

**Statement of**

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**And**

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**to the**

**United States House of Representatives**

**Select Committee to Investigate the January 6th Attack on the United States Capitol**

**on**

**“The fascist danger to democracy represented by the Events of January 6, 2021”**

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As experts on fascism we recognize Trump's rhetoric to be profoundly anti-democratic. Specifically, it exemplifies important *fascist* dimensions, vividly exemplified by its capacity to justify violence against democratic institutions. We see January 6 both as the culmination of a longstanding rhetorical attempt by Mr. Trump and a coterie of his close propaganda associates and ideologues to attack the constitutional order, and as the beginning to a dangerous new phase of dismantling democracy from within. In this statement, we argue that Trump is guilty of inciting violence; the specific violence he promoted was in service of a failed coup. The anti-democratic effects of the coup attempts are still ongoing. The goal of this slow motion coup is the elimination of the legitimacy of elected leaders and eventually the overthrow of democracy.

### **Donald Trump is guilty of inciting violence**

“Incitement” is a legal term, but it is also subject to interpretation. Trump's lawyers have already put forward a defense brief arguing that the former president did not "direct anyone to commit unlawful actions."

However, a closer investigation of Trump's speech and actions show indeed that they qualify as incitement, on any reasonable construal of this term.

It's true that words in isolation do not lead to violence. Any analysis of how rhetoric leads to violence must consider the context and background situation, and the Capitol Hill riot on January 6 is no exception. To establish whether incitement took place, we have to ask several questions. First, we must ascertain whether the person accused had the *authority* to motivate the violent actors. Secondly, we must ascertain whether *the background context* was sufficient to make the violent rhetoric effective in mobilizing its audience.

In this case, the person was the President of the United States.

When the President of the United States makes claims, these claims carry with them enormous authority by virtue of the office of the person issuing them. It has always been thus. At the end of a gladiatorial match, a Roman emperor could signal whether a vanquished gladiator would live or die by the mere positioning of his thumb; if he pointed down, it meant to put the sword down and let the gladiator live, and if the emperor pointed back towards his chest, it meant *into his heart*.

Depending on the authority of the speaker, any word—and any act—can incite violence. The President of the United States, like a Roman Emperor, has vast authority. But unlike emperors, who enjoyed permanent power, a President in a democracy cannot engage in a project to ensure perpetual rule.

The authority condition for speech to enable and justify violence is clearly met by Trump's words.

Immediately prior to the riot, President Trump held a rally which was designed to produce the Capitol invasion, deploying language and imagery that, like the emperor's thumb, gained their meanings over time. This behavior is more typical of dictators than democratically elected leaders.

It is central to the literature on dangerous speech that for speech to be dangerous, for it to enable and justify violence, it must be part of a practice that has been built up over time. In the literature on mass violence, this is sometimes known as “the social embeddedness condition.” It raises the question of whether Trump's speech immediately preceding the events of January 6 meets this criterion. Did Trump and his associates establish a pattern of attacking democracy and its characteristic manifestation (elections) prior to January 6?

For months and even years, Trump had been using a timeworn propaganda recipe that never fails: Take a source of grievance, then magnify and redirect it.

Throughout his presidency, Trump focused on economic loss, both real and perceived, and on violence in America's major cities, both real and perceived, to mobilize his supporters. He has also made a habit of harping on cultural dissonance conservatives feel in the face of the spread of liberal ideas. More recently, since his presidential loss, Trump fabricated a web of lies in which an unholy alliance of “Democrat run cities,” members of the media, political elites, and radical leftists stole the election from his supporters. Trump repeated these lies at a truly astonishing rate starting well before the election had even occurred.

On a regular basis, Trump presupposes outright falsehoods and framings that undermine the normal democratic process. Trump regularly engages in what is called *undermining propaganda*. Undermining propaganda dresses up the sabotage of certain ideals *as if it were supporting* those very ideals. For example, you might say that in the interests of equality and fairness, we must protect *white* American votes. Or in the interests of democracy, we must disregard votes that are not in our interest, because democracy has been compromised by what Trump called on Jan 6 “the scam of mail in ballots.”

Such false claims whip up emotion. But even more effective is Trump's regular trafficking in *wartime* framing. In [his speech on January 6](#), Trump used the words "fight" or "fighting" twenty

times. Trump described [Republicans](#) on his side as "warriors," rather than participants in a democratic process. And he described the stakes in existential terms. "And we fight," he said. "We fight like hell. And if you don't fight like hell, you're not going to have a country anymore."

Trump employs propaganda techniques that are familiar from explicit fascist movements. The repetition of lies has been a powerful tool for authoritarian leaders in the past. In fact, the most famous fascist propagandist, the Nazi leader Joseph Goebbels, is often misquoted as saying that repeating lies was central to Nazism. He never said it. This misquotation has led to an image of fascist leaders being fully conscious of the extent of their deliberate falsehoods.

Hitler, and also Goebbels, insisted that propaganda needed constant repetition, but they never argued that they were telling lies. In fact, they believed firmly that what they said was true. In 1942, Goebbels wrote in his private diary that "the essence of propaganda is simplicity and repetition." Of course, simply repeating messages can be incredibly dangerous, particularly when they are based not in facts but in flawed political ideologies.

Trump managed to falsely claim 32 times in this single speech that the election was stolen or "taken," and that the vote tally resulted from "illegal" or "unconstitutional" actions. And who did the stealing? It was "stolen by emboldened radical left [Democrats](#)... and the fake news media."

Take angry people, make them angrier, pull them into a mob, and fan them with the same flames extremists had been heating them up with over the course of months and years online. Let threats against those who transgress (weak Republicans and [Mike Pence](#), who is going to need "courage" if he does "nothing," per Trump's rally speech) hang in the air. Talk of the country's descent into chaos ("It's a disgrace", "they're all running around like chickens with their heads cut off with [ballot] boxes"). Make it personal: "We will not let them silence your voices." Then direct the mob to the target: [Congress](#). "We're going to the Capitol and we're going to try and give [weak Republicans] the kind of pride and boldness that they need to take back our country."

If there was any opportunism, it was not in the rioting. It was rather in Trump's adoption of methods of propaganda that have been tried and tested the world over, methods that reliably incite violence against a leader's political opposition. These methods have clear historical roots in fascism and totalitarian forms of dictatorship.

Whether Trump's consistent use of these messages was opportunistic or reflects his deeply held values is irrelevant. We have established that Trump had the authority required to incite his audience to violence. Trump built a propaganda campaign in advance of the election, with the goal of delegitimizing its result if he lost. After he lost, his propaganda campaign accelerated, seeking to elicit the "hot and dangerous" atmosphere that leads to violent action. As January 6 and its continued aftermath demonstrated, this propaganda campaign was successful. Trump's

words, in particular his promotion of “the Big Lie”, have justified changing electoral laws and access to the ballot in ways that severely harm democracy.

### **Donald Trump’s behavior has been moving the American right away from populism and towards fascism**

Donald Trump’s rhetoric is has clear continuities vis-a-vis the totalitarian and fascist regimes of Mussolini in Italy and Adolf Hitler in Germany as well as populist regimes from the Latin American and European past but also incorporates other elements going back to American xenophobic and authoritarian traditions and propaganda techniques such as his racism and his glorification of violence and repression in the context of Jim Crow.

Stressing this American xenophobic dimension cannot mean that Trump’s actions have only American precedents. They are, in fact, part of a larger global history of anti-democratic attempts.

The failure to see Trumpism in the global context of the history of fascism and right-wing populism, is based on a kind of American exceptionalism. But the United States is not immune from global intellectual currents that affect some of the world’s largest democracies from India to Brazil and from the Philippines to Hungary. The events of January 6, and their aftermath, offer a clear confirmation of this.

In addition to his fellow travelers on the far right, Trump also echoes other populist authoritarian leaders, including those on the left, such as Venezuelan Hugo Chávez, who went so far as to advocate that one million people take up arms to prevent an alleged American invasion. Trump praised those carrying weapons into the Michigan legislature as wanting the “liberation” of their state. The equation of freedom with the threat of violence by armed citizens and militias, also identifies freedom, in practice, with undermining the American constitution.

The world is experiencing a surge of attacks against democracy but the political logic of these attacks is anchored in the past. It is rooted in the history of political extremism, and this also includes the history fascism. In fascism, democracy is destroyed from within and this is what was attempted in the attack on the capitol. In this attack a previously elected leader wanted to achieve permanent power by extralegal means.

This is why the January 6 attack followed the logic of fascism. As we have seen before with Nazism and Italian fascism, for an extremist party to become viable in a democracy, it must present a face it can defend as moderate, and cultivate an ambiguous relationship to the extreme views and statements of its most fanatic members. It must maintain a pretense of the rule of law, characteristically by projecting its own violations of it onto its opponents. It must also present its leader as a defender of the system when in fact he stands for the opposite.

In the case of the takeover of the mainstream rightwing party by a fascist leaning populist anti-democratic movement, the pretense must be stronger and so are the dangers to democracy. The movement must contend with members of that party who are faithful to key procedural elements of democracy, such as the principle of one voter one vote, or that the loser of a fair election give up power – in the United States today, figures such as Adam Kinzinger and Elizabeth Cheney. Extremist movements, including fascist and neo-fascist ones, face pressure both to mask their connection to and to cultivate violent racist supporters, as well as its inherently anti-democratic agenda. But at some point the tension becomes too strong and the party needs to decide whether to follow democracy and the constitution or to gain or remain in power via extraconstitutional means. This was the choice of Donald Trump and his supporters.

### **Donald Trump and his enablers attempted a coup**

A coup against a democratic regime can be defined as any political action by state actors that aims to either maintain or take over power by unconstitutional means. In short, there is a coup when military renegades or democratically elected leaders [suspend the democratic process](#). This definition — and global history — is why the events of January 6, 2021 in the context of Donald Trump's refusal to accept his electoral defeat and his refusal to initiate a transition of power led some to question whether a coup took place for the first time in the history of the United States.

As experts in the history and theory of fascism, we unequivocally answer YES to this question. The events of January 6 were a clear criminal act, namely an attack against the constitutional system of the United States.

The ideology and practice of Trumpism belongs to the history of populism and fascism. Like extremist movements in the past, it sustained itself through propaganda and political interference in independent institutions.

The result is an endless stream of lies and conspiracy theories that have undermined mechanisms for holding those in power accountable, and ultimately the functioning of democracy itself. The question is whether these governments' policies of disinformation and willful neglect can also be described as criminal.

Fascist dictators like Adolf Hitler and Benito Mussolini came to power through electoral and legal channels. Once in office, they transformed state institutions into loyal organizations and, when faced with obstacles, used violence with impunity. The threat of violence by armed militias or civilian paramilitary groups against state institutions is often central to the process by which dictators take over the institutions that made it possible for them to come to power.

As noted by legal scholar Ernst Fraenkel (1941), this type of dictatorial personality aspires to create a dual state where the law takes second place to the political needs of the leader. For

fascists and their imitators, legality is always less important than keeping power. This is what we witnessed on January 6 of 2021.

Trump admires dictators and autocrats. Although he had degraded American democracy, our institutions, media and citizens have presented barriers to his power grabs before January 6. After Americans voted him out of office, Trump resorted to the ultimate authoritarian weapon, the destruction of democracy from within.

In defeat he edged away from being a [typical right-wing populist](#) and toward being someone who poses a dire threat to democracy. A key difference between populism and fascism is that, for populists, actual electoral results matter. In contrast, fascism implies permanent power, irrespective of the ballot box. Populism affirms the authoritarian idea that one person can fully personify “the people” and the nation — but it must be confirmed via electoral procedures.

Whereas fascism has reveled in lies, populism has respected the truth of the ballot box. This doesn't mean it always advances democracy — indeed it frequently manipulates it. But it still derives power and depends on the integrity of the electoral system. That is why populist leaders have long recognized the value of respecting electoral results, even if they came out on the losing end of the democratic process.

The distinction between populism and fascism is beginning to fade. In this sense, President Donald Trump has been a trailblazer for global autocrats. Especially in his denial of the election's results and embrace of the "big lie" about voter fraud and its ultimate consequence the Coup of January 6, Trump represents a historical turning point in populist politics, enabling and inspiring others — just like fascist dictators before him.

January 6 was a coup attempt, in the classic political sense. But it is also ongoing. In state after state, the election apparatus is being dismantled and attacked, to ensure the result that elections will be decided in favor of Donald Trump. The central authoritarian principle that elections are only legitimate in so far as they favor the chosen leader is being implemented. American democracy is in dire peril from this slow-motion coup.

### **The Shape and Form of American Fascism, Past and Present**

Under Trump, the Republican Party seeks one party rule, in the service of a kind of cult of the leader, who promises a restoration of greatness supposedly destroyed by liberals, immigrants, minorities, and socialists. In short, what seems to be emerging in the Republican Party, out of the wreckage of our *Herrenvolk* past, is the danger of a modern-day actualization of fascism. In this system, anyone who is not loyal to the leader, or the leader's party, is treated as illegitimate—denounced as socialist, a communist, or a useful dupe of these ideologies. The party line is buoyed in the trenches by a conspiracy theory, Q-Anon, with clear anti-Semitic

overtone, [reminiscent both](#) of the anti-Semitic conspiracy theory the Protocols of the Elders of the Zion, which postulated that Jews were a global elite that sought to destroy Christian nations with liberalism, communism, and social justice, [as well](#) as the medieval anti-Semitic charge of “blood libel.”

Between World War I and World War II, Henry Ford distributed hundreds of thousands of copies of the Protocols of the Elders of Zion, laying the ideological basis for the reemergence of something like QAnon today. Fascism, in its ideological component, has deep roots here. But how does the label “fascism” help us understand the predicament into which Trumpism places us today? How does it explain and predict the anti-Democratic political strategies and structures that we are now witnessing?

The word “fascism” brings with it foreign, specifically European, connotations, which belie the fact that [Trump and Trumpism are uniquely American](#). But, as [Sarah Churchwell](#), [Richard Steigmann-Gall](#), and others have ably demonstrated, the ideology—and the word—has deep roots in the United States, [particularly salient](#) among the Black left, who have long [employed it](#) as a label for the kind of violent militarized racial police structure that subordinates Black Americans.

Scholars such as Carol Anderson have made it clear that voter suppression of Black populations is a core element of American history. As in the present day, the methods to suppress Black political participation were hidden under a “race neutral” blanket, such as “literacy requirements” during the Jim Crow era. As the scholar James Whitman demonstrates in his book, [Hitler’s American Model: The United States and the Making of Nazi Race Law](#), Jim Crow laws provided a model for the Nazi’s legalized formation of second-class citizens. In other words, our own racist history affected the nature and shape of classic forms of fascism.

In his 1955 work *Discourse on Colonialism*, Aimé Césaire argues that fascism was the result of bringing to bear on domestic populations the tactics that European countries used on their colonial subjects. Using this insight, [we can make sense](#) of the Trump’s administration’s war on undocumented US immigrants, using the structures developed in the recent War on Terror. But Trump himself is generally an isolationist, not a colonialist—as indeed were US fascist or fascist friendly movements from the KKK to America First. In what sense, then, does it help to see Trumpism as related to key social and political movements like fascism, given these isolationist tendencies?

If we think of fascism in the United States was primarily directed *inwards*, towards a kind of *internal* colonization of Black and indigenous populations, we can begin to understand the danger we are currently facing. Césaire’s insight helps us see that what we are witnessing is the ordinary behavior of many politicians, but with the scope of that behavior broadened beyond Black Americans. We are, as in the case of classic fascism, seeing the widening of tactics directed against essentially colonial subjects to domestic populations previously unfamiliar with



them—it is just in the case of the United States, the colonial subjects are internal to the country. As Ida B. Wells [noted](#) in her 1892 book *Southern Horrors*, “They forget that a concession of the right to lynch a man for a certain crime... concedes the right to lynch any person for any crime.” We may expect the tactics once aimed at America’s Black population to be broadened to disenfranchise and otherwise harm individuals, corporations, and institutions that do not explicitly express fealty to the right political leaders (Trump and similar authoritarian minded GOP leaders).

## **Conclusion**

It is important to distinguish between phases of social and political movements, between when they are seeking to gain power and when these movements are in power. In the United States, we see dimensions of fascism in its movement phase, threatening democratic institutions and even corporations (such as Disney), often from within, until they capitulate. January 6 represents a warning sign for the entire world. January 6 was a beginning, not an end. Failure to provide accountability for those who initiated it is tantamount to legitimizing it, as well as the slow motion coup to which it has given birth.

Protecting democracy requires the dedication of journalists to record and investigate abuses of power, and courage of street protestors to channel this knowledge into action. It requires politicians on the right, center, and left who can clearly and visibly place their allegiance to multi-party democracy over seizing the reins of power in a one party state. It requires law enforcement and the armed forces to take the side of the constitution. When fascism won in the past, it was when none of these things happened.