

# A few questions on the issue of Amendments to the Constitution

Proletarian Era, the English Organ of our Party, the Socialist Unity Centre of India, has in its issues of 15th March and 15th June 1976, dealt at length the particular historical background and the causes for the growth, development and present decay of the bourgeois parliamentary system in all the capitalist countries. In these articles, we took up particularly the questions arising out of recent attempts at introducing changes or amendments to the Constitution by the bourgeoisie and also gave certain observations on the political stands and opinions, taken and or expressed by different opposition parties including the so-called 'Marxist' parties in all these countries including ours, from a historical-materialist method of analysis and angularity.

What should be the correct outlook in judging this particular event

We all know, in all the capitalist countries the proposals for bringing about changes or amendments to the Constitution came in the past as it is coming at present. In most of the cases, it is the ruling bourgeoisie that mooted this proposal. Naturally, in this concrete background the ruling bourgeoisie is taking the initiative in introducing these Constitution changes or amendments with the obvious intention of curbing further, whatever limited bourgeois-democratic rights the oppressed people of these capitalist countries still have as also to take away the rights and freedoms of the bourgeois parliamentary institutions. The bourgeoisie is doing this at a time when the working class of these countries is still not in a position to bring about a radical transformation to proletarian democracy by successfully accomplishing the task of proletarian revolution. The question, therefore, that assumes paramount importance is what should be the correct approach and outlook of a revolutionary working class party on the basis of the teachings of Marxism-Leninism with regard to these proposals for changing or amending the Constitution, the ruling bourgeoisie is bringing

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## OBSERVE 59TH ANNIVERSARY OF THE GREAT NOVEMBER REVOLUTION IN A BEFITTING MANNER

The 59th Anniversary of the Great November Revolution in Russia coming, as it does, this year after the sad and premature demise of Comrade Shibdas Ghosh, our leader, teacher, guide, the founder General Secretary of our Party and an outstanding Marxist thinker of the present era calls for, on our part, taking such programme as would help to highlight the teachings of November Revolution as explained and pointed out by him. Keeping this in view, the Central Committee of our party has decided to observe the November Revolution Anniversary programme this year from 7th to 15th November '76, which includes, mass collections, posterings, innumerable meetings of various kinds, i.e. mass meetings, General Body meetings, group meetings etc., intensive literature selling and literary campaign among the people and above all to study and re study the thoughts and teachings of our great departed leader.

The Central Committee reminded all, its earlier decision that 7th November, the historic day, has been chosen as one of the occasions when Party workers, supporters, sympathisers should wear "G.S. Badge" as a mark of deep respect to our beloved leader.

In response to the above instruction, the West Bengal State Secretariat has framed up the following programme for the observance of the November Revolution Anniversary:

(1) Party Fund Mass Collection Day on 7th November.

The Mass collection will be conducted through sale of "Lenin Badge" inscribed with 'Long Live Great November Revolution—SUCI' amongst the people.

According to the decision of the Central Committee, all party workers, supporters and sympathisers shall wear "G. S. Badge" on this day, as a mark of respect to our great departed Leader.

(2) "SUCI-Literature Sale Campaign" on any four or five days, between 8th and 14th November through Book Stalls. Where Book Stalls cannot be arranged, literature campaign should be carried on through Mobile Squads.

In order to carry the great teachings of Comrade Shibdas Ghosh to the toiling people of our country attractive exhibitions with quotations from Comrade G. S.'s teachings are to be arranged extensively in Book Stalls and wherever possible, Photo Exhibition on the life of Comrade Shibdas Ghosh should also be arranged.

(3) A Central Meeting will be held on 15th November, '76 at Mahajati Sadan at 5-30 P. M. to commemorate the Great November Revolution.

Comrade Nihar Mukherjee, the General Secretary of our Party will be the main speaker.

Different State Units of our Party have also chalked out similar programmes for their respective States.

We appeal to the toiling people to make the programme a success.

## NATIONAL SEMINAR IN DELHI ON AMENDMENT TO THE CONSTITUTION

A national seminar on Amendments to the Constitution and people's union for civil liberties and democratic rights was held in New Delhi at the first floor of the Constitution Club, Vithalbhai Pattel House on 16th and 17th October '76. It was sponsored by the National Committee for Review of the Constitution formed at the initiative of Sri Jayprakash Narayan in March last at Bombay and jointly convened by Sri Krishan Kant, M.P. and Mr. Era Sezhiyan, M.P. (D.M.K.).

The seminar was presided over by Sri V. N. Tarkunde a Radical Humanist and former Judge of Bombay High Court in absence of Sri M. C. Chagla, the eminent jurist who could not participate due to his illness. The meeting for the civil liberties and democratic rights held on the second day was to

be presided over by Sri Jayprakash Narayan who because of his bad condition of health could not attend and in his absence Acharya J.B. Kripalani Presided over.

The following were amongst others who spoke: Chandhuri Charan Singh (B.L.D.), Mr. Era Sezhiyan M.P. (D.M.K.), joint Convener of the Seminar, Mr. Somnath Chatterjee, MP CPI(M), Mr. E. M. S. Namboodripad, CPI(M), Mr. O.P. Tyagi M.P. (Jansangh), Mr. Ashoke Mehra, Cong(O), Mr. Santibhusan of Allahabad, Mr. K. L. Sharma, president Bar-Association, Supreme Court, Mr. M. S. Khaira (Akali Dal), Mr. Krishan Kant, M.P. Joint Convener of the seminar, Mr. V. N. Tarkunde, Radical Humanist and eminent jurist.

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# WHY SUCI

## —The Only Genuine Communist Party On Our Soil

[ Contd. from Last Issue dated 15th October 1976 ]

### What is Collective Leadership ?

What does this collective leadership actually mean? Lenin said that the collective knowledge of all the members of the party is collective leadership. Thus the collective leadership is the concrete and personified form of expression through an individual of collective knowledge of all the members of the party derived through conflict and interaction of ideas and experiences not only on political and economic questions but on questions covering all aspects of life.

In my discussion on "Cultural Revolution in China" I dealt on this point more elaborately. There I showed that in present era, eliminating individualism and individual leadership from the internal democratic life of the party, collective leadership can be established only when the collective knowledge of the leaders and members of the whole party derived through struggles and interactions of ideas, knowledge and experiences has been personified and concretised in the best manner in a leader of the party. Hence the concept of collective leadership or the sense of authority can never be abstract. And for this reason, when we say that collective leadership has emerged in a party we mean that the collective knowledge of the party has been personified in the best way in an individual of the party. So, the leader of the party in whom the collective knowledge of the party finds its best and concretised expression, is the thinker, the leader, the teacher and guide of the party.

Perhaps a little more elaboration is necessary for your better understanding. Take for instance, when we say your thinking, my thinking—what do we actually mean by that? But that we mean individual thinking. But what is individual thinking? Social thinking personified through an individual is individual thinking. Just like this, the collective knowledge and experiences of the party which develop and continually grow through the struggles of its leaders, members, supporters, the class and the masses take concrete and personified expressions in all the individuals involved in the struggle. But as we know that no two phenomena in this material world can ever be identical, so too, the degree of understanding of the collective knowledge and experiences gained through struggles will not be the same for all of them. The individual through whom personification of this collective knowledge and experience takes the best form of expression emerges as the concrete form of expression of the collective leadership. The emergence of Lenin's leadership in the Russian Bolshevik Party and that of Mao Tse-tung in the Chinese Communist Party are nothing but the emergence of the collective leadership in its concrete form in those parties. Thus we see, the collective knowledge is the expression and knowledge derived from the struggles led by the leaders, workers, the rank and file, the class and the masses, personified and concretised in the best way through a person in the highest organism of the party. And when such a personification of the collective knowledge and experience of the party takes a concrete shape then only an objective condition is created inside the party for the elimination of individualism, individual leadership and groupism from party life and the party can be said to have established the norms of proletarian democracy and given birth to collective leadership only at this stage. So, you should always remember so long such a situation does not prevail inside a party then, however much clamourings there may be for democratic centralism and collective leadership what actually is at work is nothing but formal democratic leadership. This collective knowledge not merely means the economic and political questions but means the coordinated and comprehensive knowledge covering all aspects of life—starting from art, literature to personal or private life and even including the day-to-day behaviours. This collective knowledge which develops through the struggles of the leaders and rank and file of the party covering all aspects of life on the basis of Marxism-Leninism actually guides not only the political, economic and cultural thinking and ideas of the members and leaders of the party but also their personal life and day-to-day behaviours. And when the



individual members enriched with this collective knowledge of the party apply it in their political, social and private life, a contradiction is sure to appear between the collective knowledge and their individual knowledge and experiences which in turn, continually enriches both the collective knowledge and individual experiences and uplifts their cultural and ethical standard.

It is to be noted that if the relationship between the leaders and the rank and file members is not dialectical it is sure to be mechanical. If such a situation prevails then it indicates that individualism far from being rooted out, is operating as the dominant feature inside the party. If this be so, then this party, though communist in name, has, through the process of fusion of formal democracy with centralism, virtually reduced itself into a mechanically and bureaucratically centralised bourgeois or petty bourgeois party which invariably leads to the formation of a bureaucratic leadership at the top. As a result, in place of acquiring revolutionary characters, the leaders become bureaucratic and they cannot avoid falling victim to filthiest type of individualism. This leads to a virtual separation between the leaders and the rank and file—on the one side of which you can see the bureaucratic leaders completely isolated and divorced from practice and on the other side a batch of unquestioning followers—honest, dedicated, sincere but fanatic as they are, due to practice of blindness. So you can well understand that under such a condition there cannot be any proper mutual relationship between theory and practice inside the party.

Hence, theory becomes subjective and abstract while practice becomes blind and fanatic in nature. Now, if you notice the activities, method of organisation and level of consciousness of the workers of parties like CPI, CPI(M) and the Naxalite groups you will find exactly this phenomenon prevailing in these parties.

### Democratic Centralism provides the foundation on which the struggle to forge collective leadership develops

The struggle to develop collective leadership is the principal struggle for a working class party in order to develop its internal party structure on the foundation of democratic centralism. And as long as this scientific concept of collective leadership is not developed inside the party it means that the internal structure of the party is yet to develop on the principle of democratic centralism. And you should remember that the principle of democratic centralism is the living soul of a Communist Party organisation. While the struggle to develop democratic centralism is the real struggle to build up a genuine Communist Party so also the struggle to protect it as the apple of an eye is the actual struggle to save the party

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## DEMOCRATIC CENTRALISM PROVIDES THE FOUNDATION ON WHICH THE STRUGGLE TO FORGE COLLECTIVE LEADERSHIP DEVELOPS

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from the danger of revisionism or sectarianism. Now, what do we actually mean by democratic centralism? If we can dissect democratic centralism as in Anatomy, we shall find two parts—the one, ideological centralism and the other organisational centralism. Now, this ideological centralism grows out of the struggle to develop one process of thinking, uniformity of thinking, oneness in approach and singleness of purpose based on Marxism-Leninism and dialectical materialism not only on the economic and political questions but on all questions covering all aspects of life. When a party through such an all-out struggle has been able to develop this ideological centralism then and then only it can be said that the principle of proletarian democracy is operative inside the party. Remember, in a class-divided society the concept of democracy cannot be one and the same—it is a class-concept. It must be either bourgeois democracy reflecting private ownership, private control over production and bourgeois way of life i.e. individualism or proletarian democracy reflecting collective ownership, collective control over production and distribution and proletarian way of life, i.e. collective way of life. When on the basis of this ideological centralism which makes the principles of proletarian democracy effective, the organisational centralism is built up, it then gives the real structural shape of the principle of democratic centralism inside the party. And that is why Lenin said that democratic centralism can be established in a party only through the process of fusion of proletarian democracy and centralism. We must not forget one point in this connection that the necessary condition for the operation of proletarian democratic principle inside a party can be guaranteed only when the level of consciousness of the party cadres has attained such a minimum standard that enables all of them, or at least most of them, to express their thoughts in an articulate form, i.e. they are able to play effective role through dialogue and discussions in the inner-party polemics and ideological struggles. For the attainment of such a minimum standard of making critical analysis of theories, is required again, as its precondition, the attainment of a higher ethical-cultural standard by the cadres through concrete struggles covering all aspects of life. Only after the attainment of such a standard, the rank and file members can play effective role in the inner-party polemics and ideological struggle and the relationship between the leaders and rank and file really assumes dialectical character. Unless the political consciousness and cultural standard reach such a minimum high standard, the ideological struggles and polemical discussions, i.e. inner-party struggle virtually becomes a formal affair.

Now from what I have discussed so long about the character of proletarian democracy, you yourselves judge whether it exists inside any of the so-called communist parties in our country. But Mr. Nambodripad, a member of the CPI(M) Politbureau and said to be a theoretician of that party has reduced this concept of democratic centralism—which is the living soul of a communist party organisation—into a concept of mere 'majority-minority' and more astonishing is that the leaders and rank-and-file have accepted this queer concept without any protest. Mr. Nambodripad has said, while expounding democratic centralism that since their party acts as per majority decision and follows the principle of submission of the lower party bodies to the higher ones, so it is abiding by the principle of democratic centralism and for this reason, says he, that their party is a real communist party. Nambodripad said: "The three-fold submission—the individual to the organisation, the minority to the majority and the lower unit to the higher—such is the law of Organisation....."

—(New Age—Vol. XI. No. 5, May 1962)

So, according to Nambodripad, to work on the principle of majority decision is to practise democratic centralism and to establish collective leadership within the party, but this means in effect, reducing the concept of collective leadership to an average formal democratic leadership. But this principle of abiding by the majority decision is to be found in all the bourgeois and petty-bourgeois parties as well. Should it be proper then to conclude from this that the principle of democratic centralism is operative and collective leadership established in those parties? It may sometimes be necessary,

even in a communist party, if unanimity cannot be achieved, to act as per majority decision to which the minority has to submit. But by itself it does not imply that the principle of democratic centralism is working within a party. Any Marxist knows that the principle of democratic centralism is inextricably linked up with the question of establishment of proletarian democracy and Collective leadership inside a party. Hence no Marxist with a little bit of common sense would say that the principle of democratic centralism is operative inside a party only because it works on the principle of majority decision and the submission of the lower body to the higher.

Hence in order to assess whether a party is being guided by the concept of collective leadership it would first have to be seen whether, in order to build up and develop the collective leadership on the basis of Marxism-Leninism—one process of thinking, uniformity of thinking, not on political and economic aspects alone but covering all aspects of life, has grown in the party or in other words, whether ideological centralism has been achieved and whether the struggle for attaining uniformity in approach and singleness of purpose is being conducted consciously and correctly.

Secondly, we are to see whether the leaders of the party, on the plea of ensuring discipline and oneness in approach are actually cultivating a feeling of blind allegiance and party fanaticism similar to religious fanaticism among its members and supporters or far from encouraging those practices and behaviours like irrational conduct and fanaticism and various other bourgeois vices—blindness, obstinacy, indiscipline, ego-centrism, falsehood among the workers and supporters, the leaders are actually conducting a principled and determined struggle against all these and are continuously endeavouring to instil in them a rational approach and philosophical tolerance. Because, communists should remember that fanaticism and blindness are conducive to the growth of fascism and hence are totally alien to Marxism-Leninism.

It should be borne in mind, in this connection, that among the social democratic parties affiliated to the second international who were more liberal in their approach could not bring fascism because of looseness in their organisational structure; rather it was those social democratic parties who subsequently turned into revisionist and national chauvinist and who were of more militant character and fostered fanaticism and blindness in their ranks that gave birth to fascism, internationally. Social Democracy after committing suicide in Europe and after having been thoroughly discredited and isolated as an organised political force from proletarian revolutionary movement, no doubt is still continuing as a powerful political trend in the world communist movement. And modern revisionism is nothing but an outcome of this trend. In our time, those communist parties within the international communist movement who have already degenerated to revisionist parties and reduced themselves to the position of national communist parties or in other words, who are communists in name only, but social democratic parties in practice, do have every possibility of turning themselves into fascist parties, if these parties while waving the red banner and moving under the cover of Marxism can combine blindness and fanaticism with their so-called militant character.

In this connection, it should be remembered that militancy born out of revolutionary ideology is not one and the same with the so-called militancy generated by fanaticism, blindness and superstition. They are qualitatively different.

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## The principal problem among very many other problems is to be determined in a concrete situation

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from its distinct class motive and objective.

We would like to reiterate, at the very outset, the all important lesson that Marxism-Leninism imparts to the working class that any question is to be judged from the point of accelerating the process of revolution and from a class-angularity. Naturally, therefore, the working class outlook, guided by this criterion, must be such as would be conducive to the growth and development of particular struggles of the oppressed masses, at different stages of democratic movement and to further sharpen the class struggles as a whole with the sole aim and objective of bringing about a revolutionary transformation of the society.

**What should be the proper attitude towards bourgeois parliamentary institutions and rights**

From this basic class approach, therefore, a revolutionary party of the working class, till the revolution is accomplished, cannot subscribe, on any pretext, to any proposal for change or amendment to the bourgeois constitution whose very purpose is to put further fetters on whatever limited rights and freedoms that the bourgeois parliamentary institutions as well as the oppressed people still have. To a Marxist-Leninist, it should be amply clear that for the establishment of proletarian democracy through revolution, it is essential to develop, broaden and accelerate the pace of class struggles at the present stage of democratic movement. And for that, whatever democratic institutions and rights are still there, should be fully utilised. As a natural corollary therefore, it is the bounden duty for the Marxist-Leninists, at the present phase of struggles, to strive utmost for further

extension of rights and freedoms of the bourgeois-democratic institutions as well as of the oppressed people.

**The problem is to be viewed in the context of the particular class character of the state as also the concrete political situation**

Secondly, another important teaching of Marxism-Leninism is that independent of the class character of the state as also the concrete political situation there can be no meaningful discussion or analysis of any problem—be it an amendment or change of the Constitution or any other political question. Not only this, but along with the context of particular class character of the state, the concrete political situation at a given moment is also to be taken into account.

So, to put the thing in precision, we are to take into account the particular class character of the state along with the concrete political situation obtaining in a bourgeois country at a given time, that is to say, from a class angularity and outlook we are to judge, in the interest of which class and what inherent class-purpose that at a complex phase of class struggle, these proposals for changing or amending the Constitution are coming as also their underlying significance from the class point of view despite the clamour of progressiveness and the radical cloak.

**The principal problem among very many other problems is to be determined in a concrete situation**

Thirdly, Marxism-Leninism has imparted to us another important teaching that centring round many problems, many questions at issue may crop up at a given political situation of a particular country. But we are to judge which among them is the principal problem directly

related to the cause of the proletariat and to the interest of uninterrupted development of mass struggles and which particular question is specifically being raised with the sole intention of diverting the attention of the proletariat from this principal problem. And this is the most pertinent point, today. So, when we are confronted with this specific situation we are to guide ourselves from this basic approach.

In a bourgeois country if the proposal for change or amendment to the Constitution comes at a time when the democratic rights are totally negated it has got only one meaning, i.e. to divert the people's attention from their most urgent and principal problem. The real intent of inviting opinion from the people on the proposal to amend Constitution or to call upon the opposition parties to encourage and participate in 'national debate' in such a concrete political situation can then be properly understood. What should, therefore, be the duty of the opposition parties and more so of the party of the proletariat in such a situation? Judged from the class outlook of Marxism-Leninism as pointed out hereinbefore, it is not at all difficult to understand that they should approach this question of amending Constitution in a bourgeois country as also the question of preservation of fundamental rights with the sole object of defending whatever little democratic rights these bourgeois institutions are providing that can be utilised, in the interest of the people and for building up democratic mass movements. To a Marxist-Leninist this, therefore, should be the main point of consideration. This alone can help to expose before the people the vile attempt on the part of the bourgeoisie to divert and distract people's attention from the main

and fundamental problems of their life.

It should, therefore, be the bounden duty and urgent task of whoever calls himself a Marxist-Leninist to expose the real class-purpose, motive and the design of the ruling bourgeois class in bringing forward the proposals for amending the Constitution which in reality are aimed at taking away whatever little right is there to organise and develop democratic struggles of the people. The bourgeoisie and their henchmen would have us believe this fable that as if these fundamental constitutional rights, freedoms and liberty of the people as also their safeguards, however limited, are utilised by the reactionary forces, and are standing in the way of the progressive social reforms which they want to bring about.

They claim that the real object to make inoperative the fundamental rights of the people is nothing else than removing the obstacles put up by the reactionary forces to the detriment of social progress. But lest they are taken as undemocratic, they adopt measures like suspending these fundamental rights with the consent of the opposition parties arrived at through dialogue and mutual discussion. This is how they want to make people believe all these acts as progressive! Perhaps this serves double purpose, first to keep up their face as 'believers' of democratic principles and secondly to obtain sanction from those to be executed for their execution! And this they call a progressive measure mouthing vague slogans of socialism and all that in order to dupe the masses. Their call to the opposition parties and forces for co-operation, therefore, in reality, is a call to be accomplices in putting through their class-design of making a silent burial of whatever bourgeois-

democratic rights and liberties still exist without let or hindrance and behind the smokescreen of radicalism calculated to confuse public opinion.

The opposition parties and particularly the party of the proletariat, in such a situation, will have to demand of the bourgeoisie for immediate restoration of the fundamental democratic rights and liberties guaranteed in the Constitution, restoration of relatively democratic atmosphere where people will have unfettered rights of conducting normal democratic activities or, in short, demand of them all those rights and liberties as also the congenial democratic atmosphere without which democracy loses its substance. So, long as these conditions are not fully ensured it is meaningless to take part in the discussion or express any opinion as to how the Constitution should be amended. So, if the parties in the opposition fail to take note of this objective reality and this all important question and do not make that the sole point of consideration, then to engage themselves in debates and discussions and in making various so-called constructive suggestions, even if under the pretext of 'criticism' or 'arresting the bourgeoisie in the trap of their progressive declarations'—will it not tantamount to helping the very act of the bourgeoisie to divert people's attention from the fundamental problems of their life, knowingly or unknowingly? Will it not give this act a radical cloak?

**The role of CPI and CPI (M)**

Let us examine the role, the CPI and CPI (M) have been playing in such a situation. When the real meaning of giving concrete proposals or suggestions to the amendments proposed by the bourgeoisie is not difficult

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# SUCI's Literary Campaign National Seminar in Delhi

## —Enthusiastic Response From the People

From 29th September to 3rd October this year too, Party's literary campaign during the Pujas was organised with great enthusiasm in all the districts of West Bengal and in various important places of other states of the country, like Dhanbad, Ghatsila, Jamshedpur, Rourkela, Cuttack, Gaohati, Ranchi etc. This year interests shown by the people to buy SUCI literatures was tremendous. Altogether 129 stalls were organised in West Bengal although due to the prevention imposed and objection made by the forces of vested interests a good number of stalls could not be organised in those places where stalls were organised in previous years. Our Book stalls in places like Rashbehari Avenue, Ward No. 91 and Shyambazar in Calcutta and Krishnanagar in Nadia, Durgapur in South 24 Parganas were forcibly demolished by the forces of vested interests. Besides, stalls in Park Circus, Maniktolla etc. were repeatedly attacked. In all these cases, the force of vested interests attacked our workers, snatched away books and literatures from our comrades and tore them on the street. Even the female comrades and KOMSOMAL (Young Communist Wing of SUCI) volunteers were not spared of such heinous attacks. But in most of the cases members of the public came forward to protest against these barbarism and in active support to make our literature campaign a success.

These are only a few of the incidents of obstruction and opposition. In spite of all these; no less than one lakh copies of books have been sold within a period of five days' campaign only. Even in areas where the forces of vested interests did not allow to organise stalls the

party comrades carried the books in the bags to make reach the writings of the great beloved leader, teacher, guide of the party and an eminent Marxist Philosopher of the era, Comrade Shibdas Ghosh to the people.

Large numbers of people thronged before the stalls decorated with portrait of the great departed leader Comrade Shibdas Ghosh, red banners and festoons and beautiful posters with important quotations from his writings.

Among books and writings of Comrade Shibdas Ghosh sold, most remarkable was the demand for his 'Sarat Mullyan Prasange', 'Cultural Movement in India and Our Task' both in Bengali and English and a booklet titled, 'Sarbaharar Mahan Neta Comrade Shibdas Ghosh' in Bengali written on the life and teachings of the great departed leader. This booklet also, titled 'Sarbaharar Mahan Neta Comrade Shibdas Ghosh' evoked such a great demand that it could not be fully and properly met. Thousands of copies of it were sold only within two days and a half.

People speaking languages, other than Bengali, English, Hindi, Urdu, Oriya, Assamese and Malayalam (Comrade Ghosh's teachings and thoughts have been translated in these languages only so far) complained, 'Why we should be deprived of like this? Why should you not publish Comrade Ghosh's thoughts and teachings in other languages?'

We cannot here put on record for shortage of space the innumerable comments of admiration, reverence, heart-felt love for and eagerness to know the life and works of the great departed leader Comrade

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Mr. B.G. Bharghese, former Chief editor of Hindusthan Times, Sri Soli Sorabjee, Gobindun Saminathan, former Advocate General of Madras, Mr. H.V. Kamath, member of the first Constituent Assembly Mr. C.K. Daphtary, M.P. and former Attorney General of India, Mr. Ibrahim, Paribartanbadi Congress (Kerala), Sri Umashankar Joshi, the eminent educationist and litterateur, former Vice Chancellor of Gujrat University, former M.P. Mr. Amar Chakraborty (Forward Bloc) Comrade Pritish Chanda, member of the Central Committee, Socialist Unity Centre of India.

The Sunday Standard of Indian Express reports on 17th October '76 on national Seminar on Constitution Amendment that most of the speakers expressed the view that the proposed amendments were bad. Speakers said that the Government did not encourage public debate on the proposed amendments all though it constantly proclaim, it wanted 'National Debate' on the issue. Some of the speakers expressed the view that the acceptance of the proposed amendments would take away whatever democratic features there are in the Constitution.

Times of India from Delhi on 17th October '76 reports, Mr. C.K. Daphtary M.P. and former Attorney General of India said that if the amendment were legislated Constitution would not remain a democratic constitution. He said the term 'anti-national' was so sweeping that any political party agitating for a cause or an individual airing a grievance could be held up for being 'anti-national'.

~~If the amendments were put through, lives of the people would be completely dominated by executive and chapter on Fundamental Rights would be~~

Sunday Express reports, Mr. C. K. Daphtary said that right atmosphere for passing such a bill does not exist.

Sri Ashoke mehta said that the proposed amendment would 'cripple' the civil liberties of the people. He said, it is futile to suggest in details and clause-wise since the proposed Constitution

Shibdas Ghosh by the members of the public at the stalls but we deeply feel from it that people have realised now that it is the teachings of Comrade Shibdas Ghosh which can show the path of their emancipation. This is proved by the fact that in spite of all adverse situations people are being increasingly attracted in great numbers towards the leadership of SUCI the only working class party in India founded by the great proletarian leader Comrade Shibdas Ghosh and led by his immortal thoughts.

amendment cannot be improved and the ruling party is out to adopt it in this session of the parliament. The vital question is of civil liberty and protection of democratic rights for which battle will have to be fought in many fronts although there is no hope of getting any redressal from the Supreme Court. Yet, legal front may also be one of the fronts....

Mr. Ibrahim of Paribartanbadi Congress (Kerala)—a split away group from the ruling Congress, said that the seminar should demand all opposition members from Kerala in Parliament to protest against the proposed Constitution amendment.

Mr. H.V. Kamath, member of the first Constituent Assembly said that all opposition parties should boycott election if there is no free and fair election.

The Sunday Standard reports on 17th October '76, Mr. E. M. S. Namboodripad, former Chief Minister of Kerala, said he wanted a non-political debate on the issue and hoped that non-party persons should participate

in it. According to Sunday Standard: "Mr. Pritish Chanda of Socialist Unity Centre of India said that the proposed amendments were draconian. He said capitalists had again benefited and they therefore had no grievances. ....

Times of India dated October 17th reports, Mr. E.M.S. Namboodripad said that his own party had stood for the amendment of the Constitution particularly in regard to the right of property, but there were dangerous provisions in the proposed amendments in relation to matters like taxation, procurement, levy and service matters. He also did not want balance between the Centre and the States and between the Executive, Judiciary and Legislature to be disturbed. He wanted a free and fair election first and the question of Constitution amendment could be made an election issue.

Our special correspondent adds, Mr. E.M.S. Namboodripad said that regarding emergency provisions something can be incorporated in the Constitution, details of which could be worked out later on. He said that he could not understand why some of the speakers were worried about clause 31(D) of the proposed Constitution amendment regarding danger of banning any association for 'anti-national' activities. It might be a matter of concern for particular parties who should look after their own cue. This seminar is being held not to discuss political matters but to review how best the Constitution can be made. He strongly opposed the idea of inter-linking and inter-relating the question of civil liberties. He said that in Kerala his party were holding public meetings, of course without mike, for which he had no grudge, for he claimed to have the habit of addressing public meeting without mike.

Mr. Umashankar Joshi, (Contd. to page 8)

# WHETHER THE BOURGEOIS REFORMS ARE PRO-PEOPLE CAN ONLY BE DECIDED BY MASS MOVEMENTS

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to understand, strange it may seem but nonetheless it is a fact that most of the opposition parties and more particularly the parties who claim themselves to be Marxist-Leninist like the CPI and CPI(M) have not only come forward with helping hands to give suggestions and proposals for constitution amendments but have been giving even such suggestions or proposals that directly help the bourgeoisie, in reality.

The CPI, speaking about the necessity of amendments to the Constitution has said; "The urgency has been underscored by the recent developments and the great popular urge for radical social and economic changes which are essential among other things, to destroy the base of right reaction and fascism. These amendments must necessarily be aimed at removing all constitutional and legal obstacles to the enactment of progressive measures and their implementation" (CPI National Council Proposals). It is, therefore, clear that there is no difference in approach to the issue between CPI and the principal bourgeois party.

About the CPI(M), it is to be noted that although it has apparently rejected the proposals of the Swaran Singh Committee, in reality, they are also of the same view. It has come out with the stand that; "...the CPI(M) has been for long demanding amendments of the Constitution with a view to seeing the legislations aimed at socio-economic changes in the interest of the weaker sections of the society become immuned to attack"—(people's Democracy, April 25, 1976). So, the difference between these parties and the principal bourgeois party is just paper-thin. They are all speaking about social reforms by bringing constitution amendments as according to all of them also those reforms could not be done in the past because of the opposition

of the reactionaries. Then is it not palpably clear that this act of ruling bourgeois party has completely coincided with that of the CPI and CPI(M) as all of them have raised the same slogan of protecting so-called people's interest while making such amendments to the Constitution? And this they are doing at a time, when the fundamental rights guaranteed in the Constitution are no longer operative, in such a way as would help the bourgeoisie to wear a radical cloak.

### About the demand for People's Mandate or Referendum

The treachery to the cause of the people by these parties is not merely confined to this only. Some of them including the so-called Marxist-Leninists are proposing that people's opinion be sought about the amendment proposals of the bourgeoisie by means of referendum or through a Constituent Assembly formed by a general election in the country. The proletariat would like to put a simple question to all these parties:

What will be the meaning and whose purpose will be served to hold an election or a referendum in a situation where minimum democratic atmosphere for free discussions and opinions is totally absent? Why then these parties are airing this proposal? If in any bourgeois country such a situation prevails, can any party professing people's interest bring this proposal with the obtensible plea of utilising the forums, taking the chance of holding meetings and processions to criticise the bourgeoisie and its anti-democratic intents and purposes? For, notwithstanding this so-called plea, this stand of these parties will no doubt help the bourgeoisie to obtain a so-called democratic seal of approval for all its misdeeds particularly when they have nothing to fear about the election or people's mandate in as

much as by various amendments already put through they are in a position to pre-determine the results of a farce that they may enact from time to time to suit their own purpose. Moreover, when the bourgeois party in power has gone even to the extent of framing rules putting restrictions on the freedom of expressions of the opposition parties that they are calling euphemistically a Code of Conduct, the so-called plea which the opposition parties are trotting out becomes simply naive and falls to the ground.

To put the matter straight, if in a bourgeois country, the bourgeoisie take all the measures whereby they can rig election and even make provisions for trial of complaints about unfair practices in election not in a court but in a special forum to be elected by the party in power, then does it not mean, in reality, that the offenders will be judges of their own misdeeds? Will there be an iota of neutrality in the whole show? Only the devils or the inveterate naives can see in this exercise a reflection of people's mandate. No party having minimum sense of responsibility to the people can propose in such a situation to sanctify a pre-determined decision of a bourgeois party in power by means of this exercise. For, history bears out experiences that under similar circumstances, the Fascists put democracy down the grave by so-called constitutional means—holding election or convening Constituent Assembly, amidst chanting of radical slogans and pious wishes. What emerged out of this din and bustle was what we call Constitutional Dictatorship either with an individual or a group of persons vested with supreme power but before that they had to confuse the people and secure the support and helping hands of other bourgeois or petty bourgeois social-democratic parties. This is a black

spot in history and no sensible man would want its repetition over and over again, more so in his own country.

A Party of the proletariat should have, therefore, no other concern, in such a situation, than to put the principal question of restoration of fundamental democratic rights and liberties of the people to the fore. It cannot allow itself to fall a prey to the trap of the bourgeoisie nor can it delude itself to help refurbishing the image of the ruling bourgeois party by putting suggestions like taking people's mandate through election or Constituent Assembly etc. or by joining in the so-called national consensus over constitution amendments proposed and pre-ordained by the bourgeoisie and thereby lending its helping hand in bringing about a Constitutional Dictatorship by the bourgeoisie.

Therefore, our appeal to pause and ponder goes even to those petty-bourgeois social democratic parliamentary parties masquerading as Marxist-Leninists who are in dire difficulty if kept out of parliamentary forums for long, who are out of breath if they are deprived of an entry in bourgeois parliamentary forum and cannot stem the tide of disintegration of their parties, their leaders having practically no other business to attend get frustrated.

Parties of this type may try to rationalise their conduct of political opportunism to cover up their manoeuvre for earning the grace of the bourgeoisie for a place in parliamentary politics but they too will have to seriously ponder, if not they are by this sort of stand in reality, placing them on ration of the bourgeois party in power?

So, a Marxist-Leninist Party should always keep in mind not only what opinion it is giving on what subject, this is important no doubt, but what is also important, at what particular time and

condition it is giving such opinion. Therefore, those parties who openly and those who under cover express their faith and belief in bourgeois liberal parliamentary politics as also those who are eager to defend and safeguard the existing democratic rights, at a given moment and particular stage of bourgeois parliamentary politics because they hold that by this alone the onslaught of bourgeois Constitutional Dictatorship can be staved off, should all take serious note of it.

Had these parties been aware of the importance of time and condition in dealing with a particular political issue or question they would have had no difficulty in realising that compared to a situation of Constitutional Dictatorship if in a relatively free and democratic atmosphere where from the surging tide of mass movements, popular demands were being raised to press upon the bourgeoisie for further extension of people's democratic rights and liberties, demands were being raised for such urgent democratic reforms that could be done even within the limitations set by the capitalist system and the bourgeois Constitution and to that end changes in the Constitution to make it pro-people to the extent it is possible was also being demanded, then it would have been altogether a different question. And in such specific condition, suggestions for amendments to the Constitution by these parties would have been quite in the fitness of things and not only this, the party of the proletariat should, in such a situation be in the van of peoples' offensive against the bourgeoisie.

**Whether the bourgeois reforms are pro-people can only be decided by mass movements**

And the real guarantee for the reforms and Constitution changes necessary towards that end within the framework

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## On the Issue of Amendments to the Constitution

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of bourgeois parliamentary system being really pro-people can only be determined if they are the outcome of mass struggles conducted under the leadership of a party of the proletariat. There can never be any other guarantee.

So, when in a bourgeois country, invoking people's interest, proposals are mooted to make the Parliament supreme and for that to curb the power of the judiciary and in reverse demands for extension of power of the judiciary to make it the watchdog to keep the Parliament's activities within the strict limit set down by the constitution are also raised invoking the same people's interest, the issue should be judged in its entirety, not piecemeal, and in the context and interest of the mass movements and its character and leadership. Whether the reforms are really pro-people or not can only be determined by examining the fact—if the demands have been raised from the platform of democratic mass movement and given effect to by the impact and as a culmination of mass movement.

Moreover, one cannot lose sight of the fact that it is the bourgeoisie itself that is raising all these proposals and that too, in a bourgeois socio-politico-economic system. Its Constitution, Parliament are all meant for serving the interest of the bourgeois class rule and its judiciary is a part and parcel of this very bourgeois state machinery.

Therefore, other than the bourgeois class, they cannot serve any other class, whenever the basic question of class interest comes in. From this point of view, it is clear that the bourgeois Constitution, Parliament or the Judiciary cannot be made pro-people under the circumstances.

The question of making these institutions pro-people can only arise in so far as they are made to provide certain relief

to the people within the given political set up. But such relief also cannot be provided by mere enactment of laws.

So, when in a bourgeois country, the different bourgeois and petty bourgeois parties engage themselves in a sham debate as to whether the power of the Parliament should be made supreme and beyond judicial control or that the Judiciary should be made the final arbiter, this is not only to divert the attention of the people from the most urgent and principal problem but also to deny concrete historic experiences. For concrete experiences in history are there when in the name of supremacy of the power of Parliament, Parliament's power has been used to enact the most lawless laws by virtue of which the powers and rights of the executive organs have been enormously increased while those of the Parliament have been clipped. And with the help of the all-powerful bureaucracy, police and military, supreme power has been concentrated in the highest cotarie of the bourgeois party in power. By this process, what is called Constitutional Dictatorship has been established. The so called supremacy of the Parliament has thus been reduced to a mere rubber stamp in the hands of a small coterie which wields the real supreme power.

Those who are for curbing the power of the Judiciary on the plea that it is the judiciary that has set obstructions, so far, in giving effect to various progressive legislations intended to bring reforms, by means of injunctions or setting aside particular provisions or wholly those legislations, will have to substantiate by explaining as to why the various reform-measures incorporated in the Constitution itself and are therefore, free from any judicial interference have not yet been given effect to. Who has obstructed their implementation?

What guarantee, therefore, is there that even if

the Parliament is made free from judicial control, the pro-people reforms will all be given effect to?

Strangely enough, not judging the question from this logical approach, joining in the chorus of the bourgeois spokesmen and CPI, CPI(M) has also lent its support to the proposal of reducing the powers of the Judiciary. The party has expressed its stand thus: "CPI(M) holds that not only laws intended to give effect to the principles specified in article 39 (Directive Principles on Land Reforms) but every law that is made to protect the Fundamental Rights of the toiling masses be outside the scope of the Courts."

—(People's Democracy 11.1.76)

Again, take the case of a powerful Judiciary that can keep the Parliament within its Constitutional bounds. Many bourgeois and petty-bourgeois politicians think it to be the only guarantee against autocracy. But this also lacks in substance. For it is well known that in bourgeois countries behind the signboard of 'Everybody is equal in the eye of law' what really happens to-day is completely different. The oppressed people seldom get justice, their legitimate demands are 'legally' denied while the capitalists have absolute sway. Justice, in a class-divided society is, therefore, a class-concept and to view it as a supra-class something is to weave a fantasy. The daily experience of common man brings to him a standing inconsistency between what the bourgeoisie profess and practise like in all other fields, in the field of administration of justice also. This reality coming from bare experience of common man, daily, hourly in bourgeois societies cannot simply be wished away.

Besides, even with 'all-powerful Judiciary' in bourgeois countries, has it been possible to prevent concentration of power in the hands of executive organs of the State?

The erstwhile liberal-bourgeois concept of check and balance in the distribution of constitutional powers between the different organs of the state, has also lost its validity in the face of the crisis of the bourgeois system and the bourgeois class at this stage of monopoly capitalism. Experiences show that the bourgeoisie had no difficulty to concentrate power and establish Constitutional Dictatorship despite their formal adherence to this principle of check and balance.

From all this, it is therefore clear that the parties which forgetting the basic character of the bourgeois state machinery not taking into account the class character of the Constitution, Parliament or Judiciary as also their historic limitations are suggesting this or that proposal, judging them in isolation and piecemeal, as if, those proposals if implemented by suitable legislations may change the class character of the bourgeois constitution, into a pro-people one are in reality doing exactly what? Whom does it help—the oppressed people or the bourgeoisie?

These parties are proposing these measures without relating them to the particular class character of the state, its Constitution and its organs as also to the concrete political situation, the time and condition. They are ascribing certain imaginary inherent qualities to their piecemeal proposals, judged in isolation and are leaning heavily on them as if that would bring about pro-people reforms. Such fetishism of particular bourgeois constitutional measures like the one of enhancing the power of the Parliament and consequent curbing the power of the Judiciary peddled by both CPI and CPI(M) can only help the bourgeoisie, in reality, in so far as they create illusion in the minds of the people about the particular bourgeois measures-in-themselves.

But in order to make particular demands for amending the Constitution to be really pro-people, one should first of all examine whether or not these demands have been raised from the platform of the democratic mass movement and are given effect to by the impact and as the culmination of mass movements. It is to be also borne in mind that no measure, even if introduced by enactment of legislation can bring about desired result irrespective of social environment or circumstances. For that an overall congenial social atmosphere is all the more needed. For this reason, if the country-wide mass struggle can create a democratic atmosphere, can infuse democratic values and code of conduct, can orient the social outlook, sense of ethical moral values of the people in accordance with democratic principles then and then only the awakening of these values in the social mind can put the restraining effect on the Parliament, the Judiciary and other organs of the state machinery against pursuing anti-democratic activities. This mass pressure on the basis of democratic moral values, and social outlook alone can force a situation when the reforms are introduced and made effective genuinely in the interest of the people. But we must not lose sight of the fact that these reforms that can be made effective through mass-pressure can not be an inch further than what is possible within the basic limitation of the capitalist social system as also the limitation of the particular stage of democratic movement.

At the same time we are to bear in mind that whatever rights have been achieved through mass struggles and pressure are to be guarded by the same mass-struggle and mass-pressure. Law alone can not defend those rights. What happens actually by change of laws in the name of defending those rights

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### CONSTITUTION AMENDMENT

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is to concentrate power in the hands of a particular organ curbing that of another in the bourgeois states. No genuine Marxist Leninist Party can lend its support to this. For to do so, in a bourgeois state tantamounts to moving hand in glove with the bourgeoisie in its class design to concentrate autocratic power in order to use it against the working class and its legitimate democratic struggles. Besides, this unreasonable faith in bourgeois laws is bound to generate the evil trend of legalism-reformism amongst the people to the serious detriment of mass struggles and mass initiative.

But both the CPI and CPI(M), as would be evident from their opinions we have quoted above, lean heavily on bourgeois laws and propose their enactments for bringing about pro people reforms. The correct approach of mass-pressure through mass-movements finds no place in their proposals. This reveals nothing but petty-bourgeois reformist approach of these parties.

So, to sum up the whole discussion as to the correct attitude and outlook of a revolutionary working class party towards the proposals for changes or amendments to the Constitution in a bourgeois state, let us recapitulate the salient points.

We have seen that all questions are to be judged in terms of social progress, revolutionary transformation of the society and from a class outlook and angularity. Working class outlook can not be guided by pragmatism or individualistic approach. From this it follows we are to judge which class is bringing the proposal, which class interest is served by it and what is the class character of the state, where it is raised and in what concrete political condition it is raised. It is not at all important whether radical slogans and invocation of peoples' interest are associated with these proposals. We

are to be particularly careful in sorting out the principal problem in peoples' life and interest of the proletariat in the given situation, which is intimately connected with the cause of uninterrupted development of mass movements. We must not be led astray by any question whose sole intention is to distract the attention of the proletariat from this most urgent and principal problem and to refurbish the image of the ruling bourgeoisie as if they are democratic. Above all, we are to judge whether a congenial democratic atmosphere is actually prevailing in the society where freedom of expression even of opposite view points and the right to organise and develop democratic mass movements are guaranteed. We are to judge further whether these proposals for reforms have been raised from the platform of mass movements and through this mass pressure whether these reforms despite their limitations put up by the bourgeois parliamentary system, have been wrested from the ruling class and given effect to, utilising the bourgeois parliamentary institutions, to the extent possible, in favour of the people.

The question for giving opinions on the proposals for change of amendments may arise only when such a concrete situation prevails in any bourgeois country. The question of giving opinion on the part of the proletariat does not arise if the situation is completely different. In that situation the only relevant issue will be the demands for restoration of the fundamental rights of the people and their safeguards guaranteed in the Constitution and when there is a congenial democratic atmosphere in the country.

When we will consider the concrete situation of our country as also the proposals for changes or amendments to the Constitution that are coming

### NATIONAL SEMINAR IN DELHI

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the eminent educationist, litterateur, a Gandhaite and former M.P. on the second day of the seminar said that the question of civil liberty and the restoration of democratic right became of supreme necessity and every citizen whoever cherishes freedom and democratic values should rally round the movement for civil liberty. He said that in the prevailing situation in the country none can remain indifferent and to sustain political and democratic values not only the politicians, men of other fields should also come forward and join political movement for the cause of the common people.

Our special correspondent reports, Comrade

from the bourgeoisie we must guide ourselves from these basic outlook, approach and standpoint, we have discussed at length. Here, in our country, the proposals for amendments or changes of the Constitution have come in a state of emergency when the fundamental rights and freedom constitutionally guaranteed are no longer valid as before. In such a situation the bourgeoisie is calling upon the opposition parties to express their opinion on its proposals for changes and amendments to the Constitution which are of far-reaching consequences. The very purpose of this call should not be missed, let alone by a revolutionary party of the proletariat but even by those parties who feel minimum obligation and responsibility to the people. The most urgent and relevant demand placed on the agenda therefore is the demand for restoration of the fundamental democratic rights and liberties of the people as also the powers and rights of the bourgeois parliamentary institutions which alone can bring about a relatively democratic atmosphere. This is the most pertinent question today.

Prithvi Chanda, member of the Central Committee of Socialist Unity Centre of India said during his speech that the ruling party has taken the initiative to bring the Constitution Amendment (44th Amendment) containing 59 clauses and is going to give effect to it which would be of far reaching consequences in as much as the fundamental rights of the people as also their safeguards incorporated in the Constitution so long will be no longer in existence besides other significant changes.

He urged before the participants of the seminar and through them to the countrymen to unitedly stand in defence of fundamental democratic rights and for revival of democratic values, and a congenial democratic atmosphere.

He emphatically said that instead of demanding this to do otherwise would dilute the main issue and divert the attention of the people from the most relevant and vital question of restoration of civil liberty.

Comrade Chanda posed a concrete question before the house that when in a bourgeois country, the ruling bourgeoisie takes the initiative to bring such proposal for change or amendment to the Constitution which are of far reaching consequences and rush through those proposals for giving effect to without caring for public opinion what should be the appropriate role of such opposition parties who have representation in the Parliament and those individuals inside the parliament who cherish democratic values and principles? Should they be a party to this bourgeois design? Comrade Chanda asked.

Comrade Chanda appealed to all left and democratic parties in the opposition as well as to all

eminent jurists, lawyers, writers to develop a broad based united platform for protection of civil liberties and democratic rights by embracing the working class, peasantry, students and youths and people of all walks of life.

According to Indian Express dated 18th Oct. '76, the seminar's concensus was that in the present atmosphere free and open debate was not possible.

Following is the extract of the concensus arrived at in the two days' seminar; "This seminar is of the opinion that:

"There is in the country on account of the emergency, a climate of oppression and fear in which no free and open debate is possible.

... it is impossible for the people to know, discuss and understand, the sweeping and drastic Constitution amendments being proposed in their name, but certainly not to their benefit although this is so claimed.

"...To rush the amendment through what is a rump parliament, in an atmosphere in which no free debate is indeed possible, would be to institutionalise the emergency with added powers and present the people with a fait accompli.

... it is pertinent to point out that the policies of the Govt. pursued so far have not helped the poor but the rich and led to concentration of wealth ...

"The proposed new Article 31D, relating to so-called anti-national activities and anti-national associations is again so wide as to pave the way for virtual one party rule, any anti-governmental activity being treated as anti national. Any laws enacted with the object of banning so-called anti-national activities or associations are proposed to be placed beyond judicial review even if they violate fundamental rights. The liberties of the citizens are sought to be further curtailed by prescribing a set of so called fundamental duties..."

(Statesman, Delhi dated 18.10.76)

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