

The Constitution and National Liberation

The constitution is an important historical document not because it reflects the aspirations and dreams of a people but because it reflects the balance of class forces in a specific period of a particular social formation. While this may sound sacrilegious to lawyers, politicians and the "constitutionalists," this is the only non-ideological way to understand this document.

To argue this however, is not to advance the view that constitutions do not somehow reflect the aspirations of the different classes in a given social formation. On the contrary, I believe that constitutions articulate some of the aspirations of all classes. But while working classes' aspirations are articulated in the constitution, these aspirations are incorporated in a specific fashion, that is, within the discourse of the dominant classes.

Let me explain. Democratic ideals animates the proletariat and other working classes as much as, if not more than, it animates the bourgeoisie. The democratic idea is not a monopoly of one class. However, different classes understand it differently. In a bourgeois democratic constitution the codification of democracy takes a peculiar form. While it incorporates certain features of the proletarian ideal, these are found within the overarching and limiting idea of bourgeois democracy. While a worker may read in the constitution certain ideas pertinent to his welfare, these ideas are within a universe of meaning that is alien to him. Such constitution though it contain some of the democratic aspirations of the masses, incorporates and rechannels them in a way that ultimately favors the dominant classes.

Since the writing of the constitution is an arena of class struggle it is a product of class struggle. The constitution therefore gives us clues as to the balance of class forces in a given social formation. The drafting of a new Philippine constitution allows us to be witnesses to this process.

Classes appear in the political scene as social forces organized as political parties. Marx said as much in the draft of the rules of the First International: "In its struggle against the collective power of the possessing classes the proletariat can act as a class only by constituting itself as a distinct political party." There is however no direct relationship between parties or groups and classes. Furthermore, not one party solely represents a class faction. There is no party that represents the finance faction of the bourgeoisie alone nor are working class appeals absent in bourgeois political parties' platforms. By the very nature of political parties they have to appeal to other classes. It therefore becomes necessary for them to incorporate the demands of other classes, but only in a way that will not be prejudicial to their party's main interests. Hence, it is possible to find working class planks present in platforms of bourgeois parties though naturally presented in subordinate manners.

Party platforms reflect various class positions in specific ways. Class representation is not measured by the specific content of the party platform, not solely by examining what planks are present and absent, but by looking at the totality of the platform and the hierarchy of planks: what is the dominant plank and which are the subordinate ones. Parties are representatives of certain classes simply because of the subordination of other classes' discourses within their frameworks.

What is the implication of this way of looking at classes and parties? I hope that it is obvious by now that bourgeois parties are very vulnerable to working class pressures. While it is true that bourgeois efforts to rechannel the demands of the working classes blunts the latter's revolutionary edge, the gains that the working classes can acquire and exploit to their advantage are not insignificant.

What is the implication of this view to those interested in the Constitution and National Liberation?

First let me say something about national liberation. I equate national liberation with socialism. A liberated Philippines is a socialist Philippines. I don't think that the CONCOM have written a socialist constitution or that this government is anywhere near going socialist; only the ignorant and the fools would argue and would actually believe this. Since the February revolution was a political revolution that overthrew a regime (but not the capitalist state) it already was a significant event for the working classes because, to use a currently popular phrase, it widened the democratic space that saw to it that parties and movements are no longer harassed. In fact, they are actually even encouraged.

This situation I believe, provides an excellent opportunity to articulate working class demands, to work for their popular acceptance, pressure for their incorporation as party platforms and push government to address them through public policies. There is no illusion however on my part that bourgeois parties would adopt working class planks without trying to castrate them or that this government would be able to legislate social welfare measures without pressure despite the sincerity of the present leaders. What these institutions would accept is clearly circumscribed. Since the alignment of forces that brought this government into power compose a wide spectrum from left to right thus making them all interested in realizing their political agenda, I believe that within limits imposed by this reality we work for progressive demands whose consequential gains will be important.

Unfortunately, the progressive forces seem to be squandering a tremendous opportunity to transform society. We seem unable to adapt to the changed conditions and as a consequence we are losing the initiative to the politicians. This is very evident in the CONCOM. Left to themselves, the Commissioners for all their good intentions definitely have not constitutionalize progressive ideas. As a matter of fact, most of the progressive measures that were passed by its various committees were either voted down or watered down in the final floor deliberations.

I submit that this is because we have abandoned our natural habitat—street parliaments—and our most potent instrument—mass mobilization. We overthrew Marcos from the streets, are we then going to expect social revolution or the least progressive government policy to come from the bureaucracy? The progressive forces must take stock and re-conquer the streets from the forces of reaction. Ostensibly, this is not to suggest that we abandon the other forms and venue of struggles—the bureaucracy and the legislature—for they are equally fertile arenas where we must bring our struggles. But we must not forget that our success in those arenas is dependent on the pressures that we will be able to generate from the streets. **K**