

Communists and Civil Liberties

By MAX WEISS

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WE FREQUENTLY hear the charge that Communism is inconsistent with civil liberties. Communists fight for civil liberties today, the argument goes, only because their own rights are denied; but once a socialist government is established in this country, the Communists will deny similar rights to their political opponents.

To substantiate this charge, the experience of the Soviet Union and the Peoples Democracies is cited. We are asked: where, in these countries, are civil liberties as we know them? why are no opposition parties allowed? why is there no freedom in these countries to agitate for a change of government, for a return to capitalism?

These are pertinent questions and I would like to discuss them.

But first I would like to discuss the policy of the American Communist Party for our country. Because it is not true that the path to Socialism in our country will be the same as that taken in the Soviet Union, in China, or in any of the other Peoples Democracies. To start with, we believe that it is possible for the American people, by majority decision, to establish a socialist government in our country by peaceful, constitutional means.

IN THIS RESPECT, the path to socialism in our country can be quite different from that in the Soviet Union where a socialist government was established by armed insurrection and defended in the course of many years of civil war. Likewise, we believe it can be different from that taken in China where a socialist government was established as a result of prolonged civil war. And finally, we believe it can be different from that taken in Poland, Czechoslovakia, Yugoslavia, Bulgaria, Hungary and Roumania where socialist governments evolved peacefully, but against the background of new state structures formed as a result of the social catastrophe of a world war. No such war is now inevitable.

Our attitude to civil liberties both for today, under capitalism, and for tomorrow, under socialism, follows from this broad general approach. Whatever may be the situation in other socialist lands, the Communist Party in our country advocates the maintenance of full civil liberties, including the right of political dissent, not only today, under capitalism, but on the morrow as well, under socialism.

WE BELIEVE that civil liberties as we know them today, namely, as they are spelled out in our Constitution and Bill of Rights can be maintained fully in a socialist America. Specifically this means; freedom of religion, speech, press, association, right of assembly, right to petition for redress of grievances, trial by jury, right to public and speedy trial, right to bail, right to counsel, prohibition of excessive bail, habeas corpus, prohibition of ex post facto laws and bills of attainder, guarantees against double jeopardy, protection against illegal search and seizure, right of defendants to refuse to be witnesses against themselves—in short, all the civil rights spelled out in the Constitution and its various amendments, especially the first ten popularly known as the Bill of Rights.

If this is not explicit enough, we can pin-point the question still further. Will a socialist government in the United States permit opposition political parties, including parties which stand for a return to capitalism,

to exist and function? In our opinion, it will. Will a socialist government in our country permit opponents of socialism to hold meetings, publish newspapers, speak over the radio and TV calling for a return to capitalism? In our opinion, it will.

WE SAY THIS for two reasons. First, because the path to socialism in our country will be determined, among other things, by the historic background of our people, their deeply held convictions and traditions. Outstanding in this is the almost two-century old tradition of civil liberties.

This tradition is so deeply ingrained in the American people that it has become an integral part of our national character. It is inconceivable that the American people, given freedom of choice in the matter, will open a new chapter in our country's social history on any other basis than the full maintenance of civil liberties.

And, secondly, our opinion is that the American people will have that freedom of choice. For, looking at the matter realistically, by the time our country is faced with the possibility of choosing socialism, most of the world will already be socialist on travelling toward socialism.

Under such conditions, a socialist America will not have its course of development determined by the influences of a hostile capitalist encirclement as was the case with the Soviet Union for almost 35 years of its existence.

Neither will it be faced with the problems which still beset the Soviet Union, Peoples China and other Peoples Democracies today. For although they are no longer encircled by capitalism, they still confront a hostile capitalist world which is attempting to intervene in their internal affairs a la Project X, the Kersten Amendment, etc.

AMERICAN Communists have not always taken this position. In the past our outlook ran somewhat along the following lines: In the first place, we said, Socialism in our country would enormously expand the civil liberties of the overwhelming majority of the American people. For the civil liberties which we enjoy today are seriously restricted and curtailed in their scope—and in some instances are pure formalities. As far as the Negro people are concerned not even the formalities are observed. The 13th, 14th and 15th Amendments remain a dead letter in most states of the South.

Socialism in our country would eliminate all restrictions on the free exercise of their civil liberties by the overwhelming majority of our people. It would result in such a flowering of civil liberties for the common people as to put the whole past history of this great American tradition in the shade.

What is more, a socialist America would add to the rights and liberties of the individual. To the rights presently embodied in the Constitution and its various amendments, new ones would be added such as the right to work, the right to rest and leisure, the right to an education, etc.

THIS IS what we emphasized in our past discussions of this question. But we did not come to grips with the knotty problem of the right to dissent under socialism. And yet, in our country, this is the essence of the civil liberties question. In this respect, our country differs from many others in its historic development and traditions. In every country in the world the people inscribe the fight for democratic freedoms on their banner.

But not all these countries, as

a result of the specific character of their historic development, include the right of dissent as part of the tradition of democratic freedom. Hence, in many of these countries, the right of dissent plays only a minor role in the conception of democratic freedom or civil liberties. This is particularly true of those countries which did not have a tradition of bourgeois democracy, for example, Czarist Russia, feudal China, the monarchial Balkan countries.

All civil liberties including, of course, the right of dissent were denied in these countries prior to the establishment of Socialism. The political parties advocating fundamental social transformation were illegal. The historical development of the struggle in these countries, therefore, almost automatically excluded any possibility of the right of dissent becoming a popular tradition.

In addition, after the establishment of Socialism, the parties of dissent, as a result of their international connections, became vehicles of outside imperialist forces working for the violent overthrow of the socialist governments in these countries. That is why although some of the Peoples Democracies are multi-party states, unlike the Soviet Union, there are no pro-capitalist parties in these countries today. That is why there is no freedom in these countries to agitate for a return to capitalism. The absence of opposition political parties in these countries is understandable when we take into account the peculiar features of the historic development of the struggle for socialism and the specific relation of international forces within which these socialist countries were, and are, compelled to defend their magnificent socialist achievements.

But even here, as the current

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Letters on the

Following are more letters in the current discussion of American Marxists and the Soviet Union. Letters over 300 words cannot be printed in full.

Workmen's Circle Member Writes

Editor, Daily Worker:

I have been a Socialist for 42 years and a member of the Workmen's Circle. I am now a retired cloakmaker. One of my three children has been for many years active in Left Wing, or, as he calls it, "progressive movement."

I often had sharp discussions with my son, for whom I always had regard because of his honesty and sincerity. Our area of sharp disagreements was mainly on questions of Stalin's iron rule. I asked my son many times in the past 25 years what kind of socialism is it when you kill so often and so many, including old leaders who fought together with you for the revolution.

After all, the country was big and strong and even if leaders had different opinions than Stalin do they have to be killed? Couldn't they just be disciplined?

In spite of my disagreement with the Jewish writers in Russia, some of us had to agree that the treatment of Soviet Russia toward building the Yiddish language and its culture had no equal. So was the crushing of anti-Semitism. That was one point where my son won a strong point.

I and other old Socialists in Cleveland used to have sharp arguments at meetings of the Farband and used to write protest letters to the "Forward," especially during the war when we asked for Russian War Relief.

But what happened right after the war? There were times that

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discussions within the Soviet Union make clear, "eternal vigilance is the price of liberty." For with the relaxation of socialist vigilance, the restrictions on civil liberties largely dictated by a hostile capitalist encirclement were allowed to grow until they became indefensible violations of socialist democracy. The vigilance of the people must be double-barrelled. It must be directed, on the one hand, toward the efforts of the enemy to destroy socialism. And, on the other hand, it must be directed toward bureaucratic tendencies, whatever their origin, to curtail the civil liberties which are both possible and necessary at a given historical moment. The level of civil liberties under socialism at any given historical moment represents the optimum in a situation in which two factors are at work: efforts of the enemy to destroy socialism by violent means, and strivings of the people to enjoy the full fruits of socialist democracy.

(To be continued Tomorrow.)