

The Anarchist Library
Anti-Copyright



The Anarchist Response to Crime

Scott of the Insurgency Culture Collective

Scott of the Insurgency Culture Collective
The Anarchist Response to Crime

theanarchistlibrary.org

Contents

What Is Crime?	6
How Is Social Peace Achieved?	7
How Is Crime Remedied?	9
Do We Need Prisons?	13

issues of crime and social peace. We must be prepared to liberate all those who are now incarcerated for actions no longer treated as criminal and act without mercy in incarcerating all those who will not respect the social peace in the new Anarchist society. We must accept that it may take a few generations of experience in the new society and a lot of incarcerations before the society at large is purged of the bad influences of capitalism, authoritarianism, and chauvinism. It is the ultimate goal of an Anarchist society to do away with prisons altogether. We can begin by releasing all those unnecessarily incarcerated under the current system and closing those prisons where they were held. Afterwards, as society is transformed and prison populations dwindle we can systematically close and dismantle all the remaining prisons as the need to banish violent criminals is minimized.

In *The Descent of Man*, [Charles Darwin] gave some powerful pages to illustrate its proper, wide sense. He pointed out how, in numberless animal societies, the struggle between separate individuals for the means of existence disappears, how struggle is replaced by cooperation, and how that substitution results in the development of intellectual and moral faculties which secure to the species the best conditions for survival. He intimated that in such cases the fittest are not the physically strongest, nor the cunningest, but those who learn to combine so as to mutually support each other, strong and weak alike, for the welfare of the community. "Those communities", he wrote, "which included the greatest number of the most sympathetic members would flourish best, and rear the greatest number of offspring" (2nd edit., p. 163).

— Peter Kropotkin, *Mutual Aid: A Factor In Evolution*, 1902.

Mutual Aid: The idea that the evolution of Humanity as a sentient species and the emergence of Human Civilization were the result of solidarity for the needs of our fellow community members, cooperation and mutual support to overcome our mutual obstacles, defend against our mutual adversaries and create a society in which all who cooperate will mutually benefit. Mutual Aid is the basis of the village community, the labor syndicate (Union), cooperative and collective businesses, mutualist credit unions, mutual insurance and various mutual aid societies where people voluntarily help others.

In society, there are only two ways to maintain peace: Cooperation and Coercion. Authoritarian societies and societies which advocate a Social Contract (Constitutional Government) believe that people should give up part of their freedom and submit to the whim and violence of Police, Military and Government Spy and Covert

Operations in order to feel safe. Societies which practice Mutual Aid believe that people in a community cooperate to insure that no person is victimized by another, that community standards of civility, mutual respect and mutual freedom are observed, and that persons who threaten the community must be opposed and are not welcome in the community. Historically, Mutual Aid has been the predominant means of maintaining Social Peace in every community and culture except those where one group tried to steal away more than their fair share of the resources of the community. The only way for them to get away with this is through violence, theft or fraud. Historically, cultures with disparities in wealth and prosperity have always relied on coercion to keep those who have been robbed from taking back what is rightfully theirs.

What Is Crime?

Anarchists believe that we are all born free, that no one can tell us what to do or how to think, and that we are always solely responsible for our own actions. For everyone to peacefully coexist in a free society and have an opportunity to get out of life what they put into it everyone must be entitled to life, liberty, and the fruits of their labor and no one should be allowed to take these things away from anyone else. Crime is any action which would deprive someone of equal access to these things. An Anarchist society recognizes only three types of crime: (1) Chauvinistic Crimes, (2) Economic Crimes, and (3) Violent Crimes. Chauvinistic Crimes are those actions that deprive us of freedom or the fruits of our labor because of social prejudices, religious dogma, or personal malice or animosity. Economic crimes are those that deprive us of the fruits of our labor by theft, fraud, or vandalism. Violent crimes are those that deprive us of our life, freedom, or the fruits of our labor through deadly force, physical abuse, or coercion.

erce a determined violent criminal into not committing an act of violence because violence is either spontaneous or premeditated. People who go to the trouble to plan crimes of violence do not believe they will be caught. Some people may feel that segregation of violent criminals is somehow inhumane but, only the most inhumane individuals will require segregation. This is especially true of the criminally insane who pose an even greater threat to the social peace than premeditated killers. Any prison system which remains must have a special facility for the criminally insane. All criminally insane violent criminals will have to be kept in isolation. Anarchists believe that a society with social justice and free mental health care will greatly reduce the number of mentally ill people, including those who are criminally insane.

The best disposition for those who are incarcerated is to be held separately for sleeping purposes and released for daily work periods. Those who do not chose to work should remain in isolation. Large areas of incarceration facilities should be devoted to food production for use at the facility. Hard work at the facility makes the time pass more quickly and uses up a person's energy so there is less violence between those who are incarcerated. Those who endanger the lives of other people in the prison should not be allowed on work details. We cannot expect incarceration facilities to be self-sustaining. They will be a liability the community will just have to accept as part of the price of their freedom. In an Anarchist society the number of people who are banished and incarcerated would be only a fraction of those incarcerated under the legal, economic, and social system that now exists.

Anarchist societies do not come into being over night. We must accept that many of the bad people from the old capitalist, authoritarian, and chauvinistic society will still be around when an Anarchist society is still in the process of being organized. An Anarchist society must be prepared for many of these people to reject the new society and must set an example with them that the Anarchist society is both more fair and more uncompromising in dealing with

will become increasingly rare, the number of violent criminals will be a lot less than it is now. Since we cannot banish them to a frontier, we must banish them to the only artificial frontier which exists: the prison system. Their limited numbers will actually enable the society to incarcerate all its violent criminals without any early release that might threaten the society.

Since banishment must mean incarceration in modern society, incarceration will necessarily concentrate the most violent elements of society and place a demand for resources on the community to feed, clothe, and shelter those who are banished. It would be as immoral for those banished to be parasites on the society as it is for capitalists and other economic criminals. It is therefore necessary that centers of incarceration fully compensate for the resources they consume and be fully self-sufficient whenever possible. This can best be accomplished by allowing those who are banished to have limited liberty within the prison in exchange for contributing useful labor to their prison community. It is not likely that the most violent people in society can be contained and organized to sustain themselves without some coercion and social control. We must therefore concede that those who reject the benefits of the Anarchist society and chose to live apart from it should not expect Anarchist benevolence when they are banished. Neither should they expect punishment or rehabilitation. Those who are banished must be denied visitation from the Anarchist society which they have rejected. For all practical purposes they are dead.

However, Anarchists do not believe in a death penalty for any crime. First, death is not a corrective measure. When a person is killed, it in no way changes the act of the violent criminal nor makes the people anymore safe than merely segregating the violent criminal. Therefore, the death penalty is merely a political act. Its sole function is to enable the government to legally murder someone as an example to a group of people it wishes to coerce for reasons beyond the interest of public safety. Second, death is not a deterrent. It is impossible to use the threat of violence to co-

Anarchists believe that most crime is a product of social deprivations, inequalities, and abuses inherent to Authoritarian, Capitalistic, and Chauvinistic socioeconomic systems. By doing away with these systems we can begin to do away with the problems they create. But, there will still be people who want to exploit and victimize others for their own personal satisfaction as well as some reactionaries who want to establish a new system of domination, exploitation, and social control. To deal with these criminal personalities a society must be able to segregate them from the general population so they cannot harm anyone.

Too often the term justice has been abused to imply retribution, punishment, correction or other forms of coercion or social control. Anarchists believe that the only true justice lies in personal freedom. In a free society the need is to protect the society from crime without obstructing freedom of choice. Anarchists are not interested in vengeance, only peace. Therefore, our goal is to insure social peace by segregating those who threaten it rather than debating and imposing an arbitrary view of justice based upon the whims and ambitions of parliamentarians, bureaucrats, and autocratic jurists.

How Is Social Peace Achieved?

Anarchists believe in cooperation rather than competition, direct democracy rather than authority, and mutual aid rather than policing. These are the basis of the Anarchist system of social peace. Historically, Anarchist societies have replaced professional military and police forces with a part time popular militia which looks out for the safety of the community and would take a person accused of a crime and their accuser before a popular tribunal where any dispute could be arbitrated and any criminal act could be adjudicated and rectified. The militias work much like a neighborhood watch except they serve the community rather than being an

instrument of police control and manipulation over the community. Popular tribunals work much like binding arbitration in a labor dispute. Popular militias are made up of volunteers from the community and are delegated their responsibility by the community who can revoke it at will. They are delegated the responsibility of bringing conflicting parties or accused persons and accusers before a tribunal but, it is the tribunal that is responsible for questioning them as soon as they are apprehended. Tribunals are groups selected at random from members of the community by lottery. They function much like a jury in hearing evidence and making a decision based on that evidence. No person should be convicted of a crime without evidence against them. Since the standards of the community are simple, the delegated responsibilities of tribunals are simple. It is simply their delegated responsibility to determine who did what to whom. The community at large decides the term of banishment for violent crimes based on their severity and threat to the community. If a person feels they have been treated unfairly they have the right to seek arbitration.

In a modern society we must expect the need for forensic and detective collectives to investigate major crimes. These would work with local militias whenever a crime was discovered but, not witnessed. The types of crime that would fall under this heading would be murders, burglaries, and violent or economic crimes where the perpetrator or perpetrators concealed their identities. Forensic and detective collectives would serve several communities. In an anarchist society, crimes requiring investigation would be rare, but must be pursued quickly because anyone so predatory as to do such things must be quickly segregated from society to protect the community.

Anarchist communities are protected by mutual aid rather than a police state. Since the safety of all people in the community is dependent on zero tolerance to violent predatory behavior, all members of the community cooperate to identify such incidents so the individuals involved can be dealt with. This value is instilled in all

the only function of violence and predatory behavior is to institute slavery, injustice, and exploitation. Those who do not respect the social peace should not be a part of the community. Without this assurance, no society of free individuals can exist. By creating a free society we reject the idea that we need to subject our behavior to an outside authority; that we need someone else to take care of us and to tell us what to do. We discard the coercion of the old police state and its illusion of order which leaves no one but the members of the community itself to assume responsibility for their own lives. If we fail in our responsibility to protect the social peace, people will be hurt and subjected to the coercive force of violence which is the foundation of all autocratic, fascist, and feudal tyranny. This understanding must be instilled in the youngest members of the community, enforced equally by all members of the community, and applied equally to all members of the community regardless of age, gender, ethnicity, sexual orientation, or lifestyle.

Do We Need Prisons?

Not long ago there was a time when being banished from a community meant expulsion to large expanses of land between frontier towns, feudal merchant centers, or city states. In those areas a person had to fend for themselves and they were at the mercy of any predator (human or animal) who came upon them until they could come into another community who would agree to accept them. These islands of sanctuary were all independent and many areas were beyond their influence. In a modern society with most of the world populated and communities mostly adjacent to each other there are no more frontiers to which a person can be banished where they will not still be in the same society. There are no city gates where a person would be instantly recognized as an undesirable and locked out. If we release a predator, we release them to prey on someone else. In an Anarchist society where violent crime

chist societies do not produce large concentrations of wealth like stocks and bonds that are worth more than a person could possibly earn by honest labor.

Anarchist societies have little violent crime because there is no underground economy, poverty, or social injustice to breed violent behavior. Most conflicts are settled by arbitration and mediation without violence and rowdiness is moderated by mutual aid. People are able to channel their aggressive feelings into constructive activities like athletics if they chose. All that remains are crimes of passion and predatory behavior. No society can hope to prevent either one of these so we must be prepared to deal with these problems when they arise.

Since Anarchist societies provide free counseling, arbitration, and mediation, we must accept that most crimes of passion would result where a person refused to deal with a problem before it got out of hand. All persons must be held responsible for their actions regardless of their mental state if the safety of the society is to be maintained. Crimes of passion must therefore be treated like any other violent crime based on the severity of their criminal actions. The only appropriate social correction for violent crime is banishment because violence must be segregated from society in order for the people in the community to live peacefully. Economic criminals who reject the judgement of their society do not have the right to live in it and must be banished. Likewise, those who act violently against other members of society do not wish to live peacefully and cooperatively as a part of the society. They place themselves above the good of the community and do not have the right to live in it. As with economic crime, banishment must mean incarceration.

In an Anarchist society everyone has freedom of choice. Crime is therefore a choice. We do not dictate how each person should live, but we must recognize that an injury to one is an injury to all. There can be no tolerance of one of our community members being hurt by another person without the rest of us being threatened. Social peace is an essential element of an Anarchist society because

members of the community beginning when they can first begin to understand “getting along with each other” as young children and everyone is held accountable for their actions regardless of age. To discourage violence among the young, competition is discouraged in favor of personal progression and individuals are encouraged to specialize their learning in areas of personal interest after they master basic communication and arithmetic skills. Progress is based on demonstrating aptitude rather than the age of a student.

A community is a group of free individuals who cooperate to achieve a quality of life greater than what they could achieve separately. The community members have the right to protect their community and must take responsibility for doing so. They also have the responsibility of respecting each others freedom. This value must be instilled in children as they grow up. All members of the community must recognize that their participation in the community is subject to this value and that they will be held accountable by other community members if they violate this trust.

How Is Crime Remedied?

An Anarchist society has no victimless crime because all vices are legal and enjoyed only by those who chose to participate. There is no underground economy because there is no economic incentive for one. The commercial aspects of the current underground economy are legal so the violent aspects are either unnecessary or easily remedied by zero tolerance against violent crime and mutual aid. If people have a personal problem with compulsive behavior or a physical addiction, they can receive free counseling, peer support, or medical treatment to help them correct their problems. Persons who chose to provide vice services are free to do so without being exploited because there are no bosses, business managers, police, politicians, pimps, madams, gangsters, or any other authority coercing them out of their hard earned income. They enjoy the same

protection in society as any other honest worker and have the same rights.

Anarchist societies have no lawsuits because social problems are dealt with by arbitration, real property is collectively owned and administered, and personal property is collectively insured. Real property includes the land and resources which are owned by the community, all factories, production facilities, and other work sites which are owned by those who work at each site, and all public infrastructure which may be owned by a single community or cooperatively owned by several communities who share its use. Personal property includes any possessions a person may accumulate in exchange for their labor. All housing is owned solely by the occupant since Anarchist societies have no landlords and housing production is financed by pooling personal incomes into mutual credit funds. All multifamily housing operates like a co-op where people own their own units and cooperate in the upkeep of the building. Since there are no landlords or bankers housing costs are based on the cost of production not profit and interest. Since inheritance is limited to personal property and everyone who wants to work can have a job, a person's ability to pay for housing and other personal property is limited by the amount of work they do and there are no great disparities in the amount or value of personal property any person or household can amass in a lifetime. In an Anarchist society capitalism is abolished and the cartels which artificially inflate the value of gemstones, metals, artwork, etc. are abolished so things of beauty are possessed for the sake of beauty and truly rare artifacts are only affordable if many workers pool their resources for their mutual enjoyment or for the enjoyment of the community at large. This eliminates any incentive for tort lawsuits which are motivated by greed rather than need.

Anarchist societies have little chauvinism because most chauvinism is a product of competition, superstition, and social control mechanisms which are discouraged by community coopera-

tion, mutual aid, and free school education. Intolerance of chauvinistic ideas and behavior is not chauvinism; it is mutual aid.

Anarchist societies have little economic crime because no one is truly poor, no one is very rich. It is not economically possible for a single person to amass valuables or wealth worth the risk of larceny and it is unlikely that anything stolen could be sold for a significant amount or that anything valuable could be easily sold without the need for a group of people as prospective buyers. People have what they earn from their own labor and they only have to work as much as they want to. Without capitalism, any job would require less work to earn a living than stealing. Most of the remaining economic criminals would either be those who enjoy the act of taking from others more than the revenue, persons antagonistic to individuals or the community, and idiots with no common sense.

In an Anarchist society there is no punishment for crime, only social remedies. The only social remedy for an economic crime is 100% restitution. This means that a person's possessions which can be bartered are forfeit and they may be asked to do labor if this is not enough to correct for what they have damaged or stolen. It is not necessary for a person to be incarcerated to provide restitution or remedial labor. Incarceration of nonviolent criminals only creates violent criminals. Their alternative, if they chose, is banishment from the community until such time as they chose to provide full restitution. Anarchists believe in free association which means that you can associate with whomever you chose but, cannot be forced into an association against your will. Free association means that the community has the right to expel undesirable individuals who threaten the community or refuse to meet their personal responsibility to make amends for their criminal actions. In a modern society where the person cannot be released into other communities without putting them at risk, banishment must mean incarceration for a non-negotiable period of time dependent on the severity of their crime if full restitution is beyond their ability to pay through voluntary work. Again, this is unlikely since Anar-