

BIRDS CANNOT GIVE BIRTH TO CROCODILES, BUT HUMANITY CAN SOAR BEYOND THE HORIZON PART 1: REVOLUTION AND THE STATE

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Birds Cannot Give Birth to Crocodiles,
But Humanity Can Soar Beyond the Horizon

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PART 1: REVOLUTION AND THE STATE

In the Manifesto from our Party, *Communism: The Beginning of a New Stage*, the parallels are drawn between development and change (evolution) in the natural world and change in human society. In the words of that Manifesto, the dialectical materialist understanding of human society and its historical development:

provides the basic answer to those who raise: Who are you to say how society can be organized, what right do you communists have to dictate what change is possible and how it should come about? These questions are essentially misplaced and represent a fundamental misunderstanding of the dynamics of historical development—and the possible pathways of change—in human society as well as in the material world more generally. This is akin to asking why birds cannot give birth to crocodiles—or why human beings cannot produce offspring that are capable of flying around the earth, on their own, in an instant, leaping tall buildings in a single bound, and having x-ray vision that can see through solid objects—and demanding to know: Who are you to dictate what can come about through reproduction, who are you to say that human offspring will have particular characteristics and not others? It is not a matter of "who are you" but of what the material reality is and what possibilities for change actually lie within the—contradictory—character of that material reality.¹

A Fundamental Understanding of Human Society—and How It Changes

With this in mind, it is important to review "where we are" with regard to how human society has actually developed historically (in interrelation and interaction with the rest of nature) and what pathways for change actually exist—and must be seized. This gets us right to the heart of historical materialism: the relation between the economic base in any society and the superstructure of politics, culture and ideology, including morality.

More specifically, it is important to focus on the question of why, with all the contradictory dynamics involved, fundamentally and ultimately the economic base of society sets the terms for the superstructure of politics, ideology and culture, and why the superstructure must, in the final analysis, conform to the economic base. And it is worthwhile "doing a thought experiment" about what happens if the base and superstructure are fundamentally out of alignment.

Matter has not disappeared—reality is not just "virtual"

Now, as we have pointed out a number of times (in the Manifesto from our Party, and elsewhere), in a society like the U.S.—with the seal of parasitism set on the entire society, as Lenin so incisively put it—for many strata, particularly the broad middle strata which are to a significant extent divorced from the basic process of producing and distributing the material requirements of life, it is very easy to lose sight of the fact that without this production and distribution of the material requirements of life, life would in fact grind to a halt and all the things that go on in society which seem so far removed (and in some ways are far removed on an ongoing daily basis) from the fundamental economic activity that underlies society, would no longer be possible.

There was that movie *A Day Without a Mexican* which tried to get at what would happen—and this is very relevant in the context of the anti-immigrant hysteria that's being whipped up—if all the Mexicans didn't go to work on a particular day. Well, you could expand that and ask: What would happen if all the masses of people in the world, including little children, who labor under conditions of exploitation, and often extreme exploitation, stayed away from work? All of a sudden, all these people who think "matter has disappeared" would discover that they needed to go on a desperate search for this matter because they couldn't do hardly anything without it. Before long—and especially if this "staying away from work" were extended over any period of time—they wouldn't have the basic boards for their computers and all the other things which they think exist in some airy "virtual reality" totally divorced from material reality.

So that's a bedrock point. That has to do with production—the production of the basic material requirements of life, and in fact the production of everything which constitutes the foundation for what people do in society. But as we know—this is a basic scientific Marxist understanding—production doesn't get carried out in the abstract. It can only be carried out through certain relations of production that people enter into; and, as Marx also emphasized very importantly, these relations of production have been established and are in effect largely independently of the wills of individuals. In other words, the relations of production are not arbitrarily determined by the will of individuals, including individuals who comprise the ruling class of society and who dominate in the ownership of the means of production—they don't get to choose arbitrarily what kind of relations of production will be entered into. Those relations are basically "handed down to them," along with everybody else in society, by prior historical development—including radical changes that have been brought about in previous times on the basis of transforming what previously existed—and not by certain people just "conjuring up" changes out of their imagination, in a way that is fundamentally independent of and divorced from the material conditions with which they are confronted. Here again is the analogy between changes in human society and changes—evolution—in the larger natural world.

This was also Marx's point when he stressed that there is a certain "coherence" to human history. We have emphasized that there is no inevitability about communism, no inevitable direction to human society. But there is a certain coherence. So everybody, including the members of the ruling class of any society, have to deal with what is handed down in terms of productive forces—and production relations—from previous generations, even though at certain critical junctures leaps are made in terms of transforming the production relations through a revolution in the superstructure—which, as we know, occurred with the emergence and triumph of capitalism, for example, through the overthrow and replacement of feudalism.

So people enter, and can only enter, into this most basic of human activity—the production and distribution of the material requirements of life—through definite production relations. Now again, this is, on the one hand, the ABC's of Marxism; but, unfortunately, this is also very little understood in society at large and, frankly, by most Marxists, at least in any living sense. People all too often tend to divorce political,

ideological and cultural phenomena from this underlying economic base; or, on the other hand, especially in the case of some very poor Marxists, mechanical materialists, they tend to treat politics and the rest of the superstructure (culture, morality, ideology in general) in a very reductionist way in relation to the economic base, rather than really applying a dialectical materialist understanding of this relation, in which the base does set the foundation, but there is a great deal of initiative and autonomy in the superstructure even as ultimately, unless there is actually a profound revolution in society, the superstructure cannot rupture with the bounds and confines set by the economic base—or else, in fact, within the confines of the existing system, if the superstructure and the base were essentially out of alignment, society would break down.

Why there is no basic "right to eat" under capitalism

One example that I've cited before—and it's worth citing again because it very sharply gets to this point, and to the very nature of capitalism and the historical limitation of capitalism, with all of the proclamations about its being universal and being the highest and final point of human development—is the question of the "right to eat." Or why, in reality, under this system, there is not a "right to eat." Now, people can proclaim the "right to eat," but there is no such right with the workings of this system. You cannot actually implement that as a right, given the dynamics of capitalism and the way in which, as we've seen illustrated very dramatically of late, it creates unemployment. It creates and maintains massive impoverishment. (To a certain extent, even while there is significant poverty in the imperialist countries, that is to some degree offset and masked by the extent of parasitism there; imperialism "feeds off" the extreme exploitation of people in the Third World in particular, and some of the "spoils" from this "filter down" in significant ways to the middle strata especially. But, if you look at the world as a whole, capitalism creates and maintains tremendous impoverishment.)

Many, many people cannot find enough to eat and cannot eat in a way that enables them to be healthy—and in general they cannot maintain conditions that enable them to be healthy. So even right down to something as basic as "the right to eat"—people don't have that right under capitalism. If you were to declare it as a right, and people were to act on this and simply started going to where the food is sold as commodities and declaring, "We have a more fundamental right than your right to distribute things as commodities and to accumulate capital—we have a right to eat"—and if they started taking the food, well then we know what would happen, and what has happened whenever people do this: "looters, shoot them down in the street."

If this became a mass phenomenon—people taking something as basic as food, for which they have a vital need but which many cannot afford under this system—the system would come completely unraveled. And that is why, although the law does not make it illegal to lay people off work and have people unemployed—since that is actually crucial to the dynamics of capitalist accumulation—it does make it illegal to act on the right to eat without paying for what you eat. And, if people do declare that they have a

right to eat, regardless of whether they can be employed in a way that makes profit for some capitalist, then they are denounced by at least certain representatives and spokespeople of sections of the ruling class as "lazy" and "undeserving" people. We have heard this in the whole debate about unemployment insurance in the U.S.—where some politicians declare: "We shouldn't extend unemployment benefits because then people won't really go out and look hard for work, they'll just be eating off the fat of other people's work." It's like that reactionary bumper sticker: "Work Hard, Somewhere There's Somebody on Welfare Depending on You." That kind of fascist mentality. Well, that kind of thing would be invoked: "You can't do this, you can't just take food because you're hungry, you have to go out and find a job and 'work like everybody else' in order to have a right to eat." That is a reflection, in the realm of ideas, of the way the system actually operates. It does actually operate so that you have to go out and get a job, if you can—you have to create more capital for whomever you can find who will hire you, in order to then get remuneration in the form of money, which you can use to buy commodities that you can consume in the form of food and other basic necessities of life.

So if, in the legal sphere—or in the political sphere, or in the cultural and ideological sphere—you were to promote and enact a basic rebellion against that whole set-up, the economic functioning of society would grind to a halt and things would become chaotic. You can go down the line and think about other basic necessities besides food and other realms in which, if the superstructure is not in line with the capitalist economic base, society will, in fact, fly apart—it will not be able to be maintained and function with the dynamics that are necessary for that economic base.

The base and the superstructure—economics, politics, the state, and ideology—and why this system cannot be reformed

You can think of this in terms of politics and the state: If you didn't have, not only laws but a state apparatus of repression with the armed forces, the police, the courts, the prisons, the bureaucracies, the administrative function—if you didn't have that, how would you maintain the basic economic relations of exploitation and the basic social relations that go along with that? How would you maintain the domination of men over women, the domination of certain nationalities or "races" over others, if you did not have a superstructure to enforce that, or if that superstructure—the politics, the ideology and culture that is promoted, the morality promoted among people—were out of alignment with those social and, fundamentally, those economic relations? Once again, you wouldn't be able to maintain the order, stability and functioning of the system.

This is fundamentally why a system of this kind cannot be reformed. This goes back to the point that's in the Revolution talk² about systems, and how they have certain dynamics and "rules." You can't just play any card you want in a card game or slap a domino down any time you want, anywhere you want, because the whole thing will come unraveled. And you can't have, as any significant phenomenon, cooperative economic relations in a system that operates on the dynamics of commodity production and exchange in which labor power itself, the ability to work, is a commodity.

A lot of reformist social democrats will talk in these terms: "Let's have real democracy in the superstructure" (they don't generally use terms like "superstructure," but that's the essence of what they mean) "and then," they'll say, "on that basis let's 'democratize' the economy." What would happen if you tried to implement this "democratization" of the economic base? That economic base would still be operating on the basis of, would still be driven by, the anarchy of commodity production and exchange in which, once again, labor power is also a commodity—in fact, the most basic commodity in capitalist relations and capitalist society—and soon your "democratization" of the economy would completely break down, because the dynamics of commodity production and exchange would mean that some would fare better than others, some would beat out others—plus you have the whole international arena where all this would be going on.

A lot of points relevant to this are made in *Communism and Jeffersonian Democracy*,³ talking about the agrarian ideal of Jefferson: If, as Jefferson advocated, you had a society based on a bunch of yeomen, a bunch of small independent farmers, pretty soon you'd get polarization, once again. You couldn't maintain such a society unless you tried to use the superstructure to maintain it—and if you did that, the whole thing would once again rupture and break out into warfare and violent conflicts of various kinds. You couldn't maintain such a society as a viable, stable system while you had the dynamics of commodity production and exchange churning away.

This is what's so little understood by people, with all their various utopian and reformist schemes. If you don't transform the economic base into something radically different, you will always end up back with the same system, the same fundamental economic relations and the same superstructure—with some particular variety within a basic framework. And, on the other hand, if you don't make revolution in the superstructure and bring into being a radically different state power—not just with a different name or with different people sitting in certain positions but really a radically different superstructure, and in a concentrated way political power that's exercised in a radically different way that conforms to the economic base that you're bringing into being—you will not be able to bring that economic base into being, or you will not be able to maintain it.

Just think of all the spontaneous as well as conscious forces of capitalism which will work to undermine any attempts to establish a different economic base if you do not and cannot utilize the superstructure to reinforce and maintain that economic base and enable it to be further developed. This, of course, is acutely the case in the radical transformation, the epochal transformation, in which socialism replaces capitalism, and in eventually moving on to communism—which is a whole, radically different world from anything that humanity has so far experienced.

So this, once again, is a bedrock point. The economic base will sooner or later—and often sooner—to put it this way, "take revenge" on attempts to make changes in the superstructure which are fundamentally in conflict with the base; this base will ultimately, once again to use a certain phrase, "assert its predominance."

So you have a dialectical unity where, if you don't transform the economic base, you cannot maintain a different superstructure and, on the other hand, if you don't transform the superstructure in a radical, qualitative way, you cannot bring into being, and then you cannot maintain and further develop, a radically different economic base. The two work together, one way or the other, in one system or another. And what's being spoken to here in terms of the ultimately determining role of the base in relation to the superstructure on the one hand, and on the other hand the dialectical living relationship between them—and not a mechanical materialist understanding of that relation—applies not only to how politics and law but also how ideology, culture and morals, as part of the superstructure, relate to the underlying economic base.

Here enters in a very basic point that I'll talk about repeatedly as we go along—the whole idea of "human nature" being unchangeable and for this reason it is impossible to have a radically different system. But why is the morality that's constantly pumped at people, and promoted in a thousand different ways in this society—why is that what it is, and not a different morality? Why aren't values of cooperation and acting for the larger good promoted—except in a perverse form, for example, in the bourgeois-imperialist military, which in fact is structured and run on a very hierarchical basis, as an instrument enforcing the most brutal exploitation and oppression? Why isn't the idea of a cooperative association of human beings, freed from the kinds of competition and conflict that are characteristic of this society, asserted as the highest value? Why is it constantly said that society cannot operate any other way, except through the market and market relations, through commodity production and exchange? Why—other than the fact that this corresponds to the way the system we live under actually operates and has to operate?

Imagine if every television program you watched and every movie and every song were promoting the values of cooperation instead of competition and, along with that, were promoting uprooting thousands of years of tradition's chains and oppression of women by men and one people over another within a particular country and throughout the world. Why, pretty soon you'd have the politicians and other representatives of the ruling class mounting a massive counter-offensive to remind you that all this might sound nice, but it just leads to horrors, it leads to the breakdown of society, and since it leads to the breakdown of society and society can't function this way, it leads to tyranny—because then some people step in and, in an effort to implement these lofty-sounding utopian ideas, impose this with a brutal force and a violent hand.

Actually, in a certain way, this resembles the rather crudely expressed theory of Trotsky and Trotskyites about what went wrong in the Soviet Union: The revolution became limited to backward Russia, it didn't win enough of Europe, the socialist revolution was defeated in Western Europe (I'm only slightly vulgarizing now, if it's possible to vulgarize Trotskyism): They didn't get the advanced productive forces of Western Europe so, since Russia was backward, they had scarcity; because they had scarcity, they had to have rationing; because they had to have rationing, they had to have bureaucracies; because they had to have rationing and bureaucracies, they had to have police to keep people in

line—and so then you got "Stalinism." Now, that's only a slightly vulgarized version of the Trotskyite critique, if it is vulgarized at all. But, in any case, a chorus of this kind is what you will hear from the ruling class of capitalists, and others, including some who claim to be socialists, if you try to promote communist values within capitalist society.

Or what about "the breakdown of the family"? How can you have a situation, within this society, in which the role of women is not quintessentially to be a wife and mother? Yes, many women can go out, these days, and be professionals and so on, but they still have to spend \$50,000 on a wedding and they still have to play this traditional role of wife and mother above all. Why? Because, we are constantly informed, "the family is the basic unit of society—that's the way it's always been ever since Adam and Eve." Why is this promoted? Yes, in that form it's crude and we can laugh at it, but on the other hand it is necessary for the functioning of this system, perhaps not to always and among all sections of the people promote this in such crude terms, but to promote this basic idea. What if other, radically different ideas were to hold sway? What would happen if the basic nuclear family that we're familiar with were undermined fundamentally in a society based on commodity production and exchange? Things would break down. The "traditional nuclear family" is an integral and, in a real sense, indispensable unit of such a society based on the dynamics of commodity production and exchange and the particular expression of that with capitalism.

And this is why you have so many songs—whether in country music or some other genre of music (they each have their own particularities) that are about "the battle of the sexes." Some of it is sappy, sentimental love songs. Some of it is more aspiring to, or wishing for, better things. Some of it is downright cut-throat, raw relations of commodity exchange. Some of it is extolling crude, even brutal male domination, while some of it (to paraphrase Engels' observation on this in *The Origin of the Family, Private Property, and the State*) is an expression of philistine sentimentality. But it is all a reflection and an assertion of traditional relations—which are fundamentally relations of patriarchy and male supremacy—because if something else were being promoted as the dominant culture, values and morality, that would seriously undermine the social and production relations of this society.

And the same thing is true with regard to social upheaval. Different social systems and different ruling classes respond to social upheaval differently, depending on the character of that social upheaval, what social forces are in motion and what their objectives are, or in what direction they are trying to push things, with whatever degree of consciousness at a given time. This is also a point that's made in *Communism and Jeffersonian Democracy*.

So, for example, the ruling class of the U.S. (and countries generally allied with it) romanticized and distorted what was involved, for example, in the Tiananmen revolt in the late 1980s in China. They treated this rebellion very positively and roundly condemned the violent suppression of it by the Chinese government. And this involved a

great deal of hypocrisy on their parts: There is not one of those ruling classes that would have acted any less repressively than the Chinese ruling class ultimately did when confronted with such a revolt.

Now, I'm not defending the revisionists in power in China, I'm just making a point that ruling classes respond to social upheaval according to the way in which they perceive their fundamental interests. The ruling class in the U.S., to say the least, does not welcome something like the 1992 L.A. rebellion or other similar rebellions. But the U.S. imperialists welcomed a Tiananmen rebellion because it could serve their interests in their rivalry with China, and they utilized it to promote anti-communism through distorting the actual events and, more than that, distorting the actual class forces in motion and what was represented by different forces, including the Chinese ruling class—obscuring the fact that this was actually a new capitalist ruling class, and not a "communist dictatorship," not actually the rule of the proletariat, in the broad sense in which that should be understood.

And, in not only opposing but forcefully suppressing something like the 1992 L.A. rebellion, the U.S. imperialist ruling class was acting in a conscious way in its interests, because the order of their system is threatened in very stark, and in some ways fundamental, terms by something like the L.A. rebellion or other major social upheavals. The operation of their system would, in fact, be qualitatively undermined if the logic and momentum of those rebellions and upheavals—even with the varying degrees of consciousness among those involved—were to continue and exert growing influence. It's not just that such things are disruptive of society's order in immediate terms (which is the case), but it's the content of such rebellions—it's what people are basically fighting for, even with varying degrees of consciousness, and what they're fighting against. It's what the logic and momentum is of those rebellions, even if that's not fully consciously understood by many of those participating. It's what questions this raises, and what social forces are in motion in what way.

So that is why, from the point of view of the ruling class, the organs of repression of the state have to be viciously brought out. You have to have things like you had in the Detroit rebellion in the 1960s with the Algiers Motel incident—where people were mass executed, taken to that motel and mass executed—and other ways of terrorizing the masses back into "their place" within the dynamics of the system.

This cannot change fundamentally within the confines and dynamics of this system. Not because we say so, or because some dogma written somewhere says so, but because of what I've been emphasizing about the actual dynamics of how society operates and the actual relation—the dialectical relation—between the economic base and the superstructure, in which the base is ultimately determining and will sooner or later, and often sooner, "exact its revenge" on attempts to act in the superstructure (in the realm of politics, but also ideology, culture and morality) in a way that fundamentally is in conflict with the necessities and dynamics of that underlying economic base.

Now this, once again, is in fundamental opposition to—and, in a very basic sense, is a direct refutation of—the views which now hold such currency in this society, because these views correspond ultimately to the outlook and interests of the bourgeoisie (the ruling capitalist class) in general and specifically with regard to the much vaunted "human nature." In reality, as Marx pointed out: All of human history involves the continuous transformation of human nature. Things that are generally taken for granted as being part of the way society and people "just are," for example, or things that have been raised, and insisted upon, by the theoreticians of the bourgeois revolution and of bourgeois democracy as the highest end point of human development—including the relations of people in a system of commodity production and exchange, and the way this finds expression in the superstructure—all this is a reflection of the underlying dynamics of a particular system, namely capitalism.

The "Divine Right of Kings" and "Democracy"—Two "Cohering Mythologies" of Two Different Systems of Exploitation

In feudal society, it was "natural" that everyone had their particular place. I've spoken to this before: Thomas Aquinas—who was a theologian, but also a theoretician in a broader sense, whose ideas corresponded in basic terms to the relations of feudal society—put forward the idea that everything in the universe, even rocks, had their place, all ordained by God. And then there is "the divine right of kings," a cornerstone of feudal society. This was considered such an outrage by bourgeois revolutionaries and bourgeois theoreticians. Recently, I was reading Thomas Paine again, and he goes on and on about what an absurd and criminal idea the divine right of kings and hereditary role of kings is. All this guarantees, he insisted, is that you could get a moron having absolute power in society just as well as a wise person. You could get someone mentally defective being declared to have divine right to rule. And on and on.

Well, yes, this condemnation of the "divine right of kings" is understandable, from the point of view of the rising bourgeoisie, which needed to break through the constraints of feudalism ultimately in the economic base. But let's not be reductionist—they did battle it out in the realm of the superstructure, and the theoreticians of the rising bourgeois class and the bourgeois revolution believed what they were arguing for, at least overwhelmingly. To them that really was an absurd and criminal idea—the divine right of kings and the absolute order of things as established in such a way that to try to change it would be to go against the very fabric of reality and of the universe as ordained by God and maintained by God's will. As much as those bourgeois theoreticians saw this as absurd and outrageous, in the feudal order it was just the opposite: to rebel against the king, the monarch, was to rebel against God and the God-ordained order. And everyone, from the nobles to the serfs, was supposed to know their role and play their role accordingly and appropriately.

Now, if we move a little bit further away from the bourgeois era and look back on it from the historical perspective of where things need to go and can go—not are bound to go, but need to go and can go—we can see that the great talisman of bourgeois democracy,

elections and the right of the governed to choose those who govern them, in fact, in the reality of the functioning of bourgeois society, has no more absolute legitimacy than the divine right of kings. It is just another form in which the needs and interests of the ruling class are asserted in this particular kind of society, and a mechanism through which—and through the control over that process of bourgeois politics and elections—the interests of the ruling class are maintained and enforced. It is their version—DEMOCRACY, ELECTIONS is, in effect, their version—of the divine right of kings. It is a cohering mythology of a certain system. It's not mythology that they have elections, it's mythology what those elections are purported to be all about and what happens through them. In reality, they are not an expression of "the will" or "the sovereignty" of "the people," but an expression of the process through which the capitalist class maintains its system of exploitation and its domination, its dictatorship, over the classes and groups in society that it exploits and oppresses.

And the "human nature" that goes along with this society is no different—the "human nature" that people constantly assert as why things are and have to be the way they are, is nothing other than a reflection of the underlying relations and dynamics of a certain system, the system of capitalism.

This is a point of such importance that we do need to keep stressing it, particularly in this period in which there is so much confusion created around this, much of it the result of the distorting and obfuscating viewpoint of the ruling class, which has such widespread influence today, which seeps down among all sections of the people, so to speak, and is aggressively promoted at every turn by political and ideological representatives, operatives and apologists of the ruling class, and those who follow in their wake, while—and this is a very important point—it is also reinforced by the underlying dynamics of the system itself. This view of human nature is reinforced constantly by the underlying dynamics of the system itself—so that we need to continue to return to this, and dig into it deeply with people, bringing to light and to life Marx's great insight that all of human history involves the continuous transformation of human nature; that human nature, if (or to the degree) it has any valid meaning, is a part of the superstructure. It is an ensemble, if you will, of values and viewpoints, culture and morality, which correspond ultimately to a certain underlying system—underlying social and fundamentally economic/production relations. It is not some transcendental thing that has been with us "since Adam and Eve"—or, more scientifically, since human beings first evolved—and has remained unchanged and that will always remain unchanged and unchangeable.

The Real Bases for Change—and the Real Alternatives

So this is how things actually are in regard to the present circumstances of human society and the possibilities for how society can proceed and be organized: It is a matter of either bringing about a radical alternative to the presently dominant capitalist-imperialist system—an alternative which is viable, and sustainable, because it proceeds on the basis of the productive forces at hand and further unfetters them, through the transformation of the social relations, and most fundamentally the production relations

and, in dialectical relation with that, the transformation of the superstructure of politics and ideology—creating, through this transformation, and fundamentally the transformation of the underlying material conditions, a radically new economic system, as the foundation of a radically new society as a whole; either that, or, what will in fact assert itself as the only real alternative in today's world—being drawn, or forced, into a society proceeding on the terms, and locked within the confines, of commodity production and exchange, and more specifically the production relations and accumulation process and dynamics of capitalism, and its corresponding social relations and relations of political power, as well as its prevailing culture, ideology and morality. It's either one or the other. Those are the two choices.

Who are we to say so? We are interpreters of reality; we're scientific investigators and synthesizers of reality, that's who we are. It's reality that says this, and we are those who, at this time, have come to understand this—not through some mystical or religious process but through applying a science that's been developed and is continually being developed.

So it's either the one or the other—and all other schemes will lead to one or the other. If they are not consciously striving for the first, they will lead to the second: if they are not consciously striving for a whole, radically new and different world, they will lead back to, or be co-opted within, or crushed by, the existing old world. You try to carve out little enclaves or ways in which you operate independently of the system—you're either eaten alive and spit out by the system, or you are an insignificant countercurrent, for a while, to the actual dynamics and prevailing relations of the system, a countercurrent which will sooner or later, in fact, be eaten alive—if not literally crushed politically, just overwhelmed—by the dynamics of this system.

This is a system that operates, just like every system, according to certain dynamics and through certain relations. And as long as you haven't radically ruptured with that system and brought about something in its place which can actually replace it and be viable and sustainable, you will be forced back into that system: that system of private ownership of the means of production, of capital, that system of commodity production and exchange, that system driven by anarchy of production and the resulting conflict among capitalists, a system in which capital takes form as many and competing capitals, not one gigantic block of capital, which itself would be out of line with the dynamics of commodity production and exchange and the anarchy of production, and would be broken up by those dynamics, repeatedly. Just look at the history of this country, including in more recent times: even gigantic amalgamations of capital go under or are broken up and re-formed in different associations of capital. This is all as a result of the underlying dynamics of this system. If you do not rupture with that, through a revolution in the superstructure, and the radical transformation of the economic base to something which can actually be viable and sustainable and function in place of those dynamics, you will get those dynamics back—because people have to eat and people have to have other necessities of life, and that will happen through one form or another in accordance with the productive forces at hand, generally speaking. So, if you don't consciously bring

about the one, you will get the other. In one form or another and through one avenue or another, you'll get the same fundamental dynamics of capitalism, if you don't consciously rupture with that and actually make revolution to uproot and abolish the whole capitalist system, replacing it with socialism and advancing on the road to a communist world.

A Crucial Breakthrough, A Deeper Grounding in Materialism: Understanding the "Driving Force of Anarchy" as the Decisive Dynamic of Capitalism

Here I think it is important to mention—because this is also little understood, even in our own ranks, perhaps—what a crucial breakthrough it was, and what a crucial foundation for a radical break with economism,⁴ when back around 1980 our Party, through doing work to dig more fully and deeply into the dynamics of capitalism and how the contradictions in the world asserted themselves and interacted, identified "the driving force of anarchy" as the principal dynamic of capitalism, as opposed to the principal form of the contradictions of capitalism being the class struggle between the bourgeoisie and the proletariat. Of course, we were roundly, and in some cases viciously, attacked for this. It was asserted that we were leaving the people and the class struggle out of the equation, that this analysis was just filtered through the prism of our prejudice of living in an imperialist society, and so on and so forth. But this was such a crucial breakthrough—to understand, to really get a deeper materialist understanding of what it is we're doing and on what "stage" or what foundation we're actually doing what we're doing, in setting out to make revolution.

This has everything to do with whether you proceed from objective reality and recognize the basis, within the contradictory dynamics of that reality, for radical change—or whether you're just proceeding from a set of ideas, including an idealized vision of the masses, which you are trying to impose on reality, with both the masses and objective reality more broadly being seen as essentially "blank slates." That is a view that is in opposition to understanding the principal role of the driving force of anarchy in the system that we're up against, which does set the primary stage and foundation for what we have to do to transform society and the world.

Now, we may not like all this, but that's where we are. We may not like the fact that capitalism and its dynamics are still dominant in the world, overwhelmingly so at this time, and set the stage for the struggle we have to wage—we may not like this, but that's the reality. And in that reality is the basis for radically changing things. It's in confronting and struggling to change that reality, and not through some other means. It's through understanding and then acting to transform that reality along pathways that the contradictory character of that reality does open up—pathways which must be seized on and acted on to carry out that transformation of reality.

So this was a fundamentally important breakthrough when we firmly identified "the driving force of anarchy" as the principal dynamic of capitalism. And this has to do with everything I've been talking about: why you can't reform this system, in fact, and why you can't just arbitrarily try to replace it with any old utopian scheme of whatever kind, that you might like to impose on reality, proclaimed under whatever banner.

Along with all these dynamics of capitalism, which I've been speaking to, there are other aspects of the relations of production besides the ownership system, which capitalism embodies within its overall functioning, and there are other social relations that are embodied within the capitalist system. For example, what we call the mental/manual contradiction, the contradiction between people who carry out physical labor and those who carry out intellectual labor; patriarchy and the oppression of women; the oppression of various nations and peoples (national oppression); regional differences and disparities which can become antagonisms and often do; and other significant contradictions within a particular country or part of the world and between different countries, or different parts of the world, and different alliances of countries. These are all fundamentally encompassed within, and expressions of, the underlying dynamics of capitalism at this stage in the development of human society—not some predetermined development that was bound to happen, but how human historical evolution has actually taken place, and where it has actually brought us to.

You Want to Radically Change the World—You Have to Make Revolution, and Establish a Revolutionary State Power

But, as I've been emphasizing, the other side of the contradiction (in which the economic base is ultimately and fundamentally decisive) is the fact that the way to bring about radical, qualitative changes—in the economic foundation (or base), and in the political-ideological superstructure—is opened and is made possible only by decisively defeating, and then dismantling, the stranglehold of political and ultimately military power that is exercised by the ruling class of the presently prevailing system, and replacing this with a new, revolutionary state power. That cannot be underlined enough times. We can come up with all the ideas we want for change in society and the world—and others can come up with creative ideas which can make a contribution, especially if they're recast in a correct framework, a correct understanding of reality—but if that doesn't get translated into a movement which actually, when the conditions emerge to make this possible, succeeds in defeating and dismantling the repressive organs and the overall institutions and instrumentalities of power of what is now the prevailing system, there is no radical change that is going to occur. It's as basic as that.

People can talk about "let's make change without seizing power." Well, you can make some little changes temporarily around the margins and in the interstices, if you will, but you ain't gonna change shit about the basic character of society and the world without seizing power—without, through a mass struggle, in the appropriate form when the conditions exist or emerge, actually defeating and dismantling the organs and institutions of power of the old ruling class, and replacing that with a new system which

is in correspondence with, which reinforces—and which embodies the power to continue the transformation of—the underlying economic base of society, as well as the superstructure itself. It's just that basic.

Just think about it. You want people not to be shot down on the streets, time and again, by the police, with the killers then being exonerated in one form or another—usually outright, "justified homicide"? You want that to stop? You have to have a different state power. Why do we want state power? Why do we keep talking about it? Because we don't want these outrageous things, and everything that they are a concentration of, to keep on happening to people—when it's totally unnecessary as well as outrageous and egregious. You want to put a stop to rape, you want to put a stop to impoverishment of people, all the other horrors in society and the world today? You have to have a different set of social and economic relations, and you have to have a different set of power relations that corresponds to and backs that up and furthers it. You have to have a different culture and ideology. And you're not going to have them if you don't have a new state power—yes, a radically different state power, but state power. It's that basic.

These things that people do abhor and hate, and do repeatedly protest and rebel against—you can go down the line, the wars, the torture, the treatment of immigrants, all the rest of the outrages—are not going to be eliminated unless this existing state power is defeated and dismantled and a new state power, a radically different state power, is established and, on that basis, things go forward from there with transformation in the economic base and further transformation, in turn, in the superstructure—back and forth—all aiming for the ultimate goal of a communist world.

We really must not underestimate both the need and the importance of deeply grasping this in its full dimension and significance, and being, yes, really "pit bull" in proceeding on the basis of this understanding—including in how we present and discuss with people the question of revolution: both the necessity of revolution and what becomes possible through actually breaking the hold of the old, reactionary state power, which enforces these relations of exploitation and oppression, and all the outrages they give rise to, and establishing and consolidating in place of that a new, revolutionary state power, representing a real and truly great leap on the road to abolishing all such outmoded relations and the outrages to which they continually give rise and the antagonistic conflicts among human beings to which they continually give rise.

In short, a truly radical change in society as a whole, in its basic nature, is really possible only through a revolution whose first great leap takes place in the superstructure—particularly in the realm of politics (although the realm of ideology is extremely important, as is culture in particular, which I'll speak about later) but particularly in the realm of politics—and more specifically political power to rule and set the terms in society as a whole. At a certain point, this struggle assumes a concentrated form in the battle to seize the power to decisively determine the character and direction of society. This revolution, upon succeeding in that first great leap, then must proceed to carry out

the transformation of the economic base, and the social relations, as well as the superstructure itself as a whole, in the cultural and ideological (including moral) as well as the political spheres.

This is really what's being gotten at in the article "There Is No 'Permanent Necessity' For Things to Be This Way, A Radically Different and Better World Can Be Brought Into Being Through Revolution."⁵ This is something we should be repeatedly coming back to: there is no permanent necessity for the existing system. Within the actual reality that we are confronted with, and the contradictory dynamics of that reality, is the possibility—not a guarantee, not a certainty, not an inevitability, but a real possibility—of a radically different world; but it can only be brought about on the basis and in the ways that I have been speaking about.

A Materialist, Not a Utopian, Approach to Changing the World

It is worth repeating once again—and we need to be continually illustrating this in a living way, and going into it deeply in a living way with people—that the kind of radical change that is necessary and possible does not and cannot involve the imposition of some utopian scheme or philosophically idealist notion of how society ought to be, abstracted from the actual conditions that exist and the actual contradictions that are driving things. Rather, this involves the transformation of the—contradictory—reality with which we are confronted, with both the pathways for change, and at the same time the constraints, that this presents. Here is another analogy with evolution in the natural world. You can't have evolution just of any kind you might want. In fact, it's one of the proofs of evolution—as opposed to the idea of "intelligent design" or god bringing about changes—that changes in the natural world do occur on the basis of what already exists at a given time and both the possibilities and the constraints that this poses in regard to such change. You can't just come up with an entirely new species, for example, that bears no relationship to anything that ever existed before. The same is true in human historical evolution, and revolution. And that is why you can't just impose on reality any utopian scheme or philosophically idealist notion that you might come up with.

So it is important to grasp both the material basis for what we're about, for radical change in society, and the contradictory nature of this material reality, which has its positive side but also its negative side, in relation to our objectives. It opens up the possibility, while it also places obstacles in the way of realizing that possibility—which, if you think about it for a second, is obvious because we run into these obstacles all the time. But this is rooted in material reality. It's not just some stubborn quality of masses of people, for example, that makes it difficult at times to mobilize them around the goals of revolution. That is often a factor—the reluctance of people at times to take risks in order to bring about needed change—but that in turn is rooted in material reality, in underlying conditions that are independent of people's will and larger than the individuals whom we might be interacting with or who might be on the political stage more broadly at any given time.

This is a point that's emphasized in the Manifesto from our Party—and it's important to grasp this very deeply and firmly—that both the basis for change but also constraints and obstacles and difficulties are posed in this contradictory nature of reality that we are confronted with at any given time, a constantly changing reality.

All this sheds further light on the point that was stressed earlier: In today's world, given the actual material conditions that have resulted—not conditions that were "bound to" result but conditions that have in fact resulted—from the historical development of human society, there are now fundamentally only two alternatives, in terms of what the character and direction of society will be and, correspondingly, how society will be ruled: Either the capitalist-imperialist system—in which an exploiting class, and in particular the capitalist class (or bourgeoisie), through its political and administrative, bureaucratic and military functionaries, holds and exercises political power, expressed in a concentrated way as a monopoly of "legitimate" armed force, and along with that and underlying it the dynamics of capitalist accumulation, setting the fundamental terms for how society functions—either that, once again—or the socialist system, in which society is ruled in the most fundamental and largest interests of the formerly exploited class, the proletariat, and this political power is increasingly exercised by masses of people who are led, yes, by a communist vanguard, and conscious social planning of production increasingly replaces the driving force of anarchy of capitalist production (even while of course, there will always be ignorance as well as knowledge and necessity will always confront human beings, with the challenge of transforming it into freedom through struggle).

To speak in terms of how this finds expression in the superstructure, and to boil this down to its basic political terms, the only real alternatives at this point are the dictatorship of the bourgeoisie, in one form or another, or the dictatorship of the proletariat—with all the radical differences there are between those two dictatorships.

We can see the reality of this and the radical differences reflected very strongly and powerfully in the *Constitution for the New Socialist Republic in North America (Draft Proposal)*, recently published by our Party.⁶ Embodied there you can see both the need for a state, in order to have a new system, and the radically different nature of that state, as well as the radically different nature of the society as a whole and its dynamics, in contrast with capitalism.

A valuable experience, and valuable lessons, in method and materialism

Here it's worth just taking a moment to tell a story which I think sheds a lot of light on what I've been talking about—the basic materialism that is so crucial to everything we are about. This has to do with the time, back in the days of the Revolutionary Union (the forerunner of our Party), when we were working on *Red Papers 7* about the Soviet Union—analyzing it as a social-imperialist state (socialist in name but imperialist in fact and in deed), an analysis which was highly controversial and contentious within the movement,

broadly speaking, and among those who were claiming the mantle of communism, at that time. I remember there was, for example, this group, the Communist Labor Party, and they published an article which denied the theoretical possibility of capitalist restoration in a formerly socialist country. That article made the analogy that it's like a baby—you can't stuff a baby that's been born back into the womb—which, among other things, revealed a rather mechanical materialist understanding of society! But those of us working on *Red Papers 7* went through a whole process of agonizing over the question of how to understand the reality and dynamics of capitalist restoration in a former socialist country.

We had done enough work to be convinced that the thesis that the Soviet Union was a capitalist (social-imperialist) state was true, that it reflected reality accurately in basic terms. But we were trying to understand, and therefore be able to explain in more living terms: why is it that if you have a revisionist political line, you will inevitably restore capitalism? So we went through the actual process: OK, what would happen if you had a revisionist line in leadership of what had been a socialist country? How would you actually carry out and guide the functioning of society, and the economy in particular? What principles would adhere and would be the governing principles, so to speak, in the underlying economic base and in the actual dynamics of the economy? And we "walked through" the process where, with a revisionist line, you could not implement genuinely socialist planning and carry out the socialist transformation of the economic relations—the ownership system, the division of labor, and the distribution of wealth resulting from that. How, with a revisionist line, you could not lead, and fundamentally rely on, the masses to carry out, in an increasingly conscious way, the development of the economy and transformation of the economic relations, but would end up having to fall back on bureaucratic methods to regulate the economy; you would have to have some way that everything wouldn't fall apart; you would have to go back to the mechanisms and dynamics of the capitalist system, of commodity production and exchange, with the law of value in command.

We actually walked through this (I'm simplifying this somewhat in summarizing it briefly here—we spent days and weeks struggling with how to understand all this) because we didn't just want to assert this: "Ah, you've got a revisionist line, you're going to get capitalism—what's the big deal?—now let's move on, next discussion." No, we actually wanted to understand these dynamics, and so we spent weeks, actually—a group of us were working on this and we would meet periodically, but as we were getting close to actually publishing *Red Papers 7* we met quite frequently—and we went back and forth, sitting in a room and out over coffee and all the other ways that you're familiar with, wrangling with: OK, what are the actual dynamics here? Why couldn't you maintain a socialist economic base with a revisionist line? If you think about what's involved in having an economy functioning in a way that doesn't rely on the market mechanisms of capitalism and the accumulation of capital privately, etc.—and how you would meet the needs of the masses of people and the larger needs of the revolution, not only in that country but in the world, and actually do it in a way that didn't fall back on the masses

being essentially mindless machines of production, alienated from the very process that they were carrying out—it became clear in really going through this that you couldn't do it without a revolutionary line in command. It would break down.

This, I believe, sheds a lot of light on the basic points I'm making here—about how it's one system or the other, and the dialectical relations in all that, between the economic base and the superstructure of politics and ideology.

But through all this, of course, it is necessary to continually come back to and emphasize the fact that the socialist system is radically different than the capitalist-imperialist system (and other systems ruled by exploiting classes). And the interests of the proletariat, in the largest sense—not in a narrow and economist sense but in the largest sense—are radically different from those of all previous ruling classes: the fundamental interests of the proletariat, as a class, really do lie, and can only lie, in the emancipation of humanity as a whole from systems which are founded on exploitation, and in which the fundamental and essential social relations are in antagonistic contradiction with a socially conscious approach to interacting with the rest of nature. That is basically what I was getting at in relating the story about the grappling we were doing in the writing of *Red Papers 7*, in coming to understand more deeply the nature and dynamics of the Soviet Union as a capitalist (social-imperialist) state.

Socialism, while itself an economic system and a form of class rule (the dictatorship of the proletariat), is also a transition to a still more radically different society and world; and the goal of this transition is the transformation of both the economic base and the political/ideological superstructure to achieve the abolition of all class divisions, all exploitative and oppressive relations among human beings in general, everywhere in the world, and with that the elimination of any need for, or possibility of, dictatorship of any kind by any group or class—the elimination, in other words, of the state as an instrument of rule by one or another class, and for the suppression of the classes and forces in society which are in opposition to, or pose a threat to, the interests of the ruling class—and, along with this, it is a transition to a world in which we have moved beyond a situation in which any group in human society will, in comparison with and even in opposition to certain other groups and individuals, have institutionalized power, or disproportionate influence, with regard to the fundamental character and direction of the interactions among human beings, and between human beings and the rest of nature.

Democratic Intellectuals, Idealist Notions, and the Need for Materialism

So this brings us back, once again, to the democratic intellectual and the shopkeeper (our old acquaintances to whom, in an important way, we were introduced by Marx). The ideas of "absolute equality" and ultrademocracy, of which certain democratic intellectuals are so fond, correspond to the objective social position of both the democratic intellectual and the shopkeeper, even with their "heaven and earth"

differences, as Marx characterized them. The desire of the democratic intellectuals (or at least some among them) to have no "hierarchies," no inequalities of authority and power, and especially no institutionalized ones, corresponds to the outlook of the "shopkeepers" (or, more broadly, small property owners and proprietors), enmeshed in capitalist commodity production and exchange, who want that commodity production and exchange to be on an (ideally) equal basis without any force having a monopoly or built-in advantage (or at least no force which is other than, and in competition with, them!); who want (at least so long as they are not in the advantageous position) no barriers to the "pure operation" of the dynamics of commodity production and exchange—when in reality these very dynamics lead, and can only lead, precisely to conditions of inequality, polarization, and in fact monopoly by a few.

The attitude of this kind of petit bourgeois (whether, again, in the persona of the shopkeeper, or of the democratic intellectuals of various kinds), and specifically their attitude as posed against the materialist-based understanding and program that is put forward by communists, can be compared to that of an extended-beyond-its-limit and in-need-of-a-nap toddler, whining: "Wah, wah, wah—I want to level everything off right now...Wah, wah, wah—you won't let me...Wah, wah, wah—I hate you!"

In contrast to this more humorous, somewhat "higher (or perhaps lower) than life" representation of a certain particular form of the petit bourgeois outlook—and in contrast to this outlook in all its forms—the communist viewpoint, method and approach leads to a scientific understanding of historical development and the pathways for change; and the communist revolution represents the path to radical change which is really possible—and is really liberating—leading to the emancipation of the exploited and oppressed throughout the world, and of humanity as a whole, from all relations of exploitation and oppression and the destructive antagonistic conflicts to which these relations continually give rise.

This is the whole point of Marx's emphasis on the need to move—for society to advance and human beings to advance—"beyond the narrow horizon of bourgeois right," beyond all the relations that are reflected in the bourgeois concept of "right." Here it is worth referring again to and reflecting on what is said in the opening sections of "Making Revolution and Emancipating Humanity"⁷—on what is bound to go along with the assertion of bourgeois right: all the relations that are dominant in the world now, with all their horrors that are necessary in order for bourgeois right to be operative and in effect. As emphasized in "Making/Emancipating," you can't have bourgeois right without all those other things, either already being present or being restored where they have been, in at least significant dimension, overcome and eliminated. This gives perspective and emphasis to the need to in fact move beyond what is in reality a very narrow horizon of bourgeois right and everything bound up with it.

This relates to another important statement from Marx, which has very vital meaning and vital relation now especially to the environmental emergency facing humanity as well as broader meaning and importance. And this is Marx's observation that:

From the standpoint of higher economic forms [socialism and communism], private ownership of the globe by single individuals will appear quite as absurd as private ownership of one human by another. Even a whole society, a nation, or even all simultaneously existing societies taken together, are not the owners of the earth. They are simply its possessors, its beneficiaries, and must hand it down to future generations in an improved state. (*Capital*, Volume 3, Chapter 46)

We are having dramatically illustrated for us today how and why under capitalism it is utterly impossible for human beings and their society to be fit caretakers of the earth. And why, in fact, things are as Marx emphasized in the statement cited above. Living within the confines of this system, and with the prevailing ideas in this society, it seems like a jolting statement to say: "From the standpoint of higher economic forms, private ownership of the globe by single individuals will appear quite as absurd as private ownership of one human by another." But if you think about it, it should seem absurd in that way—and it already does, once one has begun to get a glimpse of the future that is actually possible.

This statement by Marx speaks both to the role of human beings as caretakers of the earth, and to the way in which it is only with socialism, and more fully with communism, that conscious planning and regulation of production can take place, in a qualitatively new and radically different way, as compared with what happens under the capitalist system, shaped as it is by the driving force of anarchy (and as compared with the blindness to the consequences of production and other activity which also to a very significant degree marked previous human society). These higher economic forms, as Marx refers to them, enable human beings, especially when we reach the stage of communism throughout the world, to actually be caretakers of the earth on a whole new level and in a whole new, radically different way.

So the point that keeps coming through here, and that we need to keep bringing out in a living way and from many different angles, drawing from reality constantly—which does provide the basis for making this point over and over again—is that it is necessary to proceed from what is, and to go forward on that basis, rather than trying to conjure up what you would like to be and then trying to impose that on reality—which, in reality, does correspond to the outlooks and schemes of the petit bourgeois (and in particular the democratic intellectual) and not to the outlook and objectives of communism.

The hierarchical nature of this society... the deeper roots and larger implications

Now a lot of people, including those who are caught up in various utopian schemes and idealist notions, respond on the level of looking at capitalist society (or the present society, however they conceive of it in theoretical terms), and seeing that this society, like those that preceded it and were also societies divided into different classes and groups (including, for example, feudalism), is extremely hierarchical. What they are objectively confronting is the fact that this society is ruled through a dictatorship of a class, the

economically dominant capitalist class, which constitutes a small minority of society but monopolizes political power as well as having a dominating role and influence in the economy and every other sphere of society. But here is a very important point: While many, including many of those who are alienated by the operation of the current society, recognize the "hierarchical" character of a society like this, there is, especially in these times, very little understanding of the real reasons why this is so—and therefore very little understanding in regard to changing this, both in terms of the possibility of changing it and in what way to change it. As I put it in an exchange with some other leading comrades of our Party recently:

The world is very lopsided, every society is very lopsided. You're not going to overcome that with ultra-democracy. Everyone can see that this is a hierarchical society, but most people don't see that there are deep-seated material reasons for that. It's not arbitrary. Capitalism is not in its essence greed, and undue influence on the part of certain people or groups in society is not a matter of the arbitrary assertion of authority, at least not in its essence. There is very little materialist understanding of how societies actually function. If you think that it's just greed and arbitrary assertion of authority, you think the solution is much easier than it actually is... and when people get a whiff of how difficult and complex it is, they're out the door—they give up on really changing the world in any fundamental way—unless, of course, they make a leap to a real materialist and dialectical understanding.

The Theory of "Social Contract" and the Lack of Materialism

There are a number of themes that I have been, and I will continue to be, weaving in and out here and returning to repeatedly, because these are extremely important points, particularly having to do with the fundamental importance of materialism, which we need to firmly take hold of ourselves and engage in very living and lively struggle with others much more broadly about. So, as part of the process of excavating certain thinking and examining it in light of materialism, I want to examine briefly the whole, fundamentally erroneous notions of bourgeois political theory concerning the "social contract" and the idea of "governments deriving their just powers from the consent of the governed"—which is, of course, a major theme and principle of bourgeois-democratic theory and in fact a major distortion of reality, and specifically a distortion of the historical development of human beings and their societies—in short, an unscientific, idealist notion.

We see in the writings of the 18th century philosopher Jean-Jacques Rousseau (and others of the same general period, including Immanuel Kant) this whole notion that governments were formed to deal with the situation in which "man" had been in some supposed "state of nature": a bunch of individuals existing in some misty past in the development of the human species in which these individuals were in antagonistic conflict with each other (of course, the scientific understanding of evolution hadn't yet been brought forward in the time of Rousseau or Kant). And then at some point,

according to this basic conception, human beings came together to form a society and government in order to regulate conflicts among themselves so they could live in an orderly way with each other and so that their larger interests could be served. Now, some variants of this make a point of saying that it isn't necessary, and they're not necessarily arguing, that such a "state of nature"—or, more to the point, an original "contract" or "compact" among human beings leaving the "state of nature" and joining together in society—actually took place, but that society needs to function as if human beings had come together to advance from "a state of nature" into a situation of civilized society.

With Rousseau, in particular, matters are somewhat more complicated, particularly with regard to the concept of "the state of nature." Rousseau conceived of man in his original state (and in his theories Rousseau, whose views were markedly patriarchal, did above all have in mind man) as essentially "innocent"; and Rousseau attributed the more "savage" qualities in man, which needed to be curbed, to the development of human social relations, and in particular the acquisition of private property and related inequality (Rousseau actually referred to this state as "savagery"). But, while he differed from some others in this regard—and most notably someone like the English philosopher Thomas Hobbes with his view of inherent human nature leading to a war of each against all in a "state of nature"—Rousseau nevertheless employed the concept of "a state of nature" in the sense of an existence (at least theoretical) of human beings without a social contract to bind them in society. And the basic flaws in the concept of "social contract" apply to Rousseau's theories as much as to others.

In any case, this idea of how human beings and their society developed is in conflict with the actual historical development of human society and the biological evolution of human beings, with the emergence of human beings as a species—and specifically the way in which early human beings lived in small groups and then in small societies in essentially communal relations, and the basis on which, out of that, class divisions and conflicts and other oppressive relations and antagonisms emerged and then, not just governments, but the state as an organ of class suppression, was brought into being. This scientific understanding was systematized by Engels in *The Origin of the Family, Private Property, and the State*; and, although some of what Engels drew from was not completely accurate and much has been learned since then, in basic terms "The Origin" represented a crucial scientific breakthrough in understanding the emergence of exploitative and oppressive relations among human beings—a scientific understanding that was in sharp contrast with the idealist concepts of Rousseau and other bourgeois theorists. Engels drew to a significant degree, not only from Lewis Henry Morgan, an anthropologist who studied various Native American groups, but also, of course, from the breakthroughs that Darwin had made in developing and systematizing the scientific theory of evolution. Marx and Engels gave great emphasis and importance to Darwin's breakthroughs.

The concept of "social contract" articulated by bourgeois political theorists not only flies in the face of reality—of how human beings as a species and human societies evolved and went through different qualitative transformations and how, not just governments, but the state emerged—but at the same time, and for the same fundamental reasons, it flies in the face of what possibilities there are for further transformation in human social relations. One of the things that Immanuel Kant did, for example, in an essay on perpetual peace,⁸ was to extend the ideas of Rousseau in particular to the relations between different nations, or different countries, in an attempt to come up with principles for how you could have peaceful relations among these different nations and states—not by overcoming and abolishing those different nations and states, but through arrangements among them that would be an extension of what Rousseau came up with in his social contract theory. And, in this, Kant's theory and arguments suffered from the same fundamental flaws as "social contract" theory in general.

Now, I don't have time to go into all this in detail or in depth here, but it is important to point out the historically limited and fundamentally flawed understanding that is reflected in these notions, as insightful as they were in some important ways, and as much as they represented a break and advance beyond the rationalizations for feudal society, that in some important ways they were going up against and even polemicizing directly against. But when we weigh this against a scientific, dialectical materialist understanding of the actual dynamics of the development of human beings and human societies, and the basis and role of governments and—more than that and in a concentrated way—the emergence and role of the state, we can see how historically limited these notions of people like Rousseau and Kant were, and how in fact their ideas were a reflection, in some ways rather directly, of the underlying dynamics and relations, and the property and production relations in particular, of the society of which they were ideal spokespeople—namely capitalism. (In this regard, in addition to what is discussed in this talk, I would refer people to *Democracy: Can't We Do Better Than That?*, especially the section on "The 'Rights of Man'" in Chapter 2, "The Roots and the Rise of Modern Democracy."⁹)

The outlook and interests of the petite bourgeoisie cannot lead to a real, radical and emancipating transformation

So, once more, we come back to the basic understanding that to overcome all these relations of exploitation and oppression and the constraints that are presently posed—not by god or, as it's sometimes popularly said these days in some metaphysical thinking, by "the universe," but by the actual social relations that have historically evolved among human beings—to advance beyond all that cannot be done, obviously, in a manner corresponding to the outlook and interests of the ruling bourgeoisie but also, and very importantly, cannot be done in a manner corresponding to the position, interests and outlook of the petite bourgeoisie: the material position and interests of this class (or of these strata) does not allow this.

We live in a world of highly developed and, more than that, highly socialized productive forces. This is so particularly with regard to the relations among people in the productive process; the role of people as a dynamic productive force in the overall process of production is highly socialized. Small scale property owners and proprietors, and small scale owners of capital in general, are not capable of unleashing and wielding these highly developed and highly socialized productive forces in a way that can lead to any alternative to the present system. Either they would make a mess of things—by trying to conduct production on the small scale to which their ownership of capital corresponded, when overwhelmingly the forces of production that have been developed can only be employed in highly socialized forms, on a large scale—or, if they succeeded in their wildest dreams, they would turn into the big bourgeoisie themselves and wield these highly developed and highly socialized productive forces along the lines that the big bourgeoisie does. At the same time, and as a reflection of this, the outlook that corresponds to the material position of the petite bourgeoisie cannot lead to overcoming and advancing beyond all this (all the exploitative relations of production and other oppressive relations in which human beings, and the productive forces as a whole, are confined and constrained): it is neither their aspiration nor does their outlook make it possible to lead people to rupture with and advance beyond all that.

The Fundamental Difference Between Communism and Anarchism

This also touches on the differences, which are fundamental and profound, between communism and anarchism. Anarchism is ultimately—and often not so ultimately but rather directly and explicitly and sometimes even crudely—an expression of the outlook of the petite bourgeoisie. Our differences with anarchism have to do with the necessity, and the nature, of the transition to a radically different society, but they also have to do, even beyond that, with the very nature of the final goal: what kind of society we're striving for and how that society would actually operate, how human beings would interrelate in that society, what is materially possible and viable on that basis, and how you would deal in such a society, not with some sort of abstract absolute freedom, but with the continuing contradictory dynamic between necessity and freedom. In communist society too that contradiction, between necessity and freedom, and the need to transform necessity into freedom through struggle, would continue to assert itself, would continue to confront human beings—and they would struggle over the means for doing that.

Here we see once more the profound importance of the understanding that freedom does not lie in the absence of necessity and constraint—nor of coercion of one kind or another. Nature coerces us all the time, in case anybody hasn't noticed. But even social coercion is not something that we're going to move entirely beyond: the essential question is whether or not that takes place in the form of social antagonism rooted in fundamental relations of exploitation and oppression. But, to put it in general terms, necessity will always confront human beings; there will always be both constraint from nature in the larger sense and social constraint on individuals and on members of

society collectively, and there will always be struggle over how to deal with those contradictions. Freedom will always lie not in the evasion or the absolute absence of these things, and of necessity as a general phenomenon but, once again, in the transformation of necessity into freedom through struggle.

So a dialectical materialist, a scientific communist, approach to all this is in fundamental contrast and opposition to utopian socialism as well as anarchism. It is, for example, in fundamental opposition to the kind of utopian socialism (if one wants to be charitable and give it that designation) of someone like Alain Badiou, who seeks to avoid the need for revolution and for a revolutionary state in order to bring about some kind of equality, which is really, once again—as we pointed out in our polemic in *Demarcations*¹⁰—an expression, and explicitly so, of the Rousseauian ideal with all of its limitations, all of its idealist and fundamentally incorrect understanding.

In opposition to the Badiou of the world, and to all those who come forward with utopian schemes that would objectively at least—and sometimes consciously and explicitly—leave the fundamental relations in the world unchanged and unchallenged, the essential point is that the world cannot remain fundamentally unchanged: as that polemic in *Demarcations* against Alain Badiou's political philosophy puts it, we cannot allow the system of imperialism to keep "humming in the 'background,' destroying lives and crushing spirits." And that is exactly what it does. One only need look at the world with an open eye and a scintilla of scientific approach to see that this is what it does—and to see that this is no longer necessary, that the world not only must not remain fundamentally unchanged, in a moral sense, but does not have to remain fundamentally unchanged in a materialist sense. For a fundamental change to occur, however, requires not a utopian and idealist approach, but in opposition to that a systematically scientific approach—and in particular the most systematic, consistent, and thoroughgoing scientific viewpoint and method, communism.

All this further illustrates that, if you are unwilling to embrace, and refuse to embrace and contribute to, the revolutionary change that is necessary and that is actually possible—if you try to avoid, or even oppose, the revolution leading to the dictatorship of the proletariat as a revolutionary, socialist state, as a radically new economic system, and as a transition to a communist world—you will end up living with and, at least objectively and in certain important aspects helping to support and perpetuate the dictatorship of the bourgeoisie—which presently exists, whether you recognize it or not—enforcing the capitalist-imperialist system that now dominates the world, with such terrible, and now completely unnecessary, consequences for the great majority of the world's people, and fundamentally for humanity as a whole.

This gets back to another one of those incisive statements by Marx: "Right can never be higher than the economic structure of society and its cultural development conditioned thereby." Which is another way of saying that so long as we have the fundamental relations and dynamics of capitalism, you cannot fundamentally change society, you cannot make qualitative changes in the superstructure, in the political system and the

ideology and culture and morality, and you will be drawn back once again within the confines—and, yes, the crushing dynamics—of the capitalist-imperialist system, and its accumulation process, which will set the terms in society as a whole. Unless you do become part of rupturing with and contributing to the struggle to abolish that whole system, you will have no choice—whether you like it or not and whether you recognize it or not, you will have no choice but to live under an institutionalized political rule which exercises dictatorship in order to enforce and reinforce this exploitative economic system with its crushing dynamics.

Dictatorship—of the Proletariat—and the Transition Beyond Dictatorship

In terms of the dictatorship of the proletariat as a transition from capitalism to communism on a world scale, the Manifesto from our Party discusses—and this is a very important point—two basic reasons why the dictatorship of the proletariat is necessary.

First, to exercise dictatorship over exploiting class elements, old and new, while carrying forward the revolution toward the final triumph of communism, worldwide, with the achievement of the "4 Alls" (the abolition of all class distinctions, of all the production relations on which those class distinctions rest, of all the social relations corresponding to those production relations, and the revolutionizing of all the ideas that correspond to those social relations), which is the final aim of the dictatorship of the proletariat. So that is its first function—to exercise dictatorship over exploiting class elements, old and new, while carrying forward the revolution toward the triumph of communism, which can only be achieved on a world scale.

But the second function is also very important: to uphold and enforce the rights of the people, even with the inequalities that may exist at any given time, while the goal is—and the motion of society must be in the direction of—abolishing and moving beyond all such social inequality and all relations of exploitation and oppression.

And, again, you can see the essence of this embodied in the *Constitution for the New Socialist Republic in North America (Draft Proposal)*. This is spoken to directly in the Preamble of that Constitution.

But, to expand briefly on this second function of the dictatorship of the proletariat, Mao actually made the statement, in his typically provocative way, that even a thousand years from now, in communist society, ill-gotten gains will still be wrong and you still can't just go into your neighbor's house and take something away from your neighbor. There still will be items of personal consumption and use, even if the notion of ownership will have been radically transformed. But certainly in socialist society, just because a doctor might get a higher salary than someone teaching school, say, or a physicist might have a higher salary than someone working in another part of the economy—you can't go and start removing things from the doctor's house or the physicist's house and say, "These things represent unjustified privilege, you can't have them, we're for equality after all." The dictatorship of the proletariat actually enforces the fact that you can't do that—it actually

enforces a certain inequality, even while the goal is, and the actual motion must be, to move beyond that inequality. This, once again, is a fundamental difference between the broad outlook of the proletariat—understood, not in a reified sense or an economist sense, but in the sense of its most fundamental and largest interests, in achieving the "4 Alls"—and, on the other hand, the outlook of the petit bourgeois who wants to level things off immediately so that he or she can have a go at it, on better terms for himself or herself, in what amounts to commodity competition.

Back to Birds and Crocodiles

So we're back again to "birds and crocodiles." We're back to the point in our Party's Manifesto that it's not a matter of "Who are you to say"—or, in some abstract sense, "Who gets to decide" how things will be done? "How come your Party gets to decide what the Constitution is going to be?" Well, it's going to be one system or another—it's either going to be masses of people rising up, with the necessary leadership, and making revolution to bring a whole new system into being, or we're going to have the same old system. And if we actually lead that revolution and enable the masses to achieve that, we do not intend to abdicate that leadership so that someone can restore capitalism in the name of equality. It's just that basic.

Now, what we are talking about is not the stereotypical vision, and is not even the pre-new synthesis version, of the dictatorship of the proletariat. We are talking about an emancipating vision on a whole new level. The Draft Proposal for the *Constitution for the New Socialist Republic in North America*¹¹ brings this to life. But it is the dictatorship of the proletariat that we are talking about, and it is the leadership of the vanguard applying the new synthesis.

So, as the metaphor of "birds and crocodiles" illustrates, it is not a matter of arbitrarily "who gets to decide," but what are the actual dynamics of the material reality with which we are confronted and what pathways for change are there. And it really is either/or, as I've been emphasizing: either it's the seizure of state power by masses of people, led by a vanguard of this kind, and then the advance to communism throughout the world, and the final abolition of state power and of vanguards; or it's back to capitalism, or the perpetuation of capitalism without ever having a revolution in the first place. Those are the choices. How come? Because that's the way reality is, that's the way human society has evolved. All we've done is recognize it and act on it.

This underscores yet again the importance of a materialist understanding and of proceeding from where we are, where the historical development of human society has led (once again not "was bound to lead" but has led): what pathways that opens for change, in fact for a profound transformation and leap, in human society and its interaction with the rest of nature.

Incorporating Aspects of Utopianism—On a Materialist Foundation

Now, having hammered quite a bit here at utopianism, I want to say a word on the other side of the contradiction. The most fundamental thing that needs to be done is to make the leap and rupture beyond utopianism (and other unscientific viewpoints and approaches) to scientific communism, and then to continue going forward, on that basis. That's the most essential thing in terms of actually being able to change the world and lead others to consciously change the world. But with that first leap having been taken and firmly consolidated, and going forward on that basis and no other, on that foundation and in that framework there is a further leap that can and should be made: to incorporate what can be incorporated from the utopian into the dialectical materialist framework. This is, once again, an expression of the difference between the new synthesis and other notions of what communism is, and even some past theory and practice. There was some of what I am talking about here in Mao, but this is precisely a further synthesis.

This has to do with the contradiction that was posed, and with the writings that were done around the contradiction, that the world cannot remain fundamentally unchanged, but on the other hand we don't want a society and world in which the "lights are turned out"—that this must not be what characterizes the communist revolution, and that people have, not without any justification, viewed it that way in the past. We need another, a further radical rupture beyond that.¹²

In terms of this principle of making the leap and rupture beyond utopianism to scientific communism and then, on that basis, incorporating from the utopian what can be incorporated—and, in some ways, transformed—into a dialectical materialist framework, we can think back 40 years ago to Woodstock. That was definitely a utopian phenomenon. It is significant that in the movie *Taking Woodstock*, which came out not long ago, you'll see some of this brought to life fairly well, with what we can recognize as weaknesses in the original Woodstock, but also some very definite positive things, including the fact that there were 400,000 to 500,000 people together there, the equivalent of a mid-size city in the U.S., for four days of horrible physical conditions—the rain and mud, not enough bathrooms, inconveniences of all kinds—and yet overwhelmingly people were striving for an ethos in which they were cooperating with each other, even though this was "rarified" and ultimately utopian. The crime statistics there are striking—in terms of what there was not—there were a few crimes, including a few violent crimes, such as rape, but remarkably very little. If you were to take those four days and compare it to four days of "normal life" in any mid-size American city, you would see the profound and striking difference. And it wasn't just outward manifestations—it was a whole ethos.

Of course, it couldn't last, and that utopianism couldn't lead to a new society. But is there anything to learn from that? Is there anything which, on a materialist foundation, can and should be incorporated from that, or from more recent phenomena, for example, like the Burning Man experience every year, where people go out into the desert and, for a few days, shed their "normal" ways of doing things and relating to other people? That, too, definitely has its limitations. These phenomena are acutely contradictory, but are

there things that on a materialist foundation can and should be learned from and incorporated? Yes. And we should have a positive orientation toward that—on a materialist foundation and not by adopting a utopian outlook.

This has to do with the "many different channels" point:¹³ the understanding that change does not come only directly through the political arena, or only as an extension of the work of the vanguard, but through many different channels. Sometimes this does involve directly political or sharply social contradictions, although this may be in ways which seem unexpected. Think, for example, of the recent scandal that erupted in regard to Shirley Sherrod, a Black woman whose father had been murdered years ago by white racists in the South and who was fired from her post in the Department of Agriculture after some right-wing bloggers and commentators on Fox News, grossly distorting some comments she made in a speech, launched a whole crusade against her for allegedly "racist" remarks about white people. This created real controversy and uproar and, in this case, when their totally dishonest methods were exposed, the right-wingers attacking her had to back off, and the Obama Administration—which had jumped immediately to fire her, rather than investigating the situation and defending her from these scurrilous attacks—was forced to apologize to her. Things like that, under certain conditions, could lead to a crisis of legitimacy for the ruling class. That's not where we're at with things right now, but this is one illustration of "many different channels." And so are some of these other phenomena that I've been talking about, which are not so directly political, like Woodstock decades ago or Burning Man—or other things we could think of in the cultural arena, even things which on the one hand focus on personal experiences and feelings but which take on a larger social meaning.

The point is to have a sensibility and an orientation—and a science, in a living sense—that embodies the right understanding and approach to the significance, or possible significance, of things like this. Clearly this has to do with the phenomenon that, as Lenin put it, communism springs from every pore of society. It has to do with the application of "solid core, with a lot of elasticity."¹⁴ Precisely on the basis of and through applying that, there can and should be an openness to, and a searching out of, things that can contribute to bringing a new world into being, even while, in and of themselves, they could never lead to that new world. That is another contradiction we have to be able to deal with in a living way, if we're ever going to get where we need to go—and we have to get where we need to go.

Constitutions and Laws, Property Relations and Class Interests

Now I want to move on and speak to some important questions regarding Constitutions and laws, and the exercise of political power (or sovereignty as it's sometimes called).

Constitutions, where there is a necessity for them and they play an indispensable role, establish the basic framework, principles and provisions (or, more baldly, the "rules") for how a government can and must function, how state power shall be exercised.

Constitutions, of whatever kind, both give definition to and institutionalize rights and at

the same time limit such rights in various ways. This is a reflection of the contradictory nature of reality in general, and more specifically of the contradictory nature of society—of the contradictions between freedom and necessity, between the economic base and the superstructure, contradictions within the economic base and within the superstructure, between different social groups and different interests in society. This applies in socialist society as well, even while it is already radically different from all previous societies in which there are class divisions, and is at the same time a transition to a classless society.

On the basis of a Constitution, laws embody and involve both protection and coercion, in regard to members of society and their rights. As I spoke to earlier, in socialist society for example, you can't go and decide that somebody has something that you want and it's unfair for them to have it, so you're just going to arbitrarily take it. There are laws which will prevent that. Those laws, in turn, are rooted in a Constitution, and there is still a state apparatus which, when necessary, enforces those laws through coercion, including physical coercion when that is what's required and nothing else works (and things like arresting and prosecuting people, and sometimes imprisoning them if they are convicted of a crime are, after all, precisely that—physical coercion).

So we have to understand this once again as materialists: As long as you have laws, and as long as you have a Constitution setting rules, this is going to involve both the protection of rights and the protection of people in society and, at the same time, coercion in regard to individuals and generally the members of society. This, once again, flows from a materialist understanding—it reflects where we are and where we have not yet gotten. Even when we have made the leap to socialism, it reflects where we are and where we have not yet gotten in terms of the social relations and in fundamental terms the production relations, but also the role of the superstructure in such a socialist society.

The Social Content of Law and Its Interpretation

Now, at the same time, all law has a definite social content: Law is a part of the superstructure and is ultimately an expression of the dominant social—and, most fundamentally, production—relations in the given society. I spoke to that earlier in terms of capitalist society, but it's true in socialist society as well. Marx made the point, speaking of law, that it is an expression of the prevailing property relations—or, we could say, of the more underlying production relations of which those property relations are in a sense an outward expression. I've spoken about the fact that, under the rule of the bourgeoisie (capitalist class) and with the dynamics of the capitalist system, there cannot be a law which grants people the "right to eat"—or, if there is such a law, it is not a law that can be effected and enforced without undermining those basic dynamics of capitalist society. This is another way of expressing that basic point of Marx's that we keep coming back to—that right can never be higher than the economic structure of society and the culture conditioned thereby.

In a society ruled by an exploiting class (or classes), such as the U.S. throughout its history, along with the basic content of the law and the way in which this reflects the prevailing property and fundamentally production relations, there is also a matter of the interpretation of the law, particularly by the dominant judicial institutions—above all, in the U.S., the Supreme Court—interpretation which itself will fundamentally reflect and serve the prevailing social relations (and again above all the production relations) and the interests and needs of the ruling class, interpretation which may change with changes in the particular ways those relations and interests find expression and are understood by various representatives of the ruling class—always, however, within the basic framework of this system of exploitation and its underlying dynamics.

Even supposedly fundamental Constitutional rights throughout the history of the U.S. not only can be—but particularly in times of "stress" or actual crisis in the system often are—sacrificed to the needs of the ruling class. We see this all the time, when there are rather stark judicial rulings that basically say that the interests of the state trump supposed rights, even basic rights. Look at what was recently done with Lynne Stewart—a lawyer who was prosecuted (in fact persecuted) and convicted of acts which supposedly aided someone condemned as a terrorist, who in fact happened to be Stewart's client. Here is a classic example where basically a higher court, representing more conscious representatives of the ruling class, said to the judge who had handed down her original sentence when she was convicted: "You didn't punish her enough." They demanded a harsher sentence. Really, and rather nakedly, this had nothing to do with Constitution and law—it was just stark exercise of dictatorship: "You didn't punish this person enough, take it up again and punish her more."

There are all kinds of decisions, even less crude than that, where it is said in rendering the decision: the interests of the state dictate (whether the word "dictate" is actually used or not, that is the essence) that this or that right be superseded, the interests of the state must prevail over this or that right which is supposedly enshrined in the Constitution.

So even fundamental Constitutional rights can be—and especially in times of "stress" or actual crisis in the system often are—sacrificed to the needs of the ruling class. And we see this all over the place today in the context of the so-called "war on terror." You have a trampling on *habeas corpus*—not only under Bush but under Obama as well. You have the invention and continuation of the "enemy combatant" status, where people can be held essentially without any rights in permanent detention. You have torture which is continuing under Bush—I mean under Obama. It has always been carried out by this ruling class and its state, but this was raised to an explicit level and openly justified under Bush; now it's still carried out under Obama. What happened to all those indictments that were being talked about, in terms of the people who wrote torture memos and carried out torture during the Bush years? We haven't seen any such indictments yet—but in any case the torture continues. And you have the Obama Administration openly declaring its right to authorize and, if it can, effect the assassination of American citizens whom it classifies as "terrorists."

In the "popular culture," through the seemingly endless "cop shows" and in other ways, there is a relentless assault on Constitutional rights, including something as basic as the right to legal representation. I think we should have a contest to see if anyone can name a cop show in which what are supposed to be fundamental Constitutional rights are not repeatedly spit on and stomped on. Think of the phrase that is continually used in these shows: "lawyering up." Translation: exercising what's supposed to be a basic Constitutional right to legal representation. This is repeatedly denigrated and assaulted with the pejorative phrase sardonically spit out: "Oh, you're going to lawyer up."

And one of the biggest travesties in American society—something which is also constantly trampled on in the "popular culture"—is the supposed presumption of innocence, which is totally inoperative. And now we have this whole phenomenon where people are tried in the media before they ever get into the courtroom, in a completely one-sided process where the defense has its hands tied. This is totally weighted in favor of the prosecution, even if and when competent advocates for the defendant might be able to get on the media—which sometimes they are prevented from doing by "gag rules" handed down by judges, which supposedly also apply to the prosecution, but it doesn't matter because you have prosecutors in the form of pundits sitting on the TV prosecuting. We've seen this over and over again: somebody is "guilty" before they ever get to the courtroom. They've already been convicted in "the court of public opinion"—and this has a general effect while also specifically influencing potential jurors.

Here I'm reminded of a story that my father used to like to tell about when he was a judge and in a particular criminal case they were having *voir dire* with a jury—the process whereby they see if the jurors are qualified and don't have prejudices, and so on. So one woman, a potential juror, was being questioned by a defense attorney, and he asked her: "Now, you do understand the presumption of innocence, right?" And she said, "Yes, I think so." "Well, you understand it means that, if my client is not proved guilty beyond a reasonable doubt, then you have to find him not guilty." "I think I understand that, yes." "In other words, if the prosecution doesn't make its case beyond a reasonable doubt, you're willing to just let him get up and walk a free man right out of this courtroom?" Then she paused and said, "Yes... But what if he does it again?"

Now, this speaks volumes to how the presumption of innocence is inoperative in this society—how in reality people are presumed guilty walking into the courtroom, in fact from the time they're accosted and arrested by the state and accused. All this, as I've been alluding to, is being taken to new depths with the epidemic of tabloidism in this society. And by the way, tabloids are not politically and socially neutral—just check them out some time—in general they have a very reactionary social and political content. This tabloidism is overwhelmingly bound together with reactionary social and political content. And there is, more specifically, the whole "subculture" of what I was just referring to—"media prosecution": Nancy Grace, that very sick person, and all the rest of it, where they repeatedly just hammer and hammer and hammer before people are even arrested, trying to get them arrested, and then hammer and hammer again to get them convicted.

The link between legal rulings and ruling class interests—some lessons from history

But besides these contemporary examples, let's pull the lens back a bit and look at the broader, historical sweep of things and how it illustrates the basic point I'm making here—that not only do the laws reflect the prevailing property and fundamentally production relations but so, too, does the interpretation of the law at various stages. Without going into great detail, let's just touch on a few striking historical examples.

A prime example is the contrast between *Plessy vs. Ferguson* at the end of the 19th century (1896), which upheld segregation as Constitutional, and the *Brown vs. Board of Education* decision in the middle of the 20th century (1954) which overturned it. Nothing fundamental affecting this had changed in the Constitution: the 13th, 14th and 15th Amendments, which codified the end of slavery and important related changes, had been passed well before *Plessy vs. Ferguson*—and between *Plessy vs. Ferguson* and *Brown vs. Board of Education* there were no changes in the Constitution which clearly prohibited segregation—but the ruling class, and its prevailing representatives, in the Supreme Court specifically, saw its interests one way in one historical period and another way in another historical period.

The same applies to the application of the 14th Amendment to the U.S. Constitution, which basically extended certain rights in the first 10 Amendments to the domain of the states and their powers and authorities, specifically prohibiting the states from denying people certain rights, including due process of law and equal protection under the law. This was particularly important in the aftermath of the Civil War, and this Amendment (the 14th) was obviously intended, in the period of Reconstruction right after the Civil War, to apply to former slaves especially. But how did the Supreme Court interpret it for a period of decades? Especially in the latter part of the 19th century, and into the 20th century, this was, to a very significant degree, interpreted on behalf of corporations. It was, in effect, interpreted to say that corporations constituted "corporate individuals"; and rulings were made on behalf of corporations in opposition to restrictions that were being imposed (or which might be imposed) on corporations. And we see an echo, or a revival, of this in the recent Supreme Court decision on corporate funding of elections, where the same sort of logic was applied, in which the rights of free speech of individuals are applied to corporations as, in effect, "corporate individuals." This was not the original intent of the 14th Amendment but, after Reconstruction was defeated and reversed (in the 1870s), and the interests of the ruling class were being directed in a certain way by its prevailing institutions and political operatives and leaders, this is how, to a large degree, the 14th Amendment was re-interpreted and applied.

All this also has to do with the particular—and peculiar, if you will—historical evolution of the United States. Today, we say this as one entity (almost as one word), but actually it has real historical significance: the "United States" of America. This is a reflection of the whole historical development of this country and of the bourgeois state (or the bourgeois/slaveowners' state for a certain period in this country, up until the Civil War in

the 1860s) out of 13 colonies, which were to a significant degree separate and distinct entities and had to go through a process, a halting and difficult process, marked by a lot of conflict among them, before they were able to form themselves into one unified nation-state, if you will. This peculiar historical evolution in the U.S. is different than other bourgeois societies where separate states or provinces don't have the same prominence and influence as they do in the "United States"—just think of that phrase—the "United States" (not always so united) of America.

To get a unified state power for the whole country, and to have that embodied in their Constitution, was a process of real struggle. If you read *The Federalist Papers*, for example, you can see this being struggled out, with the polemics that are being waged around this by people like Madison and Hamilton, arguing why the Constitution of the United States (replacing the Articles of Confederation) should be adopted.

The Peculiar History of the United States: Slavery, "States' Rights" and the Federal Government

And there is, along with this, the peculiar phenomenon in the history of the U.S. that—especially in the period after the Civil War, and particularly in the period of the New Deal with Roosevelt in the 1930s, and then again with Johnson's Great Society in the 1960s—the federal government has played the role of stepping in not only to, in effect, "save this system from itself" but more specifically to prevent certain local or state governments from carrying out acts which, in the context of the country and the world overall, might be injurious to the interests of the ruling class as a whole. For example, it is the federal government which—even under Eisenhower, a Republican president—sent troops to Little Rock in the 1950s, when there was a revolt on the part of the state government in Arkansas against the integration of the schools. The same thing happened in regard to George Wallace when, as the openly white supremacist governor of Alabama, he tried to prevent integration in that state in the 1960s.

In general, it has been the federal government that has made concessions to oppressed and "marginalized" people in this country. That has been the form in which those concessions have largely been made—the federal government acting to do this, frequently in opposition to local and state governments and the more particular interests they represent.

This is one of the reasons why in the U.S. the fascist movements that have developed have a strong anti-federal government posture—that whole "anti-Washington" thing, and the assertion of "states' rights," in opposition to the federal government as the embodiment of all evil. This, to a large extent, is an expression of the particular role of the federal government in relation to the state governments in the history, and even in the present time, within the U.S. As I'll speak to more fully later, in talking about some of these fascist movements, it is perfectly fine with them for the federal government to spend lots of money, and even to go into great debt, to wage wars and for other purposes which are in line with how these forces see their interests; but to them it is an

abomination for the federal government to do anything, spend any money or act in any other way, to make concessions to groups to which these people see themselves in opposition and antagonism. In fact, those drawn to these fascist movements in particular—although, unfortunately, this is a broader phenomenon in American society—have to a large degree defined themselves, in a real sense, in opposition to oppressed people in the U.S., especially Black people. This is essential to their identity as white Americans.

So this is a peculiar phenomenon that we should understand about the history of this country, the exercise of state power by the ruling classes and the conflicts within that—and why it is that many of the oppressed see, and are encouraged to see, the federal government as the recourse of last resort. It is a common occurrence, for example, that when the police murder somebody—and, as we know, the victims of this police murder are overwhelmingly Black people, as well as Latinos—and, as almost always happens, the police get away with this (either they are not charged with a crime at all, and it is simply declared "justifiable homicide," or in the rare cases where they are accused of a crime and tried, the trial is generally a farce, with the judge, openly or at least in the content of legal rulings, siding with the cop or cops on trial, and the prosecution conducting its case on terms and in a way that makes an acquittal more likely, as we saw yet again recently in the case of the cold-blooded murder of Oscar Grant in Oakland) there is then a call for the federal government to step in and prosecute the cop (or cops) involved for violation of the civil rights of the person who was murdered. It is important to understand the particularities, and the complexities, of this in order to be able to correctly "navigate" these contradictions and win people to see the real forces and interests involved, what the fundamental relations are, what the real problem is, and what the real solution is.

Bourgeois Political Philosophy, Its Limitations and Distortions

Next, let's return to the basic political philosophy which was elaborated by, or which in any case influenced, leaders of the bourgeois revolution and in particular the historical "founding fathers" (and they were founding fathers) of the USA. Let's focus on their concepts of tyranny and despotism, and how to prevent such tyranny and despotism. In this connection, one of the main things we've always heard about, growing up in this country, is the whole notion of the government functioning so as to effect the "separation of powers" and "checks and balances" against power being accrued to and accumulating on behalf of one particular individual or small group of people. I referred earlier to *The Federalist Papers*. Well, one of the main authors of *The Federalist Papers*, James Madison, writes the following in *The Federalist No. 47*: "The accumulation of all powers legislative, executive and judiciary in the same hands, whether of one, a few or many, and whether hereditary, self appointed, or elective, may justly be pronounced the very definition of tyranny."

This concentrates pretty well a lot of the bourgeois view of government and of the relation between government and the people. In opposing hereditary social status—but also, in line with what was expressed by Madison, in also opposing undue concentration of power as a result of election or appointment—the theoreticians of the bourgeois

revolution and bourgeois democracy believed that they had eliminated social divisions, as far as such divisions should be eliminated. They believed that they had established equality, as far as it should be established, and "equality before the law" stood as a decisive expression of this. They would not, or could not, recognize that social divisions, and antagonisms, were reproduced, and perpetuated, even if to a significant degree in some new forms, through the dynamics of the very system of which they were advocates: what is in reality bourgeois democracy—not classless or "pure" democracy—and the economic system in which this form of political governance is ultimately grounded and which it serves—capitalism. They would not, or could not, understand that this system is, in its own way, as much an embodiment of oppression—and yes, of despotism and tyranny, that is, of dictatorship—as the systems of hereditary hierarchy which they opposed, and worked to overthrow.

You see this very starkly expressed in the writings of Thomas Paine, particularly *Rights of Man*, where Paine repeatedly refers to and puts forward the NATION as a fundamental and decisive concept, as a kind of unified whole, with a common will, even as this nation is considered as a collection—but, note well, not a collective—of individuals, and more specifically individual property and commodity owners.

People like Paine, Madison and Hamilton talk about different interests in the society they advocated for, but this is essentially framed in terms of different property and commodity ownership relationships. Overarching in all this is the concept of the nation somehow having a common will which is worked out through the process of what is in reality bourgeois democracy—and bourgeois dictatorship. This, in their view, is grounded in the pursuit of their particular interests by different property and commodity owners, a process which somehow results in the greatest possible good.

Here it is not difficult to recognize the extension, in the political realm, of the theories of classical bourgeois political economy, as in the writings of Adam Smith, for example. And, here again, we can see the historical limitations in all this. As Engels summed up so incisively, drawing from the historical experience of the French revolution, the most thorough and radical of all bourgeois revolutions:

The great men, who in France prepared men's minds for the coming revolution, were themselves extreme revolutionists. They recognized no external authority of any kind whatever. Religion, natural science, society, political institutions—everything was subjected to the most unsparing criticism: everything must justify its existence before the judgment-seat of reason or give up existence.... Every form of society and government then existing, every old traditional notion was flung into the lumber-room as irrational; the world had hitherto allowed itself to be led solely by prejudices; everything in the past deserved only pity and contempt. Now, for the first time, appeared the light of day, the kingdom of reason; henceforth superstition, injustice, privilege, oppression, were to be superseded by eternal truth, eternal Right, equality based on Nature and the inalienable rights of man.

We know today that this kingdom of reason was nothing more than the idealized kingdom of the bourgeoisie; that this eternal Right found its realization in bourgeois justice; that this equality reduced itself to bourgeois equality before the law; that bourgeois property was proclaimed as one of the essential rights of man; and that the government of reason, the Contrat Social of Rousseau, came into being, and only could come into being, as a democratic bourgeois republic. The great thinkers of the eighteenth century could, no more than their predecessors, go beyond the limits imposed upon them by their epoch. (Engels, *Socialism: Utopian and Scientific*, as cited in *Democracy: Can't We Do Better Than That?*, p. 46)

Engels says "we know today" all this. Well, at least some of us—and in fact far too few of us right now—know this. Far too many have forgotten it, if they did know it. And there are far too many, including some communists, or former communists, who are latter-day personifications of precisely what Engels lays bare—who are turning backwards, harking back to the 18th century, and turning away from all that has been learned since that time, in particular the watershed breakthroughs that were made by Engels, and above all by Marx—while those on this retrograde path are proclaiming and insisting that they have discovered some new and transcendental truth, some universal and timeless principles that are the foundation for any just society!

In the eyes of the bourgeois democrat, not only is it an outrage to have societies which are openly based on hereditary divisions in social status, such as feudal society—or, in any case, divisions which are embedded in the formal structures and institutions of society, as with slavery as well as feudalism—but there is an identity between that and socialism, with the dictatorship of the proletariat, which also, in its own way, recognizes—and incorporates into its Constitutional principles, in ways which bourgeois (democratic) theory does not, the recognition of—different social divisions, even as its fundamental aim is to transform and transcend all such divisions.

Well, in response to this bourgeois-logical claim of identity between these radically different things, leaving aside the peculiar (and, yes, that's a very appropriate word) character of North Korea—which does have more resemblance to a feudal society ruled

by an hereditary Kim dynasty than to a genuine socialist society!—leaving that aside, the identification of socialism and the dictatorship of the proletariat with an arbitrary despotic aristocracy of entrenched and institutionalized privilege is a reflection of the superficiality and unscientific nature of bourgeois-democratic political theory. Let's examine this a little further.

Flowing from the nature of socialist society, including its role as a transition to a world free of exploitative and oppressive relations and social divisions, is the open identification, and constitution, of the socialist state as an expression of the interests, in the largest sense, of a particular class, the proletariat—leading ultimately to the emancipation of humanity as a whole from class divisions and all relations of exploitation and oppression and the destructive antagonistic conflicts to which these relations give rise—and the open role of this socialist state as an instrument of suppression of interests and forces that are, and that act, in antagonistic opposition to this. Yet, while the Constitution of a socialist state—and the governmental institutions, structures, and processes which it provides for—must take into account the social divisions which have been "inherited" from previous societies based on exploitative relations (and which will persist, in varying degrees and in various forms, for a long time in socialist society), at the same time the "rule of law" which must be embedded in the Constitution of a socialist state, as well as the specific laws that are promulgated on the basis of that Constitution (and which must be judged, as to their validity, in accordance with that Constitution) must be applied equally to every person in society. This is another contradiction that is difficult to handle but must be handled correctly.

Once again, you can see this embodied in a very living way—with all the contradictoriness and tension that's involved—in the *Constitution for the New Socialist Republic in North America (Draft Proposal)*. The class nature and role of the state for which this is a proposed Constitution is both openly and explicitly set forth in this Constitution, right from the start in the Preamble of the Constitution, and is embodied in the principles and provisions of this Constitution throughout, even as once again this Constitution would apply to everyone in that new socialist society.

But the most essential aspect of socialist society is its role as a transition, aiming—together with the revolutionary struggle throughout the world—toward the final goal of communism, which will uproot and eliminate class divisions and other social inequalities and oppressive relations, and together with that will bring about the abolition of all forms of the state, as an apparatus of repression, and all distinctions in which some individuals and groups have a disproportionate role, generally institutionalized, in one form or another, in determining the affairs and the governance of society. This, to once again invoke that trenchant phrase of Marx, embodies the leap beyond the narrow horizon of bourgeois right—a profound leap in the historical development of human social relations.

When held up alongside the radically emancipating communist vision and program, and the rupture and leap it embodies from all previous forms of human society to a whole new epoch in human history, the bourgeois-democratic view of the just and best possible society stands out sharply in its historically limited character and frankly puny dimensions, and the contrast is acutely illustrated between this and what is now possible—and now cries out urgently to be achieved.

Bourgeois Democracy: A Reflection of Material Interests and Forces

In light of the above, it is worth further examining bourgeois political theory and the character of bourgeois democracy as a reflection of underlying material bases and interests. As touched on earlier, in one important dimension—and this stands out rather starkly once we think about it from a scientific materialist standpoint—this is a reflection, in the realm of theory, of competition and contestation for power on the foundation of commodity relations. Why do people like Madison give such emphasis to the whole question of "separation of powers," and "checks and balances"? If you read *The Federalist Papers*, it comes through clearly, over and over again, that even while they may speak in more "universalist" terms about society, government, sovereignty, and so on, the writers of these Papers are viewing things through the prism of the particular kind of society of which they are the representatives and for which they are fighting to bring into being a unified government—a society that is emerging as a capitalist commodity society, even as it has a peculiar admixture, so to speak, of slavery. Their view of conflicting interests, and how to keep these conflicting interests at bay and prevent any particular interest from accumulating too much power, is all conditioned by the way in which they are, in a real sense, the personification of those emerging capitalist commodity relations.

Their views and their theory are also a reflection of mechanical materialism—force and counterforce. You see this repeatedly: not only in the U.S. Constitution but also in *The Federalist Papers* and other defenses and advocacies of this Constitution, there is a reflection of mechanical materialism, and the ways this outlook—including notions of equilibrium through force and counterforce—influenced the political philosophers and theorists of the bourgeoisie in its rising and revolutionary epoch. (Rather than going into this at much greater length here, I will refer to *Democracy: Can't We Do Better Than That?*, where the whole outlook of mechanical materialism, as opposed to dialectical materialism, and the influence of this mechanical materialism on bourgeois political theory, is discussed.)

Now, it's not that there is nothing whatsoever to the concept of "separation of powers." There is, in fact, something to learn and apply from this—in a radically different context and with a radically transformed content—in socialist society. But what I'm speaking to here is the whole way in which this is reflected in the bourgeois-democratic theory of people like Madison or, for that matter, Jefferson as well as Hamilton, Thomas Paine and others. And the fundamental point that needs to be emphasized is how this conception of "separation of powers" is at one and the same time rooted in a certain set (or system)

of economic relations of commodity production and exchange—where even human labor power itself is a commodity—and at the same time is declared to be universal, and to represent the highest and best form of society that human beings are capable of achieving.

The Notion of "Human Nature"—As a Reflection of Capitalist Society

This conception of "separation of powers," and the thinking that underlies it (or in any case is marshalled as justification for it—its ratiocination, if you will) is further a reflection of the influence of the Judeo-Christian view, and in particular the view of "fallen man" and the corresponding notions of an inherently flawed "human nature" which tends toward corruption and vice in the pursuit of self-aggrandizement. To refer again to *The Federalist Papers*, one sees repeatedly expressed there the authors' reasoning about why we have to have this particular check or balance, and that particular institution, in order to deal with what they regard as a basic fact—that people naturally tend toward vice, corruption and illicit acquisition of wealth and power—in order to be able to curb and control that, channeling it into a context where the common good is served. And, even while many of the philosophers of the bourgeois revolution, and specifically the "founding fathers" of the U.S., may have been agnostics (or in any case did not believe in traditional, or more literalist, Christian theology) these notions and concerns reveal the influence of the basic Judeo-Christian view of the "fallen nature" of man, as well as the concept of an inherent "human nature" which in reality is a "nature" that is conditioned by, corresponds to, and is reinforced by, not only the functioning of a society divided into exploiters and exploited in a general sense but also more particularly the dynamics of capitalist commodity production and exchange.

The bourgeoisie (capitalist class) presides over a system in which people are compelled by necessity—by the fundamental workings and dynamics of that system of capitalism—to compete with each other in a thousand ways, and this system too in a thousand ways promotes and rewards selfishness and surviving, and if possible thriving, at the expense of others. *Survivor!*—think what that television show is about and promotes. In the U.S., in particular, all this takes the form of extreme individualism and, along with that, a grotesque celebration of "winners" and denigration of "losers"—nobody has any use for a loser, and to the winner go the spoils. At every turn, these values and this worldview—serving this system of capitalism—are promoted through the pervasive reach and influence of the media, and culture in general, which are controlled and dominated by this same ruling bourgeoisie. And if all that is not enough, the functioning of this system is backed up, after all, by the armed power of the state, embodying the rule of this same capitalist class, enforcing and reinforcing the workings of this system and how this impels, and in many ways compels, people to think only, or overwhelmingly and before everything else, of self and the constant striving to gain advantage over others.

And then, with all this in effect, the bourgeoisie and the political theorists and philosophers (such as they are), as well as the various commentators, pundits, and other "opinion makers" who express the outlook of the bourgeoisie, relentlessly broadcast the "brilliant revelation" that, in this society, most people are selfish! And that is not all: They incessantly proclaim that this is some universal and unchangeable human character, or "human nature"—which makes it so that, lo and behold, the only possible system is the very one which generates and perpetuates this "human nature"!

Once again, whether thinking and arguments of this kind are put forward as a more straightforward and honest—ingenuous and "spontaneous"—viewpoint by "everyday people," or as a more worked out philosophical viewpoint, or in the more instrumentalist and often crude ways in which this is drilled into people by what amount to "hired ideological guns" of this system, the unifying point in all this is that this view of "human nature" is a reflection of the very system that it is defending. So things remain stuck on a treadmill, going around in a circle, within the self-contained confines of bourgeois logic and the narrow horizon of bourgeois right. Once one begins to really grasp the possibility of something radically different—once one ruptures with this framework and makes, in one's thinking, the leap beyond this horizon of bourgeois right—then the circular logic of all this, and its "inevitable conclusion" that things cannot be any different, fall to the ground. This is another expression of that crucial, incisive observation by Marx: "Once the inner connection is grasped, all theoretical belief in the permanent necessity of existing conditions breaks down before their collapse in practice."

With all this, there is, in bourgeois-democratic political philosophy, the negation, or ignore-ance, of the fundamental reality that bourgeois democracy is after all bourgeois dictatorship and that this dictatorship serves to enforce relations of exploitation and oppression and the profound social antagonisms bound up with this. Yet again, we are back to "birds and crocodiles," and specifically what has been said earlier about the relation between the economic base and the political-ideological superstructure.

All this also sheds a clear light on the actual role of elections in capitalist society, under the rule (yes, the dictatorship) of the bourgeoisie (capitalist class). In situations where society is divided into classes and marked by antagonistic social conflicts, elections are not, and cannot be, the highest or most essential expression of "the will of the people," or of their most fundamental needs and interests—nor, in such circumstances, do elections provide any fundamental means for changing the basic nature and direction of society. This is especially so with elections that are held under the conditions of rule by the capitalist class and are conducted and shaped in accordance with the requirements and dictates of the capitalist system. Why this is the case, and is bound to be the case, is again an expression of what has been examined so far concerning the relations between the economic base and the political-ideological superstructure in any society, and specifically the way in which the economic base (the prevailing relations of production)

fundamentally and ultimately set the terms, the conditions, and the confines, for what will, and must, predominate in the realm of politics, including elections, as well as in the realm of culture and ideology.

And, yes, this basic principle—that elections in a class-divided society cannot be the highest expression of the interests of the people and of their fundamental needs—applies in its own way as well to socialist society, even while there is an important role for elections in such a society.

The Basic Nature, and the Constitution, of a Socialist State

So, with the above in mind, let's turn specifically to the role of a Constitution, and laws, in a socialist state—and the similarities and profound differences with the Constitution of a state ruled by an exploiting class (or classes).

A socialist Constitution must be based on, and must flow from, a scientific, dialectical materialist understanding of the dynamics of the historical development of human society, the basis and role of governments, and specifically the emergence and role of the state, as discussed earlier. It should correspond to the nature of socialism as an economic system as well as a particular system of political rule, the dictatorship of the proletariat, and as a transition to communism; and such a Constitution, at any given phase of this process—any given stage in this overall transition—should both in a general sense embody the relations, principles and objectives which are appropriate to that stage and give space to and foster the struggle to carry forward that transition toward more advanced stages of socialism, and fundamentally toward communism, together with the struggle for that goal throughout the world.

At certain crucial junctures—certain decisive "nodal points"—in this process, the struggle to carry forward the transition toward communism, and to defeat attempts to reverse this process and in fact to restore a system based on exploitation, may result in the necessity to revise certain aspects, including even certain decisive aspects, of the existing Constitution—or even perhaps to adopt an entirely new Constitution. But the orientation and actions of the authorities and instrumentalities of the state must, at any given point and overall, be in accordance with the Constitution as it exists; while, as far as possible, this Constitution should include and indicate the means by which it can be revised (or amended). This is also a point to which I will return later in this talk.

But here it is important to explore more fully the fundamental differences between Constitutions and laws—and the political process overall—in socialist society, as compared to capitalist society, owing to the profound difference between the nature, and dynamics, of the underlying economic system and relations, as well as the social relations, and the nature and objectives of the political process.

To refer to what is said in a very important part of the Preamble of the *Constitution for the New Socialist Republic in North America (Draft Proposal)*: the governing bodies and processes of the socialist state, at all levels, must be vehicles for the furtherance of the

communist revolution. That is their most fundamental nature and purpose. Constitutions in a society ruled by a bourgeois dictatorship, as for example the Constitution of the United States of America, are in fact vehicles for the maintenance and furtherance of the capitalist system of exploitation—and this is all the more insidiously so, because they do not directly and explicitly state this, but appear and claim to be setting forth principles which apply equally to everyone in society without mention of the particular nature of the system and the class that dominates in that system.

Here, by contrast, is an extremely important point: The fundamental nature and role of a Constitution, and laws, in a socialist state—and the radical difference between this and Constitutions and laws in a capitalist state—must be understood not only in light of the essential nature of socialism as a transition, and the need for continuing struggle against the remaining vestiges of the former society, in the superstructure of politics and ideology, as well as in the economic base and the social relations, but also in the way in which this must involve a continuing struggle against spontaneity; whereas capitalism, and the corresponding system of bourgeois political rule, or dictatorship, can to a significant degree rely on spontaneity, even as there is a continuing need for conscious policy and "political intervention," on the part of the bourgeois state and bourgeois political representatives and operatives, in the functioning of society, including the economy.

Without going into great detail here, you can see this need for "political intervention" on the part of the bourgeois state, and bourgeois representatives and functionaries, sharply illustrated in the 1930s Great Depression—where Roosevelt had a lot of necessity and, in the face of rather intense struggle among the representatives of the bourgeoisie, he took initiative to institute policies to basically save the capitalist system from itself through the role of the state. And we see this in the current period, with the most serious economic crisis since the Great Depression—a continuing crisis—with the recent massive "bailouts" of financial institutions, as well as other measures, all of which once again has involved intense struggle, for example over whether to extend or not extend unemployment benefits.

We see the role of "political intervention," obviously, in the wars that are waged by the bourgeois state, which are very extensively going on today. We see this in what I referred to earlier, in speaking of not only the passing of laws, but the interpretation of laws according to varying understandings of the interests of the ruling class on the part of various representatives of that ruling class. Sometimes the need for "political intervention" on the part of the ruling class and its representatives involves reinterpretation—or even, at least objectively, going directly in violation—of the Constitution of the bourgeois state. This, too, is starkly in evidence in the U.S. in these times.

But this is still radically different from socialist society, particularly in that to a large degree the bourgeoisie can rely on spontaneity while the socialist state and the vanguard party leading the revolutionary process in socialist society not only cannot rely

on that, but in fact have to go up against, and repeatedly struggle and lead people in struggling against, spontaneity.

The Constitution in socialist society, and laws flowing from and in accordance with that Constitution, will, at any given point, establish the framework and set the general terms in which the functioning of society, including contestation of opposing views and programs, will take place. The nature of socialist society, as spoken to here, will require the application of the basic principle of "solid core, with a lot of elasticity," and this is why you see this written directly into and explicitly referred to in several places in the *Constitution for the New Socialist Republic in North America (Draft Proposal)*. With regard to the Constitution and the functioning of government, and the political process overall, this will, at least for a long ways into the socialist transition, involve, as a pivotal expression of "solid core," the institutionalized leading role of the communist vanguard, embedded in the Constitution and spelled out there in terms of this vanguard's essential role and relations with key institutions of the state and government. At the same time, this Constitution must embody the basic principles and "rules" which will apply to all members of society and every institution in society, including the communist vanguard and its role in relation to the state and government.

An Historic Leap, A Whole New Height and Vista

All this underscores the need—especially for the solid core which is, on a scientific foundation, firmly convinced of the need for and deeply committed to the struggle to achieve communism—to recognize, to firmly grasp, that indeed communism does represent a radical rupture, a truly historic break and leap, in both theory (or ideas) and in practice (that is, the social interaction of human beings—in the realm of politics and other spheres of the superstructure as well as in the economic and social relations—and the interaction of these human beings with the rest of nature). Communism involves a leap to what is truly, and profoundly, a whole new height and vista—from which all of human practice and theory can, and must, be viewed in a radically new, and more fully scientific perspective (even as that science must continue to be applied and further developed).

This underscores the need for the solid core to itself fully rupture with the bourgeois-democratic outlook and approach, and on that basis and from that perspective to incorporate from the bourgeois-democratic viewpoint and principles what can be incorporated—while this is, in some important aspects, transformed—to serve the socialist system and the transition to communism. It is not simply a matter—nor is the essence of the matter—that, as Lenin put it, socialism, with the dictatorship of the proletariat, is a million times more democratic, for the masses of people, than capitalism, with its dictatorship of the bourgeoisie. Beyond that, the socialist system embodies and involves—and must embody and involve, if it is in fact to carry forward the transition to communism—a radically different process, which is emancipating in a qualitatively different and greater way.

Recognizing and confronting a real contradiction

In this connection, it is necessary to squarely recognize and honestly confront what is in fact a very real contradiction—which at times can become an acute contradiction—in socialist society, particularly while the vestiges of the former society and a still powerful position of imperialist and reactionary states remain in the world. This can be formulated as the contradiction between the fundamental and largest interests of the masses of people, which do lie in the advance to communism, and on the other hand the influences and "pulls" on various sections of the people away from the path of that advance, owing to the remaining material and ideological strength of outmoded relations and reactionary classes and forces. Or, to put this in terms which are perhaps "less elegant" but speak to the way this contradiction will at times pose itself (at least outwardly): the conflict between what the basic needs of the people are and what at least sections of the people may "spontaneously want" at any given time. This contradiction provides, or is at least a significant part of, the objective basis for all the accusations that communism represents the attempts of utopians to impose an impossible vision on society which leads them to have to resort to the most ruthless tyranny.

In preparing for this talk (and in relation to other work), I went back and re-read Plato's *The Republic*. It is striking, and even in a sense astounding, how on the one hand someone like Plato is held up as such a pillar of Western thought, down to the present age, someone who is still highly relevant, and yet how such stark elitism is openly expressed and avidly defended in *The Republic*—through the open advocacy of the need for philosopher kings (or "guardians") to rule over the people in order for society to function in an orderly way and in the best interests of the people. It is explicitly argued in *The Republic* that all kinds of provisions and steps have to be taken to keep these "guardians" (or the philosopher kings and their enforcers, in effect) from acting out of narrow self-interest. It is not narrow self-interest on the part of these rulers that is being advocated, it's quite the opposite: what is argued is that only with such people ruling society can the actual interests of the people be upheld against their own more narrow and philistine inclinations. That's the heart of what's argued over and over again, from many different angles; this is very striking in *The Republic*.

And you can see from this why people like Popper,¹⁵ for example, locate the origin of totalitarianism in this work by Plato—and in Plato's philosophy generally—and its core arguments and assumptions. And then, of course, Popper extends this to Marxism and communists. Well, besides all the other ways in which communism is radically different from Platonic thought, there is the fact that, once again, the material conditions in the world today are radically different than in the society and world envisioned in *The Republic*, just as the objectives and methods are radically different.

But there is still this contradiction—which once again can be expressed, or finds expression at least outwardly, as the conflict between what the basic needs of the people are, in the most fundamental and largest sense, and what at least some among the

people may "spontaneously want" at any given time. And here does enter in the necessary role of the vanguard, and at the same time all of the accusations associated with that—accusations of not only elitism but of tyranny, the exercise of dictatorship in the bad sense, and so on and so forth.

Now, notwithstanding the distortions in such accusations, there is a real contradiction involved, and correctly handling this contradiction, in a way which adheres to and continues the advance on the road to communism—and at the same time also adheres to the principle that this advance must fundamentally rely on the conscious initiative of the masses of people and their increasing involvement in actually determining the direction of society and in the functioning of the socialist state, in the context of the overall world struggle for the goal of communism—handling all this correctly will constitute a great challenge throughout the socialist transition. And this will be especially so, as long as the forces and influences of the old order and of reactionary powers remain a significant phenomenon, within any particular socialist country and on a world scale. Here, again, a living application of the basic principle and method of "solid core, with a lot of elasticity" will have crucial application and importance.

Once more, the *Constitution for the New Socialist Republic in North America (Draft Proposal)*, produced by our Party, addresses this contradiction in some important dimensions. But this, in a larger sense, is a major problem to which deepening attention will need to be paid—now, and in an ongoing way, both before and after the seizure of power and establishment of a new socialist state.

Socialism and Capitalism, Constitutions and Laws: Similarities—and Profound Differences

What I have been discussing here, and the points that I have highlighted, must find expression not only in the Constitution, but also in the laws and government institutions and processes that are an extension of that Constitution, at every point in this socialist transition.

Laws in socialist society, and the Constitution in which they are ultimately based, must at any point in the process of this transition toward communism reflect the prevailing social (and fundamentally economic-production) relations. In this sense, laws in socialist society share a significant feature in common with laws in capitalist society in that, in both cases, the law is a reflection of the prevailing property relations—and of the production relations, of which the property relations are an outward expression. But there is a radical difference between capitalist and socialist production and property relations and the whole process and dynamics of the operation of the economic system as the foundation of the society as a whole. Yet, even with this profound difference, this is complicated by the fact that, on the one hand, socialist relations are not fundamentally relations of exploitation and oppression, but at the same time they contain remnants and elements of that—and there is the need for ongoing transformation of those relations, toward the ultimate goal of finally and fully eliminating all vestiges of

exploitation, oppression and social antagonism, through the advance to communism, on a world scale. This particular character, and motion, of the fundamental contradictions in socialist society will find expression, at any given time, in the laws, as well as the Constitution, of such a society; and handling well the contradiction and motion involved in all this is crucial in terms of both enabling socialist society to have relative stability and to function at any given time, while at the same time it is carrying forward—through struggle which will often be intense and at times become acute and tumultuous—the transition toward the final goal of communism.

Now, in this context it is worth briefly saying a few words about the applicability—and non-applicability—of "separation of powers" and "checks and balances" in a socialist society, with the dictatorship of the proletariat. Clearly, from what I've said so far, it stands out that the application of this will be very different than in capitalist society, with the dictatorship of the bourgeoisie, just as the overall society is radically different. But there is a valid application of the principle of not allowing too much power—or, to put it in those terms, an inordinate amount of power—to accrue to any particular institution or any particular group; this, in turn, flows from deeper contradictions which mark socialist society, and which are the basis for the fact that there are in socialist society not only contradictions among the people, including those between different sections of the people, but also contradictions between the people and the government—which, again, is spoken to explicitly in the *Constitution for the New Socialist Republic in North America (Draft Proposal)*, where basic principles and means are set forth for how that contradiction should be handled in such a society. So there is a real concern—and there is a need, along with the general concern and need to correctly handle the contradiction between the government and the people in socialist society—to pay attention to preventing power from accruing unduly in a particular institution, or a particular leading body. And this does get acutely expressed around the role of the vanguard party, which is on the one hand a necessity and is crucial in terms of the society remaining on the socialist road, but is also a locus, and a potential concentration point, of the larger and underlying contradictions of socialist society precisely as a transitional society. This too is spoken to directly in the *Constitution for the New Socialist Republic in North America (Draft Proposal)*.

Once again, we are back to that very profound and decisive point in the Manifesto from our Party—that the material conditions provide both the basis for the advance to communism and obstacles to that advance. This is reflected in the transitional nature of socialism: even as socialist society is and must be a real entity and must in fact have relative stability and the ability to function, it is also, and most fundamentally, a transition to a communist world—part of the struggle for a communist world, and in an overall sense a subordinate part of that struggle. The challenge, once power has been seized and consolidated and the socialist system established, is to continue to handle these contradictions, with all the complexity and tumultuousness this will inevitably involve, in a way that continues to lead things forward on that broad road toward communism, together with the revolutionary struggle in the world as a whole.

In this light, let's touch briefly on the role of elections in socialist society, with the dictatorship of the proletariat. Here, too, it is helpful to call attention to how this is handled, and spelled out in some detail for very real and important reasons, in the *Constitution for the New Socialist Republic in North America (Draft Proposal)*. This reflects the fact that there are significant and important aspects in which, in socialist society, elections can play a positive role, in relation to organs of government and, more fundamentally, in fostering debate and ferment around major social and international issues and events and affairs of state.

At the same time, there are very real limitations, in terms of the role of elections in socialist society, in relation to the overall character of socialism—particularly its character as a transition—and the final goal to which socialist society must aim. And there is the danger—which must be recognized, and safeguarded against and combatted—of such an electoral process turning into contestation and competition which is based on and expressive of, and which fosters, the bourgeois world outlook. This is obviously what is strikingly manifested in elections in capitalist society, but the same sort of influences and the same kinds of manifestations of that outlook can easily find expression in the context of elections even in the radically different framework of socialist society. This has to be consciously recognized and combatted.

Here it is necessary to emphasize again the basic point that, while if approached in the correct perspective, in light of the basic nature and objectives of socialist society, elections can play an important positive role in such a society, they are not, and cannot be, the highest and most essential expression of the will of the people, nor of their most fundamental and largest needs and interests. They cannot be raised above, but must be understood in the context and framework of, the overall character and role of the political-ideological superstructure, and more fundamentally the economic base with which this superstructure must ultimately correspond. While this is obviously so in a society, such as capitalist society, which is ruled by an exploiting class—that is, in such a society it is profoundly true that the basic needs and interests of the masses of people cannot be expressed or achieved through elections—this is true in socialist society as well, whose final aim is the elimination of all exploitative and oppressive relations. The continuing transformation of the economic base and the superstructure in the direction of communism must remain not merely some abstract goal but a guiding principle through all the functioning of governmental institutions and the dynamics of socialist society overall, and through the leadership which needs to be applied in relation to all that.

A Legitimate Understanding of "Legitimacy"

With this understanding, it is worthwhile to briefly pose and counter the argument of a comrade in the international movement concerning the "defensiveness," as he phrased it, of the communist movement since the time that the Bolsheviks, with Lenin's leadership, dissolved the Constituent Assembly (the elected legislative body) in Russia during the Russian Revolution. This comrade made the argument that, ever since that

time, communists have been on the defensive because they've been accused of being undemocratic, instituting dictatorship against the express will of the people, and so on and so forth. This is a fundamentally misguided and flawed understanding of the question of political legitimacy, and what establishes political legitimacy, but also and more fundamentally of the actual dynamics of society and how the interests of different groups, and in particular different classes, find concentrated expression and become battled out, and what role elections have to play in relation to all that. To put it straight up: If it is a question of continuing with an outmoded institution which would be dominated by influences and forces leading to the restoration of the system that has just been overthrown—for god's sake (if you'll pardon the expression) dissolve that institution and create new ones which will be instruments for the furtherance of the communist revolution; and Jesus Christ (to continue that mode of expression) don't be defensive about it!

Here, yet once more, we are back to "birds and crocodiles" and what this metaphor captures in terms of the dialectical materialist understanding of human society and its historical development—and more specifically the relation between necessity and freedom, and between the economic base and the political-ideological superstructure. This is what sets the fundamental terms for all institutions in society and their functions and roles and the processes, in particular the political processes, which characterize the society at any given point.

Now, it is important to emphasize that this basic understanding and orientation will have different application in different circumstances. More particularly, when what is immediately involved is the defeat and dismantling of the institutions of the old, reactionary state power and the establishment of the new, revolutionary state power, this orientation will apply differently than in the situation where the seizure of power—and the establishment of the new state, with its essential institutions—has been carried out and consolidated. In those latter circumstances, as has been repeatedly emphasized, the new socialist state must function on the basis of a Constitution, and laws that are in conformity with that Constitution, even while there will be times when the ongoing transformation of society will call forth the need for changes in the Constitution.

Here it is worth briefly returning to and re-emphasizing some decisive points that were touched on earlier. The essential character of socialism as a transition—and, in accordance with that, the need for the production relations, the social relations and the political and ideological superstructure to undergo continual transformation, in the direction of communism, as part of the revolutionary struggle throughout the world toward the same ultimate goal of communism—all this means that, even as the Constitution and laws of a socialist state must, at any given point in this process, reflect the current character of the production and social relations, they must also provide the means for the continuing transformation of those relations as well as of the political-ideological superstructure itself, in order to continue to advance toward communism. At any given point, laws, and the rule of law, grounded in the Constitution—even as they are a reflection of the prevailing property and underlying production relations—must apply,

and be applied without discrimination or distinction to everyone in society; yet it will also be true, as a reflection of the character of socialism as a transition, that at various stages—and particularly when qualitative changes have been carried out, or when the need for carrying out such changes, in the economic (and social) relations, and in the superstructure, is acutely posed—there will be a need for the Constitution itself to be changed, in part or perhaps even in its overall construction, in order to reflect these transformations and the continuing struggle to carry them out.

Communism—A Radical, Epochal Transformation

Now, with the achievement of the final goal of communism, there will no longer be a need or place for Constitutions and laws, as such or at least as we are familiar with them. This does not mean, as is also spoken to in the *Constitution for the New Socialist Republic in North America (Draft Proposal)* that there will no longer be a need for government. Here I won't repeat, but will refer you to, what is said there about why there would still be a need for government in communist society and what its basic purpose and role would be.

But let's return again to the achievement of the "4 Alls" as the embodiment or encapsulation of the advance to communism: the abolition of all class distinctions, of all the production relations on which those class distinctions rest, of all the social relations that correspond to those production relations, and the revolutionizing of all the ideas that correspond to those social relations. With the achievement of that, there would no longer be the need for institutionalized Constitutions and laws which would reflect remaining elements of antagonistic relations among people. That doesn't mean there would no longer be a need for principles—or, if you will, "rules"—for how the government would function, but they would not need to be embodied in a Constitution and in laws as those have existed in previous societies, including socialist society. Exactly what form that would take with the achievement of communism is something we should wrestle with in an ongoing way—and hopefully we will, in this new stage of the communist revolution, acquire increasing experience on an international scale, in one country after another, in wrestling with how things would actually take shape as the transition is carried forward toward communism. But we can say with certainty that there is a radical, epochal difference between the role now of a Constitution and laws as a reflection of existing—in fact prevailing—antagonistic relations in capitalist society, and what the role of government and the character of "rules for government" would be in a communist world.

The transition from the bourgeois to the communist epoch

To achieve communism, with the realization of the "4 Alls," requires not just transformation in the superstructure, and not just transformation of the production relations and the social relations as a whole but, in dialectical relation with that, the achievement of a material abundance sufficient so that the necessities (not only material but also intellectual and cultural requirements) of a decent life for everyone on this

planet are—and can be assumed to be—assured, and there is also a sufficiency so that not only can resources be available for continuous expansion of the economy and provision for the future, but also—and this is very important—that specialization in various spheres (which, realistically, will continue as a significant phenomenon in a communist world) would not, and could not, lead to relations of inequality in social status, or even to social antagonisms.

At the risk of committing, yet again, the "unforgivable sin" of being "self-referential," let me cite here a passage from an earlier work of mine, as it is very relevant to this question of the transition from the epoch of bourgeois society (and all preceding class society) to the epoch of communism. In this work, as part of a discussion of "Egalitarianism and Common Abundance Under Socialism," and specifically the orientation of increasingly achieving common abundance and general egalitarianism (in contrast with absolute egalitarianism), the following is emphasized:

Not only is common abundance important as an overall goal and guideline in terms of advancing through the socialist transition to communism, but at each stage, in each spiral of this process it is important to make further progress in moving toward such common abundance. Understood in this dynamic sense—in terms of movement and not in absolute terms—common abundance and general egalitarianism should characterize socialist society through each of these stages, or spirals. The advance to communism should involve raising the material conditions of the people from one more or less equal plane to another...and then another...while continuing at each stage to narrow the remaining differences among the people to the greatest degree possible.¹⁶

The advance, through the socialist transition—beginning in one or a few countries and fundamentally on a world scale—to this new plane of human existence, embodied in communism, must and can only take place through the correct handling of the contradictions and struggles involved in interacting with and transforming nature, to continually develop the productive forces in an expanding and sustainable way, in dialectical relation with transforming the production relations and social relations, and the superstructure of politics, ideology and culture, within a socialist country—all that, in turn, in interrelation with the contradictions and struggles marking the world as a whole.

All this will obviously involve an extremely complex process, which will assume acute form at certain junctures, or nodal points; and to handle all this correctly will just as clearly require a continually deepening grasp, a living application, and an ongoing development of the science of communism, with its foundation in dialectical and historical materialism, by ever widening numbers of people—even while among the ranks of those people there will be, at any given time, unevenness in terms of their experience and understanding, with regard to particular aspects of reality and their grasp of and ability to apply this science, or particular aspects of it. Here again is the challenge of giving life to and "embracing" this whole complex process in such a way as to, in an overall and ultimate sense, keep it going forward, through all its complex and contradictory motion, toward the goal of communism.

As touched on before, the achievement of communism, on a worldwide level, will bring an end to the state, but not to government. It will bring an end to the need for Constitutions and laws, for rules of government, at least in the form in which this has taken shape in a class-divided society, including socialism. But, once again, this will not mean, and could not mean, the elimination of constraint and coercion in any form. Nor, of course, will it mean on the other hand the end of freedom, for the members of society (or the community of human beings); in fact, the freedom of people will be much more fully and consciously exercised. But it will mean the end of the need for the institutionalized expression of the rights—and the responsibilities as well as the constraints on the rights—of the people in society, as embodied in Constitutions and laws, particularly those characteristic of a class-divided society. As I have touched on earlier in this talk, and as we have, for very good reason, repeatedly stressed: Freedom does not lie in the absence of all constraint; it lies instead in the recognition, and transformation, of necessity.

Here we can think about the questions that are posed, toward the end of *Democracy: Can't We Do Better Than That?*, concerning what kinds of contradictions people will be confronting in communist society, how they will wrestle with those contradictions, and what means they will be able to forge for dealing with those contradictions? The point is made in relation to all this, and it is a very important point, that just to pose such contradictions—to conceive of and begin to wrestle, even in the very elementary way we can now, with these contradictions—brings into sharp relief the fundamental, radical difference between that world of communism and the present world, dominated as it is by the capitalist-imperialist system, with its historically confined and outmoded conception of freedom, its oppressive and exploitative nature, and the terrible and unnecessary suffering this brings to the masses of people, to humanity as a whole.

Communism and Capitalism: Fundamentally Contrasting Views of Human Nature and Human Freedom

So here, once more, I want to return to the question of "human nature"—specifically in relation to the advance to communism, which represents a transition not just beyond capitalism, and its remnants in socialist society, but in a larger sense a transition from a whole prior epoch of human history—including early communal society as well as different forms of class society—to an entirely new era in human existence. This new era, of communism, represents not some kind of "perfect state"—one in which, somehow, there are no contradictions, in human beings or in human society—but a whole new "plateau" upon which human beings will continue to interact, with each other and with the rest of nature, on a qualitatively, radically different basis from how such relations have found expression in the past.

You often hear in various bourgeois political theorizing, and in some popular versions of this, the phrase: "If men were angels." This is invoked to say: "Well, of course, if people were perfect, then we could have a wholly different society, we wouldn't need all these constraints on people and on power, checks and balances, and so on; but men are not

angels and therefore"—here, among other things, we're back to the Judeo-Christian view of "fallen man"—"therefore we need this kind of society and government which curbs, or provides the necessary framework to contain, in a way that serves the greater good, the inherent tendencies in human beings and in human nature toward selfishness, toward vice and corruption, and so on." Well the point of communism is not, let us underline, that men, or women, will become angels. The point, once again, is not that there will be no contradictions within human beings, or in human society, or in their interaction with the rest of nature. Rather, the point—and it is a profound point—is that this will be on a qualitatively and radically different basis, in terms of the economic base and the political-ideological superstructure of society: the production and social relations, the political relations and institutions, and the thinking of the people.

Contradictions and struggles will still mark—and will still be the driving force in—all of reality, including the human beings who make up society. Communist society, and the human beings who make it up, will continue to undergo change, even qualitative transformation of one kind or another; they will continue to confront necessity and struggle to transform necessity into freedom, which will give rise to new necessity—and on, and on, endlessly, so long as human beings exist. "Human nature," too, as part of this overall process, will continue to undergo change. But, again, the point is that all of this will be on a qualitatively, radically new basis and new plane.

This, by the way, certainly does not mean that, once the epoch of world communism has been reached, there will then be nothing to learn from previous historical experience, or from philosophy and the many different spheres of "working with ideas" in previous eras which have striven to synthesize that experience into understanding about nature, society and the human beings who make up society. All this will remain a tremendous treasure-house for humanity, one which will be continually added to. But the point is that this will be able to be approached on a whole new level by society in general, as well as by particular individuals—from a radically new standpoint—in relation to previous eras in human history. The principle of "embraces but does not replace" will have application, and will be applied, to this acquired experience and knowledge. (In this connection, what is discussed in "A Scientific Approach to Maoism, A Scientific Approach to Science"—in *Observations on Art and Culture, Science and Philosophy*¹⁷—is very relevant.)

By way of review and summation, then: There is a profound, and yes epochal, contrast between communist society and not only capitalist society, but all previous societies. This includes an epochal contrast in the conception of freedom and rights. Here it is worth referring briefly to what is discussed in *Communism and Jeffersonian Democracy*¹⁸ concerning positive and negative freedom.

To bourgeois theorists—and again you can see this reflected in writers like Paine, Madison and Jefferson, as well as the leaders and (so to speak) the inspirers of the French revolution—freedom is conceived overwhelmingly in essentially negative terms. It is cast in terms of protection from the encroachment of government, and protection from other people in society lest they resort (or regress) to a "state of nature." But

communism embodies a vision of freedom based on the understanding that freedom lies in the recognition and transformation of necessity—and this actually involves a conception of freedom in a much greater dimension and, yes, a positive character, as well as encompassing aspects of negative freedom, that is, protection from government abuse and abuse by other individuals. This freedom lies fundamentally and essentially in the ability of people to act together, and to struggle over how to act together, to radically transform society, in interrelation with transforming nature: to first of all uproot exploitation and oppression and social antagonism and move to a whole new era beyond all that, and then to interact with each other, and with nature, through non-antagonistic relations, to continue transforming the world and, yes, people, on an increasingly conscious and voluntary basis—not an absolutely conscious and absolutely voluntary basis, which would fly in the face of reality, but an increasingly conscious and voluntary basis. This is a very powerful expression of positive freedom.

Capitalism is mired in, and gives constant expression to, not only relations of exploitation but, bound up with that, "commodity fetishism"—the way in which people are impelled, and in a real sense compelled, to relate to each other not essentially as human beings but as owners (virtually as embodiments) of commodities to be exchanged. With this comes the atomization of individuals. All this rests on and is driven forward by concealed social relations of exploitation—as well as more overt relations of exploitation and oppression—and it is marked by the corresponding conceptions of freedom, and of the role of government and its relation to individuals in society. This is very starkly illustrated in the U.S. Declaration of Independence and Constitution. What is expressed there is a viewpoint of individuals as property owners and owners of commodities who are, in significant ways, in conflict with each other, even as they attempt to function together in one society to overcome "the state of nature," and to somehow utilize force and counterforce to keep things from becoming antagonistic within that society.

Socialism represents the open recognition of existing antagonistic social relations, and a conception of freedom and of association among people based on the fundamental goal of overcoming such relations and divisions, achieving the "4 Alls" and transcending the "narrow horizon of bourgeois right." It involves conscious initiative and momentum to move beyond commodity relations and the corresponding division, and alienation, among atomized individuals, replacing all this with forms that give expression to and foster social intercourse on a cooperative basis among the members of society while actually, in this framework, giving greater scope to individuality.

This orientation, and the recognition of continuing struggle to create the basis for the fuller expression of this with the achievement of communism throughout the world: that is what needs to be embodied in the principles and provisions of the Constitution for a socialist state and laws based on that Constitution.

1. *Communism: The Beginning of a New Stage*: A Manifesto from the Revolutionary Communist Party, USA (RCP Publications, 2009). Available online at revcom.us. [\[back\]](#)

2. *Revolution: Why It's Necessary, Why It's Possible, What It's All About*, a film of a talk by Bob Avakian, 2003, distributed by RCP Publications and available online at revolutiontalk.net; selected clips available at youtube.com/revolutiontalk. [back]

3. Bob Avakian, *Communism and Jeffersonian Democracy* (RCP Publications, 2008). [back]

4. Historically in the communist movement, "economism" refers to a trend that has insisted that the way to build a movement for socialism is to focus on the more narrow sphere of the relations between workers and their capitalist employers and the more immediate and limited struggles to which this gives rise—an approach which in fact limits the struggle to one for reforms within the existing system, rather than revolution to abolish this system, as the first step, or leap, in radically transforming society, and ultimately the world as a whole, to abolish all relations of exploitation and oppression. (More generally, "economism" can refer to an orientation that at least objectively amounts to striving for reforms within this system, divorced from—and ultimately in opposition to—building a movement for revolution. This is captured in Lenin's pungent phrase, characterizing this trend: "The movement is everything, the final aim nothing.") Not understanding, fully and fully correctly, the actual dynamics of the capitalist system can reinforce economist and reformist tendencies to see the problem as just one of the "greed" of the capitalists, or of too much influence and power on the part of corporations, etc., rather than understanding the fundamental reasons why this system cannot be reformed, and must be abolished through revolution, and why a radically new system, socialism and ultimately communism, can open the way to completely new and unprecedented dimensions of emancipation for humanity as a whole. [back]

5. This article, by Bob Avakian, first appeared in *Revolution* #194 (March 7, 2010), and is available online at revcom.us. [back]

6. *Constitution for the New Socialist Republic in North America (Draft Proposal)*, from the Revolutionary Communist Party, USA (RCP Publications, 2010). [back]

7. "Making Revolution and Emancipating Humanity," a talk by Bob Avakian, was serialized in *Revolution* beginning October 21, 2007, in issues #105 through #120; it is also available online at revcom.us and is contained in *Revolution and Communism: A Foundation and Strategic Orientation*, a *Revolution* pamphlet, 2008. [back]

8. See "To Eternal Peace," an essay written by Kant in 1795, reproduced in *Basic Writings of Kant*, Modern Library, 2001. [back]

9. Bob Avakian, *Democracy: Can't We Do Better Than That?* (Banner Press, 1986). [back]

10. See "Alain Badiou's 'Politics of Emancipation': A Communism Locked Within the Confines of the Bourgeois World," by Raymond Lotta, Nayi Duniya, and K.J.A., in *Demarcations, a Journal of Communist Theory and Polemic*, online, Issue Number 1, Summer-Fall 2009. (This essay is available as both text and PDF at www.demarcations-journal.org.) [back]

11. The *Constitution for the New Socialist Republic in North America (Draft Proposal)*—published by the Revolutionary Communist Party, USA—states, in the Preamble of that Constitution, that the Party has its theoretical basis in "the science of communism and the further development of this science through the new synthesis brought forward by Bob Avakian." Numerous talks and writings by Bob Avakian, and other publications by the Party—including *Revolution and Communism: A Foundation and Strategic Orientation*; *Communism: The Beginning of a New Stage, A Manifesto from the Revolutionary Communist Party, USA*; and the *Constitution of the Revolutionary Communist Party, USA*—speak to this new synthesis; and, as pointed to in this talk, the *Constitution for the New Socialist Republic in North America (Draft Proposal)* is a living application of that new synthesis. [[back](#)]

12. Early in 2010, Bob Avakian called attention to this contradiction—fundamentally changing the world without "turning out the lights"—and invited some people associated with or with responsibility in regard to the Party to respond with their thinking on this contradiction. Nineteen letters written in response were published online, together with an Introduction, in February 2010. This publication (with the title "An Historic Contradiction: Fundamentally Changing the World *Without* 'Turning Out the Lights'") is [available online at revcom.us](http://revcom.us), in text and PDF formats. [[back](#)]

13. In "*Making Revolution and Emancipating Humanity*," Part 1, in the section "Freedom...and Necessity," the following is emphasized: "But, fundamentally (and, so to speak, underneath all this) freedom does lie in the recognition and transformation of necessity. The point is that this recognition and the ability to carry out that transformation goes through a lot of different 'channels,' and is not tied in a positivist or reductionist or linear way to however the main social contradictions are posing themselves at a given time. If that were the case—or if we approached it that way—we would liquidate the role of art and much of the superstructure in general. Why do we battle in the realm of morals? It is because there is relative initiative and autonomy in the superstructure. And the more correctly that's given expression, the better it will be, in terms of the kind of society we have at a given time and in terms of our ability to recognize necessity and carry out the struggle to transform necessity." [[back](#)]

14. "Solid core, with a lot of elasticity" is one of the key principles embodied in the new synthesis brought forward by Bob Avakian. As explained in the *Constitution of the Revolutionary Communist Party, USA* ("Appendix, Communism as a Science"):

"In short, in this new synthesis as developed by Bob Avakian there must be a solid core, with a lot of elasticity. This is, first of all, a method and approach that applies in a very broad way. It is based on the scientific understanding that reality is, indeed, real—and it consists of particular forms of matter in motion, each with a specific identity—but at the same time every particular thing is moving, changing, interacting with other things at different levels. A clear grasp of both aspects of this, and their interrelation, is necessary in understanding and transforming reality, in all its spheres, and is crucial to making revolutionary transformations in human society....

"It is necessary to both work to expand a leading core (which itself is continually going through changes) and necessary to encourage elasticity to the greatest degree possible at any given time—while keeping a clear 'eye on the prize' of revolution and communism through all this.

"Applied to socialist society, this approach of solid core with a lot of elasticity includes the need for a leading, and expanding, core that is clear on the need for the dictatorship of the proletariat and the aim of continuing socialist revolution as part of the world struggle for communism, and is determined to continue carrying forward this struggle, through all the twists and turns. At the same time, there will necessarily be many different people and trends in socialist society pulling in many different directions—and all of this can ultimately contribute to the process of getting at the truth and getting to communism. This will be intense at times, and the difficulty of embracing all this—*while still leading the whole process broadly in the direction of communism*—will be something like going, as Avakian has put it, to the brink of being drawn and quartered—and repeatedly. All this is difficult, but necessary and a process to welcome. It's the only way to get there, the only way to get to communism." (emphasis in original)

As also pointed out earlier in this talk, the *Constitution for the New Socialist Republic in North America (Draft Proposal)* is a living application of this new synthesis—including, as an important aspect of this, the principle of "solid core, with a lot of elasticity." [\[back\]](#)

15. Karl Popper was a 20th century philosopher and "anti-totalitarian" political theorist who directed much of his fire against communism. A refutation of key aspects of Popper's theories, and in particular his attack on communism, is contained in "Making Revolution and Emancipating Humanity," Part 1, in the section "Marxism as a Science—Refuting Karl Popper." [\[back\]](#)

16. Bob Avakian, *Phony Communism Is Dead...Long Live Real Communism!* 2nd edition (RCP Publications, 2004), pp. 97-98. [\[back\]](#)

17. Bob Avakian, *Observations on Art and Culture, Science and Philosophy* (Insight Press, 2005), pp. 78-79. [\[back\]](#)

18. Bob Avakian, *Communism and Jeffersonian Democracy* (RCP Publications, 2008). [\[back\]](#)