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New York City Area Institutes Involuntary Mask Enforcement on Public Transit

This month governor Cuomo handed down a decision which authorizes the transit police of New York City to fine people for the "crime" of leaving their face uncovered.

Granting the executive branch the arbitrary power to bypass public health law and issue penalties against dissenting individuals is another big attack on the people's democratic rights.

The governor's order codifies a penalty of \$50 on a passenger riding public transit without a face covering. The practice is an obvious violation of passengers' rights to privacy and freedom of conscience. So too, through the mandate masks are being illegally promoted for profit using exaggerated and false claims about their ability to stop the spread of infection. Indeed, the nonstop propaganda that people with uncovered faces might threaten "the safety of any other person in the community" is carried out through "divine right," in defiance of individuals' due process rights under communicable disease control law as well as guidelines published by the CDC warning of the limitations and potential harms of mask use by large sections of the population, including those with mobility issues and difficulty breathing. Moreover, the governor is consciously and systematically adding to the population's troubles, especially the poor and most vulnerable, through demagogic incitement of mud-slinging and divisions among the people.

Not only in New York, but all across the nation, the two parties are using COVID-19 to create a hysterical atmosphere inside our country so as to strengthen the repressive apparatus of the state and trample on the democratic rights and civil liberties of the American people.

The people must oppose this fascistization. The very idea that the government can violate the rights of some in order to protect the rights of

others or set aside civil liberties in times of "emergency" is a contradiction in terms. The democratic rights of the people are not only inalienable, one of their express purposes is to guard the people against the arbitrary usurpation of power by the government.

Various capitalist politicians, as well as the myriad of opportunist groups which keep themselves attached to the two parties, present the analysis that these reactionary attacks on democratic rights can be stopped through various "legislative and electoral remedies;" that is, that the masses of people should tie their interests to the electoral ambitions of the parties of big capital, and/or rely on the capitalist politicians to initiate new legislation which will restore our lost rights. Whenever the repressive arm of the capitalist states attacks the rights of the peoples, the opportunists are found promoting the line that the very state which oppresses and represses the workers can be relied on to protect their interests and to defend democratic rights. This program is in line with the general outlook of opportunism which maintains that capitalist "democracy," as it exists in the U.S., is the best possible political system which through the constitutional system of "checks and balances," through Congressional lobbying and electioneering, affords the masses the opportunity to redress their grievances and defend their rights.

This program of mindless action seeks to cover over the real cause of the oppression and exploitation of the people and of the government's reactionary agenda. Governor Cuomo's chauvinist "logic" is a "logic" that is widely endorsed by the capitalist politicians of both parties. It offers a vivid illustration of just how capitalist democracy works in the U.S.

The executive branch of government retains "emergency powers" — the power to set aside the rule of law,

including civil liberties. This "emergency power" is used to impose the will of the executive through force of arms. Through the arbitrary exercise of the government's "emergency power" the interests of the whole society and the entire people are equated to the interests and will of the class forces which stand behind it.

The "discretion" and "prerogative" of the executive branch places in its hands a power unrestrained by any law or even the Constitution itself. Countless other historical and present-day examples can be given of how this executive power acts as an arbitrary power in opposition to the interests of society as a whole, and is completely alienated from the people and even from the legislative bodies. The vast bureaucratic apparatus of the state, simply on the basis of its will and by means of executive decrees, exercises control over growing areas of social life.

The problem is not that some politicians are "bad" while others are "good." The problem is that both the Democrats and Republicans represent the class interests of monopoly capital. And it is this fact, the fact that monopoly capital controls the political power and is using it to attack the people all along the line which is the problem. The workers and people can not get very far in their struggle if they ignore the root cause of the problem.

The government's reaction to COVID-19 signals that the capitalist government is intensifying its attacks on the rights of the people all along the line, preparing to impose new indignities and oppression on the masses. This is the crux of the matter.

No matter how much propaganda is done praising "American democracy," the reality remains that the government is nothing but the tool of the capitalist class, used by it to protect its power and privilege and to suppress the struggles and rights

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of the working masses. Democracy – the defense of the interests of the majority – can never be protected and guaranteed by a government bought and paid for by the tiny class of capitalist exploiters.

The state's claim of neutrality can be nothing but a fraud, and in fact, the entire mission of the state is to contain, to moderate the struggle of the workers, keeping it within bounds that do not threaten the interests of the capitalists. For example, the courts regularly issue injunctions outlawing major, national strike struggles in the name of “protecting the national interest” from “economic disruption” or “violence.” The courts never intervene to force the capitalists to meet the just demands of the workers but rather, to force the workers back into the mines and factories at the wages and working conditions dictated by the owners.

Capitalist democracy boils down to nothing more nor less than the “right” of the workers to ask permission from the state to say and do various things; while, according to the capitalists, democracy is violated whenever the masses take action against the status quo, against the rights of the capitalists, the racists, the warmakers, etc.

Thus the capitalist theory of democracy always legitimizes the use of state force against the working and oppressed masses who rise in struggle against the status quo. Capitalist “democracy” is designed to insure the permanence of capitalist wage-slavery and to keep the entire movement and struggle of the workers under the tutelage of the capitalist state. By pre-

senting the question of democracy as a purely formal question – that is, by separating democracy from its class content – and by presenting the state as a neutral force standing above the class struggle, the capitalists are trying to deny the workers all the means and methods of struggle which are necessary to oppose capitalist wage-slavery and oppression.

While all this shows the intentions of the capitalist government, it also shows its mortal weakness. The government is preparing the ideological and legal apparatus of repression because it cannot win the political allegiance of the people. Already the American people are in motion exposing the lies and pretexts behind the capitalist program of war, robbery, racism and repression.

For the workers and broad masses of the people, the only way out is through revolutionary struggle against the capitalist class and the capitalist system. The workers must say “NO” to attacks on democratic rights. So too, we must say “NO” to wage cuts and concessions contracts; “NO,” to unemployment; “NO” to class collaboration and surrender; “NO” to poverty and exploitation; “NO” to the capitalists' plundering of the public treasury; “NO” to the capitalists' war program, etc, etc, etc. In order to beat back the capitalist attacks and defend our rights we must develop the existing spontaneous resistance into the conscious and systematic nation-wide struggle of class against class. To merge the ever-growing struggles of the workers into one mighty torrent directed against the capitalist class, the workers must build their own revolutionary political party, a party which breaks the strangling embrace of the Republicans and Democrats.

The question of genuine democratic rights, under capitalism, boils down to guarantees for the right of the working and oppressed classes to organize themselves and struggle against the capitalists according to the means and methods deemed appropriate and necessary by the masses themselves. The right of the workers to struggle against capitalist exploitation, to fight against and put a stop to racist attacks, spying

on and persecuting people who oppose the government's policy, to build their political party and mass organizations completely independent of and opposed to the capitalist parties and the state, to put an end to the exploitation of man by man through the revolutionary overthrow of capitalism – all these are sacred rights of the working masses which, in practice, they have never and will never give up even in the face of the fascist offensives of the bourgeoisie.

In fact, history shows that only through struggle have the workers been able to win and defend their democratic rights. The capitalist state did not simply offer the workers the right to organize unions nor does it guarantee the right to distribute Marxist-Leninist literature. No, on all these fronts the capitalist state fights with might and main to suppress and curtail the rights of the masses and these rights are won and defended only through the mobilization and actions of the masses, through our vigilance and organization. Countless times the working masses have won their strike struggles, beat back racist and fascist attacks, averted wars, defended their organizations from repression, etc., only because the masses have refused to remain under the tutelage of the capitalist state, because they have defended themselves and their rights through uncompromising struggle.

In short, we can defeat the fascistization of our country, by continuing to build our independent movement. In fighting against the government's attempts to attack our civil liberties and fundamental rights, we must expose the aggressive aims and reactionary agenda of the capitalist class. We can only defeat the attempts to restrict our democratic rights precisely by exercising them and building up an ever-stronger independent political movement.

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