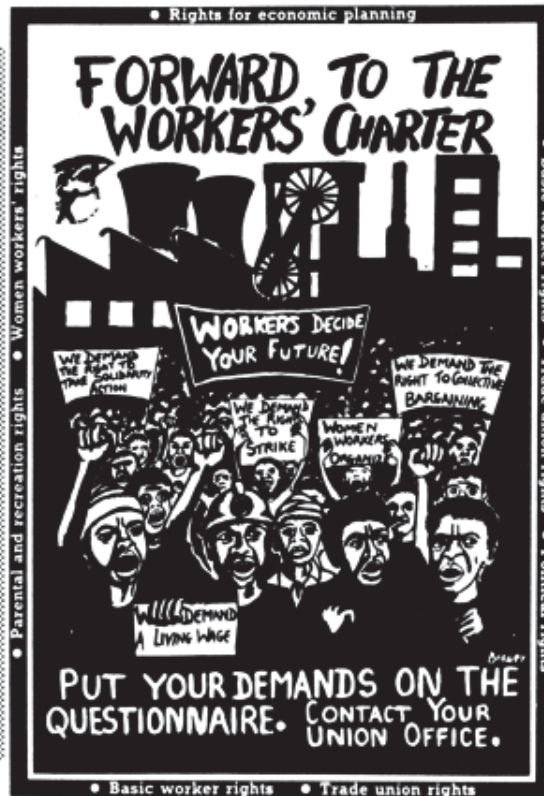


Workers Charter:



issues for debate

HASSAN AMRA, a para-legal officer of the Chemical Workers Industrial Union (CWIU), argues that all the demands of the Workers' Charter should be included in the new constitution for South Africa. He feels that the campaign for the charter should draw in all sections of the oppressed, and that it should be linked to the campaign for a constituent assembly, in order to ensure that the working class has a strong influence on the new constitution.

The current situation in South Africa, with negotiations firmly on the agenda, has made discussions over the nature of the post-apartheid constitution more urgent than ever before. For the labour movement the discussion and the struggle around the Workers' Charter presents a direct contribution to that debate. COSATU's la-

test *Campaign Bulletin* (No 2, 1990) has raised a number of important issues for debate. Among these have been the relationship of the Workers' Charter to the South African post-apartheid constitution, the labour movement's attitude to the right to work, and others. This article attempts to take the debate over these issues further.

The Charter and the Constitution

The idea of a charter setting out the demands of workers has a long history in the labour movement, and many debates have been taken up around it. The publication of the ANC's Constitutional Guidelines last year, which called for a charter protecting the rights of workers as an in-

tegral part of a new constitution, marked a new period in the development of the debate. At that stage, and when the charter became generally accepted as a necessity, it seemed clear that the Workers' Charter would be included in the constitution. On page 7 of the *Campaign Bulletin* the issue is presented as: "But what are we really trying to do? Are we only trying to write a very long list of workers demands? No. We are looking forward to seeing Workers' Rights recognised in South Africa's new constitution."

It is important to view the demands as set out in the Workers' Charter as having a special significance. It differs from other demands made by the working class (low transport costs, cheap electricity etc) in that they would shape the terrain on which struggles between labour and capital will be fought in the new South Africa. The inclusion of the Workers' Charter demands in the constitution will not mean an end of the struggle for workers and the working class, but it would ensure that the terrain of battle favours the working class.

The *Campaign Bulletin* errs when it argues that not all demands in the charter should be included in the constitution. To argue that only some of the demands in the charter and not others should be included in the constitution fails to see the significance of the Workers' Charter.



Pigeons fly as SACTWU workers toyi-toyi through the streets during the recent 'human chain', organised to popularise the campaign for a workers' charter. Members of the union also contributed 50c each to pay for an airplane to fly over Johannesburg pulling a banner which said: 'SACTWU for a Workers' Charter'.

Photo: Brett Eloff/Afrapix

So how do we deal with the fact that not all the demands can be met immediately even though they have been enshrined in the constitution? The *Campaign Bulletin* suggests that since the post-apartheid constitution "opens up the possibility of compromises from the point of view of workers", some demands need not be included in the constitution.

It suggests that these must be viewed as long-term goals, and not immediate rights. Although it is possible that workers might well have to compromise on some of their demands, the mistake here lies in how the conception of the nature of such compromises is understood which cannot be predetermined. The extent and the nature of compromise that workers make would be

determined in the process of, and through their struggles. Our approach to this aspect of the debate should be contrary to the approach that the *Campaign Bulletin* suggests. We should struggle for the *entire document* to be included in the constitution, together with a clause which allows for unions and employers to agree to temporarily suspend certain rights which both parties might see as immediately impossible. This approach has an advantage of being "realistic" without shifting the terrain of battle against the working class.

At issue: the Right to Work

In the approach suggested by the *Campaign Bulletin* on the question of the right to work, a similar mistake is made. After questioning, "Should

we demand the right to work?", the *Bulletin* continues to suggest that "The demand for the right to work depends on a healthy economy based on socialist principles. If the economy can't provide jobs for all, then can a worker demand a job as a right?... We have to regard such rights as long-term goals, not immediate rights."

Firstly, it is not true that the right to work is a demand that can only be made by socialist economies. The Scandinavian countries, especially Norway and Sweden, are known to have made considerable effort to provide employment, without those countries becoming socialist. It is also known, for instance, that the right to education and such pressing demands as the end to illiteracy cannot be achieved at a stroke, but it does not follow that the right to education should not be part of the post-apartheid constitution.

Secondly, the *Campaign Bulletin* is silent on why there are not sufficient jobs available. Many workers work overtime on the one hand, whilst on the other hand there exists massive unemployment. In 1987 the Labour Research Service wrote that South Africa's manufacturing capacity remained idle while millions remained unemployed. The right to work would provide the working class with a powerful weapon in combating such practices.

Thirdly, such a right en-

shrined in the constitution obliges the government of the day to:

- provide adequate social insurance to the unemployed, and
- to pursue such economic policies which would create jobs.

Fourthly, with such a weapon as the right to work, the unions and the government are in a better position to compel the capitalists to take a serious attitude towards the creation of jobs at a living wage.

As suggested in the *Campaign Bulletin*, it is conceded that such a right in itself would be meaningless without the availability of jobs. But what the *Bulletin* fails to understand is that such provision in a constitution would assist in shifting the terrain of battle in a direction which favours the working class.

The Workers' Charter as a "Peoples' Document"

In its resolution on the Workers Charter, COSATU said that the campaign must "involve the broadest section of the oppressed and exploited masses of our country". What is clear is that very little has been done to involve all sectors of the mass movement in this campaign.

The danger therefore exists that we might lose sight of an important principle of our struggle. The working class as the leading class in the struggle for democracy and socialism, must draw in all sectors of the oppressed under its

leadership; it must conduct its struggle in a way that the issues facing other sectors and classes become the concern of the working class, while in turn the issues affecting it (the working class) must become the concern of these sectors and classes. The Workers' Charter must therefore not become a charter of workers alone, or even worse, of the organised workers. It must become, by active participation in the campaign by the other sectors of the oppressed, a peoples document.

COSATU must therefore seek at length to include the independent unions and NACTU in the campaign, and if need be, in the campaign structures. The rank and file of COSATU need to engage workers from other union federations and from the independent unions on the need to struggle for the Workers' Charter. In fact, the Workers' Charter can be used as a means by which members of the white working class is drawn away from the right wing white only unions.

It is thus a serious error for the *Campaign Bulletin* to suggest on page 16 that the Congress which is to adopt the charter will be a COSATU Congress. It is important that the Workers' Charter Congress involves all sectors of the oppressed. By so doing the organisations of the working class will be provided with an opportunity to use the Workers' Charter to strengthen the

unity of all forces in the democratic and socialist movements, at a time when the regime and its allies are clearly doing all in their power to ship-wreck this militant unity.

Similar initiatives to take up the Workers' Charter campaign must be undertaken in the youth, the civic and the student movements.

The Workers' Charter and the Constituent Assembly

It has been argued that it is crucial for us to struggle for the entire Workers' Charter to be included in the post-apartheid constitution. It has been correctly noted in the Campaign Bulletin that "all classes will fight to ensure their interests dominate the new constitution." As to which classes will win this all important battle will depend on the balance of forces in the structures that will draft the constitution.

The position of the democratic movement and socialist forces is that the constitution for a post-apartheid society must be drawn up by a constituent assembly. It is clear that the future of the Workers' Charter is inextricably tied up with the convening, and the composition of the constituent assembly. This fact presents the labour movement, indeed the mass movement as a whole, with an important challenge:

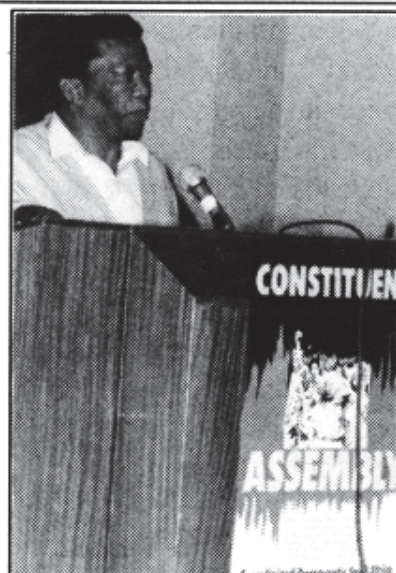
- How do we intensify the battle for a democratic constituent assembly? and

- How do we ensure that its composition favours the interest of the working class and its allies?

The most immediate way in which our struggle for a democratic constituent assembly needs to be taken forward is to build a mass based African National Congress (ANC). The task of the democratic movement as a whole, and of the labour movement in particular, is to ensure that the position of the ANC at the constituent assembly must be to reflect the interests of the working class.

The ANC, as a member of the ANC/SACP/ COSATU alliance, needs to discuss and endorse the charter of worker rights and demands. The ANC needs to take up the Workers' Charter campaign throughout its ranks and throughout its structures. On the other hand the Workers' Charter campaign in the factories and in other formations of the democratic and socialist movement, must be used to build a mass-based ANC.

Also raised in the Campaign Bulletin is the question of how do workers ensure that they have a say in all aspects of the new constitution? The most important task in this regard is that the workers continue to take an active part in campaigns and workshops and other activities that take up the major organisational and political issues of the day. At the head of these issues is the struggle to popularise the constituent assembly and to



The Workers' Charter Campaign must be linked to the call for a constituent assembly

Photo: William Matlala/COSATU

link this call to all our other struggles.

It is generally recognised that the outcome of the constituent assembly will depend on the balance of forces in the constituent assembly itself. While political discussions throughout the structures of the worker movements are important, such discussion has to be backed by mass action.

This brings us back to the Workers' Charter. The demands of the working class must be struggled for today, and not be shelved for use in the future. Only by beginning here and now to struggle for those demands will we be taking the important steps necessary to make working class influence on all aspects of the constitution felt. ☆