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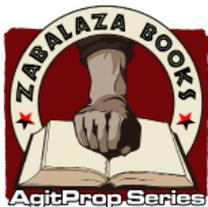
Anarchism and Crime



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Anarchists are repeatedly accused by our detractors of being idealist, utopian and impractical. One matter, on which the libertarian perspective is often seen as particularly weak, is the thorny topic of crime. It would be fair to say that the “all coppers are bastards”-type polemics trotted out with tiresome regularity do little to convince the potential convert that revolutionaries have anything of substance to offer as an alternative to the crime ridden status quo. Moreover, this continued failure to adequately address lay people’s basic questions with satisfactory answers surely goes a long way in explaining why contemporary anarchism has failed to gain a firm foothold in the collective psyche of the population. Here we offer one contribution towards addressing this perennial shortcoming.

► Crime, Profit and Power

Opponents of capitalism and the state point to the fact that the existing law making and law enforcement infrastructure acts primarily for the rich and powerful. In effect, the wealthy elite, who live in untold luxury from the proceeds of property and labour time stolen from the masses, are just thieves on a grand scale. Their institutionalised theft, however, is perfectly legal. Take the recent cases of the big 6 energy companies that hauled in record profits by introducing unprecedented price hikes that consigned thousands to fuel poverty; or the City speculators who made millions by gambling on the misery wreaked by the economic downturn.

Capitalism is organised gangsterism. Driven by the need to expand and chase profit, transnational corporations and governments collaborate to pursue their interests by spending millions on arms, destroying nature, polluting the environment, dominating other nations, enslaving the poor and depriving many of access to the basic means of life. Further, in protecting the profits of big business, governments regularly commit mass murder by sending young men and women to war, and by bombing, interning and otherwise terrorising innocent civilians.

Capitalism is antisocial. It produces both the motivation and material conditions which enable crime to flourish. As Keynes put it: “Capitalism is the absurd belief that the wickedest of men, for the wickedest of motives will somehow

until the owner had recuperated. All this was done with no police involvement and little or no cost to the driver; other than a resounding message of thanks and an expectation that the favour would be reciprocated in the event that the roles be reversed.

When a child goes missing, communities rally round to help with the search. When a ship is in danger, volunteers staff the lifeboats. This represents anarchism in action. Problems and difficulties we face are best solved when we all pull together, reinforcing our common humanity and shared commitment to mutual aid, cooperation and community spirit. In the society of tomorrow, these will be our greatest weapons against crime.

Like aboriginal justice, anarchists contend that offenders should not be punished, but justice achieved by the teaching and healing of all involved. Public condemnation of the wrong doing would be a key aspect of the process, but the wrong doer would remain part of the community and so see the effects of their actions on others in terms of the grief and pain caused. It would be likely that the wrong doers would be expected to try to make amends for their act by community service or helping victims and their families.

An Anarchist FAQ, section 1.5.8

collective discussion, negotiation and decision making in the best interests of the community as a whole. For instance, it may well be decided that victimless “crimes” would not be punished and informal sanctions would be adequate in the case of most petty, minor and isolated offences.

A limited system of community courts, advocacy and legal representation will also be needed. Just as policing requires skills in forensics, questioning and evidence gathering, court adjudicators and advocates would need some expertise in implementing legal frameworks to ensure equity and consistency. These functions would all be discharged in a way that strictly limits any temporary powers afforded to (instantly revocable) individuals, and to empower the wider community, rather than professional bodies or institutions. All those tasked with roles in preserving a desirable social justice system would be closely monitored, fully accountable and subject to rotation. All procedures employed must be completely open and transparent. For example, in no circumstances would a situation arise of an alleged wrong doer being “roughed up” behind closed doors.

A libertarian justice system would do all in its power to offer representation and advocacy to alleged transgressors at all stages, and in case of conviction, to ensure any sanctions imposed are collectively agreed, proportional and humane. Incarceration of any kind would not be considered, except as a very last resort in the case of a pathological psychopath/murderer, for example. Imprisonment is opposed both on practical grounds (it does not work) and because it is morally repugnant. In many cases, therapeutic rehabilitation will be deemed appropriate in the best interests both of the individual concerned and of wider society.

Anarchism emphasises individual responsibility. If we are all involved in making “laws” then we’ll all feel duty bound to uphold them. Individuals will be encouraged to be fully accountable for their own actions and be expected to act sociably, demonstrating mutual respect for others. The litigious culture of today allows excessive amounts of time, energy and resources to be invested in petty and fraudulent civil claims. “No win, no fee” legal firms – or “ambulance chasers” – have a vested interest in encouraging this. A sane society would dispense with such trivia.

Digressing slightly, a case from some years ago may explain how an anarchist society would deal with a problem like a car accident. In some particularly poor weather conditions, a car driven by a visitor to remotest York-shire skidded off the road, overturning and concussing the driver. The local community, on hearing of this minor calamity, responded by quickly attending the scene. Acting in unison, and with minimum fuss, they called an ambulance, alerted the driver’s relatives and arranged repair and storage of the damaged vehicle

work for the benefit of all”. It is a system where the good guy comes last and the scum rises to the top. The have nots are forever goaded to play catch up with the haves, and the haves are forever encouraged to accumulate more – and flaunt their ill gotten gains with aplomb. Capitalism means that for every winner, there are literally dozens of losers. Lack of opportunity denies many people legitimate access to prosperity and breeds resentment and crime. Much anti-social behaviour is the direct result of this insidious dog-eat-dog mentality, a mindset that is unanimously encouraged by the ideological apparatus of the ruling class – the media, the education system and the advertising industry.

Research conducted into the psychological profile of prison populations in the UK and the US in the last decade has uncovered staggeringly high levels of mental illness, personality disorder and/or drug or alcohol addiction. Further studies have conclusively demonstrated a high correlation between poverty and mental illness. Social inequality, alienation, manufactured greed and aggressive individualism thus lie at the root of much of what we now know as crime and anti-social behaviour. Other prevalent crimes are linked to sexism, racism and repressive morality, anachronisms that have been unscrupulously handed down from bygone eras, and that continue to be stubbornly upheld by many of society’s key institutions. The criminal justice system is a prime exemplar of this; it focuses heavily on administering punishments based on primitive justice, rather than employing more therapeutic methods which might begin to question the very social origins of criminal behaviour.

► Moral Panic

The tendency of the capitalist media and state to exclusively target working class deviance is purposely designed to divert attention away from the transgressions of the rich and powerful. The government spends thousands on combating benefit fraud, yet virtually ignores tax evasion which, in financial terms, costs vastly more. As workplace related deaths continue to rise, prosecutions for health and safety violations steadily decline. Crimes of the powerful, like insider dealing, tax evasion, embezzlement, fraud, labour violations, price fixing, money laundering, corporate bullying, unsolicited pollution, bribery and political corruption are all part and parcel of capitalism’s modus operandi. But more often than not, they go undetected and unpunished.

The right wing press thrives on generating moral panics by greatly exaggerating the threat to society posed by minority groups and working class youth. Moral panics are self-perpetuating campaigns of misinformation leading to a climate of paranoia that actively escalates social problems. They also act as a means of injecting political agendas into the public domain, and are invariably

accompanied by calls for more aggressive policing and tougher sentencing. One classic example is the failed “war on drugs”. Since its initiation by US Senators in 1924, based on decidedly dodgy advice, the relentless pursuit of drug prohibition policies by governments worldwide has given rise to the very problems they claim to want to solve – a lucrative black market and a trail of diseased addicts, compelled to steal to feed their habits (see www.flatearthnews.net).

As the prisons overflow, the criminal “justice” system, based as it is on largely false premises, naturally fails... miserably! Acting as a criminal conveyor belt, it efficiently churns out a steady stream of hardened serial offenders.

► Policing

Many working class communities have little faith in the police, a force that appears powerless (and apathetic) in the face of rising crime and anti-social activity. Institutions like the police force rely heavily on obedience, orthodoxy and discipline. They engender roles that erode individual freedom and humanity. This is because when the going gets tough, the ruling elite needs them to do as they’re told, knuckle down and keep the rest of us in line. When striking workers and popular protest threaten, the strong arm of the state – the army and police – preserves ruling class hegemony at all costs. “I’m only doing my job”, they say, but if they didn’t exist, the giant disparities of wealth and other obtrusive social injustices we see all around us today would simply not be tolerated.

One recurrent symptom of power is abuse. Some months ago, CCTV footage of 4 policemen apprehending a suspect was shown on TV. It emerged that the suspect was actually an innocent bystander who happened to be in the vicinity at the time a disturbance had been reported. During the incident, the officers wrestled the man to the floor, kicked and punched him and smashed his head into the ground. He was later charged with assaulting them. Although this was portrayed as an isolated incident, such occurrences will come as little surprise to many who have been on the wrong end of a force that is largely a law unto itself. The inquest into the police murder of Charles de Menezes was compounded by a litany of lies by the guilty officers. This, along with other famous miscarriages of justice, such as that perpetrated against the Birmingham 6 in the 1970s, may represent only the tip of the iceberg.

To an extent, it may be argued the police officers are also victims of class society. They are required to work long hours, and are brutalised by their constant exposure to traumatic events and the unpleasant symptoms of a terminally dysfunctional society. Some anarchists, in venting their spleen at

the police, tend to convey a rather rose tinted view of criminals as if most are just frustrated Robin Hoods, misguidedly seeking to redress society’s injustices. This view bears little resemblance to reality. Burglary and mugging rates are far higher in poor areas than in better off ones, and the actions of some criminals, who knowingly target the old, the infirm or the weak, make even the most hard nosed capitalist look positively human. Portraying rapists, murderers and child abusers as victims, as some sections of the left do, is also, frankly, ridiculous.

Nevertheless, most of what we know as “crime” is definitively linked to social conditions. What evidence do we have for this? Well, crime levels vary massively from place to place, from country to country. Generally, where there’s tolerance, minimal economic inequality and a strong sense of community, crime is virtually non-existent. Thus, if we reconstruct society in such a way as to rectify today’s iniquitous social conditions and to foster a new social order of participation, mutual aid, liberty, equality and justice, then crime will largely disappear.

► Libertarian Justice

So how, you might ask, would an anarchist society deal with crime and antisocial behaviour?

The first consideration here is that even in a society that has resolved the contradictions of class and the anomalies of moral repressiveness, a small amount of crime would still occur. This may be caused by endogenous pathological disorders or there may be crimes of passion that, although relatively uncommon, would still persist. Further, it must be recognised that humans, even under the most congenial social conditions, are imperfect and subject to occasional erring. Personal freedom must always be balanced against the freedom of others and sometimes mistakes, wilful or otherwise, will be made. So yes, even in a socialist utopia, some degree of policing will be appropriate. Further, there may be social problems other than crime that may call upon specialist policing skills, such as unresolved personal disputes, vehicle collisions or floods and other natural disasters. However, the policing role would not be exclusive to a single profession but would be carried out only as part of a balanced job complex.

The idea that a libertarian society would be a complete free for all with no formalised legal, ethical or moral framework is also unrealistic. All anthropological studies of functioning “anarchic polities” reveal established justice systems of “laws” and sanctions. In the future, these frameworks would not be manipulated and imposed by an unaccountable elite to serve their own narrow interests, but would be formulated and agreed upon by