Employment equity
Can it produce a representative workforce?

The call by the minister of finance, Trevor Manuel, to review Black Economic Empowerment (BEE) has fuelled similar calls from organisations such as the Democratic Alliance, Solidarity, the Inkatha Freedom Party and the Freedom Front Plus. But what elements of BEE/affirmative action need to be reviewed, asks GEOFFREY MODISHA.

THESE GROUPS ARGUE that policies marginalise whites and the poor of previously disadvantaged groups. Affirmative action policies, the argument goes, benefit a group of already established black elite and middle classes which undermines the goal of creating a non-racial labour market. These groups assume that labour-market transformation comes as a result of the inherent ability for markets to deal with racial inequities. Hence, there is a need for a sun-set clause or class-based affirmative action.

There is a need to review the idea of representivity embedded in the Employment Equity Act (EEA). The Act's emphasis on the acquisition of skills for affirmative action candidates serves to redress skills imbalances of the past, and simultaneously to utilise skills possessed by whites for the undisturbed running of the South African economy. The ultimate goal is to include the white minority in the creation of a non-racial labour market. The government's Joint Initiative for Priority Skills Acquisition (JIPSA) is the latest development in an attempt to create this by encouraging expatriates with skills to return to the country.

The class-based argument that affirmative action policies benefit the black elite and middle classes, is more appropriate to countries like the US, New Zealand and Malaysia where the designated groups constitute the minority to be assimilated into the mainstream economy. But South Africa is different because of the need to facilitate representative participation of previously disadvantaged groups, who constitute the majority of the population.

The Act attempts to address historical injustices and will also minimise discrimination in the labour market so as to create diversity in the workforce. This enables South African companies to adapt to global and diverse markets, as evidenced by an increasing expansion of our companies on the African continent.

The ideology of representivity, however, seems to be at the core of implementing affirmative action. In his book, *Affirmative Action Around the World*, Thomas Sowell argues that the representation of all racial/ethnic groups in the workforce is an unachievable goal because different ethnic groups have specific occupational preferences. For example, it should not be a surprise if in South Africa whites dominate the economy, a trend which can also be confirmed by the fact that white women are benefiting from the EEA, whereas blacks dominate politics; Afrikaners dominate agricultural occupations and amaXhosa government employment.

This may be because of the historical context, but the remaining question is to what extent can affirmative action reverse this history?

Pursuing representivity in South Africa is also challenged by International Labour Organisation (ILO) Convention 111, which stipulates that affirmative action policies should have a limited life-span so as not to create unnecessary inequalities and punish those who are not the direct perpetrators of racial inequalities. The convention gives affirmative action a lifespan of 10 years.

The argument that affirmative action policies, EEA in particular, discriminate against the white minority does not have strong legs to stand on in South Africa. Developments suggest that the implementation of affirmative action policies is a concerted effort to create a non-racial labour market. Nonetheless, there might be a need to review some elements, the idea of representation in particular, if the legitimacy of the BEE project is to be maintained in the country. ●

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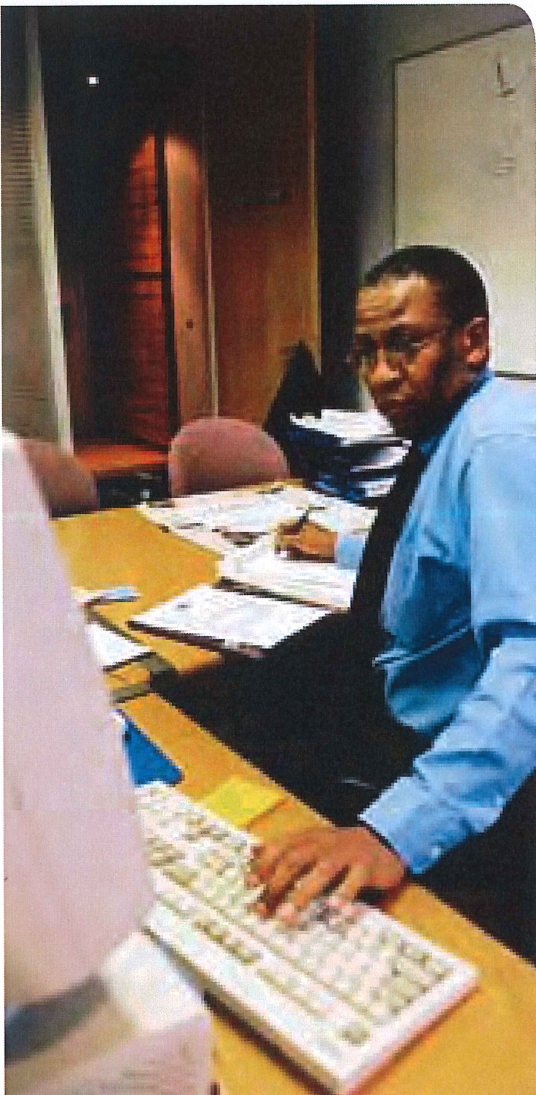
TRADITIONAL LEADERSHIP
Gone and forgotten?