or abuse is persistent or, indeed, where progress is being made, the hope of justice that the ILO carries has again been employed, with 25 cases being considered by the Committee on the Application of Standards. Sadly, too many of these cases require new determination to tackle fundamental rights and freedoms. Nations such as Burma, Zimbabwe and Colombia require us all to act. The world is watching the senseless shooting of trade unionists in Colombia with increasing anger, watching the denial of democracy and states sponsored violence against political and union leaders in Zimbabwe in a state of shock, and watching the persistent use of forced labour, not to mention the baseless inhumanity that causes a regime to deny aid and access to aid workers, indeed deny survival, to its own citizens in Burma, with disbelief and horror. The world indeed needs international governance that can give effect to the responsibility to protect.” (a statement by Ms. Burrow, Worker, Australia, ILC 2008, 21/3)

“Developing countries have a huge shortage of decent jobs, since these are not being generated by economic growth. This decent work crisis is accompanied by high living costs and the impact of the world food crisis, leading to situations of endemic poverty.” (a statement by Mr Tartaglia, Worker, Italy, ILC 2010, 8/30)

Additional data: Responses by India towards the Decent Work standards

a) Inadequate protection for workers

“Minimum wages should become a law of the land. All types of labour in all the sectors should get minimum wages. No authority should take the poor for a ride. Though we have made great strides in the field of health, according to a report, more than 26 crore people cannot afford health care and the Government hospitals cater to only a quarter of the people who approach the Government Hospitals desperately without any source of treatment. Government hospitals, in urban areas be upgraded in par with the State of art private hospitals” Dr. Ratna De (Hooghly), Debate in the Lok Sabha, 11 June 2014, 157

“The Presidential Address also speaks about “pension and health insurance safety nets for labour force of all categories and access to modern financial services”. But nowhere have it mentioned about the job security and rights of the labour force which is already at state with the private and PPP model.” Shri P.K Niju (Alathur), Debate in the Lok Sabha, 11 June 2014, 202

b) India has continued to request for CBDR and claims that India could disregard international standards

“They also resolve to work closely together and with other countries, in keeping with the principle of common but differentiated responsibilities, to advance the goal of protecting the people of the world from the threat of climate change, while promoting economic growth.” Statement by Minister, Debate in Lok Sabha, 28 October 1999, 14

c) The legislature also critiques Indian labor laws that do not adequately address child labor which is a characteristic of Decent Work

That at the end of the motion, the following be added, namely: - "but regret that there is no mention in the Address about the need to put ban on child labour in the county." (53) Shri Vilas Muttemwar, debates in the Lok Sabha, 26 October 1999, 71

“The strict enforcement of all basic labour laws without any exception or exemption and stringent punishment for violation of labour laws is necessary. Under the guise of speedy growth, don't sacrifice the human beings! Child labour still haunts the corridors of Indian industries. Measures to eradicate Child Labour from the country is one of the “mores of the day” Dr. A. Sampath (Attingal), Debate in the Lok Sabha, 11 June 2014, 172

Additional data: Responses by South Africa towards the Decent Work standards

a) South Africa's support for Decent Work

This support can be seen in the legislature of South Africa

“The Government will also place more emphasis on the development of a co-operative movement to combine the financial, labour and other resources among the masses of the people, rebuild our communities and engage the people in their own development through sustainable economic activity.” President's speech, Joint Sitting, 25 June 1999, 16

“Consistent with these observations, the hon the Minister of Labour has led a review of the labour market legislative framework. This has included interaction with our social partners at Nedlac. As a result of this review, the Government has concluded that certain aspects of the legislative instruments aimed at giving effect to our labour market policies have led to unintended consequences. For this reason, to ensure that we address simultaneously such issues as fair labour standards and the fostering of economic growth and job creation, amendments to certain provisions of the Labour Relations Act, the Basic Conditions of Employment Act and the Insolvency Act will be introduced this year.” President’s Speech, Joint Sitting, 4 February 2000, 16

“The Portfolio Committee on Labour, having considered the request for approval by Parliament of the International Labour Conference Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, adopted by the conference at its eighty-seventh Session, Geneva, 17 June 1999, referred to it, recommends that the House, in terms of section 231(2) of the Constitution, approve the said Convention.” National Assembly, 1 March 2000, 153

b) Labor regulations are necessary for equity

“feels strongly that there is no sound reason for the textile industry in South Africa, which is already under pressure from, inter alia, labour legislation, to be undermined and for job losses to be incurred because of this.” Mr P A Matthee, National Council of Provinces, 23 May 2000, 9

“On the one hand, the Government of South Africa, which the hon the President obviously heads, proclaimed itself, I think, with great responsibility and with no lack of political courage, to be against the national strike called by its ally, Cosatu. Yet, in response to the same strike, in front of those who had caused it and demanded it - the strike which caused continued economic paralysis at home and confusion abroad - the secretary-general of the Government’s governing party, the ANC, Mr Motlanthe, told the May Day rally of Cosatu members that they must “intensely hate capitalism and engage in the struggle against it” The leader of the Opposition, National Assembly, 13 June 2000, 31-32

c) Labor regulations create problems for the economy

“One of the key findings of the study was that when compared to other middle-income countries, labour regulations on dismissal, fixed-term contracts and working conditions do not appear to be particularly onerous ... A degree of numerical adaptability at exit does exist - thus dismissing the view that inflexible labour markets are at the heart of the employment problem ... Unfortunately, employers perceive that the recent “avalanche” of labour market policy now makes it more onerous to employ. These perceptions, whilst they may not be rooted in reality when one considers the regulatory environment in other countries, do appear to be influencing the behaviour of the economic actors.” President’s speech, Joint Sitting, 25 June 1999, 17-18

“Most of the perceptions being created about labour market rigidity are completely ill-informed, and the DP clearly knows and understands it.” Mr. E.S. Magashule, National Assembly, 29 June 1999, 62-63

Additional data: Orientalist statements in the ILO about developing states in the Green Jobs Initiatives

a) Developing states need to sign on to the Green Jobs Initiative if they want to save the planet  
“The global economic crisis must be solved, but nature, our common planet and our common home cannot wait for better economic times. We are facing decisive moments in the fight

against climate change. As underlined by the Secretary-General of the United Nations, Ban Ki-moon, we should make every effort to seal the deal at the United Nations Climate Change Conference to be held in Copenhagen in December 2009. Finland, like the other EU countries, is committed to an ambitious post-2012 regime. All countries, including industrialized and developing countries, major economies and others, should contribute to this wider goal. We should consider the current economic challenges to be an eye-opener. We need to promote green recovery strategies which will stimulate innovation, lead to further development of environmentally-sound technologies and open up the possibility of a good future for us all.” ( a statement by Ms. Halonen, President of the Republic of Finland, ILC 2009, 11A/11)

“I congratulate the ILO, UNEP and the ITUC for their initiative to grow green jobs. We must all grow green jobs and this must be central to employment strategies as we design trading emission schemes. We must fund innovation and share technological developments with the developing world. No one individual, or one nation, can be an island in this quest. Employers and workers, working together, have a major role to play in this endeavor. With fragile economies, political unrest and rising sea levels, the Pacific Island nations need support to develop an integrated approach to decent work. The ILO commitment to tripartite action is central to sustainable development here and, indeed, everywhere.” (ILC 2008, 21/4) Statement by Ms. Burrow, delegate from Australia

b) The Western social development should be the blueprint for the adoption of the Green Jobs Initiatives

“Let me end by saying that we will only be successful if we ambitiously follow a holistic approach based on all of these dimensions. The European Union is prepared to decisively promote this approach within the ILO as well. This holistic approach has also been successfully incorporated into the road map that was adopted in The Hague last month.” (A statement by Mr Garrigues Flóres, Government, Spain, ILC 2010, 9/21)

“The greening of economies presents many opportunities to achieve social objectives: it has the potential to be a new engine of growth, both in advanced and developing economies, and a net generator of decent green jobs that can contribute significantly to poverty eradication and social inclusion. The greening of economies will enhance our ability to manage natural resources sustainably, increase energy efficiency and reduce waste, while addressing inequalities and enhancing resilience. The greening of jobs and the promotion of green jobs, both in traditional and emerging sectors, will foster a competitive, low-carbon, environmentally sustainable economy and patterns of sustainable consumption and production, and contribute to the fight against climate change.” (Conclusions concerning achieving Decent Work, Green Jobs and Sustainable Development, ILC 2013, 7)

c) Green Jobs would help remove poverty in developing states

“We have committed the ILO to a strategic plan of action, linking decent work, the eradication of poverty and green jobs, which will augment its capacity for research in this area and integrate these challenges in the Decent Work Country Programmes (DWCPs).” (Statement by Committee on Sustainable Development, Decent Work and Green Jobs, ILC 2013, 18/5)

Additional data: Responses by India towards Green Jobs

a) Green concept could be utilized for a green revolution but not necessarily for the social and environmental progress

“Greenhouse farming is gaining popularity in the country including my state of Karnataka. Even in my Malnad region also. Youth are showing a lot of interest in green house farming than the

outdoor cultivation. Only thing they feared for the high investment at the initial stage for the green house investment at the initial stage for the green house cultivation. I am happy to mention that the Union Government under the leadership of Hon'ble Prime Minister Shri Narendra Modi Ji has taken various measures for the development of agriculture. Our NDA Government has made a commitment for doubling the farm income by 2022." Shri B.Y. Ragavendra (Shimoga), Debate in the Lok Sabha, 16 July 2019, 302

"Considering the fact that majority of people still live in villages and depend on agriculture and traditional industries, the 'Scheme of Fund for Upgradation and Regeneration of Traditional Industries'(SFURTI) aims to set up more Common Facility Centers (CFCs) to facilitate cluster-based development to make the traditional industries more productive, profitable and capable for generating sustained employment opportunities." The Minister of Finance and Minister of Corporate Affairs (Shrimati Nirmala Sitharaman), Debate in the Lok Sabha, 5 July 2019, 21

#### Additional data: Responses by South Africa towards Green Jobs

##### a) Support for green jobs through budget allocation

"In our own budget, we will allocate R2 million for work on the green economy and green jobs and we will mobilize additional resources for investment. The IDC is already investing in a number of green economy projects ranging from solar power plants to manufacturing activities in the green economy." Minister of Economic Development, National Council of Provinces, 22 April 2010, 11

"In line with the ruling party's Polokwane resolutions, emphasis is placed on the utilization of alternative sources and on the clear intent of our government to find a way of gradually replacing fossil fuels with new and better alternatives; and also to create green jobs to tap into the new green economy." Minister of Energy, National Council of Provinces, 22 April 2010, 29

"Fifthly, we have pilot projects that focus on green jobs and green technology investment in the areas of energy efficiency, waste management and rural agricultural development and food security" Ms B V Mncube, National Council of Provinces, 22 April 2010, 52

##### b) Green jobs would help in the production of employment and economic growth

"Deputy Chairperson, the framework document refers to the development of incentives for investments in the programme to create large numbers of green jobs. Now I gather from the Deputy Minister's response that she won't be able to give figures in terms of budget disbursements. If she can't do that, can she update us on the status of the incentives to create these green jobs?" Mr. T Harris, National Council of Provinces, 17 November 2009, 30

"Secondly, we have taken note of the Industrial Policy Action Plan, Ipap, and its growth targets, especially with regard to the green and agro-industries, the promotion of a climate conducive to export, industrial development, the promotion of local content, and so forth. However, the obstacles for the private sector to be able to unlock economic growth and to aggressively create jobs are legion." Mr. S J F Marais, National Assembly 17 November 2010, 70

##### c) Green jobs would help deal with poverty and social inequalities

"The Green Economy is a sector which will provide jobs to the poorest of the poor, e.g. waste recycling." National Assembly, 16 November 2010, 179

"Climate Change is a new programme, with the aim of facilitating an effective national mitigation and adaptation response to climate change. This is indeed necessary, considering the ongoing and anticipated negative consequences of climate change for South Africa, in the absence of

appropriate mitigation and adaptation interventions by the Government. The other key areas that will be focused on in the next financial year are: Promoting skills development and employment creation by facilitating green and inclusive economic growth.” National Assembly, 26 October 2010, 210

“Having realized that high economic growth on its own does not solve the critical challenges of unemployment, poverty and inequalities, we decided to speed up and deepen our agenda for economic transformation. This involves charting a new way of developing an accelerated sustainable economic growth that is inclusive, equitable and based on the green economic principles. The fundamental features of this growth path is the implementation of policies, strategies and programmes that promote faster growth and job creation, as well as ensuring sustainability through better management of our natural resources and the environment.” Mrs. E M Coleman, National Assembly, 26 August 2010, 74

Additional data: Orientalist statements in the ILO about developing states in the Just Transition Framework

a) Developing states needed to step up and transition to a green economy even if it did not have the capacity to do so

“Each nation needs to consider the action that it must take and the resources that it can muster to move towards sustainable development and poverty elimination, both in its own context and also as a contribution to the global effort.” (a statement by Ms. Cuthbert, Employer Vice-Chairperson of the Committee on Sustainable Development, Decent Work and Green Jobs, ILC 2013, 18/5)

b) Developing states need to be helped due to their vulnerable positions to achieve a just transition

“A just transition required governments to fight climate change and, through research on adaptation, be forward thinking about how climate change, mitigation and adaptation policies will affect employment and incomes. They should adopt fiscal policies that guarantee both incentives in infrastructure development and a social protection floor together with professional training to help workers affected by the shift and facilitate their future employability. A just transition could not be guaranteed without financial support for developing countries.” (Statement by Worker representative, ILC 2013, 12/3)

c) A just transition would eradicate poverty in developing states

“The greening of jobs was necessary across all sectors and would help foster competitiveness and a low-carbon, resource efficient and green economy, which would help combat climate change. The EU was committed to a just transition globally. She was encouraged by the examples of green economy processes already under way in developing countries in providing win-win opportunities that are also contributing to poverty eradication.” (Statement by the Government member of Ireland, ILC 2013, 12/5)

“It was important to recognize the importance of public services and the role of the public sector; the need for just transition measures towards an ecologically sustainable economy as an element of responding to disasters and building resilience; and progress with due diligence in global supply chains operating in countries in situations of crisis or recovery. It was also important to provide concrete measures to ensure respect for the fundamental principles and rights at work with regard to refugees, migrants and other forcibly displaced persons within countries and across borders.” (Statement by workers, ILC 2017, 13<sup>th</sup> Plenary Sitting, 23)

d) Just Transition would ensure that developing states adhere to basic labor laws

“However, with a great regret and outrage we observe an increasing trend of violation of workers' rights in every corner of the world. During this ILC, there were some painful cases on the agenda of the Committee of Application of Standards. The civil coup in Brazil is now proceeding with the dismantling of workers' rights in the country. Even though it was not on the agenda, but legal strikes continue to be banned in Turkey over so-called grounds of national security. In Ukraine, deadly accidents in the mining sector make it the most dangerous sector to work in the country. Likewise, we regularly receive fatal accident news from the mining industry in Pakistan, an environment where workers cannot enjoy the fundamental rights. In Belarus since August last year there is an obvious increasing move to eliminate independent trade unions through the false criminalization of their activities. In Algeria, Mr. Chair, independent unions are subjected to terrible repression campaigns by bringing union members to court, penalizing union officials with fabricated cases. So this list is longer with the cases in other countries. This must come to an end. The world can't continue like this. If this is the place where joint commitments are made by all the constituencies to achieve progress and social justice in the world, then these violations of labor and human rights must be stopped immediately. We need to promote decent work through coordinated approach.” (Statement by IndustriALL, ILC 2018, 319-320)

**Additional data: Responses by India towards Just Transition/Green Economy**

**a) Extensive mention of a green transition within the context of infrastructure development and not labor rights**

“Dr. Jayanta Kumar Roy (Jalpaiguri): Today while the Government is focusing on a clean and green environment, a massive dumping ground in Jalpaiguri district has been spread over ten acres of land, surrounded by 18 institutions. The ground water has been contaminated to such an extent that Black grease comes out of the taps in the locality. Further, the dumping ground waste is being burnt on a regular basis which pollutes the environment. The Fafri Forests and the adjoining river has now been contaminated by the particular dumping ground. I would like to remind that the particular dumping ground is also a matter of National Security as 3 Gas Pipelines pass through the Dumping Ground and often cracks in the pipeline have been detected.” Debates in the Lok Sabha, 17 July 2019, 92

“I would like to point out that Gram Sadak Yojana is playing a vital role in changing the socio-economic scenario of rural India. During the last three years, an average of 130 to 135 km. roads are constructed under the scheme. About 30-thousand-kilometer roads are constructed using waste plastic and green technology along with cold mix technology under the scheme. The Union Budget of this year proposes to introduce phase-3 with a length of 1,25,000 km at the cost of Rs. 80,000 crores. I congratulate our Hon. Prime Minister, Hon. Finance Minister and Rural Development Minister for taking such a good decision with regard to rural India.” Debates in the Lok Sabha, 17 July 2019, 129

“Shri Dayanidhi Maran (Chennai Central): Sir, I should appreciate the hon. Minister for his excellent work. I would also like to mention that 2004- 09 was a golden period for highways when Shri Baalu ji was there. Tamil Nadu received a lot of good projects but after that, there are no new projects even though, you are trying to bring Green Highways project. Sir, there is a controversial problem in Tamil Nadu for Chennai-Salem Expressway. We do find that it takes two hours for getting out of Chennai.” Debates in the Lok Sabha, 16 July 2019, 170

**b) Green transition for the farming industry**

“My second suggestion would be to focus on R&D, Technology and Innovations. The budget should provide ecosystem support and incentivize the universities and companies that are willing to focus on R&D and innovations in the agriculture sector. Similar focus is required in

the deployment of IT and technology-based solutions for procurement, development of high-quality seeds, efficient modes of irrigation, better farming practices and online platform to connect farmers and consumers.” Shrimati Poonamben Maadan (Jamnagar), Debates in the Lok Sabha, 16 July 2019, 260

c) Green transition to electric vehicles

“Foreseeing the future, the Government has given a boost to electric vehicles, several relaxations have been made to promote the citizens to switch to this mode of vehicle, this is again a step towards a greener environment. A greater emphasis has been laid on establishing India's Soft Power and schemes shall be proposed in future to invite Mega Investments in Sunrise and Advanced Technology areas. I want to applaud the Prime Minister's Vision which, since 2014 has been so broad and target oriented that we have begun to start talking about issues which had never been considered across the political spectrum of the country.” Shri Kamlesh Paswan (Bansgaon), Debates in the Lok Sabha, 10 July 2019, 307

Additional data: Responses by South Africa towards Just Transition/Green Economy

a) Confidence that a Just Transition is necessary for progress

“In terms of the Political Declaration, the US, the UK, Germany, France and the EU have offered – underline “offered” in that they have said that they want to put this offer on the table in line with our obligations as agreed to at COP26 – an initial amount of US\$8,5 billion, which is equivalent to around R131 billion, to support South Africa's just transition efforts. This is a process we have agreed to go through – we will go through a transition to lower our own greenhouse gas emissions.” President's response to question, National Assembly, 25 November 2021, 19

Outside funding has been provided for JT to be achieved

“In terms of the Political Declaration, the US, the UK, Germany, France and the EU have put on the table – offered – an initial amount of US\$8,5 billion, which is equivalent to around R131 billion, to support South Africa's just transition efforts.” President's speech, National Assembly, 25 November 2021, 23

b) A Just Transition can help South Africa develop its economy

“These are all new sectors of the economy that we need to advance to. It is for that reason that we felt when an offer like this is made, we need at it without obviously making it detrimental to us, but we should be ahead of the curve and be able to take up an offer like this before the funding runs dry. Maybe, we will be a trailblazer. We have been a trailblazer as a country in many things. When it comes to just transition, we could possibly be a trailblazer and put in place transition initiatives that will be of a cutting-edge nature as we go on our own developmental processes.” President's speech, National Assembly, 25 November 2021, 68

The budget policy framework is informed by requirements of a new growth path, in which six key sectors and activities have been identified for unlocking employment potential: Infrastructure, through the expansion of transport, energy, water, communications and housing; Agriculture and the agro-processing sector; Mining and mineral beneficiation; The green economy and associated manufacturing and services;” Select Committee on Finance, National Council of Provinces, 19 November 2010, 162

“ The private sector must play its role by investing in green economy, helping to give our country a just transition so that as we migrate from where we are now into a greener future there should be a just transition because people matter. The jobs that people are doing matter as well there

should not be jobs bloodbath. If we have to move to new technologies, technologies must be able to secure a better life and future for our people.”

President, National Council of Provinces, 10 June 2021, 22

c) Just Transition would help South Africa achieve its climate goals

" In this regard, the President went on to say that as a country we are committed to contributing our fair share to the global climate effort. He urged the newly established Presidential Climate Change Commission to advise government on an ambitious and just transition to a low carbon economy. The commission will oversee co-ordination of necessary policies to meet a long-term net zero emissions target and advise us on opportunities presented by the transition to a low carbon development and the pathways to achieve it." Minister of Forestry, Fisheries, and the Environment, National Council of Provinces, 25 May 2021, 2

“Section 24 of the South African Constitution provides a legislative framework to ensure that citizens of this country especially younger citizens are not exposed to the environment that is harmful and detrimental to their health and wellbeing. South Africa’s just transition to a climate resilient and lower carbon economy society is clearer stipulated on the White Paper on National Climate Response.” Ms C Labuschagne, National Council of Provinces, 25 May 2021, 34

“In his weekly letter to the nation on Monday 26 April, President Ramaphosa said “even as we continue to fight the Covid-19 pandemic, tackling climate change is a national priority for South Africa.” The President went on to say that as a country we are committed to contributing our fair share to the global climate effort. He also urged the newly-established Presidential Climate Change Commission to advise government on an ambitious and just transition to a low-carbon economy.” The Minister of Environment, Forestry and Fisheries, National Assembly, 14 May 2021, 3

d) Just Transition would help South African equalize between classes

“The commission itself is constituted by members from various sectors of society, including business, civil society, labour, youth, research institutes and government. This signifies that we recognize the multidimensional nature of climate change and a just transition. This signifies that indeed we are serious about climate change in the way that we have conceptualized this structure.” President, National Council of Provinces, 10 June 2021, 17

“This approach is evident in several areas of our work, from our response to the coronavirus pandemic to the preparation of the infrastructure pipeline, from the development of our economic recovery plan to the implementation of our investment drive, from tackling gender-based violence and femicide to charting a just transition to a low-carbon economy.” President, National Assembly, 2 June 2021, 6

APPENDIX B: ADDITIONAL STATEMENTS FOR CHAPTER 9: ILO'S GREEN PROJECTS IN INDIA AND SOUTH AFRICA AND ORIENTALIST DISCOURSES WITHIN THE ILO

<p>Additional data: India's responses to the Sustainable Development project</p> <p>a) Sustainable development as a tool for economic progress          "The Governments of India and the United States, guided by the objective of using the immense opportunities and their vast pool of resources and skills for fruitful cooperation in the Energy sector, in both bilateral and International context, resolve to take appropriate measures to foster private sector energy ventures, cooperation in research and development, and greater utilization of environment enhancing and climate friendly energy sources and technology for balanced and sustainable economic development." (Statement by Minister on recent visit of US Secretary of Energy, debates in the Lok Sabha, 28 October 1999)</p> <p>b) Sustainable development was geared towards water accessibility          "Talking about Sustainable development I want to bring in to notice the importance that has been given to Water Management and Conservation in the Budget. The Government has set up plans to make water accessible to the remotest areas along with the conservation, hereby urge the people of the country to rise to the occasion and help to rejuvenate the water eco-system of the country." Shri Kamlesh Paswan (Bansgaon), Debate in the Lok Sabha, 10 July 2019, 306</p> <p>"Scarcity of water is fast becoming a serious national problem. Unless water is conserved and managed properly, there will not be enough to meet the country's burgeoning demand from households, farms, and industries. Government will present a Water Policy that will facilitate the creation of appropriate administrative, commercial, and technological solutions to ensure that the present and future generations are not deprived of this life-sustaining resource. Inter-State water disputes will be equitably resolved. The needs of environmental protection and afforestation will be fully addressed in achieving the goal of sustainable development." President's Address, debates in the Lok Sabha, 25 October 1999, 6</p> <p>"Her Excellency has given a right note on the success story of Bharat Nirman launched five years ago. We welcome the enhanced targets of Bharat Nirman in the second phase in respect of the Indira Awas Yojana, Rural Water Supply Programme, rural telecommunication, rural electrification, irrigation, and road connectivity. The Father of the Nation, Mahatma Gandhi rightly said: "India lives in villages". For an equitable and sustainable development of the country, we have to develop rural India. Without fully developing rural India, our development process will never be complete. Development is the key to every problem of a developing country." Dr. Thokchom Meinya from Inner Manipur, Debates at the Lok Sabha, 8 June 2009, 149</p> <p>c) The use of wasteland for sustainable use          "The Wastelands Development Programme is aimed at checking land degradation, putting wastelands to sustainable use, increasing biomass availability, especially fuelwood and fodder, and promoting people's participation." Minister of Environment and Forests, Debates in the Lok Sabha, 26 August 1991, 21</p>
<p>ILO Orientalist responses to the Indian Sustainable Development</p> <p>a) Sustainable Development is a matter of political will not capacity:</p>

“The chapters that relate to emergent economies (Brazil, India, South Africa, Sri Lanka) suggest, however, that with able leaders, strong political will and clearly defined objectives, even administrations with limited resources can attain at least partial successes in modernization and improvement of their service delivery.” (Heyes and Rychly 2021, 13)

b) India needs the support of the West to achieve Sustainable Development

“Unionen has also taken action to reduce the decent work deficits in the informal economy. The Swedish trade union developed trainings and capacity building materials to raise awareness among trade unions on the importance to connect and extend membership and services to workers and economic units in the informal economy. Within the framework of a partnership with the Self-Employed Women’s Association (SEWA), Unionen provides support to organize poor and self-employed women workers in India, building their capacity to engage in dialogue at different levels.” (OECD and ILO 2020, 150)

“For example, the Dutch Government is supporting an ILO project aimed at developing indicators and methodologies that will strengthen the capacity of governments and social partners to negotiate and set adequate wage levels, which take into account both the needs of workers and their families, as well as economic factors. With an initial focus on a number of pilot countries, including Colombia, Costa Rica, Ethiopia, India, Indonesia and Vietnam, the project focuses on building the capacity of governments and social partners to use and adapt the revised indicators for evidence-based wage bargaining or other mechanisms of wage determination.” (OECD and ILO 2020, 150)

“WIEGO’s Childcare Initiative aims to improve childcare options for workers in the informal economy. Focus group discussions with workers in the informal economy in Brazil (Altimorjam Waste Picker Cooperative), in Ghana (the Ghana Association of Markets and the Informal Hawkers and Vendors Association of Ghana), in India (SEWA), in South Africa (South African Informal Workers Association) and in Thailand (HomeNet Thailand) revealed that, across different occupations from street and market vendors and waste pickers to domestic workers and home-based workers, the lack of access to childcare means parents had limited and unsatisfactory childcare options.” (Addati et. al. 2018, 304)

India: Responses to the Decent Work Project

a) The critique of lack of adoption of labor standards was evident even in the Indian legislature

“Such Is the position in our country. In rural areas women work 88 laborers and sustain their families on the wages which are given to them. So far, no programme has been Implemented for their upliftment.” Shrimati Kanti Singh, Debates in the Lok Sabha, 29 October 1999, 156

“I hope that you will take special care to safeguard the interests of the poor farmers, laborers and people of the minority communities for whom even today there IS no arrangement of drinking water and who have to toil hard, and their issues will be raised in this House.” Shri Mulayam Singh Yadav (Sambhal), debates in the Lok Sabha, 27 October 1999, 18

In response the government has made pledges to protect unorganized workers, but this has not materialized. We are fully committed to promote the interests of labor. especially those in the unorganized sector. In the new environment of economic reforms. The Second Labor Commission will study the changes needed in various labor laws in order to better achieve the welfare of labor, faster generation of additional employment. accelerated industrial growth and exports. President’s address, debates in the Lok Sabha, 25 October 1999, 3

“We will ensure that the economy maintains a growth rate of at least 7-8% per year for a sustained period and in a manner that generates employment and provides assured livelihood for each family. While doing so, my Government will focus on improving income and welfare of farmers, farm labor and workers: empowering women and providing equality of opportunity for people belonging to the Scheduled Castes, Scheduled Tribes, OBCs and religious minorities.” President’s address, Debates in the Lok Sabha, 7 June 2004, 3

“I would like to submit that as Shri Balasaheb Thackrey, Shiv Sena Supreme had not let labor Reform Bill to be introduced though he was coalition partner of NDA Government, you too had supported him, I would like you to act in some manner, since you too are the coalition partner of UPA Government. Hon'ble Prime Minister is very learned person, he can bring this bill any time, but you will stop him. I expect this from you. I would like to submit that I heard your discussion with Shri Manohar Joshi many times.” Shri Chandrakant Khaire, debates in the Lok Sabha, 4 June 2004, 15

b) No uniform application of social security schemes

“The MNREGA has done so many things. The labour from Jharkhand used to come to our State. But because of MNREGA, people are getting money in their State and so, labour from Bihar and Jharkhand are not coming out now. This indicates how effective this scheme has been. These are schemes that the Government should look at.” Captain Amarinder Singh, Debate in the Lok Sabha, 11 June 2014, 100

Additional data: ILO Orientalist responses to the Indian Decent Work

a) India needs to be monitored to ensure that it complies with labor standards

“The percentage of unreliable audits is far higher than previously assumed, with unreliable ones exceeding 50 per cent over the seven-year period in China and India, with Bangladesh and Cambodia also exhibiting a high percentage of unreliability.” (Delautre et. al. 2021, 197)

b) India has not provided minimum wage for Indian workers

“Informal workers are much more likely to be living in conditions of poverty. Moreover, as pointed out in Chapter 3, own-account workers and contributing family workers in countries such as India earn only around one fifth of the income of wage and salaried workers.” (Gomis et. al., World Employment and Social Outlook 2020, 34)

c) India has not ensured proper protection of workers through formalization of work

“Another labour market challenge pertains to the high rates of informality in the region, particularly in Southern Asia and South-East Asia. For example, as many as 90 per cent of all workers in India, Bangladesh, Cambodia and Nepal work informally. Although the prevalence of informality can to a great extent be explained by the high share of employment in agriculture, informality is also pervasive in other sectors, including construction, wholesale and retail trade, and the accommodation and food service industries.” (Kjellstrom et. al. 2019, 57)

d) The Indian system is archaic as it restricts collective bargaining of workers

“There are two statutory instruments in India that are relevant to unorganized industries such as brickmaking, namely: the Factories Act 1948 and the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act 1996. These statutes, however, do not make it clear how the occupational safety and health of brickmaking workers is to be protected. In addition, a majority of these workers are not aware of their rights at work and do not have other employment opportunities to choose from, which forces them to continue working under such harsh conditions.” (Kjellstrom et. al. 2019, 59)

e) The Indian system has failed to protect women workers  
“Other regions, such as Asia and the Pacific, have seen women’s employment rates fall more markedly than men’s, despite women being better educated, having fewer children and being more likely to live in urban areas compared to three decades ago. This is especially the case for the most dynamic economies of the region, such as India and China.” (Beghini et. al. 2019, 24)

Additional data: India’s responses to the Green Jobs Initiative

a) Green jobs in afforestation

“I request the Union Government to take action for plantation of trees on a large scale on the sides of National Highways throughout the country. Those who are engaged in the Mahatma Gandhi National Rural Employment Guarantee Scheme may be diverted to plant the saplings and to nurture them to a certain extent.” Shri N.S.V. Chitthan (Dindigul), Lok Sabha debates, 8 December 2010, 33

b) Green jobs as part of infrastructure development

“Relentless and continuous efforts to provide clean and green transportation to all its stakeholders and commuters has resulted in Indian Railway bagging 13 awards in three prestigious categories of National Energy Conservation Awards (NECA) for the year 2020, organized by the Bureau of Energy Efficiency (BEE), Ministry of Power.” Shri Jagdambika Pal (Domariyaganj), Lok Sabha debates, 15 March 2021, 1257

“These could be, efficient mass transit systems, smart electricity, grids or phasing out harmful subsidies. But listen to this. Of course, green, and digital investment must also include support for workers as they transition from shrinking to expanding sectors. Increased investment in training, re-skilling and high-quality education will be pivotal to unlock the potential of a green and digital economy.” Prof. Sougata Ray (Lok Sabha debates, 10 February 2021, 898)

“The highways authority has made a lot of mistakes while constructing the six-lane road between Chitradurga-Davanagere and Haveri. While doing the project, construction of road over bridge (ROB) at Lakkamuttenahalli and road under bridges (RUBs) at Hebbalu, Haluvarthi, Mallashettihalli, H. Kalpanahalli and Davanagere city entry have not been considered by the project director. Even after my repeated requests, the Ministry of Road Transport and Highways has not given green nod to take up these works. I urge upon the Union Government to take up the execution of this project.” Shri G.M. Siddeshwar (Davanagere), Lok Sabha debates, 19 September 2020, 725

Additional data: ILO Orientalist responses to the Indian Green Jobs Initiative

a) India needs to improve the skills of her workers

“Right skills for green jobs will accelerate the transition to a greener economy and full and productive employment as enshrined in Sustainable Development Goal No. 8. Today, skills gaps are already recognized as a major bottleneck in this journey. The adoption and dissemination of clean technologies requires skills in technology application, adaptation and maintenance.” (Walter 2021)

b) India has failed to take care of its workers

“Extensive academic and non-academic studies have documented various issues including the poor working conditions in these clusters; the criticisms against the Sumangali scheme,

commonly found in the South Indian textile industry, which legalizes the employment of young women as cheap labour.” (Martinez et. al. 2021, 28).

c) The ILO needs to intervene to ensure that India succeeds

“Furthermore, particularly in the context of disaster risk reduction, as well as climate mitigation and the adaptation and creation of green jobs, the Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205) and the ILO Guideline for Just Transitions, provide important guidance.<sup>113</sup> The ILO Fair Recruitment guideline is particularly relevant to all labour origin and destination countries of South Asia.” (Siddique 2021, 27) Impact of covid-19 on nexus between climate change and labour migration in selected South Asian countries: An exploratory study

“The ILO has the technical expertise in promoting green jobs and is well positioned to bring together real economy actors, namely governments, trade unions and employers’ organizations to address the challenges emerging for migrant workers from multiple crises in the region.” (Siddique 2021, 29) Impact of covid-19 on nexus between climate change and labour migration in selected South Asian countries: An exploratory study

#### Additional data: India’s responses to the Just Transition Framework

a) India is not against climate protection though but only when it impedes growth

“Hon. Members today is the World Environment Day. The theme chosen by the United Nations Environment Programme (UNEP) for World Environment Day, 2009 is “Your Planet Needs You! Unite to Combat Climate Change.” Let us rededicate ourselves, on this day, to combat the challenges of climate change and to ensure a cleaner and greener environment.” Madam Speaker, Debates in the Lok Sabha, 5 June 2009, 5

“Sir, the green economic scenario has really been sidelined, if I am allowed to say so. According to the CMIE, which is well known to us, the real GDP growth in the country has fallen to 6.5 per cent. There is another study other than CMIE and they are saying that the GDP growth is likely to decline to 5.6 per cent compared to 9 per cent in the previous year. This is the green scenario that we are faced with.” Shri Gurudas Dasgupta (Ghatal), Debates in the Lok Sabha, 8 June 2009, 132

b) Just Transition is utilized within the context of infrastructure projects

“We are not against development, growth and expansion of Infrastructure Expansion of roads is essential for growth. But growth is for the people. Laying roads on the destruction of people cannot be growth. The Salem to Chennai 8 lane green corridor project is one such destructive proposal. The proposed corridor runs through agricultural and reserve forest land. It will have adverse impact on the environment, water bodies, farmlands and forest land. Development should aim at the betterment of lives of the people. Protecting the livelihood and enhancing their living conditions should be the objective of growth. But the Salem Chennai 8 lane corridor is detrimental to the growth of the farmers, workers, peasants and people. It is aimed at serving the interests of Corporate, and Multinational Corporations like Vedanta.” Shri K. Subbarayan (tiruppur) Debate in the Lok Sabha, 15 July 2019, 290

“The Government has set an investment target of Rs.80,250 crore for the third phase of the Pradhan Mantri Gram Sadak Yojna, under which the Government wants to build 1,25,000 km of village roads. The earlier phases of this scheme led to the construction of 30,000 km of village roads with green technology, which will continue. Not only investment but progress and quality of work have also increased significantly. Road construction grew at 30 km per

day in 2018-19 as compared to 12 km per day.” Shrimati Poonaben Maadam (Jamnagar), Debate in the Lok Sabha, 15 July 2019, 397

“We are not only focused on infrastructure, but we are also committed towards doing it in a sustainable way. The Ministry is doing its best to ensure minimum damage to the environment. Adopting and developing ecofriendly ways to construct plastic roadways is an initiative towards the same. We are not stopping there; the ministry plans to plant around 125 crore trees along the roadways to achieve the same. This will help us to negate the effects of construction and build a better and greener India for generations to come.” Shrimati Locket Chatterjee (Hooghly), Debate in the Lok Sabha, 15 July 2019, 477

Additional data: ILO Orientalist responses to the Indian Just Transition Framework

a) India needs to improve the skills of her workers

“Likewise, workers and communities that would lose jobs in ‘brown industries’ need opportunities for acquiring new skills and employment to support a Green and Just Transition. In fact, ILO will implement a 4-year project to promote Just transition in the coal sector, which will focus on re-skilling of workers to green existing jobs and get new jobs.” (Walter 2021)

b) India has not included her women workers in the economy

“The green economy actually offers a blank slate, and with new opportunities to promote gender equality and inclusiveness. It therefore holds promises for India, which reported further decline in female labour force participation during the pandemic.” (Walter 2021)

c) The ILO can assist India in achieving green policies

“Programmes and actions targeted towards providing protection to climate change related migrants in crisis should try to link their actions with ILO’s recent initiative of Green Jobs and a Just Transition for Climate Action in Asia and the Pacific. ILO Recommendation 205 particularly suggests how to deal with crisis through employment with regard to conflict and disaster.” (Siddique 2021, 28) Impact of COVID-19 on nexus between climate change and labor migration in selected South Asian countries: An exploratory study

“South Asian countries should leverage ILO’s expertise, as the ILO is well positioned to work alongside States and regional groups to consider the role of labor migration within climate mitigation and adaptation strategies, and in contributing to a just transition towards environmentally sustainable economies and societies for all.” (Siddique 2021, 9)

Impact of COVID-19 on nexus between climate change and labor migration in selected South Asian countries: An exploratory study

Additional Data: South Africa’s responses to the Sustainable Development project

a) Environmental protection should be South Africa’s focus

“In the next millennium we will have to make a renewed commitment to preserving and protecting the environment. We believe it can be done more effectively and wisely. South Africans want a safer, cleaner, and healthier environment. Elements of a sustainable environmental policy include rehabilitation, the principle of the polluter must pay, improved environmental awareness, a sensible and considered energy policy, and the promotion of a global environmental partnership.” Mr M C J Van Schalkwyk, Proceedings at Joint Sitting, 19 November 1999, 55-56

“As we enter the new millennium, we must pursue together the ideals enshrined in the Charter and work to address the main challenges facing the world community: the achievement of

international peace and security, democracy, respect for human rights, sustainable development and the ensuing social progress.” President Mbeki, National Assembly, 1 March 2000, 170

“Preserving and making the best use of the environment are essential prerequisites for sustainable development. Accordingly, we must not meet our own needs at the expense of future generations. In conformity with the conclusions of the Earth Summit, the world must pay particular attention to water, energy and transport issues, to ways of integrating environmental costs and benefits into business, and to the impact of the state of the environment on the overall economy.” President Mbeki, National Assembly, 1 March 2000, 173-174

b) Sustainable Development will improve the economy

“What these forbears have done links us to the challenges of communication in the new millennium, a millennium that the secretary-general of the United Nations, Kofi Annan, calls the third wave of Africa's metamorphosis; an era of information technology and sustainable development that must give hope to the upcoming generations of Africa.” The Minister of Communication, Proceedings at Joint Sitting, 19 November 1999, 114-115

“In direct response to the challenge to the growth of our economy, we held an agricultural indaba (conference) in October last year with the aim of establishing an annual forum for dialogue between Government, farmers, labor and other interested stakeholders in order to deliberate on those issues which are critical for the sustainable development of the sector.” The Minister for Agriculture and Land Affairs, National Council of Provinces, 11 April 2000, 58

Additional data: ILO Orientalist responses to the South African Sustainable Development

a) South Africa needs to work harder to achieve Sustainable Development

“While the role of industrial policies remains crucial, recent experiences (e.g., Basque Country, Costa Rica, Ghana, South Africa and Viet Nam) show that merely adopting an “industrial policy” is not by itself a guarantee for successful implementation that in turn will lead to structural transformation in a country.” (Kucera et. al. 2020, 19)

“Similar to Brazil and Argentina, the South African health-care system comprises a mixture of public and private sector institutions that are unevenly distributed among provinces, with public health care covering the poorer segments of the population and privately operated institutions covering the most affluent. This is in spite of a major national initiative aimed at achieving universal health coverage, which still presents deficiencies.” (Addati et. al. 2018, 288)

b) South Africa has implemented projects to ensure Sustainable Development

“South Africa’s Expanded Public Works Programme (EPWP) is one of the rare programmes that invests not only in infrastructure, but also in social services, including early childhood services and community-based care services (including to HIV-affected households), areas which typically employ women and contribute to alleviating their unpaid care work responsibilities.” (Addati et. al. 2018, 296)

Additional data: South Africa’s responses to the Decent Work Project

a) Debate within South African Parliament: One side - Labor regulations are necessary to protect workers and the economy

“The old system was perfectly capable of delivering to the entire community, but grossly lacked the necessary communal values and, despite the intent, there is no guarantee that we will be any more successful with a new system than with the old, if we retain the same untenable

dichotomy as that which characterizes the present struggle in government of labor policy versus macroeconomic policy, thus choosing sides between the community and the municipality, as if the two need always be in opposing camps." Mr. Botha, Proceedings of the National Council of Provinces, 13 June 2000, 106

"...remark by Cosatu, at its seventh national congress, that those who call for labor market flexibility are in fact defending inequality" Mr. J Durand, Proceedings of the National Assembly, 21 September 2000, 6

"I would like to contrast the statements by Minister Tshwete with those which Mr. Manuel made with regard to freeing the economy, the need to revise certain labor legislation and his criticism of some Cosatu actions and policies. Instead of immediate support from Government quarters for Minister Manuel's bold stance, his statements were met with stone cold silence from his other Government colleagues. I would have thought that when the Minister of Finance makes statements which are regarded as the repositioning of the Government in terms of economic policy, it would be part of a plan, he would receive warm support and there would be an immediate back-up plan." Mr. M C J Van Schalkwyk, Proceedings of the National Assembly, 8 February 2000, 67

"The Bill will help to put our disciplinary system in line with the latest trends in labor law and to ensure fair labor practice. It will also regulate the activities of former members and will provide for the Minister to issue regulations. To this end, I intend consulting widely so as to ensure that concerns of the former members and those of the general public can be taken into account before we promulgate these regulations." Minister for Intelligence, Proceedings of the National Assembly, 25 May 2000, 98-99

"Calls on all employers to honor the spirit and letter of the Labor Relations Act or risk prosecution." Proceedings of the National Assembly, 8 June 2000, 13

b) Debate in South African Parliament: some seeking more flexible labor standards

"Therefore, the President's reference to the need to amend our labor legislation was like music to my ears. We must tackle the issue of our labor legislation beyond declarations of intention. I accept the merit of our having raised conditions of employment and providing far-reaching social benefits for our people. However, we cannot continue to delay introducing maximum flexibility in our labor market. Better conditions of employment have increased productivity, which proves that if people are better treated, they produce more." The Minister of Home Affairs, Proceedings of the National Assembly, 8 February 2000, 34

"The CEO of SAA, Mr. Coleman Andrews, intimated that for SAA to be competitive and generate a surplus it is important that the labor legislation be revamped. It stands to reason, therefore, that current labor legislation will face major challenges from business' restructuring requirements." Mr. L M Green, Proceedings of the National Assembly, 22 February 2000, 47

"The DP believes that the only way in which poverty and unemployment can be reduced in a substantial and sustainable way in South Africa is for South Africa to have a growth rate of 6% or more per year. [Interjections.] This can be achieved, but it requires of Government a resolve, which so far it has lacked, to tackle thorny issues such as faster privatization, greater labor market flexibility and a more efficient Public Service. If the hon the Minister in the Presidency wants to play a meaningful role in the eradication of poverty and the upliftment of our youth, he should champion this cause and use his influence to effect this kind of consequential change." Proceedings of the National Assembly, 14 June 2000, 60

**Additional Data: ILO Orientalist responses to the South African Decent Work**

**a) South Africa has failed to protect its domestic workers**

“The presence of high numbers of domestic workers, in turn, reveals both the insufficiency of care policies, as described below, and the very high levels of income inequality, in particular in South Africa and Brazil, and also of poverty in South Africa and the Bolivarian Republic of Venezuela.” (Addati et. al. 2018, 219)

**b) South Africa has failed to ensure protection for women workers**

“Heavier workloads leave less time for women to care for their children or for participating in social activities. In South Africa, for example, many women spend two hours a day on fuel collection and about one hour on water collection. As climate change reduces crop yields, limits the availability of wood and increases water scarcity, the burden of these natural resource dependent activities is likely to increase for women.” (Addati et. al. 2018, 15)

In low- and middle-income countries, however, the picture is much clearer. Homeworkers pay a penalty for not commuting to work. They work fewer hours (perhaps by choice, though the following section will probably cast this choice into doubt) and earn less per hour (hardly any choice here). This penalty is attenuated when sex, age, level of education and occupation are taken into consideration, but it remains a large penalty. Furthermore, the massive penalties paid by homeworkers in poorer countries (36 per cent in India, 35 per cent in Mexico and 32 per cent in South Africa) are far beyond the realm of compensating differentials.” (ILO, Working from home: From invisibility to decent work, 2021, 145)

**c) South Africa needs help from the West to ensure Decent Work**

“Systembolaget, Unionen and IUF signed a Memorandum of Understanding (MoU) that established a channel allowing local unions to report breaches of Systembolaget’s Code of Conduct. As part of this work, the company and its partners promoted the MoU in South Africa’s beverage industry. This included the delivery of training activities to build the capacity of trade unions to use the reporting channel, as well as the organisation and facilitation of multi-stakeholder roundtables with trade unions, producers, industry representatives and relevant civil society organisations.” (OECD and ILO 2020, 155)

**Additional Data: South Africa’s Responses to the Green Jobs Initiative**

**a) Unequivocal support for the ILO in the production of green jobs**

“We will allocate R2 million for policy and co-ordination work on the green economy and green jobs and will mobilize additional resources for the actual investment. To promote employment and decent work opportunities we will establish an office on local procurement. We have budgeted R3,8 million for work in this area. The Department of Economic Development intends to monitor local procurement within the state while supporting and promoting the work of the Proudly South African campaign.” Minister of Economic Development, Proceedings of Extended Public Committee, 23 March 2010, 13

**b) Green jobs would help in the production of employment and economic growth**

“A major focus of the Green Economy should be towards development and job creation whilst preserving the economy.” Proceedings of the National Assembly, 16 November 2010, 179

“Our budget policy framework is also informed by the requirements of a new growth path, in which six key sectors and activities have been identified for unlocking employment potential: infrastructure, through the expansion of transport, energy, water, communications and housing;

agriculture and the agro-processing sector; mining and mineral beneficiation; the green economy and associated manufacturing and other services; manufacturing sectors identified in the Industrial Policy Action Plan; and tourism and selected services sectors.” Proceedings of the National Assembly, 27 October 2010, 7

“Green economy initiatives will create new opportunities for enterprise development, job creation and the renewal of commercial and residential environments. This must play a part in our new growth path.” Mr A J Nyambi, Proceedings of the National Assembly, 22 April 2010, 66

c) Green jobs would help deal with poverty and social inequalities

“In recognition of these environmental challenges, our new accelerated sustainable and equitable growth path is aimed at promoting green industries and energy efficiency. To foster this economic agenda in such a way that it also supports job creation, the Ipap2 aims to implement measures that would mitigate that.” Mrs. E M Coleman, Proceedings of the National Assembly, 26 August 2010, 77

“Chairperson, the ANC election manifesto of 2009 emphasized the need to develop and invest in a program to create large numbers of green jobs, in other words employment in industries and facilities that are designed to mitigate the effects of climate change. South Africa recognizes that global climate change is a formidable threat to sustainable development. It could undermine global poverty alleviation efforts and have severe implications for food security, clean water, energy supply, environmental health and human settlement.” Ms. M M Soty, Proceedings of Extended Public Committee, 16 April 2010, 13

#### Additional Data: ILO Orientalist responses to the South African Green Jobs Initiative

a) South Africa needs to improve the skills of her workers

“The preliminary results of this program indicate that the development of specific skills for the green economy and innovation is key to generating sustainable employment while helping South Africa to mitigate and adjust to climate change. However, the country’s green economy will need greater commitment and encouragement at various levels, not least from policymakers, if it is to succeed. (Rogovsky and Cooke 2021, 146)

“Its key finding is that SA is not ready for a comprehensive approach to green skills development, primarily because the overarching policy framework does not allow this. Recommendations include addressing of information gaps and definitions for green skills development, strengthening of green skills development in the National Skills Development Strategy (NSDS), and scaling-up of M&E systems and programmatic interventions, including in municipalities.” (Strietska-Ilina et. al. 2018, 7).

“The 2010 Skills for Green Jobs in South Africa case study notes that many occupations of which there is a significant shortage also happen to be particularly relevant to the green economy, which does not bode well for either existing or new green skills, or the greening of existing skills. Among these occupations are engineering professionals, scientists, and science technologists, but also, teachers and lecturers with math and science competencies. This challenge is again reflected in the 2015 LOHD list: of the 100 occupations listed as being in high demand, 13 are engineering professionals.” (Strietska-Ilina et. al. 2018, 34). Skills for Green Jobs

“Where implementation of instruments such as REI4P and the EPWP initiatives have been successful, there is evidence of green skills development and, in some instances, inclusiveness

being achieved through green initiatives. However, there is little, if any, evidence of coherent translation of green policies into jobs and enterprises at scale.” (Strietska-Ilina et. al. 2018, 45)  
Skills for Green Jobs

b) The ILO can help South Africa achieve its Green Jobs goals

“Provinces benefit from Green Jobs Training Program for South Africa. More than 50 officials from provincial and local governments in South Africa gathered at the Development Bank of Southern Africa’s (DBSA) Vulindlela Academy to participate in the second Green Fund training course on “Green jobs for sustainable development: concepts and practices”.(ILO News 2015)

#### Additional Data: South Africa’s Responses to the Just Transition Framework

a) Green economy promises a better economic future for South Africa

“4.2 The New Growth Path: The budget policy framework is informed by requirements of a new growth path, in which six key sectors and activities have been identified for unlocking employment potential: Infrastructure, through the expansion of transport, energy, water, communications and housing; Agriculture and the agro-processing sector; Mining and mineral beneficiation; The green economy and associated manufacturing and services;” Select Committee on Finance, National Council of Provinces, 19 November 2010, 162

“Economic Development Policy - to develop economic policies that (a) transform the structural economic problems in pursuit of decent work and green economy outcomes; and (b) address the negative growth and employment impact of the global economic crisis.” Proceedings of the National Assembly, 16 November 2010, 156

“Hon Deputy Speaker, we welcome the statement made by the hon Turok on the New Growth Path. The New Growth Path is intended to significantly increase the number of jobs in the economy and to reduce the carbon emissions in the economy. We have identified opportunities in 10 areas. We have prioritized six of these. They are infrastructure investment; the green economy; the agricultural value chain; mining and mineral beneficiation; manufacturing activities identified in Ipap 2; and tourism” The Minister of Economic Development, Proceedings of the National Assembly, 28 October 2010, 31

b) A Green Economy should protect the South African economy without relaxing standards for foreign investors

“Thank you very much, Speaker. Mr. President, in light of the view that in Africa we have many examples of states whose performance until the mid-1970s would have qualified as developmental states in the sense conveyed by the current definitions, but which now seem anti-developmental because the donor conditionalities of Western countries brought the expansion of their economies to a halt, what approach is being used to ensure that the government continues to perform its socioeconomic transformation agenda without facing major opposition from donor conditionalities in so far as the R131 billion investment in a just transition is concerned? Thank you very much. Mr. M G Mahlaule, Proceedings of the National Assembly, 25 November 2021, 29

“ The private sector must play its role by investing in green economy, helping to give our country a just transition so that as we migrate from where we are now into a greener future there should be a just transition because people matter. The jobs that people are doing matter as well there should not be jobs bloodbath. If we have to move to new technologies, technologies must be able to secure a better life and future for our people.” President, National Council of Provinces, 10 June 2021, 22

c) Climate change will affect the capitalist market and consumption patterns

“Fifth, hon members, we will expand our efforts on green industrialization and the just transition. Climate change will impact on industrial development as well as human development and security, in a number of ways: through new opportunities for industrial processes and products, constraints to access to export markets and capital markets; and through disruptions to existing business models based on carbon intensive technologies. Make no mistake, climate change represents a very real and grave threat to our future economic prospects, not least because of global markets that are changing fast. We must recognize the urgency of the situation and take action accordingly.” Minister of Trade, Industry and Competition, Proceedings of the National Assembly, 18 May 2021, 15

Additional Data: ILO Orientalist responses to the South African Just Transition Framework

a) South Africa (and other BRICS) have not shown enough commitment to green policies

“For the BRICS countries more broadly, to address environmental challenges firms will have to adopt “green HRM” practices as part of a sustainable HRM system. This refers to HR strategy and practices that support an organization’s sustainability goals. To date, green HRM is not widespread in the BRICS countries, mainly because of the low priority accorded to it by firms and the insufficient pressure on them to adopt environmental management practices.” (Rogovsky and Cooke 2021, 176)

“Furthermore, it is important to note at the outset that although there are signs of a shift towards implementation of a greener economy, these signs are more visible in policy than they are in changes in employment. This report will show that there is a lack of coordination around identifying requirements for employment shifts and translating policy into jobs, in particular green skills.” (Strietska-Illina et. al. 2018, 9) Skills for Green Jobs

b) South Africa needs to move forward and embrace the green economy concept

“It talks about investing in the capacities of people, it talks about investing in the institutions of work, and it talks about investing in the jobs of the future – in the infrastructure which President Ramaphosa has referred to, in the green economy, and in the digital economy.” (Ryder’s address to South Africa’s NEDLAC 2021)

“Specifically, South Africa is not ready to develop skills that will facilitate the desired just transition to a green economy. Scaled-up green skills development relies on coherent policies that pave the way to transforming South Africa’s economy from its traditional structure into one that facilitates a transition to a green economy.” (Strietska-Illina et. al. 2018, 47)

c) Just Transition is necessary for economic recovery

Moustapha Kamal Gueye, ILO Green Jobs Programme Coordinator concluded “We are in a time of massive disruption and COVID-19, which has impacted our economies. As Guy Ryder, the ILO Director General recently called we need to go back to a better normal! The potential of the green recovery with notion of spirituality, inclusivity with joint work of nations and governments is fundamental since there is only one Planet for all of us. Business and private sector investments are crucial but requires the Government enabling regulatory frameworks to put in place. Just Transition should not be thought as a niche for workers but to consider the enterprises, communities, economies as calls the ILO Guidelines on Just Transition. (Gueye 2020)

d) South Africa must deal with challenges before transitioning to a green economy

“Transitioning from fossil fuel to renewable energy poses geographical challenges. South Africa’s coal sector remains the dominant energy employer, with about 92 000 direct jobs and 170 000 indirect jobs. Some 80% of conventional power plants are in Mpumalanga.” (IRENA/ILO 2021, 51)