

Social Justice and Social Security in the Digital Era

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The background of the slide features several thin, curved lines in light gray, some solid and some dashed, sweeping across the top and bottom corners. On the left side, there is a large red rectangular area with a smaller red rectangle on top of it. The text 'The meaning of Social Justice' is written in white inside the larger red rectangle.

The meaning of Social Justice

- § A broad and complex concept that incorporates many of the qualities we associate with living a fulfilled life.
- § Employment security is one of the qualities that make up social justice. Establishes basis for human dignity.
- § Entails physical, emotional, and financial security.
- § There can be no social justice under conditions of deprivation, of hunger, of lack, and of unemployment.
- § The Bill of Rights underlines socio-economic rights in Sections 26 and 27, as they pertain to housing, health care, food, water, and social security.

Conditions undermining social justice: Inequalities

- Inequalities breed conditions of violence
- They create resentment especially among the socially excluded
- Building a social compact becomes harder under conditions of inequality
- South Africa currently is ranked as the most unequal society in the world with a gini-coefficient of 0.63 (the higher the number the greater the degree of income inequality)
- South Africa has a dual economic structure: the modern economic sector and excluded sector
- SA lags its peers on the inclusiveness for consumption growth esp for the bottom 40% of the population





Conditions undermining social justice: Unemployment

- High levels of unemployment at over 29% (it was 25% in 2015)
- Racial and gender disparities are still predominant in the labour market
- According to the World Bank (2018), race still affects the ability to find a job, as well as the wages received once employed
- Female participants find it even harder to secure a job, and decent wages
- Youth have constrained resources for mobility to find jobs



Conditions undermining social justice: Poverty

- SA has high levels of chronic poverty and a relatively small middle class
- The middle class is facing the threat of being squeezed out and falling into the conditions of poverty as cost of living rises and earnings depressed
- SA has a high concentration of low income earners (the poor) and very few high income earners (rich or elite) and a very small number of middle income earners: income is highly polarized.
- According to World Bank, this income polarization slows the growth of the middle class
- Middle class made up only 20% of the population between 2008 and 2015, with only 4% that can be considered elite
- Mauritius in comparison has 80% of its population considered middle class.

Substance of Social Justice

- § The notion of social justice is intimately linked to qualities of freedom and equality.
- § Essentially which are about expanding fairness, presence of conditions that allow human beings to maximise their opportunities to succeed in life.
- § This is given meaning when obstacles that hinder enjoyment of true and genuine freedom are removed, and human dignity is affirmed in a meaningful way.

Social Justice and Constitutional Dispensation

- § The constitution lays the foundations for substantive freedoms beyond periodic voting
- § Social justice is also about achieving equality in economic domains.
- § Social justice is intricately tied up with the reality of race-based inequalities, uneven development, racially skewed spatial arrangements, and inequitable patterns of property relations.

Social Justice and Worker Rights

- § Historically, the struggles for workers have been cast as struggles for justice in the work place. Demands such as equal pay for equal work were essentially about equality and just conditions.
- § In the digital era, where forms of artificial intelligence expressed in robots are increasingly taking over aspects of human labour, there is a greater need to make strong demands for social justice.
- § At the heart of the struggle for freedom in South Africa, which lasted for close to a century, if not more, there was both the drive for political and economic freedoms.
- § There are various freedoms that are framed positively such as right to fair labour practices, forming and joining a trade union, participation in trade union programmes, and right to strike are examples of positive freedoms in the context of industrial relations.
- § These are not passive rights but can be activated or championed to improve working conditions. They are fragments of social justice as they seek to guarantee conditions of fairness and equity.

Social Justice and Worker Rights

- § The rights of black workers have also been casualty of discriminatory laws in in the past.
- § Hence workers' rights cannot be seen apart from broader struggles for social justice. The struggle for recognition of black trade unions and affirmation of human dignity has a very long history.

Challenges to Collective Bargaining

- § The struggle to improve the conditions of work did not end in 1994 with the creation of NEDLAC or 1995 with the promulgation of Labour Relations Act and a slew of other pro-labour legislative measures such as the Employment Equity Act and Basic Conditions of Employment Act.
- § Social justice is not a destination but a continuous process that should have measurable milestones, and whose terms and scope are shaped by the structure of the economy and technological forces.
- § Trade unions thus have a permanent role to safeguard the interests of workers through collective bargaining and strikes, if needs be.

Challenges to Collective Bargaining

- § There are, however, micro and macro forces that have a bearing on the achievement of these objectives.
- § At the micro-level, these forces may entail restructuring at a department level, which might in the short- to medium term impact on job definitions, specifications, or functions of existing employees.
- § Such restructuring is subject to negotiations at the Bargaining Chamber with a resolution adopted by both the employer and employees' representative unions.
- § Commitment to avoiding job losses, meaningful consultation, skills transfer, protected redeployment of employees, good governance, and various codes of conduct are often made by parties in the negotiations on restructuring.
- § The labour regulatory regime in the public sector is thus solid and sound in its safeguard of livelihoods.

Challenges to Collective Bargaining

- § One of the weaknesses of the bargaining process in the public sector in particular is that it tends to be active just before the start of the 3-year wage-bargaining process.
- § This process is often characterised by brinkmanship, and there is a lot of information asymmetries between the negotiating parties. The opening gambit is also often far apart.
- § There is limited consultation in the interregnum between the parties, and their initial contact point takes place when the tensions are building up.
- § Thus it is important to maintain an ongoing relationship between the employer and public sector unions to grapple with strategic questions that go beyond the traditional three-year negotiating issues.

Social Justice in the Digital Age

- § ... be light-touch restructuring in the form of introduction of digital technologies whose effect in the long-term could be labour-saving or making certain functions redundant.
- § Patterns of global production, trade, employment and consumption are changing at the rapid pace. The future is unlike today, yet some of the changes that are associated with the notion of Fourth Industrial Revolution (4IR) are already among us.
- § There is also increasing talk about the emergent era of e-government, which is about using information and communications technologies to bring efficiencies to government.
- § Where, for reasons of efficiencies and acceleration of quality public service delivery, new technologies should be considered but these should not undermine conditions of service.

Conclusion

- § There is a need to rethink the bargaining process and create a more calibrated structure that preserve the security provided by the three-year process while introducing flexibilities to enable responsiveness to macro-economic and technological shift.
- § The cornerstone of the current labour regulatory regime in South Africa is social justice and economic security. This should be preserved.
- § Shift in macro-economic conditions and approaches to structural reforms need to consider seriously the implications of policy responses to the welfare of the poor and workers.
- § New technologies that are introduced in the public sector should primarily be geared to improving the quality of life and provide opportunity for reskilling and better redeployment rather than aimed at labour replacement.