

CONSTITUTION AND RULES OF THE SOUTH AFRICAN COMMUNIST PARTY

This constitution was adopted at the 7th Party Congress in 1989. The current constitution, based on this one, was adopted at the 8th Party Congress in December 1991

I NAME

The name of the organisation shall be the South African Communist Party (SACP).

II SYMBOL AND FLAG

The symbol of the Party shall be a black star containing a gold hammer and sickle. The flag of the Party shall be red with the symbol placed in the top left-hand corner.

III AIMS

The Communist Party is the leading political force of the South African working class and is its vanguard in the struggle for national liberation, socialism and peace in our time. The ultimate aim of the Party is the building of a communist society, towards which it is guided by the principles of Marxism- Leninism. The establishment of a socialist republic in South Africa requires that political and economic power be firmly placed in the hands of the working class in alliance with the rural masses. To this end, the Communist Party aims:

- a. to end the system of capitalist exploitation and establish a socialist republic based on the common ownership of the means of production;
- b. to organise, educate and lead the working class in pursuit of this strategic aim and the more immediate aim of winning the objectives of the national democratic revolution which is inseparably linked to it. The main content of the national democratic revolution is the national liberation of the African people in particular, and the black people in general, the destruction of the economic and political power of the racist ruling class, and the establishment of one united state of people's power in which the working class will be the dominant force and which will move uninterruptedly towards social emancipation and the total abolition of the exploitation of man by man;
- c. to participate in and strengthen the liberation alliance of all classes and strata whose interests are served by the immediate aims of the national democratic revolution. This alliance is expressed through the liberation front headed by the African National Congress;

- d. to spread the widest possible understanding of the ideology of Marxism-Leninism and its application to South African conditions, particularly among the working class;
- e. to combat racism, tribalism, sex discrimination, regionalism, chauvinism and all forms of narrow nationalism;
- f. to promote the ideas of proletarian internationalism and the unity of the workers of South Africa and the world, and to participate in and strengthen the World Communist Movement.

IV MEMBERSHIP

- a. All South Africans over the age of 18 who accept the programme and policy of the Party, undertake to carry out its decisions and to work in a Party organisation in any place and under conditions determined by a higher organ, and pay whatever dues are decided upon, are eligible for membership. The Central Committee shall have the authority to waive the minimum age requirement in any individual case.
- b. The recruiting of a member requires the unanimous decision of a Regional Committee, or, where no such committee exists, of the Central Committee, or any unit or group mandated by the CC to carry out recruiting.
- c. The Central Committee shall from time to time lay down rules and regulations which oblige applicants for Party membership (unless specially exempted) to serve a probationary period under the supervision of a Party structure prior to being accepted as full members.
- d. All decisions by Regional Committees under sub-sections (b) and (c) above (including decisions rejecting applicants) shall be reported to the Central Committee which shall have the power to reverse or amend such decisions.

V RIGHTS AND DUTIES OF MEMBERS

- a. The organisational structure of the Party is based on Leninist principles of democratic centralism.
- b. All members shall have the maximum opportunity permitted by existing conditions to take part in the discussions and formulation of Party policy and the right to participate in the election and selection of all the higher organs.
- c. All decisions taken by higher organs are absolutely binding on all lower organs and individual members. The minority is always subordinate to the majority. To secure the unity and cohesion of the Party, members are obliged to defend the Party and its policies and to carry out its decisions. Members are accountable to the Party for all acts and omissions in the implementation of Party policy and decisions.
- d. Unless specifically exempted by the Central Committee or a Regional Committee, every member has a right and a duty to belong to a Party unit and to take an active part in its work. It is also the duty of every member to

be an active participant in any other organisational structure within the Party to which they have been elected or allocated.

- e. It is the right and duty of members to strive constantly to improve their understanding of the guiding ideology of Marxism-Leninism and its application to our specific South African conditions. All members must ensure that they are fully acquainted with the Party Programme, with Party policy on current questions and with all decisions, journals and documents issued by the Party.
- f. Every member has a duty, in his or her personal conduct, to act in a manner which will bring credit to the Party and to be a standard bearer of the highest communist ethic and morality.
- g. Members who take an active part in fraternal organisations or who are engaged in other mass work have a duty to set an example of loyalty, hard work and zeal in the performance of their duties and are obliged to carry out decisions of that organisation.
- h. The Central Committee shall take steps to ensure that criticism and self-criticism are practised and encouraged at all levels of the Party.

V CONGRESS

- a. The highest authority of the Party shall be a Congress which shall be called not less than once in every five years.
- b. The Congress shall consist of members of the Central Committee and delegates and appointees from the rest of the membership. The latter shall constitute a majority of those who take part in the meeting. The method of election and selection of such delegates and appointees shall be determined by the Central Committee prior to each such meeting, and shall, as far as conditions permit, be based on the elective principle with all Party regions represented in proportion to their membership.
- c. Those attending the Congress are not bound by any mandate on any question and are free to discuss and vote in accordance with their own individual views and conclusions. It shall however be the duty of delegates to convey to Congress the majority views of their regions or units on any questions discussed.
- d. The Congress shall discuss the reports of the Central Committee, examine and decide the policy of the Party and is the only authority with power to elect the General Secretary, National Chairman and members of the Central Committee and to revise the Programme and Constitution of the Party. The Central Committee shall ensure that all members receive draft reports and other documents at least two months prior to the Congress. All comments, resolutions and proposals on such reports and documents shall be tabled at the Congress.
- e. The Congress shall elect the General Secretary and National Chairman together with eighteen other members who shall constitute the Central Committee. The officers and other Central Committee members shall hold

office until the next Congress. The method of election of the General Secretary and National Chairman shall be by ballot if there is more than one nomination. In the case of the other members of the Central Committee, the following procedure by secret ballot shall apply:

- i. Each delegate shall enter eighteen (18) names of his or her choice on a ballot paper.
 - ii. The ballot paper shall then be handed to the newly elected General Secretary and National Chairman who shall, after counting the votes, announce the names of the two comrades who polled the highest number of votes. In the case of a tie vote involving more than two comrades, the said officers shall have complete discretion as to which two to announce.
 - iii. The General Secretary, National Chairman and the aforementioned two comrades shall then constitute the electoral college with a discretionary mandate to select the balance of the Central Committee, whose names will not be announced. In making this selection the electoral college shall take into account the voting figures as the most important guide, but it has power to depart from these figures for extraordinary reasons such as security and balanced representation. In the event of a tie in the electoral college, the General Secretary shall have a casting vote.
- f. All comrades who have been duly elected to the Central Committee at and after the 5th Congress and who are in enemy prisons shall, unless they have been duly excluded from Central Committee membership, automatically retain their membership of the Central Committee during their detention and after their release.

VII THE CENTRAL COMMITTEE

Unless otherwise provided in this Constitution, the Central Committee shall have the same powers as the Congress to direct the work of the Party, determine all questions of policy and to issue binding instructions and directives to all levels of the Party. It shall:

- a. Meet at least once a year in plenary session. All draft political reports to be considered by the plenary session of the Central Committee shall be timeously circulated to all regions and units for comments and criticisms.
- b. Determine all procedures for the appointment, election and removal from office to all Party subordinate structures.
- c. Ensure that all officers, regional committees, other Party structures and all members carry out their duties effectively.
- d. Stimulate and provide education in Marxist-Leninist theory for all Party members and promote cadre development.
- e. Inform and guide the membership on current political development and (subject to the consideration of security) also provide information on the

- Party's organisational activities. For this purpose it shall issue documents and a bulletin for inner-Party circulation at least every three months.
- f. Represent the Party nationally in its relations with other political parties and organisations.
 - g. Direct and control the national Party press and publications. h) Manage and control all Party property and funds.
 - h. Have the right by a two thirds majority to remove or suspend any of its members from serving on the Central Committee for any conduct detrimental to the Party. The Central Committee shall determine its own procedures for taking such action.
 - i. The Central Committee shall have the right to appoint five candidate members of the Central Committee who shall have the rights and duties of Central Committee members except the right to vote.
 - j. Have the right to replace any member of the Central Committee who is permanently incapacitated, dies or is removed from the Central Committee in terms of this Constitution.

VIII POLITICAL BUREAU

- a. The Central Committee shall meet immediately after the Congress and shall elect from its members six other members all of whom, together with the General Secretary and the National Chairman, shall constitute the Political Bureau (PB).
- b. The PB shall conduct the current work of the Party and shall exercise all the powers and functions of the Central Committee between meetings of the Central Committee, except those powers and functions which this Constitution specifically reserves for the enlarged or plenary Central Committee members.
- c. The PB shall meet at least once every two weeks. It shall appoint whatever administrative structures it deems necessary to facilitate the carrying out of its decisions between meetings of the PB.
- d. Any member of the Central Committee may, by invitation of the PB, attend any of its meetings.
- e. The PB may fill any vacancy that occurs from among the members of the Central Committee. A comrade so appointed shall not have voting rights until the decision has been ratified by a plenary session of the Central Committee.
- f. The PB shall have the right by a unanimous decision (excluding the comrade affected) to suspend any comrade from the PB and/or Central Committee membership for any conduct detrimental to the Party. Such a decision shall be in force until the next Central Committee meeting which shall either confirm, reverse or amend the PB decision subject to the provisions of Paragraph VII(i).

IX QUORUM

In the Central Committee twelve members shall constitute a quorum and in the PB four members shall constitute a quorum.

X DUTIES OF THE GENERAL SECRETARY AND THE NATIONAL CHAIRMAN

(a) The General Secretary

The General Secretary shall be the leading public officer of the Party and a full-time official under conditions of service determined by the Central Committee. The General Secretary shall be an ex-officio member of all Party structures and shall:

- i. Keep (or cause to be kept) the minutes of all Central Committee and PB meetings and such other books, records and archives as may be required.
- ii. Attend to the correspondence of the CC and PB, maintain regular personal and written contact with all the regions and (subject to considerations of security) keep the membership informed on the work of the CC and PB.
- iii. Ensure that members of the CC are kept informed of the work of the PB in between meetings of the CC.
- iv. Draw up (or cause to be drawn up) all reports and documents as may be decided upon by the CC or PB.
- v. Be replaced by an Acting General Secretary appointed by a plenary session of the CC if, between Congresses, he or she is permanently incapacitated or vacates his or her office, or is suspended from office by a unanimous vote of the PB or by a two-thirds majority of the CC for acts detrimental to the Party. In the event of an Acting General Secretary being appointed by the PB, he or she shall hold office until the next Plenary Session of the CC which shall have full powers to elect a General Secretary to hold office until the next Congress.

(b) The National Chairman

The National Chairman is a public officer of the Party and an ex-officio member of all Party structures. The National Chairman shall:

- i. Preside at all meetings of the CC and PB, and shall conduct the business in conformity with the constitution and other rules of procedure adopted by these bodies.
- ii. Have a deliberative vote only.
- iii. In his or her temporary absence be replaced by a member elected for the purpose of carrying out the Chairman's duties at a particular meeting. The Chairman shall be replaced by an Acting Chairman if

he or she is permanently incapacitated, vacates his or her office or is suspended from office by a unanimous vote of the PB or by a two-thirds majority of the CC for acts detrimental to the Party. In the event of an Acting Chairman being appointed by the PB, he or she shall hold office until the next plenary session of the CC which shall have full powers to elect a Chairman to hold office until the next Congress.

(c) The Finance Committee

The Political Bureau shall appoint a Finance Committee and shall designate one of its members as the convenor. The Finance Committee shall:

- i. Under the direction of the PB take all necessary measures to ensure that the Party is provided with sufficient means to carry out its political and organisational tasks.
- ii. Disburse such funds as the CC or PB authorises by general or specific mandate.
- iii. Be responsible for the safe-keeping and administration of all property and monies of the Party.
- iv. Keep such books of accounts as will clearly record and reflect the financial position of the Party and submit statements of income and expenditure to the PB at intervals to be determined by it.
- v. Under the direction of the PB present financial reports to the plenary session of the CC and to every Congress.

XI REGIONAL COMMITTEES

- a. Regional Committees may be constituted by the CC in suitable geographic and industrial areas. All Party units within such an area shall fall under the immediate jurisdiction of the Regional Committee.
- b. The members of the Regional Committee and its convenor shall be appointed by the CC after each Congress. In making the appointments, the CC shall seek and take into account the recommendations of the outgoing Regional Committee. The number serving on each Regional Committee shall be at the discretion of the CC.
- c. The CC may, at its discretion, reconstitute the Regional Committee at any time during its term of office.
- d. The convenor of the Regional Committee shall preside over its meetings and shall be the officer responsible for maintaining regular and effective contact with the CC and providing it with all reports and information as directed by the CC from time to time.
- e. The Regional Committee shall meet at least once in two weeks and the majority of its members shall constitute a quorum. A region may be permitted to meet less often only on good cause shown to the CC.

- f. The Regional Committee is responsible for controlling and guiding the political work of the units which fall under it. More particularly, it must ensure that every unit:
 - i. Meets regularly (not less than once in every two weeks) and participates fully in all Party activities.
 - ii. Guides its members in their political work.
 - iii. Continuously raises the political understanding and theoretical level of its members.
 - iv. Is kept informed of all Party decisions, discussion, documents and directives, and
 - v. Is encouraged to express its views on current political developments and all aspects of the Party's work which should be conveyed timeously to the CC.
- g. All questions raised in units which require guidance or decisions from higher structures shall, in the first place, be determined by the Regional Committee. In the case of those questions which touch on national policy or whose importance merits special consideration by the CC, the Regional Committee shall seek the guidance of the CC but shall, at the same time, discuss and convey its own recommendations to the CC.
- h. The Regional Committee shall, from time to time, recommend to the CC the scale of membership dues (if any) for its region and shall deal with any income derived from such dues (or from any other sources) in accordance with directives from the CC.
- i. The CC may direct that a number of units falling under a Regional Committee should be constituted into a branch with a Branch Committee appointed by the regional committee and answerable to it. In such event the CC shall also define the relationship between the Branch and the Regional Committee.

XII UNITS

- a. Units whose maximum size shall be determined by the CC for each region shall be constituted by the Regional Committee from the membership in its area of jurisdiction. The Regional Committee may alter the composition of a unit as the need arises;
- b. Where there is no Regional Committee or for any other special reason, the CC may constitute units or other structures falling directly under the CC;
- c. Each unit shall have a convenor who shall be appointed by the Regional Committee to convene and preside over its meetings and be responsible for maintaining contact with the Regional Committee or Central Committee as the case may be;
- d. Units shall meet at least once every two weeks and shall strive to fulfil the tasks of units set out in Section XII(f) above. A unit may be permitted to meet less often only on good cause shown to the Regional Committee.

XIII INFORMATION ON MEMBERSHIP AND PARTY STRUCTURES

- a. Subject to the provisions of this constitution,
 - i. no member shall, without the permission of the CC, directly or indirectly divulge the facts of his or her membership of the Party or the identity of any other member to any unauthorised person;
 - ii. no member shall, without the permission of the CC, directly or indirectly transmit to any unauthorised person any information connected with the existence, identity and functioning of any Party structure in any area or region.
 - iii. No member shall, without the permission of the CC or Regional Committee, display or circulate any internal Party documents to any person outside the Party or to members other than those authorised to receive such documents from such a member in terms of this Constitution. No member shall leave any internal Party document unattended in circumstances which may lead to its unauthorised exposure or loss.
- b. For purposes of sub-paragraph (a) an 'unauthorised person' means any person except those who are known to one another as Party members because they belong to the same unit or other structure, or those who are introduced to one another by a higher organ for reason of Party contact or other similar purposes.
- c. The Regional Committee shall also have the power to exempt a member from the restrictions contained in paragraph (a)(i), but this power shall only be exercised in connection with the approaches authorised by the Regional Committee for the recruitment of a new member.

XIV DISCIPLINE

- a. A member who is guilty of a breach of any provision of this Constitution or of any other conduct detrimental to the Party may be expelled, suspended from membership for a fixed period, reprimanded or disciplined or punished in any other manner to be determined by the CC.
- b. The Regional Committees shall have the power to suspend members or impose lesser forms of punishment which shall come into effect without the prior approval of the CC. But such measures shall be immediately reported to the CC, which has the power to amend or reverse them.
- c. Expulsion can be imposed only by the CC acting either on its own initiative or after receiving a fully documented recommendation from a Regional Committee.
- d. Members have the right to appeal to the CC against any disciplinary measures within 30 days after being notified of the decision. All appeals must be submitted through the Regional Committee concerned which shall forward the appeal together with all other relevant documents to the CC.
- e. The lodging of an appeal shall not postpone the operation of the measure.

- f. A suspended member shall, during the period of suspension, be obliged to carry out all tasks assigned to him or her by the Regional Committee. Such a member shall not be allowed to attend meetings of any Party structure during the period of suspension except by special invitation.
- g. An inactive member may be lapsed from membership by the Regional Committee which shall report such a decision to the CC together with all relevant information. The CC may confirm, amend or reverse such a decision.
- h. Any member expelled from the Party shall have the right to appeal against such expulsion in writing to the next Congress. The written appeal shall be forwarded to the PB within three (3) months of the date the member is informed of his or her expulsion.
- i. In all cases of disciplinary action against a Party member under this section, he or she shall, if the circumstances permit, be confronted with the charges against him or her in writing and be given an opportunity of fully stating his or her defence before any action is taken or recommended to be taken.

XV ALTERATIONS TO THE CONSTITUTION

- a. This Constitution may be amended by a majority vote at the Congress.
- b. All proposed amendments to the Constitution shall be submitted in writing to the CC not less than two months prior to a Congress. The CC shall ensure that all regions and units receive such amendments not less than two months prior to the Congress and all comments received shall be tabled at the Congress. and units receive such amendments not less than two months prior to the Congress and all comments received shall be tabled at the Congress.