

# The right to picket facilities:

a Workers' Charter demand

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In our last edition, Ebrahim Patel, SACTWU education officer, described the effects of picketing on the Hextex strike. In this edition, he argues that workers have a right to picket.

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**S**triking workers stand outside the factory gates to build support for their strike among non-striking workers. They picket factories to bring all production in the factory to a standstill and thereby to make their strike as successful as possible. The demand to strike can therefore not be separated from the right to have picket facilities.

## What are the reasons for demanding picket rights?

*Firstly, it is a democratic human right to hold meetings, to assemble or gather.* In all democratic countries citizens are granted legal rights - such as the rights to free speech, assembly and association. These rights are written into the constitutions of other countries.

The holding of a picket is an assembly or gathering of free men and women. They are gathered together for a common lawful reason. Today in South Africa there is a move away from repression to

greater freedoms. Why then are such rights not recognised for workers and trade unions?

*Secondly, during a strike employers are free to take on temporary workers to replace strikers.* The lack of picket facilities denies workers the equal right to try and stop recruitment. Without picket facilities they cannot convince other workers not to take strikers' jobs.

*Thirdly, it is only sensible to legalise picket facilities.* Workers will use pickets whether it is agreed to or not. Workers need more than just formal legal rights. They also need the facilities to put legitimate pressure on non-striking workers.

## Danger on the picket line

The biggest danger is violence on the picket line. But banning or denying picket facilities does not reduce violence. For example, laws that make abortion illegal, do not stop women from having abortions. It merely drives the practice of



Dairy workers on the picket line - the legal right to picket allows a union to exercise discipline during a strike; it also gives workers a fair means of countering efforts by management to break a strike.

Photo: Dave Hartman/Afrapix

abortion to the alleys and backrooms of the townships with painful and horrifying results.

Equally, by banning the right to picket we drive it from the open factory to the bus-stop, trains and townships. Here the trade unions are unable to monitor it. It is here that it leads to unnecessary violence. The lack of proper union rights and facilities invites and encourages illegal acts of violence.

It is only when it is open, with picket marshals, that

trade unions can control and monitor these activities.

### More equality of weapons

*Finally, picket facilities give workers a fair choice of weapons, more equal to the weapons that employers have to break a strike.* It also allows organised workers to realise their potential strength.

The employers may ask why they should engage trade unions in negotiations that will strengthen union power.

Society benefits from nego-

tiations that produce a fair, workable system of industrial relations to which all parties are generally committed. If unions are powerless and rightless, industrial conflict will not go away. It simply becomes less controllable and less predictable.

The right to strike and the right to picket will not make workers strike more often. Rather, it is a way to ensure that strikes are used sparingly and with control. ☆