

The Draft Constitution and the Basic Rights and Duties of the Citizens

by Eberhard Poppe

The working people in the German Democratic Republic exercise sovereign power. All efforts of the socialist society and the state are devoted to the individual.

Socialist exercise of power and free development of the personality are considered to be a dialectic unit in all parts of the Draft. For this development of the personality does not only accord with the interests of the individual but is at the same time an objective need of the final construction of socialism; it is as well in full accordance with the interests of the society as with those of their members.

Therefore the constitutional position of the citizen may only be comprehended by a complex analysis. Centre of the conception of the basic rights is the acknowledgement that the socialist basic rights bear all possibilities for the citizen to participate in the exercise of the power and the shaping of the society. They are fixed as rights to shaping to guarantee that the citizen in the socialist society may develop his abilities to a full extent, and freely unfold his forces by his free will for the benefit of the society and to his own advantage. Under this point of view the author discusses the guarantees of the basic rights.

In the second part of his essay the author proves that the socialist basic rights grow from the socialist relations of socialism; they are of own origin and not merely a further development of the bourgeois basic rights.

The socialist basic rights are not limited to accounting reached successes but are an expression of the objective laws of the development

of socialism and they also give way to the further development of the individual, the collectives and the society.

The author further makes visible the correlations in the unity of rights and duties of the citizens and their constitutional legal inauguration.

The third part of the contribution is dedicated to the proof that the socialist constitution of the GDR not only corresponds with the ideas of the Declaration of Human Rights of 1948 to a full extent but sets higher human standards with respect to the reality of these rights and the guarantees of fundamental rights concerning the securing of dignity and equality of the individual in the form of its being free from exploitation, oppression and economic dependency.

On the Structure and System of the State Government

*Ideas on the Draft Constitution of
the German Democratic Republic*

by Gert Egler, Willi Hafernenn
and Lucie Haupt

The authors discuss problems of the legal setting of the system of State Government in the Draft of the socialist Constitution of the GDR. They especially accentuate the inner connection between the economic and political foundations of the social and public order, the rights of the citizens and their communities and the state structure on which the draft is based. Creating all material wealth and cultural achievements the individual is at the same time the collective proprietor of the means of production and bearer of the state power. The system of people's representations is with respect to constitutional law shaped in such a