



On the “Peaceful Transfer of Power,” Legitimacy and Illegitimacy, and Fascism

January 18, 2017 | *Revolution* Newspaper | revcom.us

There is much talk today about “the peaceful transfer of power” and “legitimacy.” But what’s the reality behind these concepts?

First, on the “peaceful transfer of power”: this refers to the fact that through most of its history the ruling class of the U.S. has been able to switch power between different factions without falling into open clashes *outside the legal framework*. This is not to say that all kinds of extra-legal infighting does not go on between these factions—it does, and it can be very fierce—but generally speaking, they have been able to use the framework of their legal system to settle disputes among them. The glaring exception to this is the decidedly *un-peaceful* Civil War, through which the horror of slavery was finally ended—not through elections but by armed force.

This tradition—again, leaving aside the Civil War—goes back to the founding of the U.S. 240 years ago. The “founders” developed a unified state with a constitution to provide for passing laws and an army to enforce those laws. This new state had essentially four purposes:

1. To prevent different European colonial powers of the day from gaining a foothold in different parts of the North American continent and becoming, or setting up, competing power centers;
2. To develop the structures and procedures through which the dominant classes in society—the merchant-

capitalists of the North and the slaveholders centered in the South—could struggle out conflicts and coordinate policy for the mutual advance of their class and individual interests;

3. To create a framework in which individual small farmers, businessmen, etc. (the early middle class) could be allowed to pursue the goal of enriching themselves and to have some sense of stability in doing that and some sense of protection *from* the state in pursuing their economic and political objectives *within the constraints of the system set up by the Constitution* (and how, in return, they would identify with and become defenders of that system);
4. *Most fundamentally*, to maintain the huge population of severely exploited Black enslaved people in a state of terror and subjugation, to continue the genocidal warfare and theft of land of the Native peoples who lived here, and if need be to crush revolts of disaffected poor white farmers or proletarians. For the exploited and oppressed sections of society—then and now—protection from the state and the means to politically wage struggle, as codified in the Bill of Rights, was either non-existent or (as time went on, and through a great deal of struggle and sacrifice) only honored in a curtailed and stunted way, and sometimes not at all. (This depended how great a threat the ruling class judged any particular movement among the oppressed to pose to their system.)

The Foundation of Political Power in the U.S.: Exploitation

Thus the political power codified in the Constitution rested on the foundation of this economic exploitation, land thievery, and forms of domination so horrific that they are painful to even contemplate today. As time went on, the first purpose of the state developed into a system of economically exploiting the entire world and preserving that domination through the most massive and destructive military machine in history, i.e., capitalism-imperialism, waging war all over the

planet. And while slavery was eventually eliminated (again, in an extremely violent and very necessary civil war), the state has continued to keep the masses of Black people (as well as other “minorities”) in a state of check: exploited in the worst jobs or denied jobs, imprisoned en masse and murdered by police with impunity, and oppressed in a thousand other ways and through a thousand mechanisms, deeply embedded in every political, economic and civic institution, as well as the culture, of this society.

It is, in sum, the power to use the state to struggle out conflicts at the top and along with that to either sidetrack, contain or crush resistance coming from below—to keep the machinery of exploitation humming, in short—that is peacefully transferred every four years between one or another faction of the class that rules over this: the capitalist-imperialists.

Legitimacy and Illegitimacy

What then is legitimacy? You hear this term a lot too, especially since John Lewis said that Trump would an illegitimate president.

There are two meanings here. First there is the question of whether those who rule are seen as legitimate. This too was provided for in the Constitution: they developed elections in which the new leader was said to express the will of the people. Yet the actual choices in these elections, as well as the terms and limits of debate, are dictated from above, by the most powerful class (or, while slavery still existed, classes); and every candidate fought for the reinforcement and extension of capitalism (and today capitalism-imperialism).

“Legitimacy” also means that most people most of the time recognize the right of the rulers to wield the machinery of violence of the state in defense of what have been imposed, and are generally recognized, as the “legitimizing norms” of society (the basic principles as to how economic, political and civic life should be ordered... “the rules of the game,” so to speak), even as this is supposed to be done within certain limits.

You hear a lot of people say that “Trump is not normal.” And he’s not, but not only in the psychological sense. Trump

will impose a new set of norms. The new norms of a Trump-Pence regime would constitute fascism, which we have defined as follows:

Fascism is the exercise of blatant dictatorship by the bourgeois (capitalist-imperialist) class, ruling through reliance on *open* terror and violence, trampling on what are supposed to be civil and legal rights, wielding the power of the state, and mobilizing organized groups of fanatical thugs, to commit atrocities against masses of people, particularly groups of people identified as “enemies,” “undesirables,” or “dangers to society.”

At the same time—and this can be seen through studying the examples of Nazi Germany and Italy under Mussolini—while it will likely move quickly to enforce certain repressive measures in consolidating its rule, a fascist regime is also likely to implement its program overall through a series of stages and even attempt at different points to reassure the people, or certain groups among the people, that they will escape the horrors—*if* they quietly go along and do not protest or resist while others are being terrorized and targeted for repression, deportation, “conversion,” prison, or execution.

What Is the Same, and What Is Different, About Fascism

Fascism is still capitalism-imperialism, still a system of exploitation and oppression, but one in which the intensity and forms of the repression and the strength of reaction is on a qualitatively different level. Because it also can involve suppression of other sections of the ruling class, and because its logic is to stay on the offensive and bludgeon its way out of any problems it creates (a very risky strategy), there is not only a lot of anguish and anger throughout society, there can be (and are right now) real qualms within the power structure. So, some forces right at the top of society are questioning the legitimacy of a Trump-Pence administration—which again means, literally, their right to wield force to back up their decisions; even if this is mainly being framed in terms of “Russian meddling” in the elections, it is not possible to fully separate this from the

essence of the matter, which is the fascist character of what Trump-Pence are attempting to embark on.

At the same time, *most* of the imperialist politicians (including Obama) are NOT questioning legitimacy of a Trump-Pence regime and instead are harping on the importance of honoring the “peaceful transfer of power.” Even those who may be worried about the risks involved to their system with the Trump-Pence regime in power evidently think it would be even riskier to call into question his legitimacy. These politicians fear that taking out one thread invites the possibility of unraveling the whole thing and runs the risk of even greater instability, conflict, and questioning this could cause throughout society.

Once that begins, a lot of things can open up—including masses of people coming to question the foundations of legitimacy and to see other principles and values, and forces based on those principles, as actually being legitimate. If millions come to see things this way and if there are “jolts” in the imperialist system brought on by the workings of that system itself, and if there is a vanguard with ties to the masses... you can enter into a situation in which revolution becomes directly possible.

So these top politicians and most of the media are hammering endlessly at this “peaceful transfer of power” as the “great thing about America”—when in fact (as we have shown) a) all this has meant for centuries is the “peaceful” transfer of the power to oppress millions and today billions, and b) all this means today is the “peaceful transfer of power” to outright fascists who pose extraordinary dangers to humanity. While Trump and Pence may or may not have been lawfully elected, the point is that their fascist program should delegitimize their rule for any decent, humane person. After all, as refusefascism.org has said, Hitler also came to power through legal means—does that mean that people should not have done everything they could to stop him from being able to rule?

A Larger Question

All this should raise a larger question of legitimacy: what is legitimate about a system that celebrates such a transfer

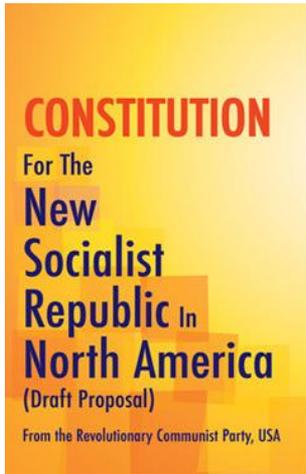
of power, whether peaceful or not? What is legitimate, and what is just, about a system that can only function through exploitation of people all over the world and in which power is wielded by the biggest exploiters—whether they succeed in smoothly transferring that power or not? What is legitimate about a system that not only produces and celebrates a Donald Trump, but actually selects him as its president? And *why* should we put up with such a system in which there is *not only* the constant, grinding oppression of the day-to-day dictatorship carried out by this state in normal times, but the open, blatant and qualitatively more severe repression of fascism always “waiting in the wings” (and now ready to assume center stage)?

Answer: there is *nothing* legitimate about such a system and we should NOT put up with it. There is a whole better way, codified in a qualitatively different constitution—the *Constitution for the New Socialist Republic in North America*, authored by Bob Avakian (BA) and adopted by the Central Committee of the Revolutionary Communist Party, USA. There is a strategy to get there, very clearly laid out in **HOW WE CAN WIN—How We Can Really Make Revolution**. There is the larger framework of which that is all a part, in BA’s new book *THE NEW COMMUNISM*. And there is, right now, an urgency for everyone who grasps how dire the situation is to both resist the implantation and consolidation of this fascism, to seriously question how humanity got to this pass, and to dig into the viability of the whole other way charted out by Bob Avakian.

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In a world marked by profound class divisions and social inequality, to talk about “democracy”—without talking about the *class nature* of that democracy and which class it serves—is meaningless, and worse. So long as society is divided into classes, there can be no “democracy for all”: one class or another will rule, and it will uphold and promote that kind of democracy which serves its interests and goals. The question is: *which class* will rule and whether its rule, and its system of democracy, will serve the *continuation*, or the eventual *abolition*, of class divisions and the corresponding relations of exploitation, oppression and inequality. — Bob Avakian, *BASics* 1:22

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Authored by Bob Avakian, and adopted by the Central Committee of the RCP

Do you know anyone else—any person or organization—that has managed to bring forth an actual PLAN for a radically different society, in all its dimensions, and a CONSTITUTION to codify all this? — A different world IS possible — Check out and order online the *Constitution for the New Socialist*

Republic in North America (Draft Proposal) at www.revcom.us.

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Now let's imagine, let's step out of this world that they keep us chained in. And let's imagine what this future can and will be like.

When we finally get to the final goal of communism, there won't be the relations of exploitation and oppression that are so commonplace and that mark all of society today and that we are told over and over again are just the natural order of things and the way things have to be. As Karl Marx pointed out, the communist revolution leads to what we Maoists call the "4 Alls"—that is, the abolition of all class differences among people. The abolition or the end to all the production or economic relations underlying these class differences and divisions among people. The ending of all the social relations that go along with these economic or production relations. Oppressive relations between men and women, between different nationalities, between people of different parts of the world, all that will be put an end to and moved beyond. And finally, the revolutionizing of all the ideas that go along with this whole way, this whole capitalist system, these whole social relations. In place of this, what will be the guiding principles in society consciously and voluntarily taken up by people...not forced on them, but consciously and voluntarily taken up as the

basis for having abolished exploitation, oppression and inequality? In its place will be collective and cooperative principles aiming for the common good and at the same time, within that, individuals and individuality flourishing in a way that has never been possible before. — Bob Avakian, *Basics* 2:3

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From the Central Committee of the Revolutionary Communist Party, USA

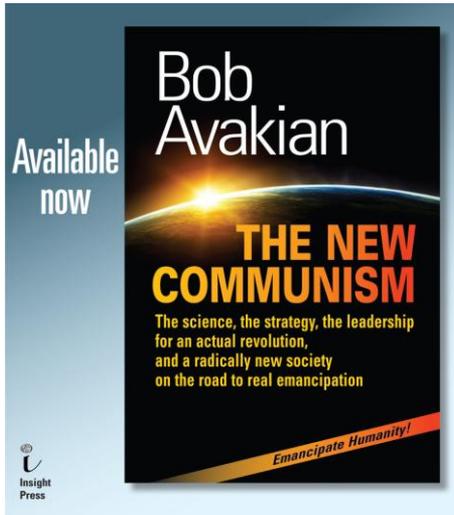
HOW WE CAN WIN— How We Can Really Make Revolution

To Do This, We Need To Know:

*Why we need an actual revolution.
What we need to do now.
How we could defeat them.*

Read the entire *HOW WE CAN WIN—How We Can Really Make Revolution* at www.revcom.us.

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