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Curso de Constitución Política

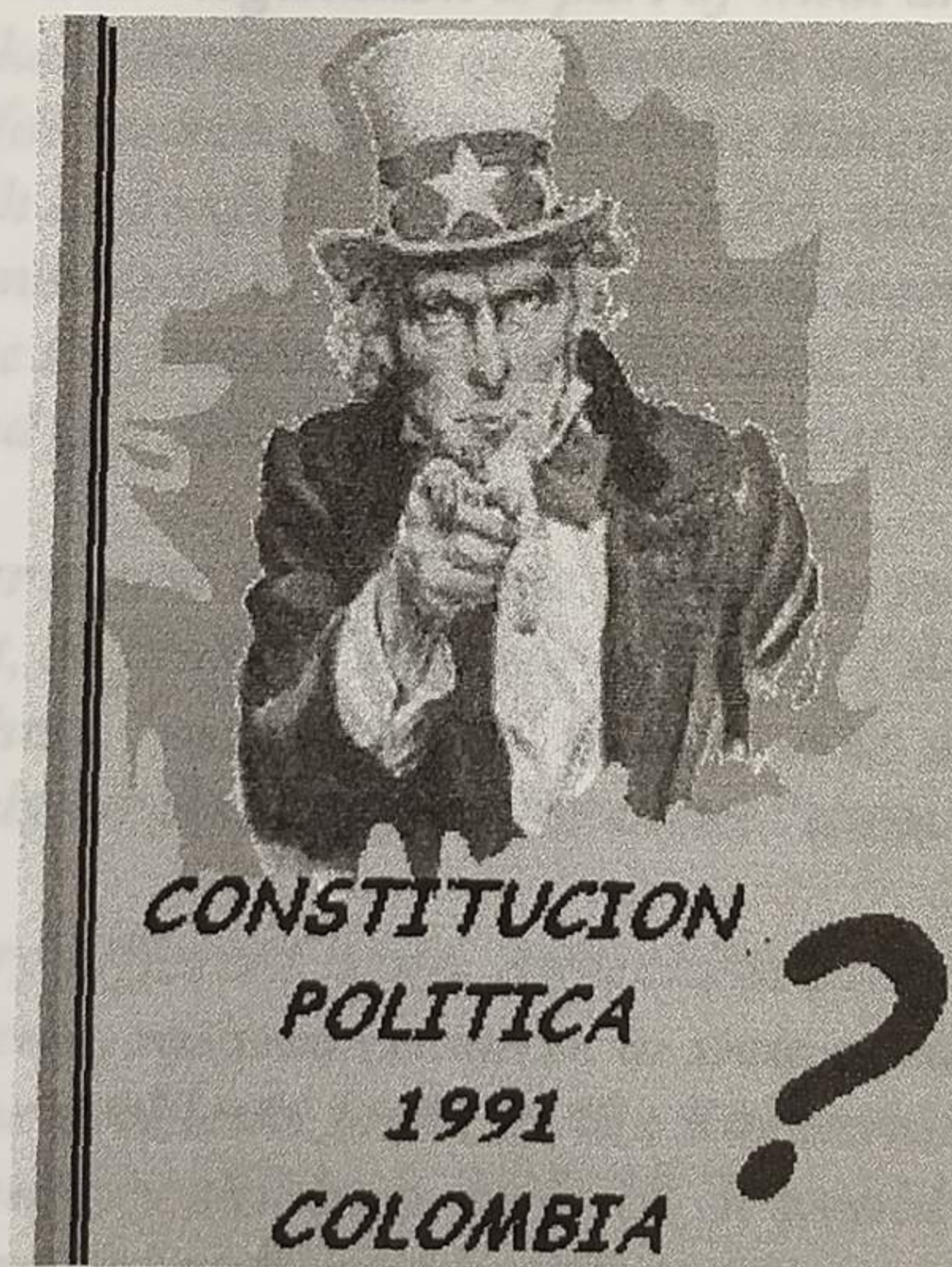
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Taller No. 2

Reflexión acerca del Estado Social de Derecho

Objeto: Desatar una reflexión y discusión en clase acerca de la noción de estado de derecho como marco para una lectura y comprensión del artículo 1o. de la Constitución colombiana.

Artículo 1. Colombia es un Estado social de derecho, organizado en forma de República unitaria, descentralizada, con autonomía de sus entidades territoriales, democrática, participativa y pluralista, fundada en el respeto de la dignidad humana, en el trabajo y la solidaridad de las personas que la integran y en la prevalencia del interés general.



En la red de Internet la dirección <http://www.lbbs.org/ZNETTOPnoanimation.html> puede leerse bajo el título:

Chomsky Replies to Multiple

<http://www.utp.edu.co/~ggartner/cursode.htm>

27/10/99

Questions About Anarchism

entre otras afirmaciones referidas al concepto del "welfare state" la siguientes:

Q2. "You are for welfare state. This is unusual attitude for anarchist. Most anarchists, like George Woodcock, think that welfare state violates the freedom of individual." Then more of the same.

The question is, in my opinion, based on serious confusions, which perhaps result from an unfortunate tendency among intellectuals to be transfixed by slogans that are often remote from real life problems of people face.

To clarify what is actually at stake, let's put the slogans aside and turn to some actual real world issues. Take, say, the lockout at Ravenswood Aluminum a few years ago, after workers protested safety violations that were killing them. The company finally capitulated after a long and bitter strike, with significant solidarity efforts and sufficient pressures to bring the government to enforce health and safety (OSHA) legislation, imposing harsh penalties on the company for violating these rules. That led to a victory for the workers (partial as always) and improvement of working conditions. Enforcement of the OSHA legislation is part of what are called "welfare state" measures. Taken literally, the questioner is saying that it is an "unusual attitude" for anarchists to support the Ravenswood workers who sought to have health and safety standards upheld, and that "most anarchists" regard measures to protect the lives of working people as wrong because they "violate the freedom of the individual." I don't know anarchists of the kind you describe and wouldn't want to.

There are many other cases. For example, measures to provide health care to people who need it, or food for starving children. I doubt that "most anarchists" regard these "welfare state" measures as a violation of the freedom of individuals, or find support for them "unusual."

One might raise a very different issue. Anarchists propose other measures to deal with these problems, without recourse to state authority. I agree. But this is irrelevant to the problems faced by the Ravenswood workers, poor people dying of TB, hungry children, TODAY. It would be a gesture of extraordinary contempt for suffering people to approach them with the suggested slogans, which translate into real life terms: down with OSHA and support systems, etc., because they interfere with the freedom of individual -- wait for us to construct a different society some day. And that gesture of contempt would be met with dismissal, or worse, and properly so.

One can, of course, take the position that we don't care about the problems people face today, and want to think about a possible tomorrow. OK, but then

don't pretend to have any interest in human beings and their fate, and stay in the seminar room and intellectual coffee house with other privileged people. Or one can take a much more humane position: I want to work, today, to build a better society for tomorrow -- the classical anarchist position, quite different from the slogans in the question. That's exactly right, and it leads directly to support for the people facing problems today: for enforcement of health and safety regulation, provision of national health insurance, support systems for people who need them, etc. That is not a sufficient condition for organizing for a different and better future, but it is a necessary condition. Anything else will receive the well-merited contempt of people who do not have the luxury to disregard the circumstances in which they live, and try to survive.

Una vez leído el texto, se trata de hacer un examen individual acerca de la concordancia o no de los planteamientos de Chomski con los propias ideas. Luego con uno(a) condiscipulo(a) compartir entre ambos las conclusiones a que se haya llegado tomando nota sobre coincidencias y/o divergencias de/entre lo dos puntos de vista.

Una vez realizado el ejercicio anterior por la pareja de estudiantes, se repite pero ya a nivel de *pares de parejas* intercambiando y discutiendo entre ellas las primeras conclusiones y escribiendo las nuevas conclusiones sobre coincidencias y diferencias a partir de las cuales se realiza finalmente una sesión plenaria del grupo.

Septiembre de 1999

