

CONSTITUTION MAKING— THE MUDDLE AND WAY OUT.

This is a statement issued on behalf of the Democratic Vanguard, a Call to the People to start building up their own Power, irrespective of what may or may not be done by the so-called Constituent Assembly.

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ONE ANNA

Constitution Making— The Muddle and Way Out.

In India, a Constitution-making body that goes by the name of "Constituent Assembly", which admittedly differs from the proposals previously made by various parties demanding it, brought into being by the British rulers, is now functioning. A creation of imperialist rulers, it derives its precarious authority from imperialism, has to function through imperialist dispensation and is calculated to obtain from the present masters the legal authority to rule, for the new holders of power. It is a process of inheritance of authority without any break through formal and legal consent. If everything goes well for those who cast the die, power comes to a few Indians who can have and hold it only as representatives and on behalf of the same class in India which in England transfers it.

Power transferred is not capable of conversion into people's power, even though the transfer be made through the instrumentality of a Constituent Assembly as proposed by

various parties. People's power has to be built up. People's Constituent Assembly is the culmination of the process of building up people's power by the people themselves in the course of their struggle for existence and, hence, for the purpose of serving their needs and wishes. As such, it cannot be transferred power,—power built up by others for the purpose of exploitation and its perpetuation ; not convened by any body from outside, it comes into being out of the requirement of the struggle ; having no limitations under imperialist dispensation, it rises as a part of the struggle for existence, to function under its own discipline and rules of conduct forged out of the requirement of the struggle ; emerging at the culminating stage of break with Imperialism and all that it stands for, it announces the death of the past and hails the new. Everything about it is determined by the people themselves,—and the self-determination of the people has got no other meaning.

Still we find men, sincere and honest, to entertain illusion about the so-called "Constituent Assembly". They believe that this "Constituent Assembly" will be instrumental in building up people's power. We have no

doubt that rude disillusionment awaits them, for logic is harder than magic and any wishful thinking.

But do we advise boycott? No, boycott is hardly an efficient instrument of struggle, particularly where wide illusion in favour of the thing to be boycotted does exist. We suggest that the "Constituent Assembly" should be exposed from within and without.

Those members of the "Constituent Assembly" who have people's power at heart,—some of them have illusions and some others have none—should combine to confront the 'Constituent Assembly' with some basic problems of the life of the toiling masses as also with their solutions to be incorporated in the Constitution to be framed.

For this purpose the following resolution may be moved :

"This Constitution-making body, popularly called the Constituent Assembly, recognises and declares that the sovereignty of India lies exclusively with her people, and that as such, it is the people of India who have the inalienable right of planning their own affairs, political, social and economic.

"Hence, this sitting of the Assembly comprising the representatives of the people charged with the task of framing a Constitution of India,

by the British Government willing to transfer power now held by them, to Indian hands through the instrumentality of this Assembly,

while conscious of the grave loss on account of abstention by a large number of its Muslim members who could have immensely contributed towards fulfilment of its task and while making a fervent appeal to them to join to serve not only the Muslims but also the non-Muslims of whom they also are the leaders,

in pursuance of this task, calls upon the people of India to devise and set up in their respective villages and mahallas,

strictly in conformity with the provisions of the **Declaration of Rights** as demanded by the people in general and formulated by this Assembly for its final ratification by the organised people in due course,

such democratic instruments of the people's power for the administration of all affairs of the people of their respective jurisdictions as will be suitable to serve their needs and wishes, and name these units of administration as **Gana-Panchayets**.

"And as these **Gana-Panchayets** functioning as Units of People's Government must have people's sanction, the people are further called upon, for this purpose, to organise local **Panchayet Gana-Bahinis**, democratic local militia composed of all the able-bodied young men of the unit concerned who will have the privilege and obligation of serving the militia when they are between 16 and 22 years of age, and to direct this body with its own internal democratic discipline, to function under the local **Gana-Panchayets** for maintenance of peace and order, and for guarding people's interests and people's power against internal and external aggression ;

"finally, they are called upon to vest the **Gana-Panchayets** with powers to commandeer such means of production and resources as may be considered necessary for the purpose of serving the needs and wishes of the people and towards that end control, plan

develop and manage production and distribution in the locality or in co-operation with other units, while declaring all profits out of the helpless labour of any citizen as illegal and impermissible.

"**Gana-Panchayets** within the jurisdiction of every Taluka immediately after they are formed, be called upon, for the requirement of their common interest, to link themselves up democratically to form higher organ of people's power to be named Taluka Panchayet. **Gana-Bahinis** of the same area will democratically combine to serve in the same way as they are to serve in their own local units. Taluka Panchayets are to be vested with similar powers as the **Gana-Panchayets**. This process of democratic linking up to form still higher organs of power in accordance with the present arrangement of administrative divisions subject to variations desired by parties concerned and approved by the 'Constituent Assembly' till the entire area of a Province, subject to changes decided upon by this Assembly on grounds of language, culture or geographical contiguity either on its own initiative or on representations by parties concerned, is covered. **Gana-Bahinis** will also get

democratically combined at every stage of the evolution of the people's power. All organs of power will be vested with similar powers as the **Gana-Panchayet**.

"These Provincial Organs of power be then called upon to arrange a referendum involving all adult citizens within each province to ascertain if the people of the province concerned choose to join an All-India Union or to remain outside it as an independent State or to form a separate Union with another province or with a group of provinces. The referendum resulting in a demand for separation will have effect as soon as details there-for are accomplished; but when separate combination of certain provinces is desired, negotiation with provinces concerned within the limitations of the results of referendum will decide the issue. Failing an agreement through such negotiations, this Assembly will act to arbitrate.

"All elections will be watched and supervised by this Assembly through its deputies elected on this behalf.

"Thus the people of all provinces having exercised their right of Self-determination by forming organs of power up to the **Provincial-Panchayets** together with their own democratic

militia and by also determining whether the respective provinces will form separate States or separate Union of some provinces or an All-India Union,

"All members of all Provincial Panchayets and members of this Assembly will then be called upon to meet in a Conference in which the members coming from provinces deciding in favour of cessation from All-India Union will have no right of vote in respect of anything pertaining to the constitution of All-India Union. This Conference will very nearly approach the Constituent Assembly as demanded by various parties. The first act of this Conference will be to accept the Constitution thus far evolved only with minor changes if necessary, and thereafter proceed to frame a Constitution for the All-India Union in keeping with the spirit and organisational structure thus far built. In the meantime the formulated '**Declaration of Rights**' circulated for organised people's approval will come back to be finally accepted and incorporated in the Constitution. This Constitution will only be a record of power actually built up and the problem as to who is to hold what amount of it, will be

automatically eliminated. Internal quarrels, save by rebels, will be completely absent and the British Government will then have to be presented with this accomplished fact for the determination of their own attitude towards India thus emancipated."

This proposal is bound to be resisted by: the majority of the members of the Assembly as well as by the Imperialist rulers, thus exposing the whole show. A number of other issues may similarly be raised to serve the same purpose.

All through, the people are to be taken into confidence and warned against the danger of still failing to arm themselves with their own instruments of struggle namely, their **Gana-Panchayets**, before the final struggle is precipitated through parleying at the top or comes at its own course. Determined to exist even through the endless crisis they have been passing, the people will be able to shred all illusions and start building up their own power with their own might, provided we do not fail them now.

Panchayeti Revolution will emerge establishing **Panchayeti Freedom** when people become their own masters.

Now a word to those who have boycotted the Assembly under instructions of the Muslim League leadership, but who have people's freedom and power at heart. You are the people of the toiling masses of all descriptions and of all communities. It is highly undesirable that you should walk off from a large section of the toiling masses only because they do not happen to be Musalmans. You have got to play your part in leading even the non-Muslim toiling masses; otherwise, there is no sense in your believing that you want to build up People's Power.

Those who agree should not abstain from the Constituent Assembly, for this abstention is not desired to expose the Imperialist character of the so-called Constituent Assembly. Abstention today means agreement to work out the Imperialist show on the basis of certain concessions to be previously agreed to. As you abstain, you tacitly support the main thing,—the Imperialist instrument of transfer of power. Rush on to that citadel of Imperialism so that you may break it.

This way lies your freedom, this way is the way to build up people's power. The illusion of transfer of power has brought us a crisis of unprecedented magnitude; it has created a hell and the way out is renunciation by the people of the proposed transferred power in favour of power they are to build up themselves.

DEMOCRATIC VANGUARD

ALL INDIA COMMITTEE.

18, MIRZAPORE STREET,

*Calcutta-12, 15-12-1946**The President,***Constituent Assembly of India.**

Constitution House,

New-Delhi

Dear Sir,

As issued by my committee, I am enclosing a copy of the Statement containing, inter alia, a draft resolution for favour of consideration by the members of the 'Constituent Assembly' now in session at New-Delhi.

A constituent assembly undeniably concerns every citizen vitally and, accordingly, it has become our imperative duty to appraise the said Assembly, which has set to itself the task of framing a Constitution, with our points-of-view and constructive proposals so that the constitution-makers may take into account the basic rights and interests of the roiling millions.

The enclosed Statement, as will be evident from its contents, happens to be a matter of urgent concern to the constitution-makers. In view of the shortness of time, I send it to you for favour of circulation to the members. We hope that you will be good enough to take all necessary steps to acquaint all the members, including the absentees, of the 'Constituent Assembly' with the text of the Statement and thus help representation of the different views and opinions concerning the life-problems of Indian people in the 'Assembly' of constitution-makers.

With fraternal greetings to you and all members,

Yours fraternally,

Sudhir Ch. Mookhoti,

Secretary,

All-India Committee.

Democratic Vanguard