

Constitutional Changes

MOZAMBIQUE

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Sweeping Changes Envisaged

Six months after abandoning marxism-leninism, President Joaquim Chissano announced a new constitution which increases the democratic rights for Mozambicans.

The draft includes an initial separation between state and the single party, the Mozambican Liberation Front (Frelimo), direct universal suffrage, the right to strike and the independence of the judiciary.

Frelimo will remain the only legal party, but the debate over the constitution will also discuss maintaining a single ruling party system.

When parliament adopts the new constitution in a few months time, the Head of State will be elected by direct universal suffrage. Before the President of Frelimo automatically became president of the republic. The amendment, according to diplomatic circles, reflects

Frelimo's desire to become more open—a desire manifested during its fifth congress last July (p. 9343).

Mr. Chissano, however, declared himself against abandoning the single party system. "The realisation of national unity is a fundamental task for us all. The creation of several parties could present an obstacle to the vital strategic objective." He nevertheless recommended the opening of a national debate on the merits of a multi-party system.

The president will be elected for a maximum of three mandates of five years each. Any citizen aged between 40-65 with 5,000 supporters can stand.

The constitution also allows for the election of deputies by direct suffrage. Several candidates can stand instead of the current system of a series of electoral colleges. The 1991 legislative elections will be conducted according to the new system.

The future constitution also envisages a return to a form of private property, abolished on independence from Portugal. All land is currently state property and can be granted to people who, in turn, may leave it to their heirs.

Mr. Chissano finally enumerated a number of judicial reforms. Judicial power will be independent of the state. Capital punishment will be abolished and courts will now adopt the principle that the accused is innocent until found guilty. Whilst capital punishment was legal, there have been no executions since 1986.

The new constitution has been the subject of discussion for a number of years. It has been rewritten according to the decisions taken during Frelimo's 5th congress. The latter had demanded more political democracy, the end of any reference to marxism-leninism and supported President Chissano's efforts to end fourteen years of war with the Mozambican National Resistance (Renamo) by direct negotiations.

(AFP 10 1)

Right to Strike

The Frelimo party has included the right to strike in the draft constitution for the country as a wave of strikes has hit Maputo.

The present constitution does not mention the right to strike, and it was assumed that strikes were illegal. The industrial unrest has included railway-

men, nurses and hospital ancillary workers, bus drivers, steelworkers, street cleaners, dustmen, gravediggers, and workers in textile, glass, and cashew processing factories.

The strikes are almost exclusively over wages with strikers demanding increases of up to 100%, end of year bonuses equivalent to an extra month's salary, extra pay for overtime and night shifts, and back pay that has been owing for two years or more, due to the bureaucratic procedures of the ministry of finance.

Most strikes have only lasted a day or two. In what was potentially the most damaging stoppage, that of the railwaymen, which briefly closed Maputo port in early January, the management conceded two of the demands—for back pay owed since 1987, and for speedy implementation of a career structure and pay scale.

In other cases, strikers returned to work after meeting the employers, but gave them a deadline by which their grievances were to be met. The gravediggers and dustmen threatened to go back on strike if the city council did not agree to their demands by January 20th.

Only on one occasion have the police intervened against the strikers. On January 8th, striking health workers blockaded Maputo central hospital, and tried to prevent doctors from working and food from reaching the patients.

After police had escorted doctors through picket lines, some of the strikers threw stones, shattering windows.

Police fired warning shots in the air, and attacked some of the strikers with batons.

The strikes have taken place outside the structures of the official trade union movement, the OTM. After more than a week of silence, the OTM secretariat finally issued a statement declaring that most of the strikers' demands were justified, but that strikes should only be used as a last resort.

The OTM is now trying to channel workers' grievances through the official trade union committees.

On January 9th, President Chissano revealed that the government had discussed the strikes and had concluded that the strikers had genuine grievances. "Some strikes are due to the fact that the management is not obeying the law," said Mr. Chissano, referring to

breaches of wage legislation in some workplaces.

While the President insisted "we are not against strikes," he added that they should not be used "against national interests."

Meanwhile, press freedom was not one of the rights which Mr. Chissano listed in the new constitution. On January 5th, the government sacked Jose Catorze from his position as director of the main national daily, *Noticias*, alleging that the paper had adopted an "anti-Marxist" tone in its coverage of Eastern Europe. The same day, the editor at the television station, TVE, resigned, accusing the Ministry of Information of censoring a programme on the strikes.
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