

The Juridico-Political Structure

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I. The Juridico-Political Structure¹

Every society, in addition to having given economic and ideological structures, possesses a combination of institutional apparatuses and norms designed to regulate the operation of society as a whole. These institutional apparatuses and norms constitute the *juridico-political structure* of the society, and form a part of the superstructure.

The forms of these institutional apparatuses, their importance and their normative principles, vary with the economic structure on which they are based.

In class societies, the juridico-political level is secured by an autonomous apparatus: the State, which monopolizes "legitimate violence" and whose major function is to maintain, under the domination of the ruling class, all the other classes which depend on it.

This explains one of the fundamental theses of Marxism: the State is an instrument of oppression of the ruling classes over the oppressed classes.

II. The Double Function of the State

In the previous point we saw that every society needs certain institutional apparatuses and norms which allow it to regulate its internal operations. This necessity is ultimately based on the social division of labor. To the degree that this division increases, the need to have a body of individuals capable of organizing and administering the society as a whole also increases.

To this technical function (organizational and administrative), characteristic of every society in which there is a minimal division of labor, a new function is added

in class societies: that of political domination. The existing institutional apparatuses and norms are used to subject the different classes of the society to the interests of the ruling classes, and *new apparatuses and institutions with fundamentally repressive purposes* are created: armed detachments, jails, coercive institutions of every kind, etc.

This function appears, therefore, only when the division of society into opposing classes arises, that is, when the productivity of social labor produces a surplus, which is monopolized by a group of individuals of that society.

This expresses with perfect clarity the basic idea of Marxism with regard to the historical role and the meaning of the state. The state is a product and a manifestation of the *irreconcilability* of class antagonisms. The state arises where, when, and insofar as class antagonisms objectively *cannot* be reconciled. And, conversely, the existence of the state proves that the class antagonisms are irreconcilable.²

Thus, this eminently political function is supported by the function that we have called technical-administrative, as is demonstrated in the following text of Engels:

But with the difference in distribution, *class differences*³ emerge. Society divides into classes: the privileged and the dispossessed, the exploiters and the exploited, the rulers and the ruled; and the state,⁴—which the primitive groups of communities of the same tribe had at first arrived at only for safeguarding their common interests (such as irrigation in the East) and providing protection against external enemies—from this stage onward acquires just as much the function of maintaining by force the economic and political position of the ruling class against the subject class.⁵

Thus *only when*, along with the technical administrative function, *the function of political domination arises* can we speak of the appearance of the State as such.

To clarify this double character of the state, let us examine what Marx says about the double character of the function of supervision and management of production in class societies:

The labor of supervision and management is naturally required wherever the direct process of production assumes the form of a combined social process, and not

of the isolated labor of independent producers. However, it has a double nature.

On the one hand, all labor in which many individuals co-operate necessarily requires a commanding will to co-ordinate and unify the process, and functions which apply not to partial operations but to the total activity of the workshop, much as that of an orchestra conductor. This is a productive job, which must be performed in every combined mode of production.

On the other hand . . . this supervision work necessarily arises in all modes of production based on the antagonism between the laborer, as the direct producer, and the owner of the means of production. The greater this antagonism is, the greater the role played by the supervisor. Hence, this reaches its peak in the slave system. But it is indispensable also in the capitalist mode of production, since, the production process in it is simultaneously a process by which the capitalist consumes labor power. Just as in the despotic states, supervision and all around interference by the government involves both the performance of common activities arising from the nature of all communities, and the specific functions arising from the antagonism between the government and the mass of people.⁶

We could say that, in the same way in which the technical division of labor within an enterprise gives rise to the function of supervision and management, whose object is the coordination of all the work that goes on in it, the social division of labor requires a combination of institutional apparatuses and norms designed to regulate the functioning of society as a whole. This function of organization and management, of a technical-administrative nature, is overdetermined in both cases by the effects of the division of society into classes. On the level of the enterprise, the function of organization and management acquires a character of exploitation of the workers by the owners of the means of production, and at the level of the state it is utilized to reproduce the political and economic conditions for the exploitation of one class by another.

To sum up: The state has a double function: a technical administrative function and a function of political domination. *The latter is what properly defines the state, overdetermining the technical administrative function, that is, orienting it, putting it at the service of the function of political domination. There are not, therefore, technical-administrative state tasks that are neutral in character.*

Why, then, insist on this function?

In fact, Marx, Engels, and Lenin have fundamentally emphasized the function of political domination, rarely referring to the technical-administrative function. We think that this can be understood because of the requirements of ideological struggle against the bourgeois thesis of the existence of a state above classes, that is, a state reduced entirely to its technical function.

We consider it important not to ignore this function for two reasons: a) because, in order to combat bourgeois ideology about the state, we must begin where it begins will and show how the technical-administrative functions obscure the functions of political domination; b) because to confirm only the existence of the function of political domination has led to "voluntarist" errors, that is, to conceive of the state as a product linked exclusively to the will of the ruling classes to dominate. In fact, they do not

create the state so that it serves their class interests, but they utilize an already existing juridico-political apparatus, modifying it to reach their class objectives. The social function, or the technical-administrative function which this apparatus performs, serves as a basis for the new function of political domination.

It is in this way that we interpret the following text of Engels:

. . . the exercise of a social function was everywhere the basis of political supremacy: and further that political supremacy has existed for any length of time only when it fulfilled its social functions.⁷

III. The Withering Away of the State

Distinguishing these two functions helps us to understand the Marxist thesis about the *withering away* of the state, which is opposed to the anarchist thesis of the *suppression* of the state.

Marxists hold that, when the proletariat seizes state power, the state will not be able to disappear the following day. It is necessary to destroy the old apparatus and construct a new one with a proletarian character, because the class struggle will continue and, therefore, an apparatus which fulfills the function of the repression of the classes which are opposed to the building of socialism will be needed. *Anarchists* maintain that, on the contrary, it is necessary to immediately dissolve the whole "bureaucratic" apparatus permitting the free organization of the population at the level of its mass fronts.

The Marxist thesis maintains, however, that this proletarian type of state will tend to disappear, will tend to *wither away*.

To the degree that it advances towards communism, towards the greater and greater suppression of class differences, the function of political domination, which defines the state as such, tends to disappear, letting survive only the technical-administrative functions. In this way the workers' state will continue disappearing gradually. The government of individuals is replaced by the "administration of things and the direction of the processes of production."

When ultimately it becomes really representative of society as a whole, it makes itself superfluous. As soon as there is no longer any class of society to be held in subjection; as soon as along with class domination and the struggle for individual existence based on the former anarchy of production, the collision and excesses arising from these have also been abolished, there is nothing more to be repressed which would make a special repressive force, a state, necessary. The first act in which the state really comes forward as the representative of society as a whole—taking possession of the means of production in the name of society—is at the same time its last independent act as a state. The interference of the state power in social relations becomes superfluous in one sphere after another, and then ceases of itself. The government of individuals is replaced by the administration of things and the direction of the processes of production. The state is not "abolished," *it withers away*.⁸

Now let us look at the way Lenin compliments this text:

... only communism makes the state absolutely unnecessary, for there is *nobody* to be suppressed — “nobody” in the sense of a *class*, of a systematic struggle against a definite section of the population. We are not utopians, and do not in the least deny the possibility and inevitability of excesses on the part of *individual persons*, or the need to stop *such* excesses. In the first place, however, no special machine, no special apparatus of suppression is needed for this; this will be done by the armed people themselves, as simply and as readily as any crowd of civilized people, even in modern society, interferes to put a stop to a scuffle or to prevent a woman from being assaulted. And, secondly, we know that the fundamental social cause of excesses, which consist in the violation of the rules of social intercourse, is the exploitation of the people, their want and their poverty. With the removal of this chief cause, excesses will inevitably begin to “*wither away*.” We do not know how and in what succession, but we do know they will wither away. With their withering away the state will also *wither away*.⁹

IV. The State Apparatus and Political Power

One of the distinctive features of every State is the existence of a particular group of individuals who work for the State apparatus. No one could call the state a community in which all the members of society assure, each in his turn, “the organization of order.”¹⁰

The *state apparatus* is the organism which carries out the technical-administrative tasks and the job of political domination belonging to the dual function of the state. Thus, although the technical-administrative function is, as we saw in the previous pages, *overdetermined by the political function*, we think that it is important to distinguish it from this latter function since this permits us to distinguish within the State apparatus an apparatus fundamentally technical-administrative (corps of civil servants) and an apparatus that is fundamentally repressive (a standing army, police bureaucracy).

Political power is the capacity to utilize the apparatus of the State to carry out the political objectives of the ruling class.

It is important, therefore, not to confuse the apparatus of the state or the state machinery with political power. The *fundamental object of the class struggle concerns the political power of the State*. The class or classes that have obtained this power put the apparatus of the state at their service. It has been like this in all the non-proletarian revolutions. Nonetheless, the practical political experiences of the proletariat in the Paris Commune, convinced Marx that “the working class cannot simply take possession of the existing state machinery and put it to work for its own ends.” The working class must “smash,” “destroy” the military bureaucratic apparatus of the bourgeois state and replace it with an apparatus totally different, with a proletarian apparatus which permits it to continue to, little by little, make the State, as such, disappear, as an organ of repression and political domination.

Therefore we should not confuse the “*destruction of the bourgeois state apparatus*” with the “*withering away of the proletarian state*” or the dictatorship of the proletariat. The former is a prerequisite for the latter.

What characteristics should the new state apparatus

created by the proletariat have? Marx answered this question by synthesizing the lessons of the Paris Commune: 1) the substitution of the bourgeois centralist form in which the state was above the nation, by a centralist form of a new type, in which there is the real and conscious democratic participation of the proletariat, and which has as a territorial base the whole commune; 2) the substitution of the standing army by the armed people; 3) the transformation of the police into an instrument at the service of the commune, stripping it of its former political attributes; 4) representatives of the people elected by universal suffrage and re-callable at any time; 5) the suppression of those privileges linked to public office (a salary equal to that of a worker); 6) the destruction of bourgeois parliamentarianism, transforming the representative institutions of the people into “labor, legislative and executive corporations all at the same time.”

When Lenin refers to the destruction of the bourgeois state apparatus, he insists that its annihilation does not have the character of extinction but of its sudden disappearance through a revolutionary process.

The bourgeois state “cannot be replaced by the proletarian state [the dictatorship of the proletariat] through ‘extinction’ but only, as a general rule¹¹ through violent revolution.”

And when Lenin refers to the bourgeois state apparatus to be destroyed, he is thinking at the same time, of the military and the bureaucratic apparatus, as is very clear in *The State and Revolution*.

It is interesting to consider this point for a moment, since the position which Lenin held in 1917 was modified in an important way through the passage of time, at least the part that referred to the bureaucratic apparatus of the State.

In 1917, Lenin believed that the material conditions existed to be able to destroy the bureaucratic apparatus and realize, in its place, the ideals of the Paris Commune. In 1921 he had to recognize that things were not so easy, that they had to resort to the old bureaucrats, and, in order to do that, they had to put aside the ideas of a salary equivalent to a worker and of recall.

Thus, before looking directly at Lenin’s works in this era, we want to point out that although the *Marxist thesis of the necessity of the destruction of the bourgeois state* seems essential to us, the creation of a new proletarian state does not appear to be a task that can be completed immediately, although it is towards this goal that the proletariat ought to direct its efforts.

In 1921 Lenin said:

Ours are class courts directed against the bourgeoisie. Ours is a class army directed against the bourgeoisie. The evils of bureaucracy are not in the army, but in the institutions serving it.¹²

Let us examine more closely what happened in this sector of the state in that epoch:

We took over the old machinery of state, and that was our misfortune. Very often this machinery operates against us. In 1917 after we seized power, the government officials sabotaged us. This frightened us very much and we pleaded: ‘Please come back.’ They all came back, but that was our misfortune. We now have a vast army of government employees, but lack sufficiently educated forces to exercise real control over them. In practice it often happens that here at the top, where we exercise

political power, the machine functions somehow; but, down below, government employees have arbitrary control and they often exercise it in such a way as to counteract our measures. At the top, we have, I don't know how many, but at all events, I think, no more than a few thousand, at the outside several tens of thousands of our own people. Down below, however, there are hundreds of thousands of old officials whom we got from the tsar and from bourgeois society and who, partly deliberately and partly unwittingly, work against us. It is clear that nothing can be done in that respect overnight. It will take many years of hard work to improve the machinery, to remodel it, and to enlist new forces. We are doing this fairly quickly, perhaps too quickly. Soviet schools and Workers' Faculties have been formed; a few hundred thousand young people are studying; they are studying too fast perhaps, but at all events, a start has been made, and I think this work will bear fruit. If we do not work too hurriedly we shall, in a few years time, have a large body of young people capable of thoroughly overhauling our state apparatus.¹³

V. Types of States and Forms of Government

The State as the totality of the institutions and norms is designed to regulate the functioning of society in such a way that it permits the constant reproduction of the economic, ideological, and juridico-political conditions which assure the reproduction of the relations of domination of one class over the rest.

Thus, the character of the state will vary according to the character of the relations of production. What determines, therefore, the *type of State* is the economic structure on which the state is built in the political superstructure. In this way we can distinguish different types of states in relation to the different relations of production: slave, feudal, capitalist, etc.

Within the framework of each of these *types of States* different *forms of government* can be found; for example, within the capitalist or bourgeois type of state there can be forms of government which range from republican "democracy" to military dictatorship.

Thus, since the type of state depends on the economic structure of the society, that is, on the class nature of the State, the forms of government depend on concrete, historical conditions.

Every person or group which operates within the narrow margins of the dominant ideology in a capitalist society, will tend to displace the problem of the nature of the state onto that of the forms of government, and in this way the class nature of the state, which is the essential and decisive problem, is obscured.

VI. Economic Power and Political Power

Frequently too strong a parallel is drawn between the hierarchy of power in the economic structure, on the one hand, and the hierarchy of the juridico-political structure on the other, as if the political power structure were limited to reflecting the economic power structure, as if the same classes always occupy the same places in both structures. This is undoubtedly true as a general tendency. It is also correct in the long run, since an important and prolonged

contradiction between the two hierarchies would make the situation untenable. But the concrete reality of history does not coincide with this oversimplified and schematic formula.

A typical case of the non-correspondence between economic and political power took place in France during the dictatorship of Louis Bonaparte. In this period the bourgeoisie, which occupied a dominant place in the economic structure, had to yield its place in the political structure in order to conserve its dominant position in the social structure, based, precisely, on its position within the economic structure.

Thus by now stigmatising as "socialistic" what it had previously extolled as "liberal," the bourgeoisie confesses that its own interests dictate that it should be delivered from the danger of its *own rule*; that to restore tranquility in the country its bourgeois parliament must, first of all, be given its quietus; that to preserve its social power intact its political power must be broken; that the individual bourgeois can continue to exploit the other classes and to enjoy undisturbed property, family, religion and order only on the condition that their class be condemned along with the other classes to like political nullity; that in order to save its purse it must forfeit the crown . . .¹⁴

Another typical case of non-correspondence between economic and political power is that of Germany in the modern epoch. The bourgeoisie was so frightened by the political importance which the proletariat had acquired that, in order to maintain its economic domination, it preferred to leave the *Junkers*, the feudal landlords, in their position of power. In this sense we have, therefore, feudal-absolutist political power which carries out an economic policy that serves the interests of the bourgeoisie.

VII. The State in Capitalist Society¹⁵

In appearance the State does not intervene in capitalist exploitation, but rather it seems to let it develop according to its own laws; further, it seems that the state could intervene by means of legislation in order to limit this exploitation. The idea of the State being above the classes finds encouragement in the structure of the capitalist system of production, where the state does not intervene *directly* in exploitation. "Peaceful" exploitation is accomplished through the peaceful act of buying and selling: the labor contract.

Thus exploitation is managed without the intervention of state pressure. The individual relation of equality and liberty in the contractual act of buying and selling labor power becomes possible thanks to the prior dependence of the working class on the capitalist class, because of the separation of the worker from his means of production and their concentration in the hands of the capitalists. Individual liberty has as its basis the maintenance of the status quo with regard to the working class, which is obliged to accept the conditions which capital imposes upon it.

The invisible threads which tie the working class to the private property of the capitalist class would not hold up if the state did not guarantee the ownership, and with it, the freedom of capital. In this way the state preserves the general

conditions of existence of the capitalist system of production, anticipating and repressing attempts against its freedom thanks to its army of civil servants in the juridico-political apparatus, and in the last instance thanks to its armed forces. Once the separation of the worker from his means of production is assured, the preservation of the general conditions of the capitalist mode of production necessitates the use of violent repression only in a case where violations of the right of private property occur, which feeds the illusion that the State does not participate in exploitation.

Nevertheless:

1) In all those places where capitalism is little developed and where the workers are not separated from their means of production, to a great degree the State places itself directly at the service of capital to help exploit the workers (e.g., the Congo, English capitalism in India).

2) The non-intervention in direct exploitation appears as it is: permanent, repressive intervention to guarantee the conditions of exploitation every time that the freedom of exploitation, guaranteed by capitalist ownership, is found to be threatened by the workers' struggle, every time that the free act of purchase and sale which assures the continuation of exploitation is threatened by a strike, or every time the workers try to secure for themselves control over production by occupying factories or land. Then the repressive judicial apparatus and the army of the state intervene. All those conflicts which threaten the capitalists' free disposition of the means of production unleash the intervention of the state in one way or another.

The capitalist class and its apologists try hard to convince us to believe in a new capitalism which has overcome its infantile disorder: anarchy of production; they try in vain to convince us of a new discipline, acquired thanks to fundamental reforms of the structure and to the new rule which the State plays in regularizing the cycles of capital. At the bottom of all these reformist illusions rests the idea that capitalist anarchy has ended, that the needs of society will prevail over the course of development. Finally, a central subject has appeared: the state which directs and regulates development, imposing the viewpoint of social necessity.

The bourgeois interpretation unilaterally places the accent on the socialization of the productive forces: if competition brings with it the centralization of capital, the elimination of the small by the large and the progressive socialization of the different branches of the economy, why cannot the same thing happen for the whole society? Are we not approaching the existence of one single trust, of one gigantic enterprise including every branch of production?

The general response to this illusion is that *unequal development is the absolute law of capitalist development*.

Capitalism lives by unequal development; it only reabsorbs one inequality in order to create another. It develops the productive forces in one branch in order to take advantage of the low level of development of the adjacent enterprises: it socializes an entire branch in order to take advantage of the relative weakness of the branches from which it buys or to which it sells. According to the apologists of neo-capitalism, the appearance of gigantic enterprises which dominate the market has been a decisive factor in the planning of production and the elimination of crises. They do not see that if one enterprise succeeds in eliminating all its competitors, and achieves a monopoly position, the

development of the productive forces thereby realized, do not serve to satisfy, to the fullest, social necessities by lowering prices as much as the low costs of production would allow; the monopoly position which they have achieved allows them to impose prices which permit them to make superprofits. In this struggle for the domination of the market, each capitalist force which seeks to achieve a monopoly constructs gigantic factories capable by themselves of supplying the market. That force which is able to obtain the lowest production costs and flood the market with the lowest prices wins the dominant position. The result is a considerable excess of unused production capacity, each company being able to supply the market by itself. This unemployed capacity surpasses 50% in the United States. The initial cost of over-equipping is amply compensated for by the monopoly prices acquired after victory.

Another monopoly strategy is possible when one company in one branch of industry succeeds in obtaining for a significant period of time better production methods than its competitors, for example, monopolizing patents.

On the other hand, the monopolies which live on unequal development have an interest in letting weaker businesses survive alongside them; in this way when the state wants to fix prices, it must take into account the highest cost of production of these companies if it does not want to force them to disappear. The monopoly enterprise thus gains a superprofit, since its costs of production are lower than these other companies.

Therefore, the socialization of the productive forces and the knowledge of the market tend to re-inforce the inequalities of capitalist development by stabilizing superprofits.

Under these conditions how absurd the idea seems of social planning, that is, of equal development under a capitalist regime.

In fact, the most powerful capital always seeks not the normal profit but superprofits. Only the absolute equality of profit for all capitals would permit us to think, without being utopian, about a rational distribution of capital according to a plan. Clearly the law of capitalist development is inequality: different profits appeared in different branches during the era of free competition; the current transformation of the capitalist structure, that is, the socialization of the productive forces, and the development of monopolies, mass production, financial centralization, the increasing application of science to production, now permit, not in a transient way, but for long periods, the achievement of positions of superprofits.

Capitalism, in the course of its development, has had to invent means to adapt its structures to the development of the productive forces; in this way, when the level of the productive forces make individual or family capital insufficient to put the productive forces in action, the narrow framework of individual ownership was enlarged through stock companies and replaced by the collective ownership of the capitalists; in the same way today state ownership allows for such an adaptation which, nevertheless, does not go beyond the limits of capitalist relations. If the gigantic productive forces cannot be exploited with a normal profit, then measures for nationalization are apt to intervene. Those sectors of a higher organic composition of capital are nationalized in such a way that the equality of the rate of profit is realized among capitals of a lower organic

composition, which results in a higher rate of profit.

On the other hand, the nationalized spheres—energy, transportation, etc.—serve all the capitalist branches of production; consequently, the capitalists have an objective interest that the production in these spheres be abundant, regular, and cheap.

The purpose of such an intervention by the state is not to subject capital to a centralized direction, but to liberate its initiative even more, strengthening its autonomy to allow it to continue its search for maximum profits.

State capitalism, taken in its narrow sense of the nationalized sector, can, if it is abstracted from the relations it maintains with the rest of capitalism, give the illusion of being an embryo of a socialist sector. But State capitalism, in fact, stands for a reality that includes in the same structure both the private capitalist sector and the state capitalist sector.

The nationalized sector, by the special function which it performs in present day capitalism, permits capital to take advantage of the social character of the productive forces, while remaining, nonetheless, within the limits of the capitalist mode of production.

State monopoly capitalism is not a socialist system of production which develops in the heart of a capitalist system of production, but is the actual form which the subordination of the State to the interests of capital takes.

Only knowledge of the general laws of the capitalist mode of production permits us to determine the exact limits within which variations can exist. The general laws fix the limits and it is, in the last instance, the repressive apparatus of the state that defends their realization. Within these limits extends the field of bourgeois politics whose purpose is to play on all the possible variations within these limits, in order to maintain these very limits, to keep the confrontation of the classes within these limits. The politics of the proletariat, on the contrary, consists in accumulating forces in the struggle in order to prepare the conditions for the destruction of those limits imposed by the dictatorship of capital.

For example, the struggle for the limitation of the work day does not put fundamentals of exploitation in question; it is inscribed, therefore, within the limits fixed by the laws of this system of production. Within these limits extends the field of politics which the bourgeoisie can accept. The state can intervene to sanction and stabilize a relation of forces. When the working class was weak and disorganized, the state intervened to prolong the work day through harsh legislation. When the working class became stronger, the capitalist class yielded and the state enacted legislation to limit the work day.

If the state can, thus, impose upon capital the point of view of the interests of society in the form of a law, it is because this intervention takes place within limits acceptable to the system of production; in no way could it impose the point of view of society if it clashed with the fundamental laws of capital, for example, to impose equal development depriving capital of all freedom of movement.

Nonetheless, before finishing this section, it seems important for us to point out that although the achievements of the working class are enclosed within the framework of the capitalist system, they do create greater and greater contradictions, and therefore prepare the material and political conditions for its disappearance.

VIII. The State in Transition from Capitalism to Socialism: The Dictatorship of the Proletariat

We have seen here that one of the fundamental theses of Marxism in respect to the state is the necessity for the revolutionary proletariat, when it seizes state power, to destroy the bourgeois state apparatus and to create a new type of state apparatus, some of whose characteristics were noted when studying the Paris Commune.

What should be the character of this state? What is it that essentially defines it, from the class point of view?

Before answering this question, let us briefly look at the general situation of the proletariat in the transition from capitalism to socialism, since on this will depend, to a large degree, the character that this new State ought to take.

During the transition from capitalism to socialism social classes still exist and, therefore, the class struggle has not disappeared but has taken other forms. The proletariat has become the ruling class, but its weakness is still very great.

This weakness is found fundamentally at two levels: 1) that of the economic infrastructure, 2) that of the ideological superstructure.

1) *The weakness at the level of the infrastructure* has its roots in the non-correspondence between the new socialist relations of production established in the most important sectors of the economy and the technical relations of production which are still somewhat backward. The social ownership of the means of production is not accompanied by a real appropriation of these means in a collective form; certain technicians and administrators formed in the former regime continue directing production. The essential problem of socialist construction, on the level of the economic infrastructure, is to resolve this contradiction.

While socialist relations of production have not been established in all the sectors of the economy and while the contradiction between social ownership and real collective appropriation has not been resolved (it will only be resolved by achieving a powerful development of the productive forces) the risks of the restoration of capitalism, of regressing towards the former regime continue to exist. The period of transition is, therefore, a period of merciless struggle to definitively implant socialism.

2) *Weakness on the level of the ideological superstructure.* Given the economic situation described by Lenin in the previous quotation, a struggle is renewed between two roads: socialism and capitalism. This struggle, which has an economic base, exists, above all, at the ideological level. The classes which have been dispossessed of a large degree of their economic power seek another front for the struggle: the ideological front. They try in thousands of ways to infiltrate their ideas into the new social organization. The weakness of the proletariat in the ideological field is very great. The weight of tradition and of the customs of many generations cannot be changed overnight. In the same way that it is necessary to carry out a political revolution to seize State power, and an economic revolution to change the relations of production from capitalist to socialist, it is necessary to make a revolution on the ideological level. And in order that this revolution be truly effective, it must be realized with the participation of the masses; it is not enough to revolutionize the ideology of some intellectuals and artists; it is necessary that the entire people struggle against the old habits and individuals and selfish ideas bequeathed by the capitalist

regime in order to acquire a new conception of the world: the socialist conception and the new habits of solidarity and collective cooperation.

In the text which follows, Lenin correctly defines the essence of the dictatorship of the proletariat starting with the tasks that arise to eliminate these two kinds of weaknesses:

But the essence of proletarian dictatorship is not in force alone, or even mainly in force. Its chief feature is the organisation and discipline of the advanced contingent of the working people, of their vanguard; of their sole leader, the proletariat, whose object is to build socialism, abolish the division of society into classes, make all members of society working people, and remove the basis for all exploitation of man by man. This object cannot be achieved at one stroke. It requires a fairly long period of transition from capitalism to socialism, because reorganisation of production is a difficult matter, because radical changes in all spheres of life need time, and because the enormous force of habit of running things in a petty-bourgeois and bourgeois way can only be overcome by a long and stubborn struggle. That is why Marx spoke of an entire period of the dictatorship of the proletariat as the period of transition from capitalism to socialism.¹⁶

Thus, since the proletariat, to complete these tasks, is faced with a fierce opposition of the bourgeoisie, the proletarian state must necessarily take the form of a dictatorship against the classes which are opposed to the construction of socialism:

The dictatorship of the proletariat is the most determined and most ruthless war waged by the new class against a *more powerful* enemy, against the bourgeoisie, whose resistance is increased *tenfold* by its overthrow (even though only in one country) and whose power lies, not only in the strength of international capital, in the strength and durability of the international connections of the bourgeoisie, but also in the *force of habit*, in the strength of *small production*. For, unfortunately, very, very much of small production still remains in the world, and small production *engenders* capitalism and the bourgeoisie continuously, daily, hourly, spontaneously, and on a mass scale. For all these reasons the dictatorship of the proletariat is necessary, and victory over the bourgeoisie is impossible without a long, stubborn and desperate war of life and death, a war which requires perseverance, discipline, firmness, indomitableness and unity of will.¹⁷

But this dictatorship against a privileged minority is a *democracy for the majority of the people*. How could the measures suggested by Marx after the experience of the Paris Commune not have an essentially democratic character?

Bourgeois democracy is a democracy for a minority and a *dictatorship for the majority of the people*. It is now transformed into a democracy for the majority and dictatorship for the small group which does not accept giving up its privileges.

The proletariat would prefer to create socialism under a regime of absolute democracy for everyone, but the reality of the class struggle, the character it necessarily takes when the proletariat proposes to destroy the privileges of the ruling classes, makes this dictatorship necessary.

One of the important contributions Marx makes to the

theory of history is to have shown this necessity in a very clear way.

In the following text Lenin demonstrates the role which the dictatorship of the proletariat plays in Marxist theory.

It is often said and written that the main point in Marx's theory is the class struggle. But this is wrong. And this wrong notion very often results in an opportunist distortion of Marxism and its falsification in a spirit acceptable to the bourgeoisie. For the theory of the class struggle was created *not* by Marx, *but* by the bourgeoisie *before* Marx, and generally speaking, it is *acceptable* to the bourgeoisie. Those who recognise *only* the class struggle are not yet Marxists; they may be found to be still within the bounds of bourgeois thinking and bourgeois politics. To confine Marxism to the theory of the class struggle means curtailing Marxism, distorting it, reducing it to something acceptable to the bourgeoisie. A Marxist is solely someone who *extends* the recognition of the class struggle to the recognition of the *dictatorship of the proletariat*. This is what constitutes the most profound distinction between the Marxist and the ordinary petty (as well as big) bourgeois. This is the touchstone on which the *real* understanding and recognition of Marxism should be tested.¹⁸

In conclusion, we want to say that, to the same degree that there exists different forms of the bourgeois state, the essence of which remains the same: *a dictatorship of the bourgeoisie*, in the same manner the transition from capitalism to socialism can produce different forms of the proletarian state, but its essence will remain the same: *the dictatorship of the proletariat*.

Summary

In this chapter we have defined what is meant by the juridical-political structure, then we analyzed the most important institution of this level in a class society: the state. We have seen that it is necessary to distinguish two state functions: the technical function and that of political class domination. We have looked at the difference between the state apparatus and political power, between the destruction and the extinction of the state, between different kinds of states and forms of government. We have pointed out that political and economic power do not always coincide. Finally, we have concentrated on the analysis of certain aspects of the present-day capitalist state and on the fundamental characteristics of the dictatorship of the proletariat. In this chapter we have seen the following concepts of historical materialism: juridico-political apparatus, state apparatus, political power, the withering away of the state, the destruction of the state, the dictatorship of the proletariat.

Questions

1. What is meant by the juridico-political structure?
2. What are the functions of the state?
3. What is the state apparatus?
4. What is meant by the withering away of the state.
5. What is meant by the destruction of the state?
6. What is political power?
7. What is meant by types of state?

8. What is meant by forms of government?
9. Why is it important not to confuse both concepts?
10. What are the different forms of government which exist today in the capitalist states of Latin America?
11. In what country or countries in Latin America does the economic power of the capitalist class not coincide with its political power?
12. Why do they assert that the capitalist state is above the class struggle?
13. Does the nationalization of certain sectors of production of a country harm or favor the bourgeoisie of that country?
14. What is the difference between nationalization and socialization?
15. Why is the dictatorship of the proletariat necessary?

Themes for Reflection

1. How do you analyze, from a Marxist viewpoint, the series of military dictatorships in Latin America.
2. What possibilities do the capitalist countries of Latin America have to manoeuvre in the face of North American imperialism?
3. What sectors of production can be nationalized in Latin America without injuring the interests of the bourgeoisie?
4. How do you destroy the bourgeois state apparatus after having succeeded in conquering political power?

¹ This section is based on an article by Roger Establet which appeared in the magazine, *October* in December 1966 entitled, "The Juridical-Political Level." *October* was the organ of the communist students of the circle of philosophy of the U.E.C. of the Sorbonne.

² Lenin, "State and Revolution," *Collected Works*, Vol. 25, p. 387.

³ We should remember that if "in distribution, class differences emerge," it is in production that their origins are to be found.

⁴ We would not be speaking of the state here, but of the juridico-political apparatus.

⁵ Engels, *Anti-Duhring*, p. 165.

⁶ Marx, *Capital*, Vol. III, pp. 383-84.

⁷ *Anti-Duhring*, pp. 198-99.

⁸ *Ibid.*, pp. 306-7.

⁹ "State and Revolution," op. cit., p. 464.

¹⁰ Lenin, "The Economic Content of Populism."

¹¹ Marx mentioned England as an exception in this era.

¹² Lenin, "The Tax in Kind," *Collected Works*, Vol. 32, p. 351.

¹³ Lenin, "IV Congress of the Communist International."

¹⁴ Marx, "The Eighteenth Brumaire of Louis Napoleon."

¹⁵ This section is mainly a translation of the most important ideas which are contained in the article about state capitalism which appeared in the # 16 issue of *Cahiers Marxist-Leninistes*.

¹⁶ Lenin, "Greetings to the Hungarian Workers."

¹⁷ Lenin, "'Left-wing' Communism, an Infantile Disorder."

¹⁸ "State and Revolution."

⁷ Marx, Karl, *Capital* Volume I, p. 715.

⁸ *Ibid.*, p. 598.

⁹ *Ibid.*

¹⁰ *Ibid.*, p. 542.

¹¹ *Ibid.*, p. 688.

¹² Marx, Karl, *Capital* Volume III, p. 268.

¹³ Marx, Karl, *18th Brumaire of Louis Bonaparte*, Selected works Volume I, Moscow 1973, p. 316.

¹⁴ Marx, Karl, *Class Struggles in France*, Selected works, Volume I, Moscow 1973, p. 212.

¹⁵ *Ibid.*, p. 251.

¹⁶ Marx, Karl, *Capital* Volume I, Penguin Books, London 1976, p. 1019-1023.

¹⁷ *Ibid.*, p. 1025.

¹⁸ *Ibid.*, p. 1035.

¹⁹ *Ibid.*

²⁰ Marx, Karl, *Capital* Volume I, op. cit., p. 267.

²¹ Marx, Karl, *Class Struggles in France*, op. cit., p. 236.

²² Marx, Karl, *18th Brumaire of Louis Bonaparte*, op. cit., p. 176.

²³ Marx, Karl, *Class Struggles in France*, op. cit., p. 251.

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(continued from page 19)

⁶ But his level of abstraction is inappropriate for a discussion of the specific determinations of which effects will dominate. States is only direction of tendencies not magnitudes. The latter requires specific empirical research concerning types of technical change, capacity utilization, work place transformations, etc.