
Становление государственной независимости Индии: революция и прогресс

Станаўленне дзяржаўнай незалежнасці Індыі: рэвалюцыя і прагрэс

Formation of state independence of India: revolution and evolution

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НАЗАД В БУДУЩЕЕ? КРИЗИС КОНСТИТУЦИОННОЙ ДЕМОКРАТИИ И СЛЕДЫ БОЛЬШЕВИСТСКОГО ПРОШЛОГО

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Сегодня во всем мире ведутся дебаты относительно целесообразности выбора тех форм демократии, которые установились в различных государствах с течением времени. Само значение демократии и ассоциации, связанные с данным понятием и сопутствующими ему политическими формами, подвергались изменениям в переломные моменты истории. Эти изменения были вызваны как эволюционными, так и революционными импульсами, которые расширили или трансформировали и существовавшее ранее понимание демократии, и взаимоотношения между ее формами и обществом. Наиболее прочным историческим продуктом, который возник с наступлением капитализма с его философской основой в политическом либерализме, является ассоциация демократии со свободой и равенством. Доминирование капиталистической либеральной демократии придало такую устойчивость этой ассоциативной связи, что в политике демократия больше не может быть представляема никаким другим образом и связанные с ней значения понятий «свобода» и «равенство» самоочевидны и присущи не только самой этой концепции, но и капитализму в целом. В статье ставится под сомнение такое антиисторическое понимание концепции демократии. Рассматривается изначальная история споров о содержании данной концепции и о конституционной демократии как наиболее устойчивой демократической политической форме. Превосходство национальных границ над идеей мирового гражданства создало напряжение в самом фундаменте конституционной демократии. Ценности свободы и равенства, заложенные в конституции и основанные на либеральном общественном договоре, сегодня подорваны более, чем когда-либо, поскольку и транснациональный капитал, и мировое гражданство выходят за пределы допустимого конституцией. Такое положение дел привело и концепцию демократии, и ее политические формы в состояние кризиса. Может ли новое обращение к отринутым в прошлом соображениям о значении и формах демократии дать нам какое-либо представление о том, как преодолеть конституционный кризис сегодня? Если значение демократии и связанные с ней ассоциации не вечны, а определяются историческим развитием, можем ли мы понимать их в рамках иных политических соображений?

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НАЗАД У БУДУЧЫНІЮ? КРЫЗІС КАНСТЫТУЦЫЙНАЙ ДЭМАКРАТЫІ І СЛЯДЫ БАЛЬШАВІЦКАГА МІНУЛАГА

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Сёння ва ўсім свеце вядуцца дэбаты адносна мэтазгоднасці выбару тых форм дэмакратыі, якія з цягам часу ўстанавіліся ў розных дзяржавах. Само значэнне дэмакратыі і асацыяцыі, звязаныя з дадзеным паняццем і палітычнымі формамі, якія спадарожнічаюць яму, змяняліся ў пераломныя моманты гісторыі. Гэтыя змены былі выкліканы як эвалюцыйнымі, так і рэвалюцыйнымі імпульсамі, якія пашырылі або трансфармавалі і ранейшае разуменне дэмакратыі, і ўзаемаадносіны паміж яе формамі і грамадствам. Найбольш трывалым гістарычным прадуктам, які ўзнік пасля прыходу капіталізму з яго філасофскай асновай у палітычным лібералізме, з'яўляецца асацыяцыя дэмакратыі са свабодай і роўнасцю. Дамінаванне капіталістычнай ліберальнай дэмакратыі надало такую ўстойлівасць гэтай асацыяцыі ў сувязі, што ў палітыцы дэмакратыя больш не можа ўяўляцца ніякім іншым чынам і звязаныя з ёй значэнні паняццяў «свабода» і «роўнасць» самавідавочныя і ўласцівыя не толькі самой гэтай канцэпцыі, але і капіталізму ў цэлым. У артыкуле ставіцца пад сумненне такое антыгістарычнае разуменне канцэпцыі дэмакратыі. Разглядаецца першапачатковая гісторыя спрэчак пра змест дадзенай канцэпцыі і пра канстытуцыйную дэмакратыю як найбольш устойлівую дэмакратычную форму. Перавага нацыянальных меж над ідэяй сусветнага грамадзянства стварыла напружанне ў самім падмурку канстытуцыйнай дэмакратыі. Каштоўнасці свабоды і роўнасці, закладзеныя ў канстытуцыі і заснаваныя на ліберальнай грамадзянскай дамоўце, сёння падарваны больш, чым калі-небудзь, паколькі і транснацыянальны капітал, і сусветнае грамадзянства выходзяць за межы дапушчальнага ў рамках канстытуцыі. Такая сітуацыя прывяла і канцэпцыю дэмакратыі, і яе палітычныя формы ў стан крызісу. Ці можа новы зварот да адрынутых у мінулым уяўленняў пра значэнне і формы дэмакратыі даць нам якое-небудзь разуменне таго, як пераадолець крызіс канстытуцыйнай дэмакратыі? Калі значэнне дэмакратыі і звязаныя з ёй асацыяцыі не вечныя, а залежаць ад гістарычнага развіцця, ці можам мы разумець іх у межах іншых палітычных уяўленняў?

Ключавыя словы: канстытуцыйная дэмакратыя; бальшавізм; ліберальны кантракт; Карл Маркс; рэвалюцыйныя генеалогіі.

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BACK TO THE FUTURE? CRISIS OF CONSTITUTIONAL DEMOCRACY AND TRACES OF A BOLSHEVIK PAST

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Today, the world over a debate is going on regarding the usefulness of the forms of democracy that different states have adopted over time. The meaning and associations with the concept of democracy and its attendant political forms have changed at critical points in history. These changes have been attributed both to, evolutionary and revolutionary impulses that have expanded or transformed the ways in which democracy and the relationship of its political forms with the people had been primarily understood. The most enduring association of democracy with freedom and equality is a historical product that came into being with the onset of capitalism with its philosophical basis in political liberalism. The dominance

of capitalist liberal democracy has given such stability to this association that “democracy” can no longer be imagined in any other political imaginary and that its associated meanings of freedom and equality are self-evident and inherent not only to the concept itself but to capitalism. The paper interrogates such ahistorical understanding of the concept of democracy and recuperates the radical history of contentions over its meanings and its most abiding political form i. e. constitutional democracy. The transcendence of national boundaries towards a global citizenship has put a strain on the fundamental operative terrain of constitutional democracy. The values of freedom and equality laid out in the Constitution premised on a liberal contract are more undermined today, than ever before with transnational capital and global citizenship breaking the bounds of constitutional purview. This has brought the concept and political forms of constitutional democracy into a state of crisis today. Can re-looking at the past traces of suppressed contentions over the meaning and forms of democracy give us any insight as to how we can work through the constitutional crisis today? If the meaning and associations with democracy is not eternal but historical, can we bring it them within other political imaginaries?

Keywords: constitutional democracy; bolshevism; liberal contract; Karl Marx; revolutionary genealogies.

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Every legal constitution is the product of a revolution.
Rosa Luxemburg. “Conquest of Political Power” in “Reform or Revolution”

Introduction

One of the normative basis of constitutionally ordered liberal nation-state and its subjects is to build a democratic polity based on freedom, rights and equality of its individual citizen subjects. This basis of a liberal constitutional democracy, while undergoing shifts and tilting between more conservative and radical boundaries has nevertheless used these key categories to assert itself as a more morally, politically and economically superior social order. Moreover, a constitutional democracy speaks *in the name of the will of the majority of people*.

The premise for a successful working of this form of representative democracy is a contract between the state and citizen subjects with the terms of the contract broadly laid out in the Constitution which guarantees the rights and outlines the limits and responsibilities of either side.

A significant point to be kept in mind is the naturalization of the relationship between constitutional democracy and liberalism. The most salient and popularly understood association of the concept of democracy is with liberalism so much so that they are often used synonymously. As usually mentions, “after a period of sustained expansion throughout the 20th century, liberal democracy became the predominant political system in the world”. The political system alluded to here is rather specific. It denotes the political economy of capitalism with its basis in safeguarding private property and setting up the individual as a core constituent of the liberal order and the bearer of rights. However, the ease with which the term “democracy” transcends these particular meanings and instead presents the concept as unmarked with universal inherent public good as a given. The transcendence of a histori-

cally particular concept into a universal can only be attributed to its “elusive utopian” signification enabled by the pure abstraction of the concept. Herein also lays the hegemonic and universal acceptance and our historical investment into the concept.

This is an ideological, indeed a very successful, maneuver of capitalism which not only presents “constitutional democracy” as western modernity’s gift to the world while making it bereft of a history of contested claims over its meanings. The fixity of the meaning given to key terms such as democracy and sovereignty also enable an ideological obfuscation whereby the main fight in the world is presented as that between values of liberal democracy and the rest of the world which has deviated from it. Framing the contemporary problematic as an opposition between liberal democracy and fascism is diagnosed by Žižek as an imposition by “the hegemonic ideological field of (ideological) visibility with its own ‘principal contradiction’ (as) an effective obfuscation of the true antagonism of today which is ‘not between liberal multiculturalism and fundamentalism, but between the very field of their opposition and the excluded Third (radical emancipatory politics)”. The paper is in two sections. The first details two approaches towards the concept of constitutional democracy and the second explores the “suppressed” or the radical “excluded Third” [1].

In the first section of the paper, we track some of the contestations over the meanings of “democracy”, “sovereignty” and “constitutional democracy” in the 18th and 19th centuries in West Europe. Two lines of such exploration are offered to us that give us a brief glimpse of these histories. One was being argued by Marx and Engels who included an analysis of many of

the constitutions of their time and was wrestling with the concept of “democracy and sovereignty” as it appeared in its liberal use and as used in the social transformative sense. This was a polemic which was fiercely picked up and carried on by Rosa Luxemburg and Lenin by the end of 19th century. Both moments are formulated in an international context without much significance attached to national borders and nationalist thought. The internationalism of this genealogy was crucial to its radical critique which repeatedly clashed with variants of nationalist/patriotic and sacred entity of the nation in which political power was sought to be vested. Both moments engage with the key question of locating the source of power and meaning in “reform” or in “revolution”.

The second line of argumentation is offered to us by intriguing work on political culture in 18th century by a contemporary scholar, Pasi Ihalainen who explores the parliamentary political sermons and debates. He explores how the social meanings attributed to both the role of the Constitution and its association with the concept of “democracy” has shifted historically in an intimate connection with linguistic and parliamentary debate cultures, socio-political, military and economic contexts of particular nation-states. In an interesting comparative study of two West European countries, Britain and Sweden he contends that these, “countries with inherited representative institutions adopted the notions of democracy and the sovereignty of the people in the eighteenth century”. He tracks the point when “the people of the time began to view ‘democracy’ in a positive way that differed from the pejorative classical concept of democracy” [2].

He argues that the French revolution, “affected an already ongoing modernization of the meanings of democracy in countries with older representative institutions. Perhaps indeed – by demonstrating that the classical notion of democracy as just another form of anarchy was correct – it delayed a more evolutionary modernization of the concept”. Ihalainen underscores that French revolution should not be understood as

a rupture but transformative phenomenon of the political culture which was already dynamic and had incorporated religious and representative models in the classical thought [2, p. 5].

The second section of the paper explores the forgotten or as Zizek says, excluded Third, genealogies of revolutionary moments that, in the words of Walter Benjamin, go outside the law (norm) and imagine a world outside the liberal imaginary. It focuses on the problematic of an evolutionary and/or a revolutionary perspective on changing meanings of democracy, sovereignty and the role of constitutions in ordering the formative stage of nation-states. It may be pertinent to remind ourselves of a fact that is often not attended to that these transformations and contestations were framed and debated most fiercely in the shadow of revolutions. American Revolution, French Revolution, German Revolution and November Bolshevik Revolution alongside the failed German Revolution not only invested transformative meanings to these terms but contested their conservative and liberal usurpation by upper classes.

The fact of the naturalization of the association of the concepts of democracy, sovereignty and constitution with liberal values and capitalist political economy suggests that capitalism with its political philosophy of rights based liberal values did indeed become the stable and universal model and marker of the modern, the western, advanced, and civilized and so on. However, the crisis pervading constitutional democracies may be signaling to the limits of the liberal promise.

Today, global capitalist crisis has brought the underlying tensions to a breaking point. The financial crisis which shows no signs of receding is beginning to show its fascist, militarist potential with liberal promises being rescinded on a daily basis. In such a context, revisiting the question posed by Luxemburg “reform or revolution” and Lenin’s “State and Revolution” remind us of a gesture that needs repeating today, i. e. to imagine that an alternative outside to capitalism and its liberal order.

Constitutional democracy: a liberal contract

The insight of the evolutionary perspective is that history moves according to its internal dynamics and obeys the natural law of change. If and when disturbed by a rupturous event may stall or even foreclose the opportunities for its internal growth and modernization. Even while accounting for contexts that frame the internal dynamics of such a process the argument is to maintain status quo. In debate with evolutionary perspectives, Marx and Engels brought the shadow of past revolutions or those brewing in the future to argue with both conservative monarchical forces of reaction and liberal/radical “democratic extremists”. It was in this polemics of deploying “democracy” as a “mere political democracy” or towards social trans-

formation that Marx sharpened his arguments of socialism/communism as an imaginary outside capitalist liberalism.

The key point of contention in 19th century debates that mark the underlying tension in concepts of “democracy” and “sovereignty” had to do with forms of government and its relation with “people” as a political agent. Debates around ‘popular control over government’ brought into sharp relief the issues that mirrored in conservative monarchical and “democratic extremist’s” formulations on these key concepts.

Draper brings attention to Marx’s response to the Lassalleian catchword of a “free state”. Taking it literally, Marx replied that we do not want a state that is

free, but rather a state that is completely subordinate to society.

Free state – what is this?

“It is by no means the aim of the workers, who have got rid of the narrow mentality of humble subjects, to set the state free. In the [Bismarckian] German Empire the ‘state’ is almost as ‘free’ as in Russia. Freedom consists in converting the state from an organ superimposed upon society into one completely subordinate to it, and today, too, the forms of state are more or less free to the extent that they restrict the ‘freedom of the state’” [3, p. 122].

Who will be the custodian of democracy and how will it be carried out were crucial questions, not just of form but of significant implication for political power. Exploding the chimera generated by posing the false binary between “monarchical regulatory” and “free” state, Marx called “mere political democracy” a device to consolidate the class rule if not extended to social transformation.

Evidence of these tensions mark Ihalainen’s evolutionary account of political culture and its en-

agement with forms of government and the contestations within in many west European countries. Bringing in a richly researched political culture, Ihalainen explores and argues that the French Revolution expanded the notion of democracy radically by extracting it from its monarchical form. However, its association with these key concepts and securing its association with old Athenian type of “direct democracy” enabled a consolidated rejection of its radical potential. This form was “not only considered impractical but was also seen as leading to the despotism of the poor and uneducated, and ultimately to utter anarchy”. However, he contends, this opposition between liberal/radicals like Fox and Paine (in England) and monarchical reaction like Burke was not rigid and remained porous as ideas with varying degrees of distribution of power in the tripartite “happy constitutional” arrangement between the monarchy, aristocracy and commons was debated. Another point of debate was who will be leading this government – the people, the monarch or representatives of the constituencies? [2, p. 6].

Reconciling democracy and sovereignty

Related but divergent from this history is the history of the concept of sovereignty of the people. This trajectory marks the shifting pejorative meaning associated with democracy and reconciling them with equally problematic meanings of sovereignty, i. e. the will of the people. He points that “while the moderates merely saw the nation as the ultimate source of power, the radicals placed sovereignty directly in the general will”. He tracks these histories and generates crucial insights into the changing implications of the meaning of the concept of “‘sovereignty’ and the people as its agent or the source of power” [2, p. 347].

Ihalainen argues that the French revolution made the opposing sides more rigid than porous and impeded the internal dynamic of modernization of these concepts. Thus, he marks that the threat posed by the French revolution was most keenly felt as an attack on “property and religion” which led to polarized debates between monarchical conservatives and radical democrats in which “the French revolutionary masses did

not represent true democracy but constituted ‘a furious, licentious populace’” [2, p. 356].

Tracking the internal evolution of meanings and how the pejorative association with democracy transformed and a new nomenclature came into existence to be used in future synonymously with sovereignty. He argues that “clearly, the Revolution was changing the meanings of ‘democracy’ in ways that made a return to the classical concept quite impossible. It produced derivations referring to a political agent (‘democrat’), to political allegiance in a positive sense (‘democratic’), to democratic action aimed at reconciling politics with the idea of popular sovereignty (‘to democratize’) and to a political ideology (‘democratism’). As a result of this semantic change, the concepts of democracy and the sovereignty of the people thus came to be seen as synonymous. It also meant that ‘democrat’ was transformed, albeit only temporarily, from a partisan appellation into a name borne with honour. Furthermore, a vision of creating a democracy for the benefit of all the people emerged” [2, p. 365].

Reconciling “representation” with “democracy”

Similarly, “representation” was another key term although “it was not yet generally associated with democracy”, the concept of “representative democracy was also gradually emerging” [2, p. 347].

The true innovation to these seemingly intractable debates was *inspired by the American Revolution* and used by Paine to integrate and make synonymous the two divergent concepts of “representation” with “democracy”) enabling Paine to present an interpretation of “the American Republic as democracy, as

‘representation ingrafted upon democracy’ and as a model for all other nations” [2, p. 378]. Thus changing the nature of debate on democracy, Paine argued for ‘a democratic republic based on representation over a representative government with monarchy’ and “he argued for the combination of democracy and representation into a system that was later to be known as ‘representative democracy’”. However, the radicalisation and internationalism of the French Revolution led to its rejection in Britain already fearful of its adverse

impact on monarchy which coalesced around the two poles: one that of the classical notion of democracy and mixed constitution and the other a radical reinterpretation of “democracy as opposed to monarchy”; will of the people, i. e. sovereignty and representation. As marked by Ihalainen, “France caused deep disgust and fear among a great majority of Britons. As a consequence, Pitt adopted a policy that aimed at combining the support of the landowning, industrial, commercial and Anglican elements of the British establishment with an ideological defence of the established political and religious order”. Also, “the year 1795 was also one of economic troubles, high inflation and food riots, which contributed to the radicalization of arguments on both sides in Parliament” Ihalainen brings in the

class character of the forces of reaction and the emergent bourgeoisie found in opposition to the aristocracy while keeping the progress of modernization of these concepts as an internal and incremental dynamic within the evolutionary paradigm [2, p. 424].

While the French Revolution scared the monarchy, the American Revolution was used in the debates to graft more acceptable meanings on to the concepts of democracy, sovereignty and will of the people. This was enabled by bringing in the concept of “representation” but operationalised in such a manner that disciplined the “will of the people” which was otherwise correctly feared by the monarchy for their revolutionary force. It was this alliance between the “radicals” and “the moderates” was critiqued by Marx and Engels.

Marx and constitutional analysis in 19th century

A few decades later from the times that are researched by Ihalainen, Marx and Engels were analyzing many constitutions of their time in the midst of their active engagements with mass movements. The Communist Manifesto had appeared by 1844. Bringing class analysis to bear acutely on this seemingly undisturbed march of history Marx exploded the opposition between feudal order conservatives and emergent big and petit bourgeois pole of liberals and radicals (Frankfurt Assembly). It was a false antagonism obscuring the real antagonism. This was demonstrated again and again by them through the failure of rhetorical revolutionary promises made by the petit bourgeoisie and a section of big bourgeoisie when faced with the prospect of the masses, proletariat taking power. In all situations without exception political power remained in the hands of reaction or passed over to the bourgeoisie.

Marx pointed out that “under semi-feudal absolutism, the bourgeoisie was a part of the ‘popular masses’ too, even if a limited and privileged part”. The pertinent question in the analyses of balance of forces was to find ways “to shift power to the underlying working strata of the population as expeditiously as possible”. After the revolution of 1848–1849 “bourgeois democratic governments” were formed in both France and Germany [3].

To take just one instance as illustrated by Marx and Engels is their analysis of the campaign for the imperial constitution in the shadow of the German revolution kick started and led by the more industrialized and modern proletariat South Germany’s Rhineland. The political forces debating these concepts were “two above all: the monarchist regime and its government, which was still the executive, though now on the defensive; and the representatives of the people in the assemblies established by the revolutionary upsurge. The latter represented the potentiality of ‘popular sovereignty’, i. e. democratic control by the people. However, when the National Assembly, elected from the

various German states, met in Frankfurt on 18 May, it showed that the bourgeois-democratic delegates shrank from a clash with the monarchy” [3].

Further, making freedom of the press a battlecry, Marx drew attention to the difference between hollow rhetoric about “liberty” and a real revolutionary-democratic struggle showing how, “In order to protect the ‘constitutional liberty’ of presidents, burgomasters, police chiefs [a long list of government officials follows here]... in order to protect the ‘constitutional liberty’ of this elite of the nation, all the rest of the nation must let its constitutional liberties, up to and including personal liberty, die a bloody death as a sacrifice on the altar of the fatherland” [3, p. 108]. Another vital issue was contesting the division of powers between legislative and executive power. This was because the “revolution had given rise to two lines of power which were diverging... The people had been victorious, they had won freedoms of a decisively democratic nature; but the immediate ruling power passed not into their hands but into the big bourgeoisie’s” [3, p. 110].

Following the defeat of 1848–1849 revolution in Germany Marx presented the revolutionary-democratic proposal in terms of the concentration of both legislative and governmental (executive) power in the hands of the people’s elected representatives, insisting that the chief feature of a truly democratic constitution was the degree to which it limited and restrained the independent scope of the executive power. This meant “A national constituent assembly must above all be an activist, revolutionary activist assembly” [3, p. 111].

Marx made this point in many analyses of constitutions of the time such as Constitution of the French Republic, 4 November 1848 in which he pointed out that the separation of powers thus “leaves room for its alleged democratic guarantees to be nullified by subsequent laws put through by the governmental power which establishes a democratic right but vitiates itself by allowing for ‘exceptions made by law’” [3, p. 111].

Calling American democracy the “greatest swindle” and English constitution a bargain rate government Marx and Engels argued by a minimization of executive powers and vesting more power in the hands of the people.

It was a passage through these deliberations that the content of democracy found its best expression in “communism” as opposed to “mere political democracy”. Commenting on the myth of the promise of equality and freedom in the concepts of “political democracy” Marx pointed out that, “mere democracy is unable to remedy social evils. Democratic equality is a chimaera, the struggle of the poor against the rich cannot be fought out on the ground of democracy or politics in general”.

The polemics over the forms of government and contestations over meanings of representative constitutional democracy was happening in the heat of the ferment that marked the times. The transformation and expansion and indeed the challenge brought by intense pressure of revolutionary events were played on bedrock of inescapable tensions between old and emergent classes clashing over control for political power and greater autonomy. The gains brought by the sacrifice and militancy of the working classes and peasantry were lost and pushed back by monarchical power or rising sections of big bourgeoisie in alliance with the petit bourgeoisie.

The liberal contractual form of constitutional democracies that stabilized in US earlier and Europe much later was a result of expanding industrialization and changing mode of production to wage labour. The capitalist political economy notwithstanding, the harnessing of utopian imagination of a free and non-exploitative world was inscribed in the much older history of contestations over the meanings of the key categories of liberal democracy. Freedom, equality, will of the people were all concepts that were encoded into a rights discourse that extracted them from their social transformative meanings and vested it into individual choice based liberal subject in a contract with each other and with the state.

The premise for a successful working of this form of representative democracy was a contract between the state and citizen subjects with the terms of the contract broadly laid out in the Constitution which guarantees the rights and outlines the limits and responsibilities of either side. However, as critics of this ostensible neutrality of the contract have often argued this is an arrangement that facilitates and actually “speaks for” the dominant forces of the society in question at that particular moment in history? For instance, the influential feminist thinker Pateman unveils the gender politics beneath the liberal contract by pointing out that this is actually a “sexual contract” representing masculine power and domination whereby women’s interests are kept subordinate to the patriarchal interests through the workings of the law, cul-

ture and state [4]. A striking example of such a contract (between states and between state and community) is demonstrated by Das in her exploration of post-partition exchange of abducted young women between Pakistan and India to reclaim the reproductive wealth and purity of the new nations/community in the making [5].

The limits of liberal, welfare constitutional democracy notwithstanding, left and liberal formations have defended these provisions and have, while critiquing the duplicity and failure of the liberal capitalist promise have fought to push for a more radical possibility seen in this very promise.

The contemporary, as argued by Brown in “Neoliberalism and the end of Liberal Democracy” is the age of neo-liberal political rationality which signifies “historical-institutional rupture” [6, p. 45]. It has substantially eviscerated the key categories of constitutional liberal democracies of their meaning. More significantly, the increasing hold of the neo-liberal rationality on all institutions, subject formations and social values is evidenced in the way “neoliberalism normatively constructs and interpellates individuals as entrepreneurial actors in every sphere of life” and generates a much broader consensus. It is a situation where the gap between the radical potential of what a liberal constitutional democracy could promise and its formal and conservative failure is all but disappearing [6, p. 42].

The promise of legislative reforms, implementation of constitutional provisions and a push towards a more radical realisation of the universal values enshrined in the constitutions of liberal states have been undergirded by the hopes, of left and liberal sections, of achieving some of the goals of socialism allied with liberal utopias of equality, mostly represented by varying ideas of redistributive justice, inclusion and equal rights. To this is the added investment of the left that the limits of liberal political economy to deliver these demands of social reform will expose the crisis ridden and inherently self destructive potential of capitalist liberal democracies thereby ushering in a more ripe moment for a revolutionary transformation.

Responding to the liberal dilemma of not finding an alternative or “imagine feasible ‘outside’ to” the totality of all-encompassing global capitalism, Žižek notes that, “insofar as this is true, they do not see tout court: the task is not to see the outside, but to see in the first place (to grasp the nature of today’s capitalism) – the Marxist wager is that, when we ‘see’ this, we see enough, inclusive of how to get out...”. One of the enduring liberal promises is to avert both, right and left “extremisms” [7].

The relation between democracy and positive meanings associated with Western modernity and a free market political economy have been naturalized. Any political system or imaginary outside this relation between democracy, liberalism and capitalist

political economy is labeled as deviant, deficient and backward. All nations are expected to fulfill what Anderson calls “the standard western package” to enter large geopolitical alliances and become a part of global wealth. This has been true, especially the post-Soviet space since October Revolution and Soviet socialism has been diagnosed as a grave error in need of correction to arrive into the membership of what is called “civilized western world”. All prescriptions to nations in this space are geared towards achieving “democratic political culture and institutions” while simultaneously suppressing their own past genealogies of political imaginaries.

The formulation of the left liberal problematic of political tactics and strategy in these terms has also been diagnosed by many as the basis of current state of impasse and crisis that the left finds itself in the world over. The crisis of liberal democracies is similarly, within such a problematic, an obfuscation of a much

deeper and older crisis of capitalism that has led to a deeper erosion of promise of free market led liberal democratic social order. Today the crisis of capitalism has intensified (the most recent being the continuing financial crisis and unraveling of the world order and economy since the 2008 global meltdown triggered by the US) with an ever larger threat of a looming trade war between the principal actors of the Global North encompassing EU, China, US driven by US imposition of tariffs and protectionist policies¹.

The question therefore is, in a neoliberal era is a liberal democratic order based on constitutional provisions and values, even possible or worth preserving and fighting for? Or, should the ongoing failure of constitutional democracies be an enabling moment for us to look towards genealogies of those historical moments that have outlined a vision outside liberal political imaginary i. e. attempted to build an alternative to capitalism and liberal democracy?

Retracing revolutionary genealogies

It is impossible to overestimate the explosive potential of *The State and Revolution* – in this book, “the vocabulary and grammar of the Western tradition of politics was abruptly dispensed with” [1].

One of the key insights insisted upon by Marx was that meanings are social and that the tensions that keep these meanings fungible and transient acquire a stability due to a stabilization of class distribution of power. Thus the contingent nature of, what appears to be stable, is a constant state which arises continually out of exploitative relations encoded in the skewed balance of power. A revolutionary gesture, therefore, would always be to bring forth the contingency unpinning the universal ahistorical teleological promise of the future; to take the risks for an unknown future, to speak the partisan truth without a guarantee from any “big other”.

The hopes of social democracy and liberal desire for autonomy retains, as was most clearly expressed in the hopes unleashed by February revolution in 1917, the old mindset, the belief that freedom and justice can be achieved if we simply use the already-existing state apparatus and its democratic mechanisms, that the “good” party might win a free election and implement the socialist transformation “legally”. This was famously formulated by Karl Kautsky who propounded that the logical form of the first stage leading from capitalism to socialism would be a parliamentary coalition of bourgeois and proletarian parties.

Zizek explains the polemics between evolution and revolution eloquently. He retraces the revolutionary legacy of the November revolution which was

actually the second revolution on the heels of the first democratic February revolution. February revolution in 1917 in Russia had unlocked the entire history of utopian hopes and struggles of the vast masses but where and how would this explosion of freedom, democracy and joy go in the morning after? The question of “the morning after” is crucial. What happens when all hopes and dreams have been unleashed? Who and how do you start re-building a social order that matches those dreams, is able to leave a trace, unleashed in the revolutionary moment? Zizek explains the Leninist gesture through re-visiting this polemics [8].

In an acutely invested analysis Zizek marks Lenin’s revolutionary imaginary on this terrain. Elaborating, he says, “If there is a common thread running through all Lenin’s texts written between the two revolutions (the February one and the October one), it is his insistence on the gap which separates the ‘explicit’ formal contours of the political struggle between the multitude of parties and other political subjects from its actual social stakes (immediate peace, the distribution of land, and, of course, ‘all the power to the soviets’, that is, the dismantling of the existing state apparatus and its replacement with the new commune-like forms of social management). This gap is the gap between revolution qua the imaginary explosion of freedom in sublime enthusiasm, the magic moment of universal solidarity when ‘everything seems possible’, and the hard work of social reconstruction which is to be performed if this enthusiastic explosion is to leave its traces in the inertia of the social edifice itself” [1].

¹Churchill O. US President Donald Trump says tariffs on Chinese imports may remain in place for a ‘substantial period of time’ // South China Morning Post. 2019 March 21. URL: <https://www.scmp.com/news/world/united-states-canada/article/3002584/us-president-donald-trump-says-tariffs-chinese> (date of access: 21.03.2019).

This gap – a repetition of the gap between 1789 and 1793 in the French Revolution – is the very space of Lenin's unique intervention: the fundamental lesson of revolutionary materialism is that revolution must strike twice, and for essential reasons [1].

Once Lenin became aware of the limitation of Bolshevik power he worked on “the contours of a modest ‘realistic’ project for the Bolsheviks. Given the economic underdevelopment and cultural backwardness of the Russian masses, there was, he realized, no way for Russia to ‘pass directly to socialism’. All that Soviet power could do was to combine the moderate politics of ‘state capitalism’ with the cultural education of the peasant masses... However, the fact that the agent of development is proletarian revolutionary power changes the situation fundamentally: there is a chance that these measures will be implemented in such a way as to throw off their bourgeois ideological framework – education will serve the people, rather than being a mask for the promotion of bourgeois class interests. The properly dialectical paradox is that the very hopelessness of the Russian situation (the backwardness that compels the proletarian power to engage in the bourgeois civilizing process) can be turned into an advantage: ‘What if the complete hopelessness of the situation, by stimulating the efforts of the workers and peasants tenfold, offered us the opportunity to create the fundamental requisites of civilization in a different way from that of West European countries?’” [1].

Zizek points that instead of looking at Lenin's insistence on the Soviet revolutionary state fulfilling a broad democratic and social agenda as a retreat in the sobering light of the morning after, it is crucial to see it as the very continuation of the alternative imaginary outlined by him in “State and Revolution”. The tasks of educating and modernizing the vast population *under the leadership of a proletarian state* will have a profoundly different impact on social organization because it will be directed by the actual will of the majority, i. e. workers and peasants.

Writing in July 1917 in “Constitutional Illusions”² Lenin points emphatically to the danger of losing the revolutionary possibility if Socialist Revolutionaries and Mensheviks continued to put their faith in the Provisional government and betray the will of the majority. The use of terms such as “democracy” and “freedom” in a situation of subordinating the will of the majority will be to deploy these terms as empty phrases, a smokescreen to suppress the class conflict and the actual democratic aspirations of the people.

In the famous polemics between Lenin and Mensheviks; and Rosa Luxemburg with social democracy the questions of seizing political power are embedded

in the older histories of failed revolutions. The concern every time is to find political forms for the will of the people.

Rosa Luxemburg fiercely argues with SDP, the social democratic party in Germany on the terrain of the older polemics of what the concepts of “democracy” and “constitutional democracy” would mean in a revolutionary imaginary. She points out, “Every legal constitution is the product of a revolution. In the history of classes, revolution is the act of political creation, while legislation is the political expression of the life of a society that has already come into being. Work for reform does not contain its own force independent from revolution. During every historic period, work for reforms is carried on only in the direction given to it by the impetus of the last revolution and continues as long as the impulsion from the last revolution continues to make itself felt. Or, to put it more concretely, in each historic period work for reforms is carried on only in the framework of the social form created by the last revolution. Here is the kernel of the problem.

It is contrary to history to represent work for reforms as a long-drawn out revolution and revolution as a condensed series of reforms. A social transformation and a legislative reform do not differ according to their duration but according to their content. The secret of historic change through the utilisation of political power resides precisely in the transformation of simple quantitative modification into a new quality, or to speak more concretely, in the passage of an historic period from one given form of society to another”³.

Both Lenin and Luxemburg are recuperating earlier genealogies of struggles of the people. Even after victory, history tells us that political, economic and social power remained in the hands of the ruling class. They are both urging the working class and their representative parties to think outside the liberal “balanced representative democratic” model and to explore forms that can carry people's power and to transform the meanings of these concepts by investing in them the will of the people.

In another recuperation of the revolutionary imagination in a situation of formidable failure and hopelessness emanating from impending world war splitting the socialist leadership and the working class, Spivak draws attention to the project of women's emancipation by Kollantai [9, p. 94]. She points, “It was not an impractical optimism but persistence in the long view that made Kollontai attempt to restore the program of socialist emancipation”. Attending to the as yet unresolved “problem of dealing

²Lenin V. I. Constitutional Illusions // Lenin Internet Archive. 2002. URL: <https://www.marxists.org/archive/lenin/works/1917/jul/26.htm> (date of access: 11.03.2018).

³Luxemburg R. The junius pamphlet. Chapter 6 // Luxemburg Internet Archive, 1996, 1999, 2003. URL: <https://www.marxists.org/archive/luxemburg/1915/junius/ch06.htm> (date of access: 11.03.2018).

with class or sex-subject in feminism” Spivak marks Kollontai’s efforts as those for ‘the ideological constitution of the revolutionary woman’ engaged in the difficult task of evolving a practice that can “respect the empty place of the so-called World-Historical Subject, instead of securing it for Absolute Knowledge” [9, p. 95]. It has not been easy to articulate a practice that can live with such a radical move. In Kollontai’s day the efforts to do so resulted in valorizing the collective rather than the individual. The failure to realise the situation of her own life in a “full psycho-sexual narrative” nevertheless did not stop her from the “careful attention” and decades long sustained work she did with women.

Writing on Kollontai, Spivak says, “It is a failure of the historical imagination to see the spirit of the young men and women of that era in Germany and Russia as over-optimistic or idealistic” [9, p. 94].

It is in the contemporary that the traces of their efforts can be seized by us to look for an opportunity. The liberal contract that has been the basis of almost all nations’ constitutional democracy has been adequately subjected to critique.

Critics of this ostensible neutrality of the contract have often argued this is an arrangement that facilitates and actually “speaks for” the dominant forces of the society in question at that particular moment in history. For instance, the influential feminist thinker Carole Pateman unveils the gender politics beneath the liberal contract by pointing out that this is actually a “sexual contract” representing masculine power and domination whereby women’s interests are kept subordinate to the patriarchal interests through the workings of the law, culture and state. A striking example of such a contract (between states and between state and community) is demonstrated by Das in her exploration of post-partition exchange of abducted young women between Pakistan and India to reclaim the reproductive wealth and purity of the new nations/community in the making.

The limits of liberal, welfare constitutional democracy notwithstanding, left and liberal formations have defended these provisions and have, while critiquing the duplicity and failure of the liberal capitalist promise have fought to push for a more radical possibility seen in this very promise.

However, as argued by Brown, the age of neo-liberal political rationality which signifies “historical-institutional rupture” has substantially eviscerated these key categories of their meaning [6, p. 45]. More significantly, the increasing hold of the neo-liberal rationality on all institutions, subject formations and social values is evidenced in the way “neoliberalism normatively constructs and interpellates individuals as entrepreneurial actors in every sphere of life” and generates a much broader consensus [6, p. 42]. It is a situation where the gap between the radical potential of what a

liberal constitutional democracy could promise and its formal and conservative failure is all but disappearing. The question therefore is, in a neoliberal era is a liberal democratic order based on constitutional provisions and values, even possible or worth preserving and fighting for? Or, should the failure of constitutional democracies be an enabling moment for us to look towards genealogies of those historical moments that have outlined a vision outside liberal political imaginary, i. e. attempted to build an alternative to capitalism and liberal democracy?

In contemporary times, therefore, with the consistent shift of world polity in a rightward direction and our own experience of the ongoing evisceration of key categories of constitutional democracy, do the lessons of forgotten revolutionary genealogies enable us to re-imagine the limits and revolutionary possibilities of constitutional democracy in our own contexts?

Generated by the very failure of its own promise, there is thus a possibility of re-visiting the questions of conquest of political power; meanings of democracy and popular government, breaking the old apparatus to imagine the new and “situating the subject-especially a sexed subject” in a radical emancipatory practice. The post Soviet people’s acute discontent with the unbridled freedoms brought in the wake of ruthless capitalist privatization and erosion of all social relations has had a difficult time finding an expression for that trauma. It is neither adequately expressed by a rejection of Soviet socialism; welcoming capitalism’s democratic freedoms nor by the desire to return to Soviet socialism. Language eludes this dislocation and the isolation of the post-Soviet condition continues. Perhaps the latent traces in the social edifice of memories of failed attempts to create and think for a better world; or as Zizek says about some version of “socialism with a human face that deserves consideration”. The initial support and then isolation in which members of Pussy Riot band found themselves after a crackdown and imprisonment was because they stuck to their insistence on critiquing capitalism along with critiquing Putin’s repressive government. This is to underline, not that such critiques are not being done by many others but to show how difficult it is to bring together freedom and democracy/capitalism in one place.

Any discussion of democracy and freedom cannot take place without bringing into the picture its own suppressed “excluded third”. The rich genealogies of these concepts suggest that it has been a bitter struggle between those in power and those who, from the margins, are fighting with clams of their own. The question is not to take socialism as a given alternative to capitalism. However, it is imperative that we resist TINA (there is no alternative) by critiquing the very clear inability of liberal democracy in giving the people freedom or equality.

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