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CONSTITUTION OF TRIUMPHANT SOCIALISM

ALBANIA REPORT
P. O. BOX 912
NEW YORK, N. Y. 10008

THE «8 NËNTORI» PUBLISHING HOUSE
TIRANA, 1980

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INTRODUCTION

The crowning of the centuries-long efforts of the Albanian people for freedom and justice, their greatest historic victory, is the establishment of the people's power which after the liberation of the country from the fascist occupiers and the local traitors began to perform the functions of the dictatorship of the proletariat. This victory, which was achieved owing to the correct strategy and tactics of the Communist Party (today the Party of Labour) of Albania, constituted the fundamental condition which made it possible for Albania to embark on the road of socialist development without delay.

The first socialist Constitution of Albania, approved by the Constitutional Assembly (March 14th, 1946), sanctioned by law what the Albanian people under the correct and far-sighted leadership of the Party of Labour of Albania with Comrade Enver Hoxha at its head, had won with their war; it sanctioned the new reality created in Albania, where the people had become the masters of their own destiny, sanctioned the great truth that Albania had embarked on a new road of development, the construction of the socialist and communist

society. With the amendments of July 1950, this Constitution served for three decades as a legal basis for the whole social-political life of the country. As an important part of the superstructure and as the fundamental law of the state, it played a great role in the defence and consolidation of the people's power, as well as in the all-round development of the socialist social order.

Under the leadership of the working class and its Party, thorough-going revolutionary changes were made in Albania under the people's power. Such historic achievements as the abolishment of private ownership of the means of production and the establishment of the single system of the socialist economy in the cities as well as in the countryside, the liquidation of the exploiting classes and of the exploitation of man by man, the building of new socialist relations, and on their basis, the existence of only two friendly classes of our society — the working class and the cooperativist peasantry, as well as the stratum of intelligentsia, marked the end of the first phase and our country's entering the phase of the complete construction of the socialist society. As the 6th Congress of the Party pointed out, these also marked the end of the period during which our first socialist Constitution was in force. In its dynamic revolutionary development, Albania's socialist life itself had gone beyond this Constitution in many of its aspects, and called for the drafting of a new constitution in conformity with the country's present stage of development.

By laying down the task for the drafting of the New Constitution, the Party and Comrade

Enver Hoxha stressed that it should be a political, ideological and juridical document of great value for the present and the future of the country; that it should take into consideration the rich revolutionary experience of our country as well as the experience of world socialism; that it should fully reflect the reality of socialist Albania, a country loyal to the principles of scientific socialism and applying and developing them in a scientific way; that it should represent the features of true socialism which is distorted and wildly attacked by the modern revisionists. On the basis of the decision of the 6th Congress of the Party for the drafting of the New Constitution and the orientations of the 8th Plenum of the CC of the Party (October 1975), the People's Assembly set up a Special Commission headed by Comrade Enver Hoxha to work out the draft of the Constitution which was given out for broad discussion among the people in January 1976. Assessing the achievements of the work for the drafting of the New Constitution and the discussion of its draft among the people, the 7th Congress of the Party made a high appraisal of it, as a great historic victory of our Party and people.

The broad popular discussion of the draft of the New Constitution which went on for two months and a half, was a very important political action, in which our people expressed their unanimous approval of the draft-Constitution which, in essence, represented the Marxist-Leninist line followed by our Party, with Comrade Enver Hoxha at the head. This discussion was another clear reflection of socialist democracy functioning and ceaselessly developing in the Alba-

nian state, where the working masses with the working class at the head, are the real masters of the country and decide on everything. A million and a half people, practically all the adult population of the country, took part in meetings to discuss the new draft-Constitution, and among them 300 thousand, or one out of five persons, contributed to the discussion with 3400 concrete remarks and suggestions. The unity of thought and action of our Party and people as well as their determination to always march forward on the road of the revolution and socialism, were forcefully manifested in the popular discussion of the draft-Constitution.

The remarks and suggestions made during the popular discussion further completed and improved the new draft-Constitution. This draft was submitted for examination to the 5th session of the 8th legislature of the People's Assembly, where it was finally and unanimously approved (December 28th, 1976).

The New Constitution is the second socialist Constitution of Albania. It reflects the revolutionary course and experience of our Party and people, and constitutes a powerful means in their hands for the defence and advance of the socialist victories hitherto achieved in our country, for its constant progress on the socialist road and the barring of all paths to the emergence of revisionism and the restoration of capitalism in Albania.

«This Constitution», Comrade Enver Hoxha, said in his report to the People's Assembly on the occasion of the approval of the Constitu-

*tion, «on the one hand corresponds to the concrete reality of our country, a reality attained with blood, toil and sweat and, on the other hand, opens to socialist Albania brilliant and sure perspectives from every viewpoint.»**

The principles formulated by the classics of Marxism-Leninism, especially on the question of the dictatorship of the proletariat, as well as the summing up of the rich experience of our Party and state in the construction of socialism, are fully reflected in the New Constitution. Drawing lessons from the revisionist betrayal which led the Soviet Union and the other former socialist countries to the re-establishment of capitalism, our Party has worked out a complete program of struggle and taken a series of measures of historic importance in order to bar all paths to the bourgeois degeneration of socialism and to ensure the incessant advance of the revolution and the construction of socialism. This rich experience, which is a new contribution to the theory and practice of scientific socialism, is fully reflected in the Constitution. The Constitution expresses the correct line of our Party of Labour, its revolutionary program for the construction of socialism and communism, its consistent defence of the teachings of Marxism-Leninism on the dictatorship of the proletariat and socialism. In contrast to the efforts of the modern revisionists, who try to deny the class content of the

* Enver Hoxha, Report on the new draft-Constitution, the newspaper «Zëri i popullit», December 28th, 1976.

state and the entire socialist society, who advocate a state and a party of «the entire people», and who preach an abstract democracy and humanism above classes in order to cover up their bourgeois dictatorship and their counterrevolutionary policy, our New Constitution treats all problems from clear proletarian class positions.

The Constitution sanctions the content of our state as a state of the dictatorship of the proletariat and defines the directions of its activity for the uninterrupted development of the revolution and the socialist construction. The democratic spirit of revolutionary humanism which, like a red thread runs through our entire Constitution, is expressed in its basic idea that everything is done in the name of the working people and for their benefit, in the name of the revolution and socialism and for their benefit. This is also closely linked with the aim of developing socialist democracy which is concretely expressed not only in the formulation of the related principles in the provisions of the political order, but also in the economic field, in the rights and duties of citizens and in the organization of the state.

Although the New Constitution is centered on the state, the definition of its type, form, functions and duties, it goes beyond the narrow limits of purely state problems and extends to the broader sphere of social development. And this is only logical, because in socialism the state is not only «*the official representative of society as a whole*», as is the case with the

bourgeois and revisionist countries, but also its real representative*. After avoiding details which need not be entered into in such a basic document, the Constitution is not merely a codification of articles of a strictly state character, it bears the seal of those fundamental features and principles which make up the base of our socialist society.

The New Constitution not only sanctions the victories achieved up to this day, but also expresses the tendency of the country's further socialist development, with clear programmatic elements, especially in its Introduction. In this way it represents not only a juridical document, which first of all registers and defines what has been hitherto attained, but also a major political and ideological document, and in a way, also a program of work and struggle for the future.

The New Constitution is the direct continuation of the previous Constitution. By reflecting the two stages of a single uninterrupted revolutionary process, both these Constitutions belong to the one type of Constitution — the socialist Constitution. The uninterrupted sequence between the two stages of the revolution — the present and the past — can also be found in both Constitutions, the New Constitution being a development of the previous one. In this way the New Constitution does not negate or reject the previous Constitution, but in conformity with the

* K. Marx - F. Engels, Selected Works, vol. 2, p. 139, Tirana 1958, Alb. ed.

present stage of the complete construction of the socialist society, it further perfects the ideas of the previous Constitution and raises them to a higher level.*

Nevertheless, the New Constitution differs from the previous one. The amendments are such that the New Constitution is not a repetition or simply a complement of the previous Constitution, but an entirely fundamental law. This is related to the fact that the previous Constitution was the Constitution of the period when our country had just embarked on the road of socialism, whereas the New Constitution is the Constitution of the period when the economic base of socialism has already been built, and the complete construction of the socialist society is going on; it is **the Constitution of triumphant socialism.**

In comparison with the previous Constitution, the New Constitution has structural changes, which make our fundamental law clearer and contribute to a better arrangement of its content. In some cases, these changes in its structure go beyond their technical-juridical significance, as is the case with the grouping in chapters, sub-chapters or special articles of the question of the defence of the country and the armed forces, of education, science and culture, of the principles of our foreign policy, etc. Such changes also assume a political-ideological significance. The Introduction to the Constitution has special importance in this respect.

* Hysni Kapo, «On the working out of the new draft-Constitution of the PR of Albania», p. 18, Tirana 1975, Alb. ed.

Unlike the previous Constitution, the New Constitution is provided with a brief Introduction. The Introduction defines the principal stages of our people's struggle and efforts for freedom and independence; it characterizes the process of the emergence and development of our socialist state, as well as the distinguishing features of the present stage; it emphasizes the prospects and the tendencies of the progress and strengthening of the society and the state, bringing into relief the idea of the uninterrupted character of our revolution. The Introduction also lays down the principles guiding our Republic in its international relations and underlying the foundations of its foreign policy. It affirms our country's unchanging loyalty to the Marxist-Leninist doctrine which is of great principled importance, especially under the present circumstances, when it has become a target of attack not only from the imperialist bourgeoisie, but is also being negated and openly distorted by the revisionists of all hues, Soviet, Yugoslav, «Eurocommunist», or Chinese. Couched in the form of a solemn declaration, the Introduction to the New Constitution is its component part. By defining the basic principles of our social and state activity, by indicating the reasons and sources of the successes of the Albanian people in the construction of socialism, the Introduction contributes to a better understanding of the Constitution.

CHAPTER I

POLITICAL ORGANIZATION OF SOCIETY

The Constitution of the PSR of Albania opens with the chapter devoted to the characterization of the social order. This is a question of principled importance, because the questions connected with the social order are the fundamental questions of the state and the society and define their main features. The physiognomy of the society, the character of the state, the principles of its building and functioning, cannot be clearly and correctly revealed without analyzing the social order itself, which is the source of all relations arising and developing in the society and the state.

The foundation stone of the Marxist-Leninist science on society is Marx's elaboration of the notion of socio-economic formation under which society is not a mechanical and arbitrary assembly of people, things and ideas, but a special social organization. It has its own laws of development, its own component parts which are connected and regularly interact with one another, and a definite type of relations of

production, of a social-class structure or superstructure which responds or should respond to a definite level of forces of production.

A clear definition of the social order gives an accurate idea of the degree of development of the society, the history of which knows of five different kinds of social order: the primitive community, the slave-owning society, feudalism, capitalism and socialism. From this viewpoint, the concept of social order also shows the trend of development of society which goes from a lower social order to a higher one, as an objective law of historical development. There may be zigzags in the historical development of particular countries, but they do not deny the general law of development of human society as a whole, which inevitably develops from a lower stage to a higher one, thus paving the road for the socialist and communist social order to which the future belongs.

The great people's revolution, which was carried out in Albania under the leadership of the Party, brought about a radical transformation of the social order. It overthrew the old feudal-bourgeois exploiting order and paved the way for a new and more advanced social order, the socialist order. As a result of all these revolutionary changes which have taken place in the base and superstructure of our society, this order has by now been consolidated and is successfully developing towards the complete construction of socialism and then communism. The great historic merit of our Party is that not only did it lead our people to the brilliant epoch of the transition from capitalism to communism, but it is also

leading them with determination and wisdom, allowing no switch backwards, or zigzags on this glorious road which has ensured our country the most progressive social order in the world.

The priority treatment of the questions of social order is an important feature of the Constitution of a socialist state. This distinguishes it from the Constitutions of capitalist states, which do not reveal the real character of bourgeois order, and conceal and distort its reactionary and anti-popular essence. The Constitutions of those states make no mention at all of the class structure of society, as a society divided into antagonistic classes, rich and poor people, exploiters and exploited; they make no reference to the political base of the state, because the state power there is in the hands of a minority which oppresses and exploits the broad masses of the people, and they treat the economic base, which in fact is the capitalist private ownership, as something beneficial to all, and pretend that all citizens without exception are or can become owners of the means of production.

Because of their very class stand, the bourgeois politicians and lawyers have no interest in, and as a result, cannot treat with scientific objectivity the problems of the capitalist social order, because this would be turned against the very order which they defend, because this would reveal its character as an anti-democratic order based on the oppression and exploitation of the working people, the enslavement of other peoples, fascist violence and imperialist aggressions. This is why they are trying to prettify it, presenting it as an order of «social harmony», «complete democracy» and «general well-being».

The indisputable superiority of the socialist order over the capitalist, bourgeois and revisionist order emerges clearly from the analysis of the questions of the social order. In this sense, the New Constitution is a great political document which inspires our working masses, to take legitimate pride in the socialist road they have chosen, and strengthens their unwavering confidence in the brilliant communist future.

A component and very important part of the social order is the political order. The Constitution treats this order, with its main components — the state, the Party and the mass organizations — from sound Marxist-Leninist positions, on the basis of the rich experience of our Party and international communism, as well as by taking into consideration all the great changes which have taken place in the base and superstructure of our society in its present stage of development.

This part of the New Constitution reflects such cardinal problems as: the type and form of the state, its social and political bases, the undivided leadership of the working class and its Party in the state and society, Marxism-Leninism as the ruling ideology, the place and role of the mass organizations, as well as the main principles which underlie the foundations of the political organization of our society, such as the principles of sovereignty of the people, unified state power, democratic centralism, socialist law, the line of the masses and workers' and peasants' control, etc. Just as with all the other problems, in dealing with these problems, too, our Constitution is clearly opposed to all the distortions by the modern revi-

sionists; these problems are seen in the light of the new historic experience of socialism in barring the path to the restoration of capitalism, ensuring the uninterrupted continuity of the revolution and achieving the complete and final victory of socialism and communism.

1) The PSR of Albania — a State of the Dictatorship of the Proletariat

In compliance with the teachings of Marx and Lenin, with world revolutionary practice and the experience of our own revolution, the New Constitution clearly expresses the basic idea that «the People's Socialist Republic of Albania is a state of the dictatorship of the proletariat» (Article 2). This definition is of great importance, because not only is it a truthful reflection of the reality of our country, where the dictatorship of the proletariat exists and is continuously strengthening, but it affirms at the same time the great Marxist-Leninist truth that **there can be no construction of socialism and communism without the dictatorship of the proletariat**. With this definition, a dividing line was drawn with all trends of old and new opportunism in the workers' and communist movement.

The dictatorship of the proletariat constitutes the basic question of Marxism-Leninism, so the stand towards it has been and will always be a touchstone for all real revolutionaries.

*«The question of the stand towards the dictatorship of the proletariat,» Comrade Enver Hoxha has said, «is one of the most vital questions of socialist development about which there exist two diametrically opposed lines and a bitter struggle goes on between the Marxist-Leninists and the modern revisionists.»**

For the Marxist-Leninist, during the entire historical period of the transition from capitalism to communism,

*«the state... can be nothing but the revolutionary dictatorship of the proletariat.»***

and

*«the transition from capitalist society to communist society is impossible without a political transition period and the state in this period can only be the revolutionary dictatorship of the proletariat.»****

In overt opposition to the teachings of Marxism-

* Enver Hoxha, «Report to the 5th Congress of the PLA», p. 18, Alb. ed.

** K. Marx — F. Engels, Selected Works, vol. 2, p. 23, Tirana 1958, Alb. ed.

*** V. I. Lenin, Collected Works, vol. 25, p. 188, Alb. ed.

Leninism, the modern revisionists are trying to deny and distort the idea of the dictatorship of the proletariat. All the demagogy of the modern revisionists about «bureaucratic étatism», «the liquidation of the consequences of the cult of the individual», «liberalization and democratization», «direct democracy» and «the state of the entire people» are a flagrant deviation from Marxism-Leninism and serve only one purpose: the degeneration and liquidation of the dictatorship of the proletariat.

With the establishment of the dictatorship of the proletariat, true democracy is guaranteed for the first time in history.

*«The first step on the revolution by the working class,» «The Communist Manifesto» says, «is to raise the proletariat to the position of ruling class to win the battle of democracy.»**

This is the most complete democracy, democracy for the broad masses of working people, a democracy which is clearly reflected in our New Constitution.

By reflecting the really democratic character of the dictatorship of the proletariat which runs through the Constitution like a red thread, our Constitution embodies the Marxist-Leninist thesis of our Party that the general road to the strengthening of the dictatorship of the proletariat, the entire socialist

* K. Marx—F. Engels, Selected Works, vol. 1, p. 39, Tirana 1958, Alb. ed.

order, goes through the development of democracy for the masses and that their participation in the governing of the state is the main direction to deepen socialist democracy in action.

«Ensuring broad socialist democracy,» Comrade Enver Hoxha has said, «constitutes a fundamental condition for the protection and strengthening of the dictatorship of the proletariat itself, just as the dictatorship of the proletariat constitutes an indispensable and decisive condition for the existence of genuine democracy for the working people».*

Being the broadest and most real democracy for the working masses, the socialist state is at the same time a fierce dictatorship for all the internal and external enemies of socialism. There is a dialectical connection between these two aspects of the socialist state. Only the opportunists and revisionists, in their quality of flunkies of the bourgeoisie, set them one against the other, seeking to liquidate the dictatorship of the proletariat supposedly as a condition for the development of democracy. They deny the democratic character of the socialist state, and some of them go even further in the service of this hostile idea, by setting democracy against the state in general. From all this they want to draw the conclusion that the very existence of the state is a negation of democracy. In reality, however, Lenin teaches us, demo-

* Enver Hoxha, «Report to the 7th Congress of the PLA», p. 19, Eng. ed.

cracy means also the state, because there can be no democracy without the state, because the abolishment of the state will bring about the abolishment of democracy, too.

It is these two aspects of the socialist state, democracy for the majority, for the broad masses of the working people, and dictatorship for the minority, the enemies of the people and socialism, that Lenin has in mind while defining the socialist state as democratic in a new way and dictatorial in a new way. He considered this a historical necessity for the entire period of transition from capitalism to communism, during which an acute class struggle goes on. This is a struggle between two roads of development, the socialist and capitalist road, a struggle which goes on until the final goal — the triumph of communism at home and in the world, is achieved. And as long as this victory has not been achieved, the question of power and the dictatorship of the proletariat which

«is the powerful and decisive weapon to carry the socialist revolution forward, to its complete and final victory».*

always remains the basic question of the revolution.

The broad masses of working people powerfully support the state of the dictatorship of the proletariat, because it is close to and vital for them, because, as the Constitution has it, «it expresses and defends the interests of all the working people» (Article 2). The

* Enver Hoxha, «Report to the 7th Congress of the PLA», p. 17, Eng. ed.

new type of state — the dictatorship of the proletariat, as well as all the ways it realizes its state power, clearly show how strong and inseparable are the ties of the broad masses of working people with the proletariat organized as the ruling class. In this view, it is necessary to stress the following points:

First, the community of the main interests of the working class and the other working masses. The proletariat, as the only class revolutionary to the end and the only leading force of the struggle for the emancipation of the working masses from any kind of oppression and exploitation, unites the broad masses of the people around itself, thus indissolubly linking its emancipation with the simultaneous and final emancipation of the entire society.

Second, the method of the political rule employed by the working class towards the other working people who are its allies. Towards them, the working class uses persuasion and education, not oppression and violence, as it does towards the exploiting classes. The dictatorship of the proletariat implies co-operation and alliance between the proletariat, which leads the peasantry and the other working masses.

Third, the participation of the broad working masses in exercising that state power. Besides the working class, and under its leadership, the other working people, too, participate in the proletarian state and the exercise of state power. So the representative organs, which are the main link in our state organization, are elected by the citizens in general elections.

All this is clear testimony to the real content and

the great importance of the principle sanctioned in the Constitution, that in Albania the state power derives from and belongs to the working people, and that all working people, under the leadership of the working class, participate in the exercise of state power through the representative organs as well as directly. Naturally, this does not rule out the proletarian character of the Albanian state, which is determined by the fact that, it is the working class which is in command, which leads and directs the state.

Lenin has defined the essence of the dictatorship of the proletariat, as state leadership by the working class, a leadership which it does not and cannot share with the other classes. Laying great emphasis on this important question, Lenin said:

*«The class that took political power did so in the knowledge that it was doing so alone. That is intrinsic to the concept of the dictatorship of the proletariat.»**

The working class is also conscious that this political rule is necessary through the entire historical period of socialism until the construction of communism. All these bring out the falsity of the preachings of the Khrushchevite revisionists that the socialist state, which emerged as the dictatorship of the proletariat, «has fulfilled its historical mission», and has now given the place to the «state of the entire people».

The form of the state as well as its naming are closely linked to the type of the state. The Albanian

* V. I. Lenin, Collected Works, vol. 32, p. 318, Alb. ed.

state, which was the offspring of the people's revolution, was from the very start a dictatorship of the proletariat, exercised in the form of people's democracy. So our state was rightly called a People's Republic in our first socialist Constitution. The changes made in the base and superstructure of our society put forward the need to change the name of our state, so that it could better correspond not only to its goal, the readiness and determination of the people to build socialism, but also to Albania's present-day socialist reality. And on this basis the New Constitution sanctioned the new name of our socialist state, calling it a People's Socialist Republic (Article 1).

This solution to the question of the name of our state not only reflects the class content of the state and the present socialist reality of Albania more clearly and expressly, but also maintains the continuity from the first Constitution to the New Constitution, the connection with the previous name it had adopted for the state as a People's Republic, under which Albania has won a worthy position and great respect in the international arena. This new name not only is correct and proper, but it is also an original choice which distinguishes our New Constitution from the Constitutions many revisionist countries have had in the recent years. For demagogical purposes, some of them have named their countries socialist republics, while others have kept their previous names of people's republics.

2) The System of the Dictatorship of the Proletariat and the Leading Role of the Party

The dictatorship of the proletariat, as a form of the state leadership by the working class, is exercised not only through the state organs, but also through the mass organizations which are a component part of the system of the dictatorship of the proletariat. This is another reflection of the profoundly democratic character of our political order.

The Marxist-Leninist party of the working class is at the head of all state organs and mass organizations which make up the system of the dictatorship of the proletariat. Without the leading role of the Marxist-Leninist party there can be no question about the dictatorship of the proletariat, or the construction of socialism and communism, therefore this leading role constitutes **the fundamental principle of the entire social and state life of the socialist society**. This idea is expressed in the Article 3 of the Constitution which says, «The Party of Labour of Albania, the vanguard of the working class, is the sole leading political force of the state and the society». Contrary to the viewpoints of the modern revisionists, this Article clearly stresses three main points: first, that the Party of Labour of Albania is the vanguard of the working class, thus emphasizing its class proletarian character; second, that it is the sole leading political force, which reflects the reality of our country, where other political parties do not exist, and the fact that the Party shares this leading role with nobody; third,

that the leading role of the working class is utterly unconceivable and cannot be realized without its Marxist-Leninist political party.

The leadership by the Party constitutes a basic question of vital importance for the dictatorship of the proletariat and the fate of the revolution. The very notion of the dictatorship of the proletariat comprises, as its inseparable and main element, the idea of the leadership by the Marxist-Leninist party.

«The dictatorship of the proletariat,» Lenin says, *«would not work except through the Communist party.»**

And in the process of development towards socialism and then communism this leading role of the Party not only is not weakened, but is strengthened, influencing all fields of life and all state and social activity. This is why Comrade Enver Hoxha has forcefully stressed that the Party is the sharp-edged sword of the working class and that we should devote the greatest attention, all our minds and hearts, to the cause of its defence, continuous strengthening and revolutionization. The weakening of the Party, its inner life and leading role would lead to catastrophic consequences. Our Party has condemned and smashed all hostile attempts to attack the Party and weaken its leading role, as was the case with the plots discovered and foiled in the recent years in the economy, the army, the arts and culture.

By sanctioning the leading role of the Party,

* V. I. Lenin, Collected Works, vol. 32, p. 226, Alb. ed.

our Constitution reflects a general law of the socialist revolution, the validity of which has been proved by both the positive experience of our country, as well as the negative experience of the Soviet Union and the other former socialist countries. All our successes in the road of revolution and socialism are due to the leadership of our Party of Labour, to its correct Marxist-Leninist line. It is also a fact that it is exactly the weakening of the leading role of the Party and its degeneration from a revolutionary, Marxist-Leninist party into a revisionist party that was the real cause of the regressive counterrevolutionary process the former socialist countries went through.

By raising the leading role of the Party to a juridical-constitutional norm, socialist Albania has put itself in complete opposition to the preachings of the Yugoslav, Soviet and other modern revisionists, who advocate the reduction of the role of the party to «a merely ideological or economic factor», who see the leading role of the working class «even without the party and its proletarian state», preach about the «party of the entire people», the multiparty system» in the period of socialism, the transition to socialism «under the leadership of non-proletarian parties», etc. In their essence, all these «theories», which deny the leading role of the working class and its revolutionary party, Comrade Enver Hoxha says, actually negate the revolution, socialism and Marxism-Leninism.

The idea of the leading role of the Marxist-Leninist party is also directly linked with its revolutionary ideology. On this question, too, our Constitution

adopts a clear-cut stand, stating that Marxism-Leninism constitutes the only ideological basis of our society and state, that «the entire socialist order is developed on the basis of its principles» (Article 3). The sanctioning of this fact reflects our socialist reality and at the same time stresses that the Marxist-Leninist theory is the only sure compass guiding our country on the road of triumphant socialism for the establishment of the socialist and communist society. The historic experience has proved to the hilt that it is only on the basis of the life-giving ideas of Marxism-Leninism that the dictatorship of the proletariat can be established, defended and continuously strengthened, and the successful construction of socialism and the transition to a classless communist society can be ensured.

Besides the state and the party, an important place in the system of the dictatorship of the proletariat is also occupied by the mass organizations which play a constantly increasing role in the process of socialist development of the country and the deepening of socialist democracy. Our Constitution has correctly defined the role of the mass organizations, their place in society and their relationships with the state. It recognizes the citizens the right to unite in different organizations, intended at drawing in an organized way the masses, the broad strata of the people, into the socialist construction and the governing of the country, imbuing them with communist ideas and looking to it that their particular problems are solved. As regards the relationships of the state with the mass organizations, the Constitution stresses that in all its activity the state relies on the mass

organizations and creates the conditions for them to develop their activity.

On this question, too, our Constitution draws a dividing line with the modern revisionists. It is opposed to the revisionists of the capitalist countries who advocate the so-called independence of the mass organizations from the Marxist party of the working class, as well as to those of the revisionist countries who, having supposedly given them some state functions, have transformed the mass organizations into appendages of their bureaucratic state and tools to deceive the masses.

3) The Social Basis of the Socialist State

The social basis of the state depends on the classes or social forces on which the state relies, on who supports it. This social basis of the state is not given once and for all, it is not unchangeable. The fact is that although the nature and the class essence of the state may not change, its social basis may change, and in reality it cannot but change as society develops. In capitalism and imperialism the class nature of the bourgeois state does not change — it remains a dictatorship of the bourgeoisie. But its social basis changes, it becomes narrower and narrower as the internal and external contradictions of the capitalist order and, especially, the fundamental contradiction between the social character of production and the private appropriation of the product of work becomes deeper and sharper. The big concen-

tration of capital, which reaches its highest stage under state monopoly capitalism, weighs heavy not only on the shoulders of the working class and the peasantry, but also of the strata of the petty and medium bourgeoisie of the cities, as well as of part of the intelligentsia, especially those participating in production.

Entirely different is the case with the social basis of the socialist state which is sanctioned in Article 2 of the Constitution. Judging from the mass of people supporting the socialist state, this basis becomes larger and larger in the process of development of the society. This happens because of all the changes taking place in the economic base and social structure of the society, especially with the abolition of private ownership and the disappearance of the exploiting classes and the peasantry embarking on the road of collectivization, changes leading to the remaining friendly classes — the working class, the cooperativist peasantry and the stratum of the intelligentsia — drawing closer together for an ever stronger socio-economic and ideo-political unity of the people.

There is no doubt that the foundation of the social basis of our socialist state is the alliance of the working class with the peasantry, the latter making up the overwhelming majority of the population. The peasantry is not only the closest and the largest ally of the working class in the socialist revolution and construction, but in our country it also has a rich patriotic revolutionary tradition, it has always played a major progressive role in the history of our people, a role which manifested itself power-

fully during the National Liberation War. Even today it makes up 65 per cent of the population and remains a decisive factor for the complete construction of the socialist society and the defence of the Homeland. That is why our Party has always highly valued the role of the peasantry, its revolutionary potential, always following a correct policy toward the countryside and the peasantry.

The alliance of the working class with the peasantry under the leadership of the working class is a principled question of great importance to the revolution and the dictatorship of the proletariat, a question exhaustively and scientifically treated by the classics of Marxism and especially Lenin, who has called this alliance the Alpha and Omega of the socialist state, the loftiest principle of the dictatorship of the proletariat. In the worker-peasant alliance, he wrote, lies the strength of the proletarian state power, lies the guarantee of all the successes achieved in the road of revolution and the warrant for our final victory. Only the modern revisionists have come out against this great idea and are trying to replace the alliance with the peasantry with all kind of alliances with the bourgeoisie, the petty-bourgeoisie of the cities and especially with the intelligentsia, which some of them are trying to present as the leading forces in the revolutionary movement, because, according to them, the working class has allegedly been integrated into the capitalist system and no longer constitutes a revolutionary force.

The alliance with the peasantry remains a basic principle of the dictatorship of the proletariat during the entire historical period of socialism. This is due to the fact that during this entire period, the funda-

mental distinctions between the working class and the cooperativist peasantry still exist, they will be fully abolished only under communism when no class distinctions whatsoever will exist. As a result, the leading role of the working class in this alliance will be preserved until then, because this alliance has been formed to fight against the bourgeoisie and capitalism; for the triumph of socialism and communism. And it is only the working class, as the most progressive, organized, disciplined and conscious class that can lead this complex struggle with its own revolutionary party and theory.

The merit of the New Constitution is that it considers all the changes in the social basis of our state, while at the same time making a clear class definition of this basis and the still existing class distinctions. So, besides the alliance of the working class with the cooperativist peasantry which lies at the foundation of our socialist state, our Constitution also stresses that our Republic relies on the unity of the people around the Party. By emphasizing this idea, our Constitution lays particular stress on a very important feature of our socialist society which distinguishes it from the bourgeois society which is divided and eroded by antagonistic contradictions. This unity is a reality of new socialist Albania, one of the greatest victories of socialism and the Party, a great driving force of society. Its economic base is the socialist state property, which has been established both in the town and countryside; its political base is the general line of the Party for the construction of socialism and the defence of the Homeland; its ideological base is Marxism-Leninism, the revolutionary ideology of the working class, which is the dominant

ideology; its organizational base is the Democratic Front led by the Party.

The defence and strengthening of the unity of the people around the Party is a continuous process which develops along with the process of the deepening of the socialist revolution itself. This unity is achieved by recognizing and correctly solving the contradictions through the class struggle, and not by covering them up.

*«To consider the question of unity outside the class struggle.» Comrade Enver Hoxha has said, «to deny the class struggle and the non-antagonistic contradictions of the socialist society allegedly for the sake of this unity, means to lull the political and ideological vigilance of the Party and workers to sleep. to undermine unity and the cause of socialism itself.»**

In this question it is of special importance to distinguish between the two types of contradictions existing in the socialist society. Failure to achieve a correct understanding of the character of the two types of contradictions, lumping together antagonistic contradictions with non-antagonistic ones, Comrade Enver Hoxha says, damages the line of the Party, as it leads to sectarian and opportunist stands which seriously disrupt the unity of the people.

* Enver Hoxha, «Reports and Speeches, 1967-1968», p. 182. Alb. ed.

4) The Achievement of Real Sovereignty of the People

The principle of sovereignty of the people permeates the entire Constitution, clearly reflecting the fact that this principle can really be implemented only in the conditions of the socialist order. It is the leadership by the working class, realized through its Marxist-Leninist party, and the state of the dictatorship of the proletariat, that gives the working people full powers, from which derives the real character of the principle of sovereignty of the people in the socialist Constitution which is the opposite of the juridically formal and out-and-out deceptive character of this principle in the bourgeois and revisionist constitutions.

Reflecting the full powers exercised by the working people on the question of state power, our Constitution proclaims: «All state power in the People's Socialist Republic of Albania derives from and belongs to the working people» (Article 5). In this context, it also takes up the question of the class content of sovereignty, stressing that this question has to do with the working people themselves, who consist of «the working class, the cooperativist peasantry and the other working people» (Article 5), and that it is «the working class as the leading class of the society» (Article 10) that leads them.

The Constitution lays down that the working people exercise their state power through the representative organs as well as directly. It recognizes to nobody, except the organs explicitly mentioned, the

right to speak in the name of the PSR of Albania or to exercise its sovereignty. Thus it rules out the possibility of any attempt which could be made by certain people (individuals or groups), in certain situations, to attribute to themselves the right to exercise the sovereignty or any of its attributions. From the juridical-constitutional point of view, this bars the path to any attempt by hostile elements or traitors to attribute to themselves illegal and anti-constitutional competences, to demand «assistance» from people outside the borders of the Homeland, allegedly in the name of the Albanian people or the organs of our Republic, to actually legalize an intervention by imperialist, revisionist or other reactionary forces in our country. Thus the Constitution condemns one of the common manoeuvres of the states following an aggressive foreign policy, as the one the Soviet social-imperialists resorted to, when they invaded Czechoslovakia in 1968.

In compliance with the principle of sovereignty of the people, the Constitution expresses in a clear-cut manner the sovereign right of the Albanian people to defend the socialist Homeland through a people's war, by all means, and through to the end, until complete victory over any aggressor or group of aggressors. It proclaims the territory of socialist Albania unalienable and its borders unviolable.

The prohibition of the establishment of foreign military bases and the stationing of foreign troops in the territory of socialist Albania also aims at the defence of freedom, complete sovereignty and independence of the country. This is at the same time a solemn proclamation that the territory of socialist

Albania will never be used as a basis for aggression against other countries. Raising the prohibition of the establishment of foreign military bases and the stationing of foreign troops to a juridical-constitutional norm, assumes special importance under the present international situation, when such bases have been established on all the continents of the world. Socialist Albania provides a good example of the stand that should be maintained towards foreign military bases and troops which constitute a flagrant violation of the sovereignty of the countries where they have been established, and pose a serious threat to peace and the freedom of the peoples.

Of special importance to the defence of the independence of our country and the socialist order is the provision of the New Constitution, which affirms that the granting of concessions to and the creation of foreign economic and financial companies and other institutions, or the ones formed jointly with bourgeois and revisionist-capitalist monopolies and states, as well as the obtaining of credits from them, are prohibited. This is a question of principle, Comrade Enver Hoxha says, because no country can build socialism by getting credits and aid from the bourgeoisie and the revisionists, by integrating its economy into the gears of the capitalist world economy. Such a policy makes the country dependent on imperialism and social-imperialism, the capitalist-revisionist world, and opens the doors to the degeneration of the socialist order.

The realization of the real sovereignty of the people not only is sure to bring about the independence of the country in all fields and forms, but also

is its greatest guarantee, because only the working people with the working class and its revolutionary vanguard at the head, are most determined and capable of defending the independence of the country through to the end. Living testimony to this Marxist-Leninist truth is the example of socialist Albania which defends its independence and faces up bravely to the imperialist-revisionist blockade and encirclement.

A real socialist state does not accept any form of dependence, intervention, or dictate from outside both for itself and any other country and opposes them. Therefore, by defending its own independence, through its foreign policy, the PSR of Albania wages a principled struggle for the exposure of all neo-colonialist «theories», such as those on the «interdependence of nations», «limited sovereignty», and the theory of «three worlds», through which American imperialism and Soviet and Chinese social-imperialism are trying to legalize the enslaving practices to dominate other countries and states.

5) Democracy and Proletarian Centralism in Indissoluble Unity

A new democracy and a new centralism fully permeated by the proletarian spirit are established in the socialist order. Both of them operate in indissoluble unity as the two component parts of the important principle of democratic centralism.

The principle of democratic centralism is an ob-

jective necessity for the socialist order. It responds to the new economic and political system, to the planned development of the entire economic and social life of the country, and ensures the participation of the working masses in the governing of the state and the management of the economy. The essence of this important Marxist-Leninist principle, says Comrade Enver Hoxha,

*«is the centralized leadership by the working class of the entire life of the country through its Party and the proletarian state, the combination of centralized management with the creative initiative of the local organs and the working masses.»**

Because of the great importance the principle of democratic centralism assumes in the socialist society, our Constitution vests it with high legal power by sanctioning that «the organization of the state and state activity, all the political and economic life in the People's Socialist Republic of Albania» (Article 11) are based on this principle and develop according to it. This accounts for the close and indissoluble unity of the new democracy with the new centralism, which are established and operate in the socialist order, of the proletarian democracy and centralism which are essentially different from the democracy and centralism of the exploiting order. Proletarian

* Enver Hoxha, «Report to the 7th Congress of the PLA», p. 20, Eng. ed.

democracy is broad and genuine democracy for the working people (democracy for the exploited majority and oppression through violence for the exploiting minority), whereas democracy of the exploiting order is of a limited and formal character (it is a privilege of the exploiting minority and a deception for the exploited majority). Proletarian centralism, too, through which unity of action and the harmonious and planned development of the life of the country are ensured, is in complete opposition to the bureaucratic-military centralism of the exploiting order which, as Marx says, constitutes the lowest and crudest form of centralism.

Our Constitution not only raises the principle of democratic centralism to the level of the major juridical-constitutional principles, but also stresses that the combination of proletarian centralism with proletarian democracy ensures «the centralized direction and the creative initiative of local organs and the masses of the working people in struggle against bureaucracy and liberalism» (Article 11). In this respect, the Constitution makes special mention of the necessity of the fight against bureaucracy and liberalism, because any relaxation of this struggle would undermine the principle of democratic centralism and the socialist order itself. Manifestations of bureaucracy lead to the negation of proletarian democracy with all its dangerous consequences, just as manifestations of liberalism lead to the negation of proletarian centralism and sliding into positions of anarchism and liberal degeneration. The practice of the Soviet

Union, Yugoslavia and the other revisionist countries is clear evidence of these consequences.

As the Constitution points out, democratic centralism, as the foundation of the entire political and economic life of the PSR of Albania, is inseparable from our state organization and activity. On the basis of democratic centralism, in the work of our state organs close links are established between thoroughgoing democratism, which characterizes them, and proletarian centralism, which ensures observance of state discipline, the subordination of the lower organs to the higher ones, the compulsory character of the decisions of the latter for the former.

Every state organ has well-defined rights and duties, carries out its activity on its own initiative within the limits of its competences, has the right to criticize the activity of the higher organs, while at the same time, working under the direction and control of the latter. The principle of democratic centralism secures the co-ordination of the activity between the higher organs and the local organs and, simultaneously, the leadership of the higher representative organs in relation to the local representative organs and all the other state organs. It lays down, as a precondition that all our state organs, in their activity rely powerfully on the creative initiative of the working people, draw them into the running of the country and look to it that both their employees and the state organs themselves are answerable to them.

6) Socialist Law in Constant Action

Socialist law, which means precise and equal application of the laws, constitutes one of the essential principles of our state and society. Here the profound democratism of the socialist order finds another of its expressions. The rigorous implementation of the Constitution, of the laws and all the other juridical norms is a duty laid down by the Constitution for all state organs, social and economic organizations, employees and citizens.

The body of juridical norms, which, as the Constitution proclaims, «express the will of the working class and the other masses of the working people» (Article 12), forms our socialist law. The rigorous and equal application of these norms serves the construction of socialism and the defence of the Homeland, the strengthening of the state and the socialist juridical order, the guaranteeing of the rights and freedoms of our citizens. Hence the rigorous and irreconcilable stand maintained in our country towards whoever violates the norms of the socialist law. The socialist state and society do not allow the least distortion of the proletarian content of our law, its evasion, or hampering of its operation.

The demand for the equal and precise implementation of laws is inseparable from the demand for a full and perfect socialist legislation. Socialist law is a form of the state policy and a major factor for the realization of state power by the working class. Hence the great importance the Party has always attached to the working out of the legislation

of our state. In this respect, during the recent years in particular, great work has been carried out for the further revolutionization of the whole life of the country, thus putting into practice the instruction of the Party that legislation must ever better reflect the experience of our socialist state, becoming ever more perfect, simple, clear and accessible to the masses.

The constant improvement of legislation constitutes a permanent task of great importance. As the classics of Marxism-Leninism point out, the very conditioning of socialist law on the socialist economic order and the cultural development of the society which stems from it, accounts for the dynamic character which has characterized and should always characterize our legislation in the future, too. Our law has always progressed, following and reflecting the development of socialist society itself. As in every other field, in the field of law, too, everything backward and outdated should courageously be overcome, so that the changes which take place in the process of our socialist development are reflected on time and serve the latter. In this direction, the work began after the adoption of the New Constitution to revise our entire legislation, in its spirit and make it more complete, is of great importance.

Both in the practice of our socialist state so far and in the future, too, all activity for the creation of juridical norms is carried out on the basis of the Constitution and along with its implementation. This stems from the special role of the Constitution and its main place in the system of our socialist law, because as it itself sanctions, «The Constitution is the fundamental law of the state» (Article 110).

7) All-round Activity for the Benefit of the People, the Revolution and Socialism

The functions of our state have found their full reflection in the Constitution. It clearly and correctly reflects the activity of our state in all fields of the country's life, as well as in the international relations.

The essence of the activity of our state, which also constitutes its historic mission, is to ensure the ceaseless development of the revolution, the triumph of the socialist road of development, the complete construction of socialism and communism. To this end the state carries out a broad political, economic, educational, cultural and military activity, as well as in the field of foreign policy, and all this activity is permeated by the spirit of the class struggle for the triumph of the socialist road of development over the capitalist road.

Undoubtedly, in the process of development of the state, its functions undergo deep changes which are linked with the great transformations carried out in the economic base, in the social structure and the superstructure of the society. Like any other state, our socialist state, too, is a machine to suppress one class, with the great difference that previous forms of states, including even the most democratic bourgeois state, were dictatorships of the exploiting minority over the exploited majority, while the socialist state is the dictatorship of the overwhelming majority of the people over the exploiting minority. This is so profound a distinction that, as Lenin says, here we have to do with a completely new state, which, to a certain extent and in a certain sense, cannot be called

a state in the full sense of the word. In the transitional period, he writes,

«suppression is still necessary, but it is now the suppression of the exploiting minority by the exploited majority. A special apparatus, a special machine for suppression, 'the state' is still necessary, but this is now a transitional state. It is no longer a state in the proper sense of the word».*

Of course in the process of the development of the socialist state, the coercive function undergoes and cannot fail to undergo changes. But this function remains also after the liquidation of the exploiting classes when the socialist state enters a new stage of its development, of which Comrade Enver Hoxha spoke at the 4th Congress of the PLA. Even in this second stage of the development of the socialist state, its coercive function is not liquidated; this function is preserved and will be preserved as long as the class struggle exists, as long as the danger of retrogression exists. The degree of its utilization depends on the degree of intensity of the class struggle, the degree of resistance and activity of the class enemy.

Suppression, coercion have always constituted only one aspect of the activity of the socialist state. The creative and construction work for the organization and management of the economy, the development of education and culture, the all-round activity

* V. I. Lenin, Collected Works, vol. 25, p. 550, Alb. ed.

for the consolidation and development of the socialist order, have always been and remain essential for the socialist state, something which fundamentally distinguishes it from all exploiting states. This special and ever increasing function of the socialist state has found a more complete reflection in the New Constitution, in conformity with the current tasks of the socialist construction of the country and the perspectives of its future development.

The Constitution exhaustively reflects the activity of the state in the field of the economy. The state organizes, directs and develops the entire economic and social life according to a general unified plan, defends socialist property as the inviolable base of our social order, exercises control on the amount of work and consumption, keeps the monopoly of foreign trade, sets prices for the sale and purchase of industrial and agricultural products, assists the agricultural cooperatives in their development, strengthening and transformation into modern economies of large-scale socialist production, works for the narrowing of distinctions between town and countryside, etc.

The activity of the state in the field of ideology and culture, whose essence is the communist education of the working people, the formation and tempering of the new man, with special attention being paid to the all-round development and education of the younger generation in the spirit of socialism and communism, has found full reflection in the Constitution. It sanctions the fundamental principles our state abides by in the development of education, culture, science and the arts.

The activity of the state in the field of the rights

and duties of citizens, as well as the defence of the socialist juridical order, in general, occupies an important place in the Constitution. This is another aspect of major importance in the activity of our state and which clearly reveals its profoundly democratic character.

The Constitution broadly outlines the external functions of our state. In concise but complete form, it defines the fundamental principles of the foreign policy of our state, which resolutely adheres to Marxism-Leninism and proletarian internationalism. Guided by these principles, it pursues a policy of friendship, collaboration and mutual aid with the socialist states, supports the revolutionary movement of the working class and the peoples' struggle for freedom, independence, social progress and socialism and relies on their solidarity. Our state is for peace and good-neighbourliness, for relations with all states on the bases of equality, respect of sovereignty, non-interference in the internal affairs and mutual benefit. The Constitution proclaims that the PSR of Albania opposes any form of imperialist aggression, colonial exploitation, tutelage, dictate or hegemony, national oppression or racial discrimination; it abides by the principle of self-determination of the peoples, the exercise of complete national sovereignty and equality between all countries in international relations.

A very important aspect of the activity of our state is the defence of the socialist Homeland. Laying stress on this task, the Constitution clearly states that socialist Albania will secure its defence at all cost and in all circumstances, that any aggressor or group of aggressors daring touch it, will be burned in the flames of its people's war.

The full and broad outline of the internal and external functions of the state enables the analysis and concretization of its class content. This is of great importance, because the character of a state cannot be judged by its name or some other general attributions, but, in the first place, by its internal and external policies, by the fact who benefits from its activity. Viewing the problem from this angle, it clearly emerges that the entire activity of our state is carried out to the advantage of the people, the revolution and socialism.

CHAPTER II

THE CEASELESS DEVELOPMENT OF THE REVOLUTION AND SOCIALIST CONSTRUCTION

The revolution and socialist construction in Albania have always marched ahead. Their unceasing development, which has never known zig-zags or turning-back, constitutes another experience of great theoretical and practical value.

International communism has gained a wealth of experience in regard to the question of how should the revolution be carried out and how should the bases of socialism be laid down, proceeding from the experience of the October Revolution and the construction of socialism in the Soviet Union of the time of Lenin and Stalin. But up until recently, the communist movement has lacked a properly worked-out experience of how the revolution and the socialist construction should be prevented from stopping, how they should be carried through to the end, how the socialist society should be completely built in order to

go over to communism. The Soviet Union could not work out this experience, because the revolutionary process there came to a halt because of the revisionist counter-revolution. This new experience is being worked out now, and in this question, too, the Party of Labour of Albania is rendering an outstanding contribution, which at the same time, is an enrichment of the theory and practice of scientific socialism.

The emergence of modern revisionism and, consequently, the bourgeois degeneration of the Soviet Union and some other former socialist countries, raised the great task of discovering its causes and taking measures to bar the way to this regressive trend in the other socialist countries in the future. Right from the beginning, the Party of Labour of Albania has been concerned about this problem, and drawn important lessons and conclusions from what happened in the Soviet Union and in other countries. In this direction, the generalizations made by the PLA and Comrade Enver Hoxha, as well as the measures for the further revolutionization of the whole life of our country bear heavily on the question of how to bar all paths to the emergence of revisionism and the restoration of capitalism, ensuring the uninterrupted development of the revolution and socialist construction.

1) In Socialism, too, Class Struggle Is the Main Motive Force

The uninterrupted development of the revolution is inseparable from the consistent waging of the class struggle. Reflecting this important Marxist-Leninist thesis, our Constitution says that, «The PSR of Albania unceasingly develops the revolution by adhering to the class struggle and aims at ensuring the final victory of the socialist road over the capitalist road, at achieving the complete construction of socialism and communism» (Article 4). This gives the fundamental content of the activity of our socialist state, clearly expresses the ideas of the continuation of the revolution and the class struggle, reflects the historic task of ensuring the final victory of the socialist road over the capitalist road and defines the final goal — the complete construction of the socialist and communist society. With this, another clear-cut demarcation line has been drawn with the modern revisionists, who advocate «the end» of the class struggle in socialism. They proclaim the triumph of socialism complete and final, stating that there exists no danger at all for retrogression, thus demagogically covering up the big counter-revolution they themselves made in the Soviet Union and in other countries. They spread the idea of the «weakening» and «dying out» of the class struggle, trying to disguise the danger from the enemies of socialism and to lull the revolutionary vigilance of the masses to sleep.

Contrary to the preachings of the revisionists about the alleged termination of the class struggle in

socialism, our Party has always abided by Lenin's teaching that,

«the dictatorship of the proletariat is not an end, but a continuation of the class struggle in new forms».*

The experience of world socialism has fully confirmed this. The revisionist counter-revolution itself which took place in the Soviet Union and in other countries, was an expression of fierce class struggle, it was a savage fight, by violent and non-violent means, against the dictatorship of the proletariat and the entire socialist order. And this happened when the old exploited classes were on a whole liquidated there. In this way the Marxist-Leninist conclusion was once more proved that the class struggle goes on not only during the period of transition from capitalism to socialism, when the exploiting classes still exist, but also after their liquidation as such, during the whole period of the construction of the socialist society and the transition to communism.

This conclusion is based on the fact that even after the liquidation of the exploiting classes as such, people from those classes are still existing and acting; that «traces» and «blemishes» of the old capitalist society, remnants of the old order, traditions and customs as well as manifestations of the alien ideology still exist in all fields of life; that the class struggle within the country is closely linked with the class struggle outside it, with the capitalist and revisionist world, which exerts a powerful and all-

* V. I. Lenin, Collected Works, vol. 30, p. 89, Alb. ed.

round pressure on the socialist country; that, as Comrade Enver Hoxha stressed at the 7th Congress of the Party, as long as the hostile bourgeois pressure from within and without exists, there always will exist the danger of the emergence of new enemies and of their activity against socialism.

The class struggle in socialism is directed against the internal and external enemy, as well as against every alien manifestation in the socialist social life; with the new fighting everywhere with the old, the materialist world outlook with the idealist and religious ones, . . . the proletarian ideology and morality with the ideology and morality of the old exploiting classes. The class struggle extends over all the fields and sectors of social life over the political, economic, ideological and cultural fields.

Contrary to the statements of the modern revisionists, the triumph of socialism cannot be called complete and final as long as the class struggle continues. The danger of the restoration of capitalism still remains. The revisionist degeneration in a series of countries showed that the threat to socialism does not come from the counterrevolution of the exploiting classes and their remnants within the country, or from external imperialist aggression alone, but also from the internal bourgeois-revisionist peaceful degeneration. This degeneration is fostered by the «traces» of capitalism within the country and by the pressure of the capitalist-revisionist world outside it. These sources and together with them, the class struggle, will cease to exist only when the triumph of communism is achieved on a world scale, and only then can this victory be called final.

Hence the class struggle continues during the

whole period of transition from capitalism to communism. This means that during this period the struggle between the two roads of development, the socialist road and the capitalist road, continues. The fate of socialism and communism depends on it. Only by resolutely waging the class struggle and carrying it through to the end on all fronts, political, economic and ideological, both within the country and in the international arena, can a retrogression be avoided and the question of the revolution, socialism and communism carried further ahead. Hence, the class struggle remains the main motive force of the socialist society even after the liquidation of the exploiting classes, during the whole period of the construction of socialism and the transition to communism. Comrade Enver Hoxha has said that, whatever form the class struggle is waged in, and whatever the field it is extended to, practice has proved that it has always to do with the cardinal issue of the revolution, the question of state power; in the final analysis, it is a struggle over the following alternative: is the dictatorship of the proletariat going to be preserved and strengthened, as the example of Albania shows, or is it going to degenerate and be overthrown, as was the case with the former socialist countries?

2) Self-reliance — an Expression of the Decisive Role of the Internal Factor

The revolution and socialist construction in Albania have always been carried out by consistently adhering to the important Marxist-Leninist principle

of self-reliance. Our people did not expect and never even dreamt of having national and social liberation as «donated» from others, but prepared it relying on their own forces, won it with their blood and struggle, under the leadership of the Party. Likewise, the further carrying out of the revolution and the successful construction of socialism also, are the deed of our people and Party. Only by resolutely adhering to the principle of self-reliance, have all these victories been secured and their defence guaranteed. Comrade Enver Hoxha says:

*«Our country's experience proves that the safeguarding of the economic and political independence and the defence of national sovereignty are closely linked with the consistent implementation of the principle of self-reliance».**

The Constitution raises the principle of self-reliance to the level of its most important principles. In sanctioning this principle by law, it proceeds from the dialectical concept of the decisive role being played by the internal factor in the development of the society. Revolution and socialism are neither imported nor exported, but are the result of the revolutionary struggle of the working masses of the country with the working class at the head, under the leadership of the Marxist-Leninist party. In preparing and developing these external factors, internationalist solidarity and aid have an auxiliary, not a decisive cha-

* Enver Hoxha, «Report to the 7th Congress of the PLA» p. 28, Eng. ed.

racter. Based on this profound understanding of the revolutionary content and vital importance of the principle of self-reliance, our Constitution says that, «In the construction of socialism, the PSR of Albania relies mainly on its own forces» (Article 14).

Our Constitution makes a high assessment of the support by the world revolutionary forces, considering it an auxiliary and complementary factor. Therefore, along with the internal factor, which is the main and decisive factor, Article 15 of the Constitution says that, the PSR of Albania relies on the collaboration with, and mutual assistance by the socialist states, as well as on the solidarity of the revolutionary movement of the working class and the movement of the peoples for freedom, independence, social progress and socialism. This support and aid has a fraternal character, it is not charity, but a reciprocal internationalist duty; it is accompanied with no stipulations encroaching upon the political and economic independence of the country which receives it, but on the contrary preserves this independence and serves its further strengthening.

Hence, the principle of self-reliance does not in the least deny the role of the external factor in the processes going on within each particular country, on the contrary, makes the support and aid from the external revolutionary forces surer. This external factor does not exert its influence directly, but through the internal factor. Great though the external aid and support may be, the question of the revolution and socialism would not be a success if the internal factor is not equal to its historic tasks. Likewise, when the internal factor is put on sound revolutionary positions, and the internal forces are pro-

perly prepared and determined to wage a persistent struggle by relying on their own forces, the revolutionary cause can be carried further forward, no matter how difficult and complicated the international situation.

The principle of self-reliance does not mean in the least «shutting oneself up in one's own shell» or «sliding into nationalism», as the Khrushchevite revisionists want to make out. On the contrary, the principle of self-reliance is deeply permeated by the proletarian internationalist spirit, because the implementation of the internationalist task of the proletariat goes through the carrying out of the revolution and the construction of socialism in its own country. He who has no confidence in the strength of his people, who does not carry out his revolutionary task in his own country, but pins all his hopes on external aid and support, can never be an internationalist. Only by carrying out the revolution and building and successfully defending socialism can favourable conditions be created for greater and more active support and aid to the international revolutionary movement. Lenin said,

«There is one, and only one kind of real internationalism and that is — working wholeheartedly for the development of the revolutionary movement and the revolutionary struggle in one's own country, and supporting... this struggle, this, and only this line in every country without exception».*

* V. I. Lenin, Collected Works, vol. 24, p. 63, Alb. ed.

Self-reliance is a profoundly revolutionary principle, because it strengthens the revolutionaries' and people's confidence in their own forces and their optimism in victory, arouses their contempt for manifestations of fear or capitulation, imbues them with the deep conviction that they are invincible, capable of fighting, working and living under all circumstances, no matter how complicated they may be. This is a universal principle valid for all countries, advanced or backward, big or small.

In this question, another line of demarcation is drawn between the Marxist-Leninists and the modern revisionists. Our Party has powerfully exposed the chauvinistic theorizings of the modern revisionists about «external aid», as being allegedly the decisive factor in the struggle for freedom and socialism, and which the Soviet socialimperialists are utilizing as a means to bring pressure to bear on and interfere in the internal affairs of other countries. Likewise, the Party has also exposed the preachings about the «international socialist division of labour» and «economic integration» of the countries of the «socialist community», behind which lurks the economic and political enslavement of these countries by Soviet social-imperialism.

3) Defence of the Socialist Homeland — a Duty Above All Duties

The New Constitution fully reflects a task of vital importance for the safeguarding of the victories of the people's revolution and the construction of socialism — the defence of the freedom, national

independence and territorial integrity of the country. Laying forceful stress on this question, the Constitution clearly expresses the determination of our people under the leadership of the PLA, to defend their socialist Homeland at any cost and under whatever circumstance. It reflects their solemn vow that they will reply to any aggressor with the unceasing fire of their people's struggle, defending every inch of their soil, arms-in-hand, and through to the end. Article 90 of our Constitution stipulates that, «no one has the right to sign or accept, in the name of the PSR of Albania, the capitulation or occupation of the country. Any such act is considered as treason to the country». This is the article, on «death or freedom». This is how a highlander from Northern Albania expressed the content of this article in the beautiful crisp language of the people at a popular discussion of the draft-Constitution.

The defence of the socialist Homeland requires particular attention and care in the conditions of our country's capitalist-revisionist encirclement, which, as Comrade Enver Hoxha points out, is not in the least passive and merely geographical, but a threatening and active encirclement which fights us in all fields and in all directions. The struggle to break and smash this encirclement, calls for, as an absolute necessity, the enhancement of the vigilance of the Party and people and their active resistance foiling and smashing the attempts of any imperialist and revisionist coalition, as well as of the internal enemy collaborating and serving the external enemy.

The Constitution links the realization of the task of the defence of the socialist Homeland with the organization of the armed forces of the country and

the continuous military training of the armed people themselves. The structure of the armed forces is made up of: the People's Army, the forces of the Ministry of the Interior and the volunteer forces of people's self-defence.

The People's Army, which is an army of the new type, an army merged with and in the service of the people, with a steel-like unity of its ranks, educated by the Party with the patriotic and proletarian internationalist spirit, constitutes the main force for the defence of the socialist Homeland. This army is one and indivisible from the soldier people, armed and militarily trained, and in this complete unity lies the invincible force of the defence of our socialist Homeland.

The Constitution stresses that at the head of the defence of the Homeland and the victories of the revolution is the Party of Labour of Albania. It leads all the country's armed forces, which loyally follow its political and military line. The leading role of the Party in the armed forces is a question of principled importance so as never to allow «the army to command the Party», or «the gun to be placed above politics». The leadership of the Party in the armed forces is a fundamental guarantee for these forces to be always in the service of the people and the revolution and secure the victory over any possible aggressor. Failure to recognize the leadership of the Party, its proletarian ideology and politics paves the way for many ills, such as manifestations of technocracy and bureaucracy, arrogance and overbearing, leads to the creation of privileged strata or military castes with putschist tendencies and goes as far as the degeneration of the army of the socialist state.

from an army of the revolution into an army of the counter-revolution, as was the case with the Soviet Union and other countries.

Our Party has translated into practice the Marxist-Leninist teachings on the replacement of the «barracks army» with the armed people, making «every citizen a soldier and every soldier a citizen». It has based the entire military activity and training of the people on the waging of people's war, according to the people's military art. This constitutes an important contribution of our Party to the defence and further development of the Marxist-Leninist thinking on the problems of the army and defence. In our country, the problem of defence is a problem of the entire people. Comrade Enver Hoxha has said:

«The Homeland belongs to the entire people, therefore, it is defended not only by the regular uniformed army, but by the entire armed people, organized and trained militarily».*

Our citizens regard the defence of the socialist Homeland as «the supreme duty and the greatest honour for all citizens» (Article 62).

The Constitution charges the Defence Council with the task of directing, organizing and mobilizing all the armed forces and the country's resources for the realization of the task of defence. The composition of the Council of Defence is defined by the Presidium of the People's Assembly. The First Secretary of the Central Committee of the PLA is Chairman of the

* Enver Hoxha, «Report to the 6th Congress of the PLA», p. 119, Alb. ed.

Council of Defence and simultaneously General Commander of the Armed Forces. With this, the Constitution once more reiterates the important fact that the Party is in command of our Army.

4) Ceaseless Struggle Against Bureaucracy and Liberalism

The socialist state is the most important weapon in the hands of the working class and other working masses led by the working class for the defence of the victories of the revolution and the construction of socialism and communism. It is precisely for this reason that the external and internal enemies are resorting to all manner of means to weaken, undermine and destroy it. Without renouncing their aggressive ambitions, plots, putsches and other attempts, they pin great hopes on the peaceful degeneration of socialism, encouraging and spreading bureaucracy and liberalism, which were the main causes of the erosion and undermining of the dictatorship of the proletariat from within the Soviet Union and other countries.

The Party and Comrade Enver Hoxha have the great merit of not only clearly pointing out the mortal threat bureaucracy and liberalism pose, but also finding out their deep social, economic and ideological roots, as well as defining the concrete means and measures to combat them. Due to these measures and means, **bureaucracy and liberalism in Albania have been dealt shattering blows and their dangerous consequences have been averted.** This rich experience

and those invaluable lessons have been fully reflected in the Constitution.

The establishment of correct relations between the elected organs and the administrative organs, between those elected and the state employees, on the one hand, and the working class and the other working people, on the other; between centralized management and the creative initiative of the local organs and the broad masses of the people; between the control from above by the class in power through the Party and the proletarian state, and direct worker and peasant control from below, constitute the essence of the struggle against bureaucracy and liberalism. All these relationships have been clearly and precisely defined in the New Constitution.

One of the most dangerous manifestations of bureaucracy is the estrangement of the state organs from the people and putting the administrative organs above the people's representative organs, identifying the state of the dictatorship of the proletariat with the administration and the employees. To bar the road to this danger the New Constitution sanctions two fundamental ideas; first, not only are the representative organs and the representatives of the people elected by the people, but they are also checked up by and render account to them; second, all other state organs are directed and controlled by the representative organs, are responsible and render account to them.

In our country, the exploiting classes have been liquidated. But the danger of the emergence of new privileged strata and classes has not yet been liquidated. Historical experience has proved that this danger comes about when state employees and cadres become

bureaucratized, estrange themselves from the people and turn from servants of the people into their rulers; when the socialist principle of remuneration according to work done is distorted and great differentials between the salaries and bonuses of cadres and employees and the wages of the working people and cooperativists are allowed; when the cadres and employees are appointed only from above, while the class and the masses have no say about them; when a sound revolutionary class education of the cadres and masses is not carried out, etc. The question is about how to establish correct relations between cadres and masses so that non-antagonistic contradictions which may emerge between them do not turn into antagonistic contradictions, as was the case with the Soviet Union and the other former socialist countries, where bureaucratized degenerate cadres usurped power and established their dictatorship over the people, thus turning into a new bourgeois-revisionist ruling class.

In order to block the road to such a regressive phenomenon, our Party devotes particular care to the education of the cadres, the establishment of correct relations between them and the masses, and placing them under such socio-economic conditions as to enable them to think, work and live always as proletarian revolutionaries. To this end, it has taken a series of important and effective measures which the New Constitution has reflected to the full. Article 9 expresses them more concisely: «Officials serve the people, participate directly in work in production and are paid salaries in fair ratio with the workers and cooperativists, with the aim of preventing the creation of a privileged stratum». This article clearly defi-

ness both the position of the officials (all categories of officials included), as servants of the people in the socialist society, as well as the main ways for them to remain always such.

This question is in close connection with the other great idea of our Party and Comrade Enver Hoxha, sanctioned in Article 10, about the direct and organized control exercised, under the leadership of the Party of Labour of Albania, by the working class, which is the leading class of the society, by the cooperativist peasantry, as well as the other working masses, over the activity of state organs, economic and social organizations and their workers. This control, together with the Party and state control, represents the three forms of a single control, the control of the working class in power. They pursue one goal and supplement one another. Each of these forms of control has its own competences, and the weakening of each of them leads to the general weakening of proletarian control.

The direct worker and peasant control is a sharp weapon against the danger of bureaucracy and liberalism, any alien influence and manifestation in the work of our cadres, organs and apparatuses; it is a powerful means to preserve and consolidate the proletarian dictatorship and the entire socialist order. The worker and peasant control is a vivid expression of socialist democracy in action, where the working class and masses are not merely applicers, but also creators and active participants in the political, social and economic life of the country. This control, Comrade Enver Hoxha pointed out at the 7th Party Congress, is a powerful means to shake off the dust of bureaucracy and routine, to create a

lively revolutionary atmosphere all over the country, to implement the line of the Party correctly.

The worker and peasant control is an inseparable and very significant part of the line of the masses, which our Party consistently pursues and which represents another distinguishing feature of our social reality, a fundamental principle of the activity of our socialist state, which the Constitution has fully and clearly reflected in some of its articles. This idea is summed up in Article 7, which stipulates: «In all their work, the representative organs and other state organs rely on the creative initiative of the working masses, draw them into running the country, and render account before them». The consistent application of the line of the masses, as the most vivid expression of the truly democratic and popular character of our state power, is at the same time the road to strengthen this socialist order as a whole, and the main direction for the development of socialist democracy, it is a necessary condition for the process of socialist construction to remain always the living conscious deed of the working masses led by the Party.

Bureaucracy and liberalism coexist, co-operate, back up and feed each other, therefore, our struggle against them has always been waged from both flanks and at the same time. So long as bureaucracy and liberalism remain a serious and permanent danger, the struggle against them remains always on the order of the day. As the Party and Comrade Enver point out, this is a protracted struggle, which continues and will continue as long as the socialist state itself exists.

CHAPTER III

THE ECONOMY AND IDEOLOGY

The dictatorship of the proletariat, as a state of the historical period of transition from capitalism to communism, constitutes, as Marx says, the

*«necessary transit point to the abolition of class distinctions generally, the abolition of all the relations of production on which they rest, to the abolition of all the social relations that correspond to these relations of production, to the revolutionizing of all the ideas that result from these social relations.»**

The profoundly socialist transformations carried out in our country, as well as the magnificent program of the Party for even more intensive work and struggle in the future, are a vivid confirmation of the revolutionary transforming force of the dictatorship

* K. Marx, — F. Engels, Selected Works, vol. 1, pp. 201-202, Tirana 1958, Alb. ed.

of the proletariat in all fields, economic, ideological and others, on the course of the construction of the communist society.

Before Liberation, Albania was the most economically backward country in Europe, whereas today, it is a socialist country forging ahead at a fast rate. It has built up the economic base of socialism and has embarked on the stage of the complete construction of the socialist society. By sanctioning this reality, the New Constitution stresses that the achievements in the organization and development of the socialist economy, as well as in the communist education of the working people constitute a very important step forward on the road of our triumphant revolution. Upon this basis, among the most important problems comprised in the chapter on the social order, our Constitution also deals with these two problems.

1) The Single System of Socialist Economy

The extension of the socialist system to all the branches of our country's economy was achieved in 1960, in general, and in 1967 completely. This made a reality of the historic task for the setting up of the economic base of socialism. This marked a great victory for our people and Party and in its significance, in regard to both the results scored so far and the perspectives of the further socialist development of the country, is

«the second great victory following the establishment of the people's state power».*

The extension of the socialist system to all the branches of the economy marked the elimination of the multi-form economy and private ownership, establishing in their place the single system of the socialist economy and the socialist ownership over the means of production. Upon this basis, the old class structure of our society also underwent radical transformations. The exploiting classes were liquidated as such and in the composition of society remained only two friendly classes — the working class, which plays the leading role, and the cooperativist peasantry, as well as the stratum of the people's intelligentsia. Thorough-going qualitative changes, which brought about the further strengthening of the moral-political unity of the people, took place within these two classes themselves.

The New Constitution sanctions all these deep-going transformations. It proclaims that the socialist system is extended to the whole economy of the country, thus carrying out its profound transformation into «a socialist economy based on the socialist ownership of the means of production», and that in our country today, «there are no exploiting classes, private property and the exploitation of man by man have been liquidated and are forbidden» (Article 16). Private property and its carriers belong now to the past. Not only do they not exist any longer here, but a powerful barricade has been raised to prevent their

* Enver Hoxha, «Report to the 6th Congress of the PLA», p. 125, Alb. ed.

revival, by prohibiting any activity which, in one way or another, may lead to this revival, as was the case with the Soviet Union and the other former socialist countries. Together with the liquidation of the exploitation of man by man, an end was also put to social antagonisms, offsprings of this exploitation, such as those between town and countryside, agriculture and industry, physical and mental labour, while their essential distinctions are steadily being eliminated.

A peculiarity of the socialist economic base is that it is set up only with the establishment of the dictatorship of the proletariat, only after the overthrow of the political power of the bourgeoisie, and in the process of a fierce class struggle. While in the course of history, the other revolutions ended with the seizure of power, adopting the forms of the economy from the previous society. With the proletarian revolution things are the other way round, because

*«the seizure of power is only its start and state power is used as a lever for a radical transformation of the old economy and the organization of the new one».**

The historic task of the construction of the economic base of socialism was carried out in a relatively short period of time and in the conditions of a country with a deep backwardness inherited from the past and huge devastations from the Second World War. The first step towards the creation of socialist owner-

* J. V. Stalin, Works, vol. 8, p. 22, Alb. ed.

ship, on which our socialist social order rests, was taken with the nationalization of the main means of production. Of course, the socialist construction of the country called for the further development of this ownership, which, in the first place, is achieved through socialist industrialization. Holding firmly on to this link, our people's power took important measures which eventually brought about the transformation of our country from a backward agrarian country into a country capable of setting up whole branches of socialist industry and laying down a powerful base for its further development. With the peasantry embarking voluntarily on the road of the co-operation of agriculture, socialist transformations were extended to the countryside. There small private property was replaced with big collective property, and new socialist relations were created.

The construction of the economic base of socialism opened broad perspectives to the development of the productive forces, as well as the further socialist development of the country. The example of our country fully vindicates the Marxist-Leninist thesis that the establishment of socialist relations of production during the period of imperialism, even in the conditions of a relative backwardness of the productive forces, not only is completely possible, but the new relations in production become a factor of decisive importance for overcoming the inherited backwardness and ensuring a vigorous development of the productive forces themselves. With the establishment of socialist relations in production in the course of this development, Albania scored major successes which, taking account of the country's backwardness from

the past and the short period of time, are really magnificent.

Every five-year plan has brought our country fresh successes and victories on the road of its socialist development. During the last five-year plan, too, the people's economy developed at rapid rates and the extended socialist reproduction assumed greater proportions, ever better meeting the growing needs of the country and strengthening the stability of our independent economic and social development; the rapid and complex development of the productive forces was secured, the material-technical base of socialism was raised to a new, higher level and an important step forward was taken towards the transformation of Albania into an industrial-agricultural country, the well-being of the working masses rose systematically and generally, and the essential distinctions between town and countryside were further narrowed; the whole system of socialist relations of production was further perfected and revolutionized.*

Big projects such as combines and hydro-power stations of world standards have been completed or are nearing completion; for the first time all the necessary bread grain was secured locally, and the first steel of an Albanian trade-mark was produced; the complete electrification of the country was carried out and the telephone and road network has extended to the most remote villages, etc. The 6th Five-year plan, worked out on the basis of the directives of the 7th Congress of the Party of Labour of Albania, opened up new even broader perspectives to our country and people.

* Mehmet Shehu, «Report on the 6th Five-year Plan Submitted to the 7th Congress of the PLA» pp. 6-14. Alb. ed.

The fulfilling of the economic-organizational and cultural-educational function of our socialist state is always based on the adoption and strict implementation of the law of proportional, planned development of the economy. This is clearly sanctioned by the Constitution, which stresses that the whole economic and social life of the country develops on the basis of a unified general plan. With the Constitutional sanctioning of the principle of the planned development of the economy, the related legal obligation of drafting, adopting and implementing a plan for the development of the people's economy and culture, including both the state and the cooperativist sector, is established as well. The sanctioning of the principle of planning by law, which correctly reflects the requirements of the objective economic laws of socialism, represents an important means for our state to carry out a broad organizational and leading activity for the development of the economic and social life of the country. The experience of our socialist country and its sanctioning by the New Constitution is in opposition to the revisionist concepts and practices of «decentralization» and «self-administration», which in essence lead to anarchist degeneration and confusion.

Our Constitution indicates that the planned development aims at realizing the task of «fulfilling the ever increasing material and cultural needs of the society, strengthening the independence and defence of the country, by constantly increasing and perfecting socialist production on the basis of advanced technology» (Article 25). In fact, this comprises the requirements of the fundamental economic law of socialism. The Constitution reflects the aim of social-

ist production as well as the ways to attain this goal, which is in radical contrast, as Stalin says, with capitalist production, which secures maximum profits for the bourgeoisie through the stepping up of the exploitation of the working people and the plunder and enslavement of other countries.

2) Socialist Ownership — the Foundation of the New Economy

The socialist economy is a new economy, which, as the Constitution says, «is based on the socialist ownership of the means of production» (Article 16). This is the essential feature characterizing the socialist economy and radically distinguishing it from the economy of the exploiting orders, which is based on private property and the exploitation of man by man.

Due to its major significance, socialist ownership is proclaimed by our Constitution as the «inviolable basis of the socialist order, the source of the well-being of the people and the might of the Homeland» (Article 17). The Constitution indicates the two forms of socialist ownership, namely: the state ownership and cooperativist ownership in agriculture. It sanctions the fundamental juridical rules for these two forms of socialist ownership and proclaims that they are given special support by the state, which the Constitution charges with the obligation of their ceaseless protection and development.

The highest form of socialist ownership is state ownership. It is characterized by the highest stage of socialization, and it will become the only form of

ownership in the historical future. Subordinated to it, the Constitution defines the range of exclusive state possessions such as land, underground riches, natural resources of energy, plants, factories, automobile and tractor stations, banks, postal services, etc.

With the inclusion of the land in the state's exclusive property, is sanctioned a reality which has long since been attained in our country. Although the land was so far not included in the exclusive state possessions, in fact, our socialist state had placed it in conditions of nationalization: even previously the sale and purchase of land, as well as any other form of sale were prohibited, measures which reduced the land property rights to only one of their elements, its utilization. Our country's experience in the solution of the problem of land ownership speak in this case, too, of the creative implementation of Marxism-Leninism in close connection with our national peculiarities.

Proclaiming the nationalization of the land, the New Constitution also recognizes the right of its utilization free of charge. This applies to cases of social utilization of the land by enterprises and state institutions, agricultural cooperatives and social organizations, as well as cases of its utilization by individual citizens, — the private plots of the cooperativist and the grounds their houses are built on.

As regards cooperativist property in the countryside, the Constitution stipulates that it belongs «to the group of the working people of the countryside, voluntarily united in the agricultural cooperative for the purpose of increasing production and wellbeing, for the construction of socialism in the countryside and throughout the country» (Article 21). Today, ag-

ricultural cooperatives constitute the only type of cooperatives in our country. Some years ago, in different sectors there also existed other types of cooperatives, which with the profound transformations carried out in our country as a result of the construction of the economic base of socialism and the process of the further revolutionization of the country's life, were raised to the level of socialist state enterprises, upon the request of the members of these cooperatives themselves¹.

Due to the great importance agricultural cooperatives have for the socialist development of the country, the Constitution charges the state with the obligation of supporting, strengthening, and transforming them into modern economies of large-scale socialist production. Under specific conditions, agricultural cooperatives are elevated to cooperatives of the higher type, where the state participates directly through investments, especially in the principal means of production. Raising cooperativist property to state property is of particular importance, and this is carried out, as the Constitution says, in compliance with

1 The three types of cooperatives which have existed in Albania and their activity, according to their constitutions, are: 1) artisan cooperatives, which united individual craftsmen, thus creating artisan cooperatives with advanced technology and socialist organisation of labour instead of backward craftsmanship; 2) the consumer cooperatives, which united the peasants in consumer cooperatives for the organization of people's cooperativist trade in the countryside without middlemen and speculators; 3) fishermen's cooperatives, which united fishermen of town and countryside in collective enterprises with advanced equipment and socialist organization of labour.

the objective conditions, the will of the cooperativists and with state approval.

Our Constitution also mentions personal property, whose aim is «to meet personal and family material and cultural needs» (Article 23). This property derives from socialist property. The Constitution not only defines the range of objects of personal property and the sources of its formation, but also stresses that it should not be used to the detriment of social interests. In this case, all the necessary care is shown so that it does not assume the features of private property, is not used for exploiting purposes, because otherwise, it leads to the re-emergence of private property and the social relations resting on it.

3) The Socialist Principle of Distribution According to Work Done

Work in socialist society constitutes the foundation of the entire economic and social life and the main source to ensure the means of livelihood to each of its members. This important principle of socialism is sanctioned by law in the Constitution, reflecting to the full the new character of relations in the field of distribution of production, which are closely linked with this principle.

Parasitism, appropriation of the fruits of another's labour, speculation, etc., which are typical of the bourgeois-revisionist world, are alien and prohibited by law in the socialist society. It is the work of every member of the socialist society, which gives him the right to participate in the distribution of the

social production and which determines his share from this distribution. As is stated in the Constitution, the socialist principle — **from each according to his ability, to each according to his work**, is implemented in Albania.

Of great principled significance is the correct combination of material and moral stimuli established in socialist society. In connection with this, our Constitution sanctions that in encouraging people to work for the best possible results, the use of material and moral stimuli is correctly combined, giving priority to moral stimuli. The modern revisionists raise and resolve this problem quite differently. They place material stimuli, profit, at the root of all work, thus opening the way to the bourgeois degeneration and the restoration of private property.

Lenin said, that in the correct and consistent implementation of the socialist principle of distribution according to work done, the state plays an important role, that of the regulator of the amount of work and consumption. These problems are tackled in full and in detail through related juridical acts. Here, however, our Constitution singles out the question of remuneration of employees, stressing that this remuneration must be in fair ratio with that of workers and cooperativists. It considers the definition of this ratio of great significance for preventing the creation of privileged strata. The Constitution leaves this question to be regulated not by juridical act, but only by law, thus including it in the competences of the People's Assembly itself.

The social fund of consumption, which represents an embryo of the future communist distribution,

serves to meet the common needs of the working people. Right now, it has become an indivisible part of our relations of distribution and one of the ways for raising the wellbeing of the people. At present, this fund makes up 15 per cent of the total consumption fund of the population and is steadily rising. The Constitution itself sanctions this tendency of constant rise in compliance with the possibilities created by the development of the country's economy.

The policy of distribution of the social production is attentively followed by our Party and state. It is true that relations in the field of distribution are determined by relations of ownership of the means of production, but on their part, the latter exercise a great influence on relations of ownership. The socialist revolution overthrows the old relations of production and establishes new relations in their place. But this does not completely wipe out the remnants of the past in the field of distribution. It is common knowledge that in socialism, as the first stage of communist society, there exists no complete economic equality, the «bourgeois law» is still preserved in the field of distribution.

As Marx and Lenin have pointed out, in socialism the «bourgeois law» is not abolished completely, but only partially, only as regards the means of production which become common property. While in the other field, in that of distribution, the «bourgeois law» remains in force, because remuneration according to work done, which is applied in socialism, means equal remuneration for people who in fact are not equal both in their abilities and their needs. The complete abolition of the «bourgeois law» will be achieved only in communism, only in communism will the

principle «from each according to his abilities, to each according to his needs», be realized.

As long as economic inequality exists in socialism, this also implies the danger of people being infected, of their bourgeois degeneration. Marked economic distinctions, unjustified big differentials in wages and salaries and in the level of income between the working people of various categories, as well as between town and countryside, become «hotbeds» for the emergence of new bourgeois elements; just as private property gives birth to the bourgeoisie at every moment, says Comrade Enver Hoxha, high salaries, too, lead to the degeneration of people and the emergence of new bourgeois elements. This is borne out by the experience of the former socialist countries, where the degeneration of relations of distribution became one of the causes for the degeneration of socialist relations of production themselves and the restoration of capitalism.

Our Party has always borne this problem in mind and resolved it in practice, allowing neither petty bourgeois equality, nor big differentials in the field of distribution. During the recent years, other revolutionary measures have been taken for the further narrowing of economic distinctions. Today, the differential between employees' highest salaries and workers' average wages is 2:1 (from 2.5:1 it was in 1976). Here, the Party took great care not to allow disproportions between the standard of living of the cadres and the working masses. Other measures have also been taken to the advantage of the countryside in order to further narrow distinctions between town and countryside.

4) Marxism-Leninism — the Dominant Ideology of Society

Marx and Engels have pointed out, in every society, the dominant ideas are those of the ruling class. Therefore, together with raising the proletariat to a dominant class, its revolutionary ideology, Marxism-Leninism, too, becomes the dominant ideology of society. But, in no other society has the importance, extension and influence of the ideology of the dominant class been so great as in the socialist society, because it is this society, which, for the first time in history, is consciously being built, under the leadership of the Marxist-Leninist party of the working class. This has been fully reflected in the New Constitution, which expresses in a clear-cut manner that in the PSR of Albania, the entire development and organization of the social order is based on the principles of Marxism-Leninism, which are the sole ideological basis of our socialist society and state, because in our country «the dominant ideology is Marxism-Leninism» (Article 3). This has raised a powerful barricade, even from the juridical-constitutional viewpoint, to attempts to spread alien non-proletarian ideologies in our country. At the same time this is directed against all bourgeois-revisionist «theories», like «ideological pluralism» in socialism, «the free circulation of ideas and cultures», «the contention of a hundred schools and the blossoming of a hundred flowers», etc.

The principle that Marxism-Leninism is the dominant ideology of the socialist society and state constitutes one of the most important expressions and the ideological basis of the leading role of the working class and its party in socialism. On the

other hand, abandonment of the principles of Marxism-Leninism and embracement of revisionism, which is an expression of the influence of the bourgeois ideology in the worker and communist movement, constitute a clear evidence and the ideological basis of the loss of the leading role of the working class in the former socialist countries.

When Marxism-Leninism becomes the dominant ideology of the society, the battle waged in the ideological field for the spread and the ever deeper penetration of Marxism-Leninism in the ranks of the working masses is not less fierce, but, on the contrary, calls for multiplied energies. This is the beginning of a broad and all-round cultural-educational activity by the socialist state, which plays an important role in

«the struggle to purge socialist social life of all vestiges of the old society, to eradicate from the minds of the working people everything alien which drags them backwards, to carry out their communist education, to unite all the working people around the vanguard force, the working class and its party, on the road of socialism and communism».*

The enemies of socialism have pinned their hopes on the spreading of their bourgeois and revisionist ideology, which they regard as the vanguard of the political counter-revolution and military aggression. Hence the need for the intensification of

* Enver Hoxha, «Report to the 7th Congress of the PLA», p. 17, Eng. ed.

the ideological struggle to make the Marxist-Leninist ideology, morality and world-outlook prevail, on a nation-wide scale and even in the consciousness of every worker. This is a task of vital importance, because the direction of the activity of the people, whether it is carried out for the benefit of the revolution or counter-revolution, depends on the ideology which prevails in the minds of people and their world-outlook. Thus, the victories achieved in the political and economic field are safeguarded and the complete and final victory of the socialist road over the capitalist road is ensured only when the complete triumph of the revolution is secured in the ideological field, too, not only on a national but also international scale.

In our socialist country, an all-round ceaseless struggle is being waged against any form of alien ideology, from left-overs from the depths of the centuries, to present-day bourgeois-revisionist influences. This is a struggle for the deepening of the ideological and cultural revolution and a very important component part of the unceasing process revolutionizing the entire life of the country. It has found its juridical sanctioning in the fundamental law of our state. This will serve the further strengthening of the cause of the revolution and socialism in Albania, as the Introduction to the Constitution says, so that the Albanian people, under the banner of the great doctrine of Marxism-Leninism, from which they have drawn constant inspiration, and united round the Party of Labour and under its leadership, may always carry forward the construction of the socialist society.

and then pass gradually over to the communist society.

Socialism, as an order based on social ownership of the means of production, is pervaded by collectivism and combats any manifestation of selfishness and bourgeois individualism. In socialism, first-rate importance is devoted to «the conciliation of the interests of the individual and the socialist society, giving priority,» as the Constitution says, «to the general interest» (Article 39). If the contrary is the case, as the experience of the countries where the revisionist cliques have come to power shows, the way is laid open to the destruction of socialist consciousness, the spreading of bourgeois ideology, the degeneration of socialism and restoration of capitalism. This occurs because at the very root of the bourgeois and revisionist ideology, of all forms of ideology of the exploiting classes lie personal interest, selfishness and individualism, stemming from private ownership on which these ideologies are based.

A component part of our socialist revolution is the struggle for the emancipation of the woman, a struggle which is aimed at resolutely breaking and rooting out patriarchal and feudal-bourgeois customs and concepts, which humiliated women and weighed heavy on them, benumbed their personality and isolated them from social political activity. The thorough-going transformations which have been carried out in the life of women in new Albania are a clear reflection of the significance of these radical transformations brought about by our triumphant revolution, because,

*«in any society, the degree of the woman's emancipation is the natural measure of the general emancipation».**

With the uninterrupted all-round socialist development of the country, the struggle for the complete emancipation of the woman, too, goes ahead. This struggle is never considered a battle won, but a battle which continues and will continue up to communism. This has been and remains a struggle to give the woman the deserved place in our society. The Constitution recognizes to the woman full and equal rights with man, in work, remuneration, social insurance, education, in the whole social and political activity and in the family.

The struggle against religion, in which major results have been scored, making Albania the only country with no institutions of religious obscurantism, constitutes another important aspect of ideological struggle. The Constitution sanctions this reality and proclaims that the state recognizes no religious denomination and supports and develops atheistic propaganda to instill the scientific materialist world-outlook in people's minds.

In the ideological-educational field the problem of the revolutionization of the school occupies an important place. Our Party has not only rejected the old bourgeois-revisionist concepts on the school, but has also defined the road for a correct and thorough implementation of the Marxist-Leninist principles on the socialist school. Accordingly, the New Con-

* K. Marx — F. Engels, Selected Works, vol. 2. p. 113. Tirana 1958, Alb. ed.

stitution has sanctioned this road by stipulating that, the entire educational activity of the PSR of Albania «is build on the basis of the Marxist-Leninist world-outlook and combines lessons with productive work and physical and military training» (Article 33).

Likewise, the Constitution deals with science and technique, literature and arts, enunciating the fundamental principles of their development in the socialist society. It proclaims that the development of science and technology is organized and directed by the state, and carried out in close connection with practice and production, placing them fully in the service of the progress of the society and the defence of the socialist Homeland. Even so, the Constitution shows that, based on the method of socialist realism and always enjoying the support of the state, our literature and arts are successfully developing and distinguishing themselves for their proletarian content, always abiding by the ideals of socialism and communism and permeated by the people's spirit. It lays down the duty of the state to take constant care of the all-round development of the socialist national culture and protect the people's cultural heritage in this field.

The problems of physical training and the sports also occupy an important place in our Constitution. The development of physical training and the sports in the socialist society serve, as the Constitution proclaims, to temper people's health, especially the younger generation, as well as to make them fit for work and defence. In Albania, the development of physical culture and the sports has a mass character, with the broad masses of the working people being drawn to participate in them.

5) The New Man of the New Socialist Society

In the PSR of Albania major importance is attached to the role of man, his education and arming with the Marxist-Leninist ideology. The vast activity which the socialist state carries out in this direction finds full reflection in the Constitution, which lays stress on the great efforts and work being done «for the communist education of the working people, for the moulding of the new man» (Article 32).

The efforts and work for the communist education of the working people is a fundamental question in the program of the Party for the construction of the new socialist and communist order. Therefore, during all the stages of our uninterrupted revolution, the PLA has constantly done great

*«work for the formation of the new man of the new socialist society, equipped with deep Marxist-Leninist convictions, with lofty revolutionary communist moral qualities, with broad cultural horizon and a rich spiritual world».**

The formation and tempering of the new man constitutes the greatest deed of New Albania. It is proud of its marvellous people who distinguish themselves for their political maturity, their moral puri-

* Enver Hoxha, «Report to the 6th Congress of the PLA», p. 129, Alb. ed.

ty, their spirit of sacrifice and self-denial, their lofty sense of duty at work, their patriotism and ardent proletarian internationalism, their spirit of collectivism and socialist solidarity. The great slogan of the Party, «Let us think, work and live as revolutionaries», which constitutes the essence of the communist education and the guarantee that the revolution and socialism will always march ahead in Albania, has become the leitmotiv of their life.

In socialism, the role of the subjective factor, man, greatly increases; the conditions of material life remain of primary importance here, too; the social being is decisive for the entire development of the society. But the subjective factor, the conscious factor, plays a very great active role and assumes priority. The conditions under which people live and work are not given once and for all, people change them according to their social-productive practice.

It is precisely on this basis that our Constitution deals with this problem, laying stress on the Marxist-Leninist principle that man is the decisive factor in every field of life. It links man's activity not only with social-economic conditions, the character of the social order, considering it the main factor, but also with his education: the level of his technical and scientific knowledge and ideo-political formation. These two aspects of the education of man are closely linked with each other but it is always the ideo-political education which is the most important. If the rate of socialist construction depends chiefly on the cultural and technical-professional level, the fate of socialism itself depends on ideo-political educa-

tion. That is why, without underestimating at all the uplift of the educational and cultural level of the masses, the Party attaches first-rate importance to their political education and revolutionary tempering.

It is known that people carry out the revolution, people also carry out the counter-revolution, and that they are born neither revolutionaries nor reactionaries; they become such only in life. They become revolutionaries or reactionaries, carry out the revolution or the counter-revolution, depending on the way they have been educated and tempered. In the Soviet Union and other countries, this work had serious deficiencies, which led to the maggot of the bourgeois and revisionist ideology eating into the consciousness of man, the cadres in particular, thus paving the way for the political counter-revolution from within.

Our Party has drawn valuable lessons from the bitter experience of the former socialist countries. It has stepped up its ideological struggle against all alien left-overs and manifestations, to spread everywhere the proletarian ideology, world-outlook and morality, which even in the conditions of socialism, do not assert themselves spontaneously but in struggle against these left-overs and manifestations of alien, feudal and patriarchal, bourgeois and revisionist ideologies. In the society divided into opposing social classes and systems, there is and can be no ideological vacuum. Today too, Comrade Enver Hoxha stressed at the 7th Party Congress, the question presents itself in the same way as Lenin presented it many decades ago: either the bourgeois ideology or the

socialist ideology; there is no middle course. Hence, any underrating of the socialist ideology leads inevitably to the strengthening of the bourgeois ideology.

Special care is taken in socialist Albania for the revolutionary moulding of the younger generation, «for the all-round development and education of the younger generation», as the Constitution says, «in the spirit of socialism and communism» (Article 32). The enemies of the Party and people have placed their great hopes on the ideological corruption of the younger generation and its deviation from the correct road of the revolution. To this end, they are trying to exploit the fact that the youth have not known the bitter past of the people and have not passed through the fire of the armed revolution. But their hopes and attempts have failed and will fail in Albania, because the younger generation, united round its own militant organization — the Albanian Labour Youth Union, keeps always aloft the revolutionary spirit, and under the leadership of the Party, marches always forward on the road of the revolution and socialism.

The Party has always appreciated the inexhaustible revolutionary energies of the youth, it has seen in them the generation of the future, it has trained them into fighters capable of taking and carrying forward the torch of the revolution. Comrade Enver Hoxha says,

«Our Party aims to keep the communist ideals and the healthy revolutionary spirit always alive in the minds and hearts of the

youth, to educate them to be loyal fighters of the Party, ready to dedicate their energies, talent and lives to the construction of socialism and the defence of the Homeland*.

* Enver Hoxha, «Report to the 7th Congress of the PLA», p. 135, Eng. ed.

CHAPTER IV

THE RIGHTS AND DUTIES OF CITIZENS

The problems connected with the rights and duties of citizens occupy an important place in the whole day-to-day revolutionary activity which is carried out in our country. These problems have to do with the position of man in society, they cannot fail to assume particular significance in the conditions of the socialist society, whose supreme goal is the meeting of the ever growing material and spiritual needs of the working people, the society, in which everything is done for the working people.

This also determines the sanctioning by our Constitution of the fundamental rights and duties of citizens, which clearly shows a radical change in the position of the working man in the socialist society in our country as against the capitalist and revisionist countries. In this way, by reflecting the reality of socialist Albania, the New Constitution is also another affirmation of the Marxist-Leninist truth that, only in socialism, where state power is in the hands of the working masses, with the working class at the

head, is it possible to secure the genuine freedom of the individual.

1) The Genuine Liberation of the Working Man

Man's position in society is determined by the social order. Outside the existing social order, apart from it, it is impossible to speak of man and give a definition of his social position. The materialist approach to history rejects the abstract handling of this problem and shows the decisive role played by the mode of production, as the concrete basis of every particular social order. The mode of production lies at the foundation of the entire system of social relations, in the entirety of which Marx conceived «*the essence of man*»* itself.

Proceeding from the social relations the basis of which is made up of the relations of production, we can discern two great historical periods, with diametrically opposed characteristics of this essence; the first period starts with the exploitative slave-owning system of the past and ends with the repressive bourgeois and revisionist orders of our time; the second period is the socialist one, which has, for more than three decades now, commenced in our Homeland. In the first case, the essence of man's social position is represented, on the one hand, by the ruthless oppression and exploitation of the working man, of the

* K. Marx — F. Engels, Selected Works, vol. 2, p. 381, Alb. ed.

overwhelming majority of the population, by a handful of oppressors and exploiters, and on the other hand by the ever growing revolt of the oppressed and exploited bent on the overthrow of the existing order. In the second case, liquidation of any kind of oppression and exploitation, transformation of the working man into the all-powerful master of his own fate, of his own proletarian state, which struggles to attain its final goal — the construction of the communist society, constitute the essence of man's social position.

The position of man in society finds its juridical expression in the rights and freedoms recognized to him by the legislation in power. From this standpoint, the socialist legislation, which recognizes to the citizens such democratic rights and freedoms, as they never enjoyed either in effect or in form, clearly testifies to the true liberation of the working masses, in the conditions of the socialist order.

In the same manner, the Constitutions of the capitalist and revisionist states themselves are proof of the state of oppression and enslavement of the working masses in these countries. The bourgeois and revisionist Constitutions stand out not only for the rigidity of their formulations on the so-called rights and freedoms of citizens, but even more so, for their lack of guarantees for their practical application. Thus, behind the «democratic» enunciations of the bourgeois and revisionist Constitutions and other laws are hidden their anti-democratic content, their exploitative and reactionary character, which are a reflection of these bourgeois and revisionist states themselves.

In examining rights and freedoms, in defining their content and importance, we should always proceed from the only correct standpoint — the proletarian standpoint, according to which, as Lenin said, the question is posed only like this: freedom from the oppression of which class? Equality of which class and with which? Democracy on the basis of private ownership or on the basis of the liquidation of private ownership?

Private ownership of the means of production, which prevails in capitalism, as its basis for oppression and exploitation, for the division of the society into antagonistic classes, the oppressed and exploited on the one hand, and the oppressors and exploiters, on the other hand, does not and cannot create the conditions for real civil rights and freedoms. It turns the rights and freedoms proclaimed into their opposite, despite all the efforts of the apologists of capitalism and the articles of the bourgeois Constitutions. Whenever the bourgeoisie refers to the «rights» and «freedoms», it gives them an utterly formal meaning, stripped of any real content for the broad masses of the working people; in reality, it allows for only one right, the right of private ownership against which all other «rights» are eliminated or appear only in such instances and to such a degree as not to endanger capitalist property. The bourgeoisie allows no violation of its fundamental class interests even when under the pressure from the working masses bourgeois Constitutions are forced to make some concessions in the recognition and proclamation of formal freedoms; even in this case, these Constitutions do preserve their essential fea-

tures as instruments for oppression and exploitation of the working masses by the capitalist bosses.

Modern revisionists cover these things up or remain silent about them, because, as the faithful lackeys of the bourgeoisie they are, they want to conceal the reality of the capitalist oppression and exploitation behind the bombastic phrases and hollow-sounding formulations of the bourgeois Constitutions. In the Soviet political-juridical literature of the recent years, revisionist theoretizings go so far as to openly call for renouncing «the exposure of the formal aspect» of bourgeois democracy and its Constitution, for this «means to maintain a dogmatic-sectarian position» (Vildanov). Likewise, the Togliatti revisionists are attracted by the hollow-sounding phrases and formulations of the bourgeois Constitution into saying that, «There has never been so much freedom as there is in today's Italy» and that even this «is not yet what the Constitution envisages» (G. Amendola). Today, the revisionist press writes, the language used in regard to «bourgeois democracy and parliamentarianism» should be changed, because «one cannot talk in abstract and simplified terms» about them, as was done previously («Problemi mira i socializma»). Such appeals clearly reveal the hostile character of the activity of the modern revisionists who intend to divert the working class and the other working masses led by it, from the class struggle, thus helping the bourgeoisie keep its political power. In this case, the words of the great Lenin, who more than 60 years ago said that it had practically been proven that, by acting as splitters in the ranks of the working class, the opportunists become better

defenders of the bourgeoisie than the bourgeois themselves, sound very topical.

Regardless of all concessions or formal statements, the bourgeois Constitutions always proclaim that the means of production are capitalist property, which is the basis of capitalist exploitation. As in former exploitative societies, in the capitalist society, too, only the oppressors enjoy rights and freedoms, whereas the broad masses of the working people are considered *«human raw material, suitable only for exploitation»**. Attacking with stinging sarcasm the narrow and hypocritical character of the civil rights and freedoms proclaimed by bourgeois Constitutions, Marx said that in these Constitutions,

*«as long as the name of freedom was surrounded with honours and obstacles were raised only to its true realization — by means of law, of course, — the existence of freedom in the Constitution remained inviolable, untouched, although its real existence was totally abolished»***.

With the aim of winning over the masses of the people for its struggle against feudalism, at that time, the bourgeoisie spoke about civil *«rights»* and *«freedoms»*. Without denying the progressive role of these claims at that historical period, we should say that

* J. V. Stalin, *«Speech Delivered at the 19th Congress of the Bolshevik Party»*.

** K. Marx — F. Engels, *Selected Works*, vol. 1, p. 237, Alb. ed.

from the very beginning they had a contradictory, limited character devoid of any real content for the broad masses of the working people. Although bourgeois democracy represents a great historical progress, as compared with the Middle Ages — as Lenin pointed out — in capitalism it always remains and cannot but remain a limited, curtailed, false and hypocritical sort of democracy, a paradise for the rich, a trap and deception for the exploited and the poor. After seizing state power, the bourgeoisie curtails these rights and freedoms ever more severely, not only not concerning itself in the least about their application, but even ignoring them more and more. Eventually this process of development of the bourgeois society takes an open form towards reaction, which is reached in the period of imperialism, when the practice of the imperialist state in the field of civil rights and freedoms is characterized by their flagrant and all-round violation, by the ruthless suppression of the democratic and progressive forces, the rejection of all bourgeois democratic legality, the complete renunciation of it.

The so-called rights and freedoms of citizens in the Soviet Union and the other revisionist countries have the same illusory character. The betrayal of the Khrushchevite revisionists, the overthrow of the dictatorship of the proletariat in these countries and its replacement with the dictatorship of the new bourgeois stratum, could not fail to give citizens' rights and freedoms an anti-socialist, exploitative character, essentially the same as in the bourgeois countries. The socialist phraseology of the Constitutions of the revisionist countries is nothing but a disguise to cover up the reality of the counterrevolutionary turn

which took place in these countries, with the overthrow of the dictatorship of the proletariat and the restoration of capitalism. Behind the words «rights», «freedom» and «socialism», the Constitutions of the revisionist countries conceal, in fact, the oppression, enslavement and the new capitalist exploitation of the working people by the revisionist ruling cliques. The transformation of the socialist property into a form of capitalist property, in the revisionist countries, the reactionary policy of the revisionist states, the heavy burden of the bureaucratic system, as well as other peculiarities of the social-political life of these countries, sever all links between civil rights and freedoms and the people, the broad masses, the working man.

In the bourgeois and revisionist countries, oppression and exploitation weigh heavy on the people. There, just as in the former exploitative societies, we have to do, with a gigantic institution for the exploitation of the overwhelming majority of the people by a small minority, there, as the classics of Marxism-Leninism say, there is and can be no real and genuine freedom. The working masses of these countries oppose these boastful phrases, high-flown words and beautiful promises of «freedom», «equality», etc., which the bourgeois and revisionist Constitutions dish up for them the Leninist appeal: «Down with these foul lies»!*. The working masses, says Lenin, want to gain not the promise of freedom, not freedom on paper but genuine freedom. The so-called bourgeois and revisionist democracy reduces

* V. I. Lenin, Collected Works, vol. 30, p. 119, Alb. ed.

the essence of the rights and freedoms of citizens to their proclamation and declaration on paper, which is a far cry from the possibility of their realization. These proclaimed rights and freedoms can be enjoyed not by the masses but only by the bourgeois ruling class, or the new revisionist bourgeoisie. What is «the right to work» in these countries worth, where unemployment and misery reign supreme? What are worth «the freedom of the press», «the freedom of meeting» etc., when workers lack all material guarantees for their realization? What is worth «equality» on paper when an abyss separates the working people from the capitalists and the new revisionist bourgeoisie? The so-called bourgeois and revisionist democracy is democracy for the oppressing and exploiting minority and brutal dictatorship of the latter on the working masses.

There is a radical distinction between the so-called rights and freedoms of citizens in the bourgeois and revisionist countries and the rights and freedoms of citizens in socialism. Only in socialist society is it possible to have democracy for the broad masses of the working people. The dictatorship of the proletariat alone — Lenin teaches us — is capable of establishing democracy for the poor, i.e., make it possible for the workers and poor peasants to enjoy the benefits of democracy. Genuine freedoms and rights are recognized and guaranteed only with the triumph of the dictatorship of the proletariat, because it alone realizes the liquidation of the private property and the establishment of the social ownership over the means of production, which constitutes the basis for the liquidation of the exploiting classes and all forms of exploitation. Private property is the

source of the people's enslavement, of their division into an exploited majority with no rights, or rights on paper only, and of an exploiting minority with all the rights its property and power gives it. Therefore as the militant call of the revolutionary proletariat says, the only road for the working masses to secure full and genuine rights and freedoms is the road of «the final struggle» to destroy the old world and build, in its place, the new world.

Only with the establishment of the dictatorship of the proletariat, with its defence and further consolidation is the true liberation of the working man and the realization of rights and freedoms of a profoundly and genuinely democratic content, secured. Only with the establishment of the socialist order in our country was the flourishing of genuine freedom made possible, whose highest expression is the liquidation of exploitation and the realization, in this way, of true social justice. Speaking about the decisive turn made in the life and destiny of our people by the establishment of the dictatorship of the proletariat, Comrade Enver Hoxha indicates that this alone made possible the realization of genuine freedom, that only following it and with the non-stop march of our socialist revolution, the triumphant people feel themselves free, because

*«here there exists broad and genuine democracy for the broad masses and not democracy for a reactionary, oppressing minority, hostile to the masses».**

* Enver Hoxha, «Reports and Speeches, 1967-1968», p. 44, Alb. ed.

The complete guarantee of the rights and freedoms of citizens is of fundamental importance. This is possible only in a socialist state, whose Constitution, as Stalin says, is not confined to formally defining the rights of citizens, but shifts its centre of gravitation to the question of guaranteeing these rights. In the socialist order there is no gap between the legal proclamation of these rights and freedoms of citizens and the possibility of applying them as is the case with the bourgeois and revisionist countries. The abolishment of all discrepancies between the words and the deeds, the law and the reality, is possible only in the state of the dictatorship of the proletariat, only with the establishment of socialist democracy. Only when the working masses, with the working class at the head, seize political power, democracy remains no hollow phrase for these masses, as is the case with all the exploitative societies. Therefore, Lenin called proletarian democracy, or the dictatorship of the proletariat, a new historical world type of democracy. Our Constitution sanctions this new type of democracy by proclaiming broad rights and freedoms for the working masses in close and inseparable relation to their true and complete realization.

The enemies of Marxism try in vain to sling mud at the magnificent work carried out by socialism for the genuine liberation of man, resorting for this purpose to the discredited theory of «democratic socialism», or «socialism with a human face», which is only a form of the bourgeois and reactionary ideology coated in Marxist phrases. The sermons about the «democratic socialism» are an appeal to

renounce the class struggle, to deny the dictatorship of the proletariat and the leading role of the proletarian party, to pave the way for bourgeois ideology, to leave the field free to the activity of the enemies aiming to undermine the foundations of socialism. By guaranteeing many rights and freedoms to the working people, the socialist society, blocks every path to the utilization of these freedoms and rights by the enemies of freedom and socialism, those who want to destroy the victories of socialism and bring back the chains of slavery, as they have done with the working people of the bourgeois and revisionist countries. In this spirit, the Constitution of the PSR of Albania contains the prohibition of any organization of a fascist, anti-democratic, religious or anti-socialist character, as well as any activity and propaganda in this direction, or any incitement of national or racial hatred. The Constitution sanctions the principle that the rights and freedoms of citizens cannot be exercised contrary to the socialist order and the general interests of the society. In Albania, there has never been and there will never be freedom and democracy for the enemies of freedom and democracy, for the enemies of the people and socialism. As the Party and Comrade Enver Hoxha instruct,

*«through the class struggle and the dictatorship of the proletariat, great pressure, vigilance should be ceaselessly exercised towards them».**

* Enver Hoxha, «Reports and Speeches 1967-1968», p. 44, Alb. ed.

2) Proletarian Democracy — Democracy for the Majority

The constant strengthening of the dictatorship of the proletariat as the distinguishing feature of our whole socialist road and the main condition for the further march on this road, is inseparable from the development of the personality of the working man. The creation of new Albania marked a radical turning point for the working man, for it made him a free man of a free society.

*«In our history», says Comrade Enver Hoxha, «November 29 marks the border between two worlds, the world where the people during all their lives were walked all over by the 'powerful', and where they enjoyed no rights at all, and the world where they have risen to the pedestal of the powerful masters of their own fate».**

The first socialist Constitution of Albania sanctioned by law this great reality and historic victory. By completing the Statement of Rights, approved by the Anti-fascist National Liberation Council in October 1944, the Constitution recognized many freedoms and rights to the citizens. These rights and freedoms of citizens are raised to a higher level in the new Constitution in compliance with the present stage of the socialist development of the country. In these constitutional documents of our state, not only are broad rights and freedoms proclaimed for the working

* Enver Hoxha, «Twenty Years of New Socialist Albania», p. 6, Tirana 1964, Alb. ed.

people, but they are accompanied with all the necessary guarantees for their application. The example of new Albania is clear proof of the radical transformation democracy undergoes during the transition from capitalism to communism, ensuring, as Lenin says, democracy for the overwhelming majority of the people, and oppression by force, that is, exclusion from democracy, of the people's oppressors.

The working masses of our country, with the working class at the head, wielding state power, have found and realized most varied and effective forms for the enhancement of their role in all fields of social and political activity. This has followed a line of continuous ascent during the entire period of people's state power, especially with the construction of the economic base of socialism and the process of the further revolutionization of the country's life. All this has brought about respective transformations towards the further extension, strengthening and guaranteeing of the rights and freedoms of citizens, which the New Constitution clearly and fully reflects in accord with the degree of socialist achievements of our society and its perspectives in the future. The New Constitution, says Comrade Enver Hoxha, is

*«a vivid reflection of genuine socialist democracy and humanism. It is a confirmation of the teachings of Marxism-Leninism that the dictatorship of the proletariat is inseparable from the broadest, most thorough going and complete democracy for the working people».**

* Enver Hoxha, «Report to the 7th Congress of the PLA», p. 19, Eng. ed.

Besides the Constitution, other laws and juridical acts promulgated on its basis deal with our citizens' rights and freedoms. In this case, the difference is that the Constitution, as the main law of the state, deals only with the fundamental rights and duties of the citizens, leaving the sanctioning of other rights and duties to ordinary juridical regulation. This difference also has to do with the special importance the fundamental rights and duties have in the context of the other rights and duties of citizens. The fundamental rights and duties of our citizens ensure the genuine full powers of the working people in all the fields of the country's life and define the bases of the juridical position of the person in our socialist state. All the other rights and duties of citizens emerge as concretization and complement of their fundamental rights and duties.

The rights and duties of our citizens serve the development of their personality and the progress of the whole society. They are pervaded by a profound spirit of unity of the interests of the individual and the socialist society, giving always priority to the latter. With the Constitution sanctioning the principle of combining personal interests with general interests, a peculiarity of great importance of the rights and duties of citizens, as well as of the entire system of social relations prevailing in our country is stressed. As a distinguishing feature of the development of the socialist society, the combination of the personal interests with the social interests is raised to the level of the most important principles of our Constitution. Of course, the degree of realization of this combination depends directly on the successes achieved in the socialist construction. This also shows the non-antagon-

istic and temporary character of specific contradictions between the personal interests and social interests in socialism. The development of the socialist society itself, its growth and constant strengthening leads to an ever greater drawing together of personal interests and social interests. In this way, with the creation of the socialist order based on social ownership of the means of production, a genuine basis for combining the interests of the individual and those of the society is created. Marx and Engels say that the socialist society creates such conditions, in which the free development of every one is a condition for the free development of all. Likewise, the free socialist society requires that man should be free, thus making the free development of all a condition for the free development of every one.

The New Constitution raises the equality of citizens to a general principle. In the system of the rights and duties of our citizens the principle of equality constitutes a starting point of great significance and a basis for all this system. With the overthrow of the exploiting system and the establishment of the dictatorship of the proletariat, such characteristic manifestations of exploiting societies as, dependence of rights and duties on distinctions of sex, race, nationality, education, social position and material situation, were liquidated in our country. Our Constitution recognizes no limitation or privilege to any citizen in the exercise of his rights and the fulfilment of his duties as regards these distinctions. The existence of the social ownership of the means of production, as Stalin says, makes the citizen's position in the socialist society dependent only on his personal qualities and personal work.

The tendency of the further development, broadening, deepening and enrichment of the rights of citizens, which is sanctioned in the New Constitution, is of great importance. In this case we have to do with a programmatic element of our Constitution, stressing that «the further extension and deepening of the rights of citizens are closely linked with the socialist development of the country» (Article 39). Parallel with the level of development of our socialist society, this broadening and deepening of citizens' rights is related to the aim of the rights and duties in socialism. In this case, just as in all its other parts, the perspectives our Constitution opens up are fully applicable because the development of the socialist society is a process consciously led by the Marxist-Leninist Party of the working class on the basis of its scientific knowledge of the objective laws. Only in socialist society can one confidently speak of the future, because it is the society of the complete guarantee of the morrow and not a society of vain promises, it is the society which develops on the basis of Marxist-Leninist science, which illuminates the road of both the present and the even more beautiful future which is being created by the working masses themselves.

But while looking to the future, the new Constitution focuses, through the sanctioning of the tendency of the further socialist development of the country, especially on recording and defining what has already been achieved, sanctioning the victories scored up to the present stage of our socialist development. The many rights and freedoms sanctioned in the New Constitution reflect best the growth of the personality of the working man, the enhancement

of the creative abilities of the members of our socialist society, of their possibilities of fully participating in the country's life, as well as the profound transformations which have taken place in the epoch of the Party when,

«the Albanian people, up till yesterday savagely oppressed by the reactionary regimes, today have state power in their hands, have become the all powerful masters of the country and are building with their own hands a new life for themselves.»

All the fields of rights and freedoms comprised in our Constitution speak of this reality.

The Constitution proclaims the right to work and gives all necessary guarantees for its realization by the citizens, linking participation in and contribution to work with everybody's capacity, and remuneration to work, with its quantity and quality; in our socialist society work is considered a duty and honour for all able-bodied citizens, who choose and exercise their profession according to their capacities and personal inclinations, and in accordance with the needs of the socialist society. Closely connected with the right to work, is the right to rest after work and its realization through the vast network of rest-homes and other centres of this kind set up to serve the working people. Citizens of town and country are guaranteed the necessary material means of livelihood in old age, in case of illness or loss of ability to work; the state takes under its special care the inva-

* Enver Hoxha, «Reports and Speeches 1967-1968», p. 148, Alb. ed.

lids of the National Liberation War, those who have been disabled while defending the Homeland or carrying out their tasks at work, and creates all the conditions for their rehabilitation. The young children of those who have fallen in defence of the country and in the socialist construction are under the special care of the state. In Albania, citizens have the right to education; the state has organized a comprehensive education system and also meets the necessary expenditure. Medical service and treatment in the country's health centres is guaranteed free of charge to all citizens and all expenditure is met by the state. Our citizens pay no taxes whatsoever, Albania became the first tax-free country in the world some years ago. All these prove to the superiority of our socialist system in the very important field of socio-economic rights.

The Constitution proclaims the freedom of speech, the press, organization, association, assembly and public manifestation. The state guarantees these freedoms and makes available the necessary material means, such as printing machines, buildings, means of communication and information, etc. All this testifies to the superiority of our socialist system in another field of rights, that of democratic freedoms.

The Constitution proclaims the right of citizens to elect and to be elected to the organs of state power through universal suffrage with equal, direct and secret ballot. This right of our citizens is inseparable from their participation in the activity of these organs of state power, as well as in supervising the activity of the elected organs and people, who may be revoked when they do not justify the trust placed in them. All these testify to the superiority of our so-

cialist system in a third field of rights, that of electoral rights.

The Constitution proclaims the inviolability of the person, of domicile, the secrecy of correspondence, the right to address requests, complaints, remarks, or proposals to the competent organs over both personal matters as well as any other problem of socialist organization and management, the activity of the state and economic organs, social organizations, officials, or other citizens. All this proves the superiority of our socialist order in a fourth field of rights, that of personal freedoms.

The Constitution not only sanctions the general principle of equality of citizens in the exercise of their rights and fulfillment of their duties regardless of sex, race, nationality, education, social position, or material situation, but dwells especially on the equality of all citizens before the law; the equality of woman with man in all fields of life, ensuring for the Albanian woman, liberated from political oppression and economic exploitation by the people's revolution, as a great force of the revolution, all the necessary conditions to participate actively and freely in the socialist construction of the country and defence of the Homeland: the equality of national minorities, guaranteeing the protection and development of their people's culture and traditions, the use of their mother tongue and the teaching of it at school, equal development in all fields of social life. All this is evidence of the superiority of our socialist system in a fifth field of rights, that of equality of citizens.

But, although, with what it has done in the language of undisputable facts, socialism has proved to be for the genuine liberation of man, the efforts

of the bourgeois and revisionist ideologists to decry the magnificent realizations of socialism, as everywhere, in this field too, have not been lacking. Ignoring the radical difference between the socialist order and the capitalist one, between the proletarian state belonging to the broad masses of the working people themselves, with the working class at the head, and the power of an exploiting minority, such as that of the capitalists, the bourgeois ideologists and, not least, the revisionists, who follow in their wake, speak of perpetuation of «alienation» and present it as «the necessary attribution» of any state.

Karl Marx uses the term alienation to show the injustice of the system of private property, where the wealth created through the workers' toil does not belong to him but to someone else, with the producer of this wealth falling under the power of the latter. In this way we are faced with alienation of work and, consequently, the wealth, its proprietors and even work itself become the rulers of the worker, they are turned into an alien force hostile to him. Marx pointed out that this alienation is done away with with the liquidation of private property and exploitation of man by man, as a result of the radical overthrow which the socialist revolution and the establishment of the dictatorship of the proletariat bring about, when the working people become masters of their own selves, of their work, their fate, when they become really free.

Through their «theory» of alienation by linking man's «liberation» with the demand for the removal of any restriction of the individual by society, so that the individual «returns to his own self», the enemies of socialism are seeking the liquidation of the

leadership of the Marxist-Leninist party and its ideology, the dictatorship of the proletariat and socialist order, the establishment of the «absolute freedom» of the individual, which means turning back to bourgeois individualism and capitalist order. Contemptuously rejecting such bourgeois-revisionist fabrications like the so-called theory of alienation, the working masses of socialist Albania are more and more tightening their ranks around their Party of Labour and their people's state power, to make the deed of socialism of whose majesty our Constitution is an expression even more powerful.

The Constitution does not separate the many rights and freedoms our citizens enjoy from their duties. The duties the socialist society charges its members with, do not threaten or restrict their rights and freedoms, on the contrary, they serve the realization of the latter, influence the progress of the society as a whole, the harmonization of its interests with those of the individuals. In the socialist society such connections are created between rights and duties that, as the founders of Marxism-Leninism stressed, there can be no rights without duties or vice-versa. This organic combination between rights and duties in the socialist system makes rights dependent on duties and vice-versa. This puts an end to the discrepancy existing between the rights and duties in the exploiting society where the former are a privilege of the exploiting minority, and the latter a burden of the exploited majority. In the socialist state, there can be no citizen with rights only, or without duties, just as citizens are not allowed to claim only their rights, and not concern themselves about imple-

menting their duties towards the society and state. Comrade Enver Hoxha says, in our country,

«everyone has rights, but at the same time he has also duties, therefore no one is allowed to demand his rights while neglecting his duties».*

The combination of rights and duties in socialism expresses their organic unity which this society realizes, hence, our Constitution says that «the rights of the citizens are inseparable from the fulfilment of their duties» (Article 39). Socialist Albania wages a frontal struggle against both bureaucratic and liberal manifestations. By protecting and guaranteeing the rights and freedoms of its members, at the same time the socialist society also requires from them to carry out the tasks they have been charged with, the realization of which cannot be understood without a proletarian conscious and steel-like discipline at work and in life. This is a discipline based on political and ideological consciousness and the conviction of the necessity of carrying out the tasks one is charged with, which does not exclude the use of coercive measures against those who shirk these tasks.

What are the duties our new Constitution provides for our citizens? Our citizens are charged with such important duties as: observance of the Constitution and the country's laws; defence and strengthening of the socialist order and implementation of the norms of socialist coexistence; protection and

* Enver Hoxha, «Reports and Speeches 1972-1973», p. 290, Alb. ed.

consolidation of socialist property and a conscious stand towards work; defence of the socialist Homeland and, related to this, the general obligation of military service and constant military training. The member of the socialist society, as an active fighter for the construction and defence of the new life, considers these tasks his great honour and, at the same time his great responsibility towards his vital cause, the cause of socialism and communism.

CHAPTER V

STATE ORGANIZATION

Our Constitution gives an important place to the problems of state organization reflecting, in their entirety, the duties and aims of this organization in the socialist state. It deals with these problems in close connection with the proletarian class essence of the state because, **in every country it is the type of the state which defines the aims and duties of its organization.**

The structure and activity of state organs in the socialist order are radically different from the structure and activity of state organs in the exploitative orders. In the latter, the state, as a means of the oppression and exploitation of the working masses by the exploiting classes, is organized in such a way as to best serve this purpose, to keep the working masses oppressed and subjugated and away from all state activity. In contrast to this, the dictatorship of the proletariat, a form of which our people's state power is, serves the liquidation of any oppression and exploitation, the construction of the new com-

unist society, therefore, its state organization creates all the conditions for the successful development of the struggle and work for the construction of socialism and communism, which the working masses, with the working class at the head, are carrying out, and ensures the practical realization of their running of the country.

On the whole the New Constitution preserves the state organization defined by our first socialist Constitution. The experience of three decades of operation of our first Constitution justified the existing structure of state organs and the principles of their organization and activity, and demonstrated that they were fully capable of serving the further socialist development of the country at the present stage, as well. On its part, the first Constitution, on the whole, preserved the same state organization as that established ever since the creation of the new people's state power, which was set up on the ruins of the old anti-popular and reactionary state power which was destroyed from its very foundations in the process of the people's revolution.

In fact, questions concerning the new state organization had found their full definition and broad juridical Constitutional reflection even prior to the adoption of the first Constitution, as early as the acts of the period of the Anti-fascist National Liberation War and, particularly, after the Congress of Përmet. During the discussion of the draft-Constitution at the Constitutional Assembly, it was also pointed out, «the state organization according to this draft undergoes no great changes. It is built on the sound basis laid down during the War and at the Congress

of Përmet» (Minutes of the meeting of the Constitutional Assembly, January-March 1946).

The tasks laid down by the Party in relation to the new people's state power were concretized and realized during the successive stages of the National Liberation War, with the organizational forms of the new people's state power being sanctioned and defined, as early as the war time. Of course, constant amendments and improvements in questions of state organization were necessary, from the juridical-constitutional acts of the war time to the first Constitution, and hence to the new Constitution; all this was done in compliance with the experience accumulated and the new tasks put forth by each stage of the development of the socialist society. However, this does not mean there was no change at all in the new state organization during that time, but that the bases laid down during the National Liberation War were preserved.

The preservation on the whole, of the same state organization is expressed in these main directions: first, in the principles of the organization and activity of the state organs; second, in the main fields of state activity, as well as in the respective organs carrying out this activity.

In connection with the first direction, with the principles upon which the state organs are built and their activity is carried out, first and foremost the new Constitution sanctions, in a clear-cut manner, such fundamental principles as, the indivisible leadership by the Party of Labour of Albania, democratic centralism, people's sovereignty, the unity of state power, the line of the masses and socialist law.

In connection with the second direction, the main

fields of state activity and the respective organs carrying out this activity, the Constitution makes the following grouping: 1) the activity for the exercise of state power carried out by the representative organs; 2) the executive and administrative activity carried out by the organs of state administration; 3) the activity of administering justice, which is carried out by the judicial organs; 4) the activity for supervising the respect of legality which is carried out by the organs of the General Prosecutor's Office. In this case, as the Constitution has it, we should bear in mind, first, that these organs as well as the activity they carry out are in close connection and permanent collaboration between themselves; second, that each of these fields of state activity has its own peculiarities and, in conformity with them, the Constitution and the other laws define the competences of the respective organs; third, that in the system of state organs, the representative organs have greater importance, because all state power of the country is concentrated in them.

The activity carried out in each of these above fields is, in all cases state activity. Therefore, state power is exercised by both the representative organs and other state organs, which are subordinate to and supervised by them. In a broad sense, all state organs are organs of state power. However, in a narrower sense, this term is applicable only to the representative organs and shows the specific place they occupy in the entire system of state organs, as direct organs of state power. They are formed directly by the working people and are the direct carriers of their power.

In the struggle for the realization of the program of socialist transformation of the country, our Party

has always attached major importance to state organization, the constant improvement of the work of state organs and their close ties with the working masses. Our state organs have always been called on to carry out lively and effective work in every link, and field of activity, to improve their method of work in constant struggle against any bureaucratic and liberal manifestation, to strengthen their ties with the broad masses of workers and peasants, to perfect their forms of organization and management, to strengthen their supervision of the implementation of decisions and enhance the authority of every organ and official in carrying out tasks. All efforts are being done for our socialist state apparatus to be as economical, flexible, operative and creative as possible, closely linked with life and the masses of the people, so as never to be paralyzed by bureaucracy or disintegrated by liberalism, but remaining always a revolutionary apparatus totally in the service of the people.

The perfection of the apparatus of the socialist state is inseparable from the participation of the working masses in state affairs. Stalin said that one of the differences of principle which distinguishes the apparatus of the socialist state from that of the bourgeois state is the active and effective participation of the broad masses of the working people in running state affairs. This participation is vital for the apparatus of the socialist state because, first, it enhances the capacity, strength and ability of the state apparatus itself to carry out its tasks successfully, second, it is a major guarantee for the protection of the state of the dictatorship of the proletariat and the cause of socialism from any danger; third, it is a school for

the political education of the working people, for training and preparing them to run things in the communist way in the future, when the socialist state will wither away, after it has fulfilled its historic mission. This is why the broadest possible drawing in of the masses into running the country constitutes a permanent characteristic of our state organization, and as Comrade Enver Hoxha says,

«it has been and remains the unwavering line in the whole activity of our Party of Labour and our proletarian state for the building of socialism».*

1) State Power is one and indivisible

The structure of our state organs and the activity carried out by them rest on the principle of unity of state power. According to this principle, all state power in our country is concentrated in the representative organs, also called organs of state power or of the political basis. Our organs of state power distinguish themselves for their full powers, underlying, as they do the very foundations of our entire state apparatus. According to their respective level all other state organs are based on these organs, to which they render account and are subordinate.

* Enver Hoxha, «Report to the 6th Congress of the PLA», pp. 106-107, Alb. ed.

The principle of unity of state power runs counter to the principle of the so-called division of power which is broadly expressed in bourgeois political doctrines. For this reason it will not be out of place to dwell briefly on this question, stressing the specious and anti-scientific character of the arguments provided by the bourgeois theoreticians in favour of the principle of the division of power, which they try to present as «holy» and «inviolable».

According to the theory of the division of power, a differentiation is usually made of the three powers in the state: legislative, executive and the judicial. During the political struggle the bourgeoisie was waging against feudalism, this theory was intended to justify its compromises with the nobility for the division of state rule. And in fact, as Marx and Engels have pointed out, where

«royal power, the aristocracy and the bourgeoisie quarrel over domination, and for this very reason, domination is divided, the doctrine of the division of power is prevalent there».*

But at the same time, Marx and Engels have shown that this «squabble over domination» as well as «the compromises» reached in the course of it, goes on for a certain time, until the bourgeoisie gradually seizes all power.

When the bourgeoisie became the only ruling class in the state and society, the theory of the divi-

* K. Marx — F. Engels, «The German Ideology», p. 69. Tirana 1972, Alb. ed.

sion of power rendered it, as it still does, a great service by creating the illusion that allegedly state power is not totally in its hands, but it is divided, and that all these powers act independently from each other and the will of the bourgeoisie as the ruling class. By means of this and other such «theories», the bourgeoisie is trying to conceal its absolute domination in the state, and create the impression of the existence of a «democratic» order.

Today, as in the past, the theory of the division of powers has always been baseless. Pointing out the baselessness of this «theory», Engels said that the division of powers is nothing but a vulgar division of labour based on bargaining and applied to the state mechanism. There is and there can be no division of powers in any state. State power has been and remains one single machine in the hands of the ruling class. In the state we see only the division of labour between the various state organs, parts of one single state machine.

By rejecting the principle of the division of powers, our people's state power, has adhered and adheres to the principles of unity of state power. In compliance with this principle, all state power in our country is concentrated in the hands of the representatives organs — the People's Assembly at the centre, and the people's councils at the base. Our state organs are created and act not separately but within the context of one state apparatus at the foundation of which lie the representative organs. The activity carried out by the state organs in various fields represents, in all cases, an activity exercised by the same state power

deriving from, and controlled by, the representative organs.

The principle of unity of state power was applied right from the creation of the people's power, in the years of the National Liberation War. All the organs of the new power of the National Liberation Councils from the lowest up the highest, formed one single state organization. It was openly stated that «the power of the National Liberation Councils in Albania is one and indivisible» (The Law on the National Liberation Councils, approved at the Second Meeting of the General National Liberation Council in Berat, October 22, 1944).

The principle of unity of state power was also sanctioned in the post-liberation constitutional acts. The form of organization of state power, as laid down in the historic decisions of Constitutional Assembly for the proclamation of the Republic and the adoption of the first Constitution, was the direct continuation of the National Liberation Councils and was based on the constitutional principles laid down during the National Liberation War.

By sanctioning the principle of unity of power, the Constitution of the PSR of Albania clearly says that the People's Assembly is the highest organ of state power and the whole state apparatus in our country. The people's councils operate as local organs of state power in our country. Contrary to the old state apparatus, in which the higher organs of state power were counterposed to the so-called organs of local self-administration, which in fact exercised no functions of state power, according to the organization of our people's power, the higher organs of state power are not counterposed to the lower organs, but

together with them, they form a single system of representative organs. In this system, these organs differ only in regard to the territorial extension of their activity and, consequently, the volume of competence pertaining to them. The People's Assembly is the representative organ of the country as a whole, whereas the people's councils are the representative organs of the respective administrative territorial units. As the People's Assembly is the highest organ of state power, the activity of the people's councils is subject to its leadership and control.

2) The Representative Organs — Real Working Institutions Expressing the Free Will of the People

An important distinguishing feature of the entire structure and activity of our representative organs is that, in accordance with the teachings of Marx and Lenin they have rejected the

«venal and rotten parliamentarianism of the bourgeois society».*

This does not mean the disappearance of the representative organs and the abolition of the principle of elections, but that in the proletarian state there are such representative organs which are not «talking shops» but real working institutions. Our representative organs have made the lesson of the Paris Commune a reality being built and acting as

* V. I. Lenin, Collected Works, vol. 25, p. 641, Alb. ed.

«working institutions both legislative and executive».*

They do not confine themselves to legislative functions only, but also extend their activity to the field of the application of laws.

Our representative organs carry out their activity for the application of laws, first, through their members and, second, the respective executive and administrative organs.

In the first case, the representatives elected by the people carry out broad activities at the People's Assembly and people's councils and also outside these organs. They do constant work to have the acts of the representative organ implemented, analyse their meaning and content in the spirit in which these acts were discussed and approved in the representative organs where they were present. They also exercise direct control on the implementation of these acts and check on their rigorous and equal implementation.

The second case has to do with the activity of the respective executive and administrative organs, from the government to the district executive committees. The activity of the executive and administrative organs entails both the precise implementation of the decisions taken by the representative organ, as well as the full harmonization of the acts issued by executive and administrative organs. In both directions, executive or administrative, represen-

* K. Marx — F. Engels, Selected Works, vol. 1, p. 489. Alb. ed.

tative organs exercise complete control over executive and administrative organs.

Lenin considered the combination of the legislative function with the enforcement of laws in one hand, that of the representative organ, a step forward taken by the socialist state in the development of democracy in contrast with bourgeois parliamentarianism,

«a step which has world-historic importance».*

In the socialist state, the people's representatives themselves work, enforce the laws they themselves make, themselves control what is being realized in practice, and render account before the people who have elected them. This means, Lenin teaches us, liquidation of parliamentarism as a specific system, as a division of labour between legislative and executive power, as a privileged position for the deputies.

The People's Assembly occupies the most important place among the representative organs of our state. It is elected for a term of four years and is comprised of 250 deputies who are elected in constituencies with an equal number of inhabitants.

The People's Assembly is superior to all the other state organs because, as the Constitution says, it is the supreme organ of state power, the representative of the sovereignty of the people and state and the only law-making organ. In conformity with the general line and the orientations of the Party of

* V. I. Lenin, Collected Works, vol. 26, p. 99, Alb. ed.

Labour of Albania, it defines the main directions of the internal and external policy of the state.

No other state organ can restrict or interfere in the activity of the People's Assembly. The acts it issues are juridically valid and do not subject to any kind of control or sanctioning by any other state organ, as is the case with the bourgeois countries, where the legislative activity of the parliament can be foiled in every instance by the co-called «veto» of the head of state, or the «control of constitutionality» by extra-parliamentary organs.

The activity of the People's Assembly is carried out in sessions. The Constitution envisages that it meets twice a year. If need be, the People's Assembly may be summoned to extraordinary sessions by decree of the Presidium of the People's Assembly or at the request of the deputies themselves.

The way the People's Assembly carries out its activity springs up from the character of this organ itself as «a working institution». Were they to remain always in session, the deputies would be unable to exercise control over the implementation of what the People's Assembly has decided, and there would not exist close ties between them and the electors. This latter fact is important for both sides, for not only the deputies have to listen to remarks, suggestions and proposals from the electors, but also the electors have to check up permanently on their activity.

The seasonal character of the activity of the People's Assembly makes necessary the existence of a higher organ of state power in permanent activity, as is the Presidium of the People's Assembly. This organ is charged with the task of exercising higher state activity on behalf of the People's Assembly.

This task is limited by the Constitution in volume (within the bounds of the competences given), and in time (when the Assembly is not summoned), with the superiority of the People's Assembly being emphasized in each case. At the same time, the Presidium of the People's Assembly fulfils the duties of the head of state as well.

The Presidium of the People's Assembly is the organ of the People's Assembly, which is also reflected in its denomination: it is not the presidium of the state but the presidium of the People's Assembly. This relation of subordination is linked both with the election of the Presidium of the People's Assembly and its activity. It is elected directly by the People's Assembly and is comprised only of deputies to the People's Assembly. It renders account to the People's Assembly for its entire activity, both for its permanent competences and those between sessions of the People's Assembly. The Presidium of the People's Assembly acts collectively and its activity goes on as long as the legislature of the People's Assembly, which has elected it, continues.

Although the Presidium of the People's Assembly is a high organ of state power, it cannot replace the People's Assembly, but remains permanently under its dependence and control and has a narrower range of competences than the People's Assembly. Only in time of war, when the convening of the People's Assembly is impossible, its Presidium exercises all the competences of the People's Assembly. But in this case too, it has no right to amend the Constitution. Besides this, it has to render account for the

whole activity it has carried out in this period at the nearest meeting of the People's Assembly.

In carrying out the organizational tasks of the People's Assembly the activity of its Chairmanship is of great importance. It is elected from among the deputies to the People's Assembly and engages mainly in its internal activities, such as directing meetings, maintaining contacts with the deputies, especially in the period between two sessions, etc. It also represents the People's Assembly in its relations with the representative organs of other states. But, the activity of the Chairmanship in no case does extend to the actual exercise of state power, unlike the Presidium of the People's Assembly, which acts as the supreme organ of state power.

Its commissions, too, act as internal organs of the People's Assembly. They are elected from among the deputies to the People's Assembly and greatly assist it in the analysis of various problems. The respective commissions carry on the preliminary discussion of problems to be dealt with by the People's Assembly, and come out with concrete opinions, remarks and suggestions. Of course, the People's Assembly acts free of all compulsion from the opinions expressed by its commissions, which have only consultative character. The commissions of the People's Assembly are either permanent or temporary: the permanent commissions go about their activity during the whole legislature of the People's Assembly, whereas the temporary commissions act until the completion of the examination of the question they have been created for.

As the supreme organ of the state, the People's

Assembly also enjoys the right of electing the Council of Ministers (the Government), the Supreme Court and the Attorney General. These organs are completely dependent on the People's Assembly and render account to it, while in the period between two sessions, they render account to the Presidium of the People's Assembly.

The people's councils also, are part of our representative organs and exercise their activity as organs of state power in the related territorial-administrative units. They are elected once in 3, 5 years and, like the People's Assembly, carry out their activity in sessions, not permanently.

The people's councils are real representative organs. They have common features with the People's Assembly, which is conditioned by the fact that they are both comprised in the same system of representative organs operating in our socialist state. These common features allow us to see, in the local people's council, the same organ we see in the People's Assembly, on a nation-wide scale.

Under the Constitution and the special laws on the local organs of state power, important competences are recognized to the people's councils on all questions of socialist construction within the territorial-administrative unit, where they exercise their activity. Within this unit, they direct the socialist development of the whole life in the political, economic, socio-cultural, and defence field, and in maintaining the socialist juridical order, combining general state interests with local interests. Important in the activity of the people's councils is also the work of their commissions, analogues, both in form

and functioning, with the commissions of the People's Assembly.

Our representative organs have full powers, they are more important than all the other state organs. All the other state organs are based and depend on, and render account to, the representative organs. They are built and operate as real working institutions. Quite the opposite is the case with the so-called representative organs in the bourgeois and revisionist countries, which are only talking-shops and a smoke-screen to cover up the domination of the bourgeois and the revisionist exploiters. Thus the formal character of the activity of the bourgeois parliament — these talking-shops, has always been obvious. Lenin says, people there only prattle with the sole aim of deceiving the masses. In the recent years, due to the profound crisis which has both the bourgeois system and its parliament in its grip, the bourgeois politicians and lawyers are trying to provide a juridical «basis» for the increasing loss of power of the parliament, as well as the strengthening of the power of the president, government and other administrative organs. In the recent years, especially, the theory and practice of the bourgeois state and courts has made the «delegation» of competences of the parliament to the executive organs quite common and widespread, as well as the dominating control of the latter by external organs, particularly those charged with looking to the so-called «constitutionality of laws».

In the revisionist countries, the representative organs share the same fate with that of the bourgeois parliament. The liquidation of proletarian state power and the restoration of capitalism in the countries where the revisionists have come to power, has

stripped the representative organs of these countries of all their characteristics as genuine representative organs. Just as the bourgeois politicians, the revisionist politicians and lawyers are trying to «argue» the loss of their supreme juridical position on the part of the representative organs, or as they express themselves, the need to «level out» the position of these organs and the executive organs. Thus, in the discussion organized in the recent years by the revisionist magazine «Problemi mira i socializma», views were openly expressed in favour of «increasing the independence of the administrative organs», under the pretext that «representative organs should deal with major problems». In this context it was «discovered» that the government «cannot be regarded as an executive organ alone», but also an organ «having many competences». Likewise, the juridical literature of the revisionist countries is bringing «arguments» in favour of «equaling» the juridical position of the representative organ and government as organs «with common features» (Muksinov).

Our representative organs are the

«direct representatives of the working people in power».*

The very way of their formation directly from among the working people, through genuinely democratic elections, makes them the direct representatives of their free will.

In our country elections are free and an expres-

* Enver Hoxha, «Report to the 6th Congress of the PLA», p. 116, Alb. ed.

sion of the true will of the people. They are one of the forms of the direct participation of the people in the running of the country and one of the ways to realize their sovereignty. They raise the political activity of the working masses and their control on the elected organs and people. The truly free character of our elections creates and secures all the conditions for the complete and free expression of the will of the people. As Comrade Enver Hoxha stresses, the true force of democracy for the majority of the people, our proletarian democracy, comes out in all its magnificence in our elections. At the same time they are a powerful expression of the steel unity of the people round the Party, because by going to the elections in full unity, and voting for the candidates of the Democratic Front, our people express their great trust in the Party and its political line, express their determination to march on the road of the revolution and socialism.

In the bourgeois and revisionist countries, too, there is much talk about elections. But elections there are conducted under the pressure of the bourgeois and revisionist state, which represents the dictatorship of the bourgeois exploiting class and the new stratum of the revisionist bourgeoisie. There, elections are only a deception, a mechanism to distort the will of the people. During elections in bourgeois and revisionist countries, the most blatant anti-democracy, blackmail, corruption, oppression, terror, falsification and hypocrisy is called «democracy».

The thorough and consistent socialist democracy characterizing elections in our country gives the recognized constitutional rights of citizens their real

content, it is expressed not in vain phrases, as is the case with the bourgeois and revisionist countries, but is a living reality, a powerful means for the active participation of the broad masses of the working people in the running of the country. The spirit of genuine democracy pervades both its main components: the right to elect (the right of active election), and the right to be elected (the right of passive election).

In our country the right to elect is recognized to citizens who have reached the voting age (18 years), regardless of sex, nationality, education, residence, etc. The only persons excluded from electoral rights are those deprived of them by decision of court, and those who are mentally incompetent and declared such by court. The Constitution guarantees our citizens the right of electing through general suffrage with equal, direct and secret ballot. Full and decisive participation of the working people is secured in all the phases of voting.

The genuinely democratic character of our electoral law is evident in its other component, the right to be elected. This right is recognized to all citizens who enjoy the right of vote. In our country, the people's representative is and remains in permanent dependence on and relation to the people, the electors who have voted for him. The electors have the right to counsel their representative, to make their remarks to, and call him to account both for his work as well as the organ he is sent to as a representative. This shows, once again, the democratic and deeply popular character of our representative organs, the close ties

established between the electors and their representatives.

Our people send to the representative organs their best and most distinguished activists from the ranks of the working class and the cooperativist peasantry, and people's intelligentsia, those who, with their day-to-day revolutionary activity, have proved that they deserve the lofty title of the people's representative, the deputy to the People's Assembly or member of the people's council. They are not professional deputies, but workers from various fronts of socialist construction who take the opinions of the working people to the representative organs. The role and tasks of the representative of the people in our country are great,

«he is simultaneously a deputy and a member of the great mass of people, who not only implements decisions, but also creates, decides, discusses, criticizes, makes proposals and amendments».*

Under the Constitution the representatives of the people are obliged to serve the people, Homeland and socialism, conscientiously and loyally, to maintain close ties with the electors and render account to them. They have the right to intervene in the activities of state organs and economic organizations and demand the strict implementation of socialist law, whereas on their part, the related organs are constitutionally obliged to listen to the opinions of the people's representatives and take the necessary mea-

* Enver Hoxha, «Reports and Speeches 1967-1968», p. 47, Alb. ed.

tures to analyse, discuss and apply them on time. The people's representatives enjoy immunity, in which the guarantees necessary for the proper carrying out of their tasks find their juridical-constitutional expression: they cannot be detained, arrested or condemned without previous approval from the People's Assembly or the Presidium of the People's Assembly, for the deputy, and without previous approval from the people's council or the executive committee, for the member of the people's council, apart from cases in which a grave crime has obviously been committed.

Both in elections and in the running of the country, the people have the decisive say in our country. The people's representatives must be and are the servants of the people, they take the opinions of the people to the representative organ and are under their permanent dependence and control. An expression of the responsibility of the representative towards his electors is their right to revoke him, that is, to recall him at any time, if he does not justify the trust the electors have placed in him. This right has been sanctioned in the Constitution and constitutes a very important right of our electors, and one of the main features of the democratic character of our representative organs.

In the exploiting states, the principle of revocation is either openly denied (as is the case with the bourgeois states), or is used as a means to bring pressure to bear on those who do not follow the course of the clique in power (as is the case with the revisionist states). Thus, the concept of the deputy's responsibility towards his electors is completely alien

to bourgeois «democracy». The deputy to the bourgeois parliament prattles to exhaustion, makes the most extravagant promises to his electors, but as soon as elections are over he forgets all about them, completely disregarding his electors. As for the revisionist states, revocation there has nothing to do with the will of the people, but with that of the new revisionist bourgeoisie to which state power belongs.

Therefore, the important principle of the responsibility of the representative towards the people is recognized and has a genuinely democratic character in the proletarian state alone. Here, the right of revocation serves the maintenance and consolidation of ties between the elected representative and the people, increases his responsibility towards the people and places him under the control and dependence of the people. Speaking about the great importance of the principle of revocation, as an expression of true democracy for the proletarian state, Lenin said that an elected organ can be considered genuinely democratic and the real representative of the will of the people only when the right of revoking their representative is recognized to the electors who put it into practice.

3) The Organs of the State Administration and Their Full Dependence on the Representative Organs

A specific form of the functions of our state is the executive and administrative activity carried out by the organs of state administration. The Constitu-

tion, and on its basis, the other juridical acts, clearly define the competences of these organs which are different from those of the representative organs both in character and extension. This difference derives from the fact that the representative organs are direct organs of state power and, as such, constitute the foundation of all other state organs, including those of the administration. The activity of the organs of the administration is conditioned by and derives from that of the representative organs. It is the representative organ which defines the competences of the organs of the administration and which exercises full control on the entire activity of the latter in both its directions, executive and administrative.

All the organs of state administration are completely and effectively dependent on the People's Assembly and the peoples' councils of the related instances. The Party and Comrade Enver Hoxha have continuously stressed that the establishment of a correct relation between the elected organs and administrative organs, ensuring the complete dependence of the former on the latter,

«is a problem of a great principled importance which has to do with the preservation of the people's character of our state power, with the consistent implementation of socialist democracy».*

* Enver Hoxha, «Report to the 5th Congress of the PLA», p. 118, Alb. ed.

The organs of state administration should not be separate from the elected organs, should always remain under their control and not place themselves above them. The Party has powerfully criticized the manifestations of formalism which have been noticed in some cases in the work of the people's councils, considering the practice which makes the people's council «formal» and the executive committee «omnipotent», a grave violation of principle, a bureaucratic and formal practice which threatens with

«the alteration of the very essence of the people's state power».*

The strict maintenance of the dependence of the organs of state administration on the representative ones, has been and remains one of the main directions of the work for the consolidation of the state apparatus. All the executive and administrative organs, from the Government to the executive committees of the people's councils,

*«are under the complete and effective dependence of the People's Assembly and the people's councils of various instances, are subject to them and are obliged to render account before them and all the people. Every distortion of this principle threatens the democratic character of the people's state power, threatens its essence as state power of the people themselves»**.*

* Enver Hoxha, «Works», vol. 9, p. 274, Alb. ed.

** Enver Hoxha, «Reports and Speeches 1965-1966», p. 457, Alb. ed.

The Council of Ministers is the supreme organ of the state administration. It carries out its executive and administrative work on a nation-wide scale, coordinating all the activity of our state. The Council of Ministers is appointed and dismissed by the People's Assembly and is responsible to it, while between the sessions of the People's Assembly it is responsible to the Presidium of the People's Assembly.

The Constitution clearly defines the organizing, managing, supervising role played by the Council of Ministers in all the fields of the country's socialist construction. The Council of Ministers is comprised of the Chairman, the Vice-Chairmen and the Ministers. As a rule, they are appointed from among the deputies to the People's Assembly, but this does not exclude, in special instances, the appointment of ministers who are not representatives in the supreme organ of the state.

In the exercise of the general executive and administrative activity, the Council of Ministers acts collectively and answers for all the activity of its members. At the same time, the Ministers are charged with the task of leading the various ministries which operate as central organisms of the state administration in particular branches of activity. In the exercising of this specialized executive and administrative activity, the principle of personal leadership is characteristic.

In order to facilitate the work of the Council of Ministers in following, controlling and implementing the tasks defined by it, the Constitution provides the creation of the Presidium, which is comprised of the Chairman and the Vice-chairmen of the Council of

Ministers. The activity of the Presidium cannot replace or eliminate that of the Council of Ministers, but in all cases, it is an activity deriving from, and fully controlled by the latter.

To carry out the executive and administrative activity in the various territorial-administrative units, the people's councils of these units form the respective executive committees. They are dependent both on the people's councils which have elected them, and the higher executive and administrative organs. Specialized organisms with the same characteristics as those of the specialized organisms created on a nation-wide scale, which we previously mentioned, are set up attached to them. These specialized organisms which operate under the executive committees are usually called sessions, and are directed by persons who might not necessarily be members of the people's council.

Between the sessions of the people's council, the executive committee exercises its rights and duties (apart from those defined by law). The executive committee renders account to the people's council for the exercising of these competences of the people's council, as well as for the entire executive and administrative activity. In this respect, the Constitution not only clearly expresses this subordination of the executive committee to the council, but also makes it compulsory for the executive committee to present its most important decisions to the people's council for approval and report itself on the implementation of the decisions taken by the latter. This demand of the Constitution aims not only to ensure the general control of the people's council over the executive committee, especially between the sessions of the

people's council, when there is no other organ operating like the Presidium of the People's Assembly at the centre. In the related unit, the executive committee partly fulfils also the role of such an organ of permanent activity, therefore, the Constitution provides that only members of the people's council can be elected to the executive committee.

4) People's Courts — Organs to Administer Justice

People's courts play an important role in the struggle for the defence of the socialist juridical order and the prevention of the breach of laws. They are organs which administer justice in the PSR of Albania, basing themselves on the active participation of the working masses themselves. Through their decisions, the people's courts exercise a deep educational influence both on the citizens under sentence as well as on all other citizens.

The Constitution defines the principles of organization and activity of the people's courts, whereas the detailed regulation of the organization of courts and the judicial procedure is done by special law. On the basis of these principles, the people's courts are built up and carry out their activity as elected organs which are led, as the entire state and social life of the country, by the Party. In judging concrete cases, people's courts act independently, take decisions on the basis of the law and pronounce their verdicts in the name of the people. In the people's courts trials are conducted with the participation

of assistant judges and in public sittings, with the exception of cases when provided otherwise by law.

The participation of assistant judges in trials is of principled importance, because it has to do with the broader extension of the people's courts among the working masses. Assistant judges are not professionals but working people from various sectors, who voluntarily fulfil the tasks they have been charged with by the people in courts for a time defined by law. In carrying out their duties, assistant judges enjoy all the rights of judges. They take an active part in court proceedings.

The Supreme Court is the highest instance in the system of our juridical organs. It is elected by the People's Assembly and renders account to it and to Presidium of the People's Assembly between sessions. Its judicial activity bears, first of all, on examination of the most important cases as well as of the complaints and protests against the decisions of the district courts.

The activity of the Plenum of the Supreme Court, which is comprised of the Chairman, Vice-chairman and all the judges of the Supreme Court, are of great importance for administering justice and in particular for the professional qualification of work of the court organs. It is up to the Plenum to issue instructions related to the court practice, with the aim of ensuring the proper and equal application of law by all courts; to examine applications about the legality of the decisions taken by the colleges of the Supreme Court on penal and civil matter; to consider the activity of the courts and major problems related to this activity.

District courts constitute the main link of the

judiciary. They judge civil and penal cases of the first degree, and in the second degree they examine complaints and protests against the decisions of courts in villages, cities and city-quarters. Court councils are attached to the courts of cities. Judges from the related or near-by district take part in their proceedings. They examine complaints against verdicts of the first degree, with the exception of cases which the law leaves to the Supreme Court for examination.

The lowest link in the judiciary is constituted by the courts of villages, towns and town-quarters. Characteristic of these courts is that they resort to persuasion in the first place. They are made up of assistant judges of the district court, elected in that village, town or town-quarter, as well as of a number of social activists. Their competences are defined by the special law and they can impose only public admonishments or fines.

5) The Attorney General's Office — Organ to Control Law

Our Constitution provides for another kind of state organ, the Attorney General's Office. The Constitution has set it the task of controlling the precise and uniform implementation of our socialist laws. The activity carried out by the Attorney General's Office is of great importance in checking violations or misinterpretations of laws by the state organs of social organizations, their officials or citizens.

In implementing the tasks it has been charged with, the Attorney General's Office has the right to control the acts issued by the local and central

organs up to the ministerial level or other organs of the same level. In these cases, the Attorney General's Office sees if these acts conform with the Constitution, the laws and acts of the government, and when violations are ascertained, it protests against eventual illegal acts demanding their abrogation or amendment. This protest must be examined by the respective organ within a period defined by law, otherwise the implementation of the act protested against is suspended.

The Constitution provides for the Attorney General's Office the right to protest against all acts which are issued by organs no higher than the ministry level. When the laws of the People's Assembly do not conform with the Constitution, or the decrees of its Presidium do not conform with the Constitution and laws, or acts of the Council of Ministers do not conform with those of the People's Assembly and the Presidium, the Attorney General has the right to report these cases to the respective organs. Thus, the right of the Attorney General is limited in these cases to only notifying this discrepancy and only the intervention on the part of the People's Assembly has enforcing power for all cases, and of the Presidium of the People's Assembly, for governmental acts.

The Attorney General's Office carries out a broad activity to control the decisions of courts and the whole activity of the investigating organs, having, in these cases, the right to protest against any violation it ascertains. The Attorney General may come out in defence of law over court decisions, when the term for their implementation action has expired.

Characteristic of the Attorney General's organs is the strict centralization of their activity under the Attorney General. He fulfils the tasks he has been charged with directly, or through his assistants, or the district attorneys. The Attorney General directs the activity of all the attorneys, gives compulsory orders and instructions of a general character or concerning concrete cases. He renders account before the People's Assembly, which has elected him, and between two sessions of the People's Assembly, he renders account before the Presidium of the latter.

The Attorney General's organs in the districts extend their activity to the respective territorial administrative unit. The district attorney is appointed by the Presidium of the People's Assembly and his assistants by the Attorney General. In the fulfilment of its tasks the district attorney's office is assisted by people's attorneys, who are elected by the people for every city-quarter, village or work-place.

The district attorney's office is independent from the local organs of state power and subordinates only to the Attorney General. Through such centralization uniformity in supervising laws and the prevention of any local influence which might effect this uniformity, are secured.

CONCLUSION

The New Constitution is a marked event in the history of our people and a document of great significance for the present and the future of Albania. It reflects the thorough-going revolutionary transformations carried out during the years of the people's state power and marks a new important advance in the struggle for the complete construction of socialism in our country.

Trying to make a brief comment of our New Constitution, we focused on its distinguishing features and basic principles, as well as its theoretical and practical importance. In this context and on the basis of its characterization by Comrade Enver Hoxha who at the 7th Congress of the Party said,

«The New Constitution is permeated through and through by the ideology and fundamental principles of Marxism-Leninism, embodies the teachings and the revolutionary experience of our Party of Labour, and bears the stamp of creative thinking of the broad masses of our people».*

* Enver Hoxha, «Report to the 7th Congress of the PLA», p. 15, Eng. ed.

Its most important elements can be summed up as follows:

First: **The ideology and fundamental principles of Marxism-Leninism are the axis of our New Constitution.** The entire activity of the Party of Labour and our socialist state has always been illuminated by the triumphant teachings of Marxism-Leninism. This has ensured Albania brilliant victories on the road of its unceasing socialist development, has created the splendid reality of our days and is the sure guarantee for the ever more brilliant future. Therefore, the Constitution of our state also reflects the fundamental principles of Marxism-Leninism, which our Party with Comrade Enver Hoxha at the head, has faithfully defended and implemented in a creative manner in the conditions of our country:

The Constitution sanctions the type of state as a state of the dictatorship of the proletariat and affirms the Marxist-Leninist principle that, without the dictatorship of the proletariat, there can be no socialist and communist construction; it sanctions the leading rôle of the PLA and affirms the Marxist-Leninist principle that without the leading role of the revolutionary party of the working class, there can be no dictatorship of the proletariat, no socialist society, or transition to the classless communist society; it sanctions the rôle of Marxism-Leninism as the dominant ideology of our socialist state and society, and affirms the great truth that without the Marxist-Leninist theory there can be no question of socialism and communism. Just as the above mentioned problems of the dictatorship of the proletariat, the leadership of the Marxist-Leninist party of the working class and its revolutionary ideology, our

Constitution, deals with all the other problems only on the basis of the teachings of Marxism-Leninism, which make up its main axis. By defending and sanctioning in our Constitution the fundamental principles of Marxism-Leninism on the dictatorship of the proletariat and scientific socialism, at a time when the modern revisionists have abandoned and are furiously attacking them,

«we render a great service not only to our Homeland, the Albanian working class and people, but through our practice, show the ever young and creative potential of Marxism-Leninism, defend the firm principles of the dictatorship of the proletariat, the immortal ideas of scientific socialism».*

Second: **Our New Constitution is the embodiment of the teachings and revolutionary experience of our Party.** By consistently following its Marxist-Leninist line, our Party, has gained a rich experience in the development of the uninterrupted socialist revolution, the construction and defence of socialism. This practice of our country is reflected in the New Constitution. This is of great importance and constitutes a further enrichment of the Marxist-Leninist doctrine on the state.

The Constitution defines the fundamental tasks of our state of the dictatorship of the proletariat,

* Enver Hoxha, «Report on the draft of the New Constitution», the newspaper «Zëri i popullit», December 28, 1976.

which are aimed at the constant development of the revolution by waging the class struggle; it shows that in the process of fulfilling its tasks, our state has abided and abides always by such important principles, as the leading role of the Party in all the links of state organs and the directions of their activity, people's sovereignty, democratic centralism, socialist law, self-reliance, the struggle against bureaucracy and liberalism, the line of the masses, worker and peasant control, combination of personal interests with general interests which have priority in all cases, combination of material with moral stimuli the latter having, always priority, the establishment of a correct ratio of remuneration to prevent the creation of privileged strata, etc.; it links the defence of the socialist Homeland with the arming and training of the entire «soldier people», proclaiming that the borders of Albania are inviolable and its territory inalienable, condemning any act of capitulation or the occupation of the country and prohibiting the establishment of foreign military bases and the stationing of foreign troops on our territory; it reflects the open and principled revolutionary foreign policy our state pursues based on the principles of Marxism-Leninism and proletarian internationalism, its all-round efforts and the struggle it wages for the triumph of the cause of socialism and communism on a world scale. The uninterrupted process of the revolution and socialist construction in our country is a vivid proof of the great Marxist-Leninist truth that,

«even after its establishment it is fully possible to preserve the dictatorship of the proletariat always pure, inviolable and unwavering,

in all its links and directions, constantly developing and perfecting it».*

Third: Our New Constitution is a reflection of the creative thinking of the broad masses of our people. With the establishment of the dictatorship of the proletariat in Albania, the working people, with the working class at the head, became the masters of their own fate, because it is they who decide everything, also including the fundamental law of the state. A vivid and powerful confirmation of this is also the great popular discussion of the New Constitution. With an aim to have the New Constitution broadly discussed by the people, the decision of the Special Commission of the People's Assembly for the promulgation of the Draft-Constitution stressed:

*«The people's discussion of the Draft-Constitution will be a vivid expression of our socialist democracy in action, during which the working masses of our country will have their powerful and mature say in connection with the fundamental law of our state of the dictatorship of the proletariat»**.*

And indeed, the great people's discussion of the Draft-Constitution was turned into a powerful political and ideological action, during which our working masses, as Comrade Enver Hoxha says, acquainted themselves thoroughly with the ideas of the New

* Enver Hoxha, «Reports and Speeches 1969-1970», p. 219, Alb. ed.

** The newspaper «Zëri i popullit», January 20, 1976.

Constitution, came out with their remarks and valuable suggestions and made an invaluable contribution to the amendment and improvement of the draft presented, in order to raise it to the level of the requirements of the fundamental law of our socialist state.

In our socialist country, there exists unbreakable unity between the state and the working masses, who take an active and effective part in the entire political and social life of the country, unlike the bourgeois and revisionist countries. There, a deep gap separates the working masses from the bourgeois and revisionist state, which savagely oppresses and exploits them. There, just as the state itself, its laws and Constitution, too, are alien to the people, therefore, they are kept away from all work to draft them, being considered «incapable» of doing such things. The bourgeois ideologists, who declare the Constitution «a matter concerning the jurists, alone», have long since admitted this. This is also being openly stated by the modern revisionists, despite the «socialist» disguise they put on. Thus, despite all the clamour the Soviet revisionists have for many years been raising about their New Constitution, they openly stated that it is «a matter concerning the jurists», something like «a proof of their abilities» («Sovjetskoje gosudarstvo i pravo»). And the aim of all these statements is not to win over the jurists to the administration and give them a satisfaction, but to estrange the masses of the people from all government affairs because, — according to the anti-socialist conception and practice of the revisionists — they are incapable and have no right to give such «proofs».

While in the bourgeois and revisionist countries the Constitutions are «matters concerning the jurists

alone», in our socialist country the Constitution is the deed of the working masses themselves, under the leadership of the working class with its Marxist-Leninist party at the head. Our Constitution is inseparable from the people because,

«...in socialist Albania the people are the masters, that nothing is done against their will».*

* * *

The New Constitution puts the seal of law on the unceasing development of our country on the road to socialism and communism. As an important part of the political superstructure, it will serve to consolidate and perfect the socialist order in Albania, to make it even stronger and invincible and open up ever broader vistas for the progress and prosperity of our socialist Homeland.

* Enver Hoxha, «Report to the 7th Congress of the PLA», p. 15, Eng. ed.

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