

THE NOTION OF JUSTICE AND THE SOCIAL RELATIONS IT IMPLIES ARE INHERENTLY AUTHORITARIAN. IN PRACTICE, JUSTICE SYSTEMS ALWAYS GIVE UNFAIR ADVANTAGES TO THE POWERFUL AND INFLICT TERRIBLE WRONGS ON THE POWERLESS. AT THE SAME TIME, THEY CORRUPT US ETHICALLY AND CAUSE OUR POWERS OF INITIATIVE AND SENSE OF RESPONSIBILITY TO ATROPHY. LIKE A DRUG, THEY MAKE US DEPENDENT WHILE MIMICKING THE FULFILLMENT OF A NATURAL HUMAN NEED, IN THIS CASE THE NEED TO RESOLVE CONFLICTS.

ANARCHY | 5 WORKS |



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crime

RECOMMENDED READING:

Kristian Williams, *Our Enemies in Blue*. Brooklyn: Soft Skull Press, 2004.

Jamie Bissonette, *When the Prisoners Ran Walpole: A True Story in the Movement for Prison Abolition*, Cambridge: South End Press, 2008.

Dennis Sullivan and Larry Tifft, *Restorative Justice: Healing the Foundations of Our Everyday Lives*, Monsey, NY: Willow Tree Press, 2001.

Graham Kemp and Douglas P. Fry (eds.), *Keeping the Peace: Conflict Resolution and Peaceful Societies around the World*, New York: Routledge, 2004.

Michel Foucault, *Discipline and Punish: the Birth of the Prison*, New York: Pantheon Books, 1977.

Ammon Hennacy, *The Book of Ammon*. Salt Lake City: Catholic Worker Books, 1970.

Fred Woodworth, *The Match!* an anarchist periodical published in Tucson.

Laws are unnecessary in empowered societies; there are other models for responding to social harm. We can identify the problem as an infringement on others' needs rather than a violation of written code. We can encourage broad social involvement in the resolution of the problem. We can help those who have been hurt to express their needs and we can follow their lead. We can hold people accountable when they hurt others, while supporting them and giving them opportunities to learn and reestablish respectful relationships with the community. We can see problems as the responsibility of the entire community rather than the fault of one person. We can reclaim the power to heal society, and break through the isolation imposed on us.

PRISON IS THE INSTITUTION THAT most concretely symbolizes domination. Anarchists wish to create a society that can protect itself and resolve internal problems without police, judges, or prisons; a society that does not view its problems in terms of good and evil, permitted and prohibited, law-abiders and criminals.

WHO WILL PROTECT US WITHOUT POLICE?

IN OUR SOCIETY, POLICE BENEFIT from a tremendous amount of hype, whether it's biased and fear-mongering media coverage of crime or the flood of movies and television shows featuring cops as heroes and protectors. Yet many people's experiences with police contrast starkly with this heavy-handed propaganda.

In a hierarchical society, whom do police protect? Who has more to fear from crime, and who has more to fear from police? In some communities, the police are like an occupying force; police and crime form the interlocking jaws of a trap that prevents people from escaping oppressive situations or rescuing their communities from violence, poverty, and fragmentation.

Historically, police did not develop out of a social necessity to protect people from rising crime. In the United States, modern police forces arose at a time when crime was already diminishing. Rather, the institution of police emerged as a means to give the ruling class greater control over the population and expand the state's monopoly on the resolution of social conflict. This was not a response to crime or an attempt to solve it; on the contrary, it coincided with the creation of new forms of crime. At the same time police forces were being expanded and modernized, the ruling class began to criminalize predominantly lower class behaviors that had previously been acceptable such as vagrancy, gambling, and public drunkenness.¹ Those in authority define "criminal activity" according to their own needs, then present their definitions as neutral and timeless. For example, many more people may be killed by

¹ This analysis is well documented by Kristian Williams in *Our Enemies in Blue*. Brooklyn: Soft Skull Press, 2004.

pollution and work-related accidents than by drugs, but drug dealers are branded a threat to society, not factory owners. And even when factory owners break the law in a way that kills people, they are not sent to prison.²

Today, over two-thirds of prisoners in the US are locked up for nonviolent offenses. It is no surprise that the majority of prisoners are poor people and people of color, given the criminalization of drugs and immigration, the disproportionately harsh penalties for the drugs typically used by poor people, and the greater chance people of color have of being convicted or sentenced more harshly for the same crimes.³ Likewise, the intense presence of militarized police in ghettos and poor neighborhoods is connected to the fact that crime stays high in those neighborhoods while rates of incarceration increase. The police and prisons are systems of control that preserve social inequalities, spread fear and resentment, exclude and alienate whole communities, and exercise extreme violence against the most oppressed sectors of society.

Those who can organize their own lives within their communities are better equipped to protect themselves. Some societies and communities that have won autonomy from the state organize volunteer patrols to help people in need and discourage aggressions. Unlike the police, these groups generally do not have coercive authority or a closed, bureaucratic structure, and are more likely to be made up of volunteers from within the neighborhood. They focus on protecting people rather than property or privilege, and in the absence of a legal code they

² In 2005, 5,734 workers were killed by traumatic injury on the job, and an estimated 50,000 to 60,000 died from occupational diseases, according to the AFL-CIO “Facts About Worker Safety and Health 2007.” http://www.aflcio.org/issues/safety/memorial/upload/wmd_safetyfacts.pdf

Of all the killings of workers by employer negligence between 1982 and 2002, fewer than 2000 were investigated by the government, and of these only 81 resulted in convictions and only 16 resulted in jailtime, though the maximum allowed sentence was six months, according to David Barstow, “U.S. Rarely Seeks Charges for Deaths in Workplace,” *New York Times*, December 22, 2003.

³ These are widely available statistics from US Census bureau, Justice Department, independent researchers, Human Rights Watch, and other organizations. They can be found, for example, on drugwarfacts.org [viewed 30 December, 2009].

the specific purpose of controlling and abusing us. The problem is law itself.

Often, people who live in a statist society assume that without a centralized justice system following clear laws, it would be impossible to resolve conflicts. Without a common set of laws, everyone would fight for her own interests, resulting in perpetual feuding. If methods of dealing with social harm are decentralized and voluntary, what’s to keep people from “taking justice into their own hands?”

An important leveling mechanism in stateless societies is that people sometimes *do* take justice into their own hands, especially in dealing with those in leadership positions who are acting authoritarian. Anyone can abide by her conscience and take action against a person she perceives to be harming the community. At best, this can push others to acknowledge and confront a problem they had tried to ignore. At worst, it can divide the community between those who think such action was justified and those who think it was harmful. Even this, though, is better than institutionalizing imbalances of power; in a community in which everyone has the power to take things into their own hands, in which everyone is equal, people will find it is much easier to talk things out and try to change the opinions of their peers than to do whatever they want or cause conflicts by acting as a vigilante. The reason this method is not used in democratic, capitalist societies is not because it does not work, but because there are certain opinions that must not be changed, certain contradictions that must not be addressed, and certain privileges that can never be challenged.

In many stateless societies, bad behavior is not dealt with by specialized defenders of justice, but by everyone, through what anthropologists call diffuse sanctions—sanctions or negative reactions that are diffused throughout society. Everyone is accustomed to responding to injustice and harmful behavior, and thus everyone is more empowered and more involved. When there is no state to monopolize the day-to-day maintenance of society, people learn how to do this for themselves, and teach one another.

We do not need to define abuse as a crime to know that it hurts us.

and educational opportunities has been proven to increase recidivism.¹⁴ But for every study that showed how to end crime and reduce prison populations, the government has gone and done the exact opposite: they cut educational programs, increased the use of solitary confinement, lengthened sentences, and curtailed visiting rights. Why? Because in addition to a control mechanism, prison is an industry. It funnels billions of dollars of public money to institutions that strengthen state control, such as the police, the courts, surveillance and private security companies, and it provides a slave labor force that produces goods for the government and private corporations. Forced labor is still legal in the prison system, and most prisons contain factories where prisoners have to work for a few cents an hour. Prisons also have the modern equivalent of the company store, where prisoners have to spend all the money they make and the money their families send them, buying clothing, food, or phone calls, all at inflated prices.

The prison system is beyond hope of reform. Reformist prison bureaucrats have given up or else come to support prison abolition. One high ranking bureaucrat who directed juvenile corrections departments in Massachusetts and Illinois concluded that:

Prisons are violent, outmoded bureaucracies that don't protect public safety. There's no way to rehabilitate anyone in them. The facility produces violence that calls for more of the facility. It's a self-fulfilling prophecy. Prisons offer themselves as a solution to the very problems they've created. Institutions are set up to make people fail. That's their latent purpose.¹⁵

These are not problems to be solved with reforms or changes of law. The justice system has set its priorities and arranged its laws with

respond to people's needs rather than inflexible protocol. Other societies organize against social harm without setting up specific institutions. Instead they utilize diffuse sanctions—responses and attitudes spread throughout the society and propagated in the culture—to promote a safe environment.

Anarchists take an entirely different view of the problems that authoritarian societies place within the framework of crime and punishment. A crime is the violation of a written law, and laws are imposed by elite bodies. In the final instance, the question is not whether someone is hurting others but whether she is disobeying the orders of the elite. As a response to crime, punishment creates hierarchies of morality and power between the criminal and the dispensers of justice. It denies the criminal the resources he may need to reintegrate into the community and to stop hurting others.

In an empowered society, people do not need written laws; they have the power to determine whether someone is preventing them from fulfilling their needs, and can call on their peers for help resolving conflicts. In this view, the problem is not crime, but social harm—actions such as assault and drunk driving that actually hurt other people. This paradigm does away with the category of victimless crime, and reveals the absurdity of protecting the property rights of privileged people over the survival needs of others. The outrages typical of capitalist justice, such as arresting the hungry for stealing from the wealthy, would not be possible in a needs-based paradigm.

During the February 1919 general strike in Seattle, workers took over the city. Commercially, Seattle was shut down, but the workers did not allow it to fall into disarray. On the contrary, they kept all vital services running, but organized by the workers without the management of the bosses. The workers were the ones running the city every other day of the year, anyway, and during the strike they proved that they knew how to conduct their work without managerial interference. They coordinated citywide organization through the General Strike Committee, made up of rank and file workers from every local union; the structure was similar to, and perhaps inspired by, the Paris Commune. Union locals and specific groups of workers

¹⁴ George R. Edison, MD, "The Drug Laws: Are They Effective and Safe?" *The Journal of the American Medical Association*. Vol. 239 No.24, June 16, 1978. A.W. MacLeod, *Recidivism: a Deficiency Disease*, Philadelphia: University of Pennsylvania Press, 1965.

¹⁵ Jamie Bissonette, *When the Prisoners Ran Walpole: A True Story in the Movement for Prison Abolition*, Cambridge: South End Press, 2008, p. 201. Also consider the stories of John Boone and other bureaucrats presented in this story.

retained autonomy over their jobs without management or interference from the Committee or any other body. Workers were free to take initiative at the local level. Milk wagon drivers, for example, set up a neighborhood milk distribution system the bosses, restricted by profit motives, would never have allowed.

The striking workers collected the garbage, set up public cafeterias, distributed free food, and maintained fire department services. They also provided protection against anti-social behavior—robberies, assaults, murders, rapes: the crime wave authoritarians always forecast. A city guard comprised of unarmed military veterans walked the streets to keep watch and respond to calls for help, though they were authorized to use warnings and persuasion only. Aided by the feelings of solidarity that created a stronger social fabric during the strike, the volunteer guard were able to maintain a peaceful environment, accomplishing what the state itself could not.

This context of solidarity, free food, and empowerment of the common person played a role in drying up crime at its source. Marginalized people gained opportunities for community involvement, decision-making, and social inclusion that were denied to them by the capitalist regime. The absence of the police, whose presence emphasizes class tensions and creates a hostile environment, may have actually decreased lower-class crime. Even the authorities remarked on how organized the city was: Major General John F. Morrison, stationed in Seattle, claimed that he had never seen “a city so quiet and so orderly.” The strike was ultimately shut down by the invasion of thousands of troops and police deputies, coupled with pressure from the union leadership.⁴

In Oaxaca City in 2006, during the five months of autonomy at the height of the revolt, the APPO, the popular assembly organized by the striking teachers and other activists to coordinate their resistance and

fear other poor people more than their own bosses, and are willing to support the police and courts in targeting them.

To be sure, in some cases the police and courts respond when workers or women are killed—though this is often to offset popular outrage and discourage people from seeking their own solutions. Even in these cases, the responses are often half-hearted or counterproductive.

Meanwhile, the justice system serves quite effectively as a tool for reshaping society and controlling lower class populations. Consider the “War on Drugs” waged from the 1980s up to the present day. Compared with work and rape, most illegal drugs are relatively harmless; in the case of those that can be harmful, medical attention has been thoroughly demonstrated to be a more effective response than prison time. But the justice system has declared this war to shift public priorities: it justifies the police occupation of poor neighborhoods, the mass imprisonment and enslavement of millions of poor people and people of color, and the expansion of the powers of police and judges.

What do the police do with this power? They arrest and intimidate the most powerless elements of society. Poor people and people of color are overwhelmingly the victims of arrests and convictions, not to mention daily harassment and even murder at the hands of police. Attempts to reform the police rarely do more than feed their budgets and streamline their methods for imprisoning people. And what happens to the millions of people in prison? They are isolated, killed slowly by poor diets and miserable conditions or swiftly by guards who are almost never convicted. Prison guards encourage gangs and racial violence to help them maintain control, and often smuggle in and sell addictive drugs to fill their wallets and sedate the population. Tens of thousands of prisoners are locked up in solitary confinement, some for decades.

Countless studies have found that treating drug addiction and other psychological problems as criminal matters is ineffective and inhumane; mistreating prisoners and depriving them of human contact

⁴ Wikipedia “Seattle General Strike of 1919,” http://en.wikipedia.org/wiki/Seattle_general_strike_of_1919 [viewed 21 June 2007]. Print sources cited in this article include Jeremy Brecher, *Strike!* Revised Edition. South End Press, 1997; and Howard Zinn, *A People's History of the United States*, Perennial Classics Edition, 1999.

the media and government.

The notion of justice and the social relations it implies are inherently authoritarian. In practice, justice systems always give unfair advantages to the powerful and inflict terrible wrongs on the powerless. At the same time, they corrupt us ethically and cause our powers of initiative and sense of responsibility to atrophy. Like a drug, they make us dependent while mimicking the fulfillment of a natural human need, in this case the need to resolve conflicts. Thus, people beg to the justice system for reforms, no matter how unrealistic their expectations are, rather than taking matters into their own hands. To heal from abuse, the injured person needs to regain control over her life, the abuser needs to restore healthy relations with his peers, and the community needs to examine its norms and power dynamics. The justice system prevents all this. It hoards control, alienates entire communities, and obstructs examination of the roots of problems, preserving the status quo above all.

Police and judges may provide a limited degree of protection, especially for people privileged by racism, sexism, or capitalism; but the greatest danger facing most human beings is the system itself. For example, thousands of workers are killed every year by employer negligence and unsafe working conditions, but employers are never punished as murderers and virtually never even charged as criminals. The most workers' families might hope for is a monetary settlement from a civil court. Who decides that a boss who profits from the deaths of workers should face no worse than a lawsuit, while a wife who shoots her abusive husband goes to prison and a black teenager who kills a police officer in self-defense gets the death penalty? It certainly isn't workers, women, or people of color.

For every human need, a totalitarian system must provide it, subdue it, or substitute a surrogate. In the above example, the justice system frames the killing of workers as a problem to be addressed with regulations and bureaucracies. The media assist by focusing grossly disproportionate coverage on serial killers and "cold-blooded murderers," almost always poor and usually not white, thus changing people's perceptions of the risks they face. Consequently many people

organize life in Oaxaca City, established a volunteer watch that helped keep things peaceful in especially violent and divisive circumstances. For their part, the police and paramilitaries killed over ten people—this was the only bloodbath in the absence of state power.

The popular movement in Oaxaca was able to maintain relative peace despite all the violence imposed by the state. They accomplished this by modifying an indigenous custom for the new situation: they used *topiles*, rotating watches that maintain security in indigenous communities. The teacher's union already used *topiles* as security volunteers during the encampment, before the APPO was formed, and the APPO quickly extended the practice as part of a security commission to protect the city against police and paramilitaries. A large part of the *topiles'* duty included occupying government buildings and defending barricades and occupations. This meant they often had to fight armed police and paramilitaries with nothing but rocks and firecrackers.

Some of the worst attacks happened in front of the occupied buildings. We were guarding the Secretary of the Economy building, when we realized that somewhere inside the building there was a group of people preparing to attack us. We knocked on the door and no one responded. Five minutes later, an armed group drove out from behind the building and started shooting at us. We tried to find cover, but we knew if we backed away, all the people at the barricade in front of the building—there must have been around forty people—would be in serious danger. So we decided to hold our position, and defended ourselves with rocks. They kept firing at us until their bullets ran out and drove away, because they saw that we weren't going anywhere. Several of us were wounded. One guy took a bullet in his leg and the other got shot in the back. Later, some reinforcements arrived, but the hit men had already retreated.

We didn't have any guns. At the Office of the Economy, we defended ourselves with stones. As time went on and we found ourselves under attack by gunfire more and more frequently, so we started making things to defend ourselves with: firecrackers, homemade bottle-rocket launchers, molotov cocktails; all of us had something. And if we didn't

have any of those things, we defended people with our bodies or bare hands.⁵

After such attacks, the *topiles* would help take the wounded to first aid centers.

The security volunteers also responded to common crime. If someone was being robbed or assaulted, the neighbors would raise the alarm and the neighborhood *topiles* would come; if the assailant was on drugs he would be tied up in the central plaza for the night, and the next day made to pick up garbage or perform another type of community service. Different people had different ideas on what long-term solutions to institute, and as the rebellion in Oaxaca was politically very diverse, not all these ideas were revolutionary; some people wanted to hand robbers or assaulters over to the courts, though it was widely believed that the government released all law-breakers and encouraged them to go back and commit more anti-social crimes.

The history of Exarchia, a neighborhood in central Athens, shows throughout the years that the police do not protect us, they endanger us. For years, Exarchia has been the stronghold of the anarchist movement and the counterculture. The neighborhood has protected itself from gentrification and policing through a variety of means. Luxury cars are regularly burned if they are parked there overnight. After being targeted with property destruction and social pressure, shop and restaurant owners no longer try to remove political posters from their walls, kick out vagrants, or otherwise create a commercial atmosphere in the streets; they have conceded that the streets belong to the people. Undercover cops who enter Exarchia have been brutally beaten on a number of occasions. During the run-up to the Olympics the city tried to renovate Exarchia Square to turn it into a tourist spot rather than a local hangout. The new plan, for example, included a large fountain and no benches. Neighbors began meeting, came up with their own renovation plan, and informed the construction company that they would use the local plan rather than the city government's plan.

⁵ Diana Denham and C.A.S.A. Collective (eds.), *Teaching Rebellion: Stories from the Grassroots Mobilization in Oaxaca*, Oakland: PM Press, 2008, interview with Cuatli.

and prison guards are key agents of coercion and violence. In the name of justice, uniformed thugs terrorize entire communities while dissidents petition the very government that represses them. Many people have internalized the rationalizations of state justice to such an extent that they are terrified of losing the protection and arbitration states supposedly provide.

When justice becomes the private sphere of specialists, oppression is not far behind. In stateless societies on the cusp of developing the coercive hierarchies that lead to government, the common feature seems to be a group of respected male elders permanently entrusted with the role of resolving conflicts and meting out justice. In such a context privilege can become entrenched, as those who enjoy it may shape the social norms that preserve and amplify their privilege. Without that power, individual wealth and power rest on a weak foundation that everyone can challenge.

State justice begins with a refusal to engage with human needs. Human needs are dynamic and can only be fully understood by those who experience them. State justice, by contrast, is the execution of universal prescriptions codified into law. The specialists who interpret the laws are supposed to focus on the original intention of the lawmakers rather than the situation at hand. If you need bread and stealing is a crime, you will be punished for taking it, even if you take it from someone who doesn't need it. But if your society focuses on people's needs and desires rather than on the enforcement of static laws, you have the opportunity to convince your community that you needed bread more than the person you took it from. In this way the actor and those affected remain at the center of the process, always empowered to explain themselves and to challenge the community's norms.

Justice, in contrast, hinges on judgment, privileging a powerful decision-maker over the accusers and defendants who powerlessly await the outcome. Justice is the enforcement of morality—which, in its origins, is justified as divinely ordained. When societies shift away from religious rationales, morality becomes universal, or natural, or scientific—spheres ever further removed from the influence of the general public—until it is shaped and packaged almost exclusively by

forms of abuse and sexual violence with the same behavior that is all too common in the rest of society: ignoring them, justifying them, refusing to take a stand, not believing or even blaming the survivor. In order to combat this, feminists and anarchists in Philadelphia formed two groups. The first, Philly's Pissed, works to support survivors of sexual violence:

All of Philly's Pissed's work is done confidentially unless the survivor requests otherwise. We are not certified "experts," but a group of people whose lives have been repeatedly affected by sexual assault and are doing our best to make a safer world. We respect our own and others' knowledge to figure out what feels safest for each person. Philly's Pissed supports survivors of sexual assault by meeting their immediate needs as well as helping them to articulate and facilitate what they need to make them feel safe and in control of their lives again.¹³

If a survivor has demands to make of his or her assaulter—e.g., that he or she receive counseling, publicly apologize, or never come near the survivor again—the support group delivers them. If the survivor wishes, the group may publicize the identity of the assaulter to warn other people or prevent that person from hiding his actions.

The second group, Philly Stands Up, works with people who have committed sexual assault to support them through the process of taking responsibility for their actions, learning from them and changing their behaviors, and restoring healthy relationships with their community. The two groups also hold workshops in other cities to share their experiences responding to sexual assault.

BEYOND INDIVIDUAL JUSTICE

THE NOTION OF JUSTICE IS perhaps the most dangerous product of authoritarian psychology. The state's worst abuses occur in its prisons, its inquisitions, its forced corrections and rehabilitations. Police, judges,

Repeated destruction of the construction equipment finally convinced the company who was boss. The renovated park today has more green space, no touristy fountain, and nice, new benches.

Attacks against police in Exarchia are frequent, and armed riot police are always stationed nearby. Over the past years, police have gone back and forth between trying to occupy Exarchia by force, or maintaining a guard around the borders of the neighborhood with armed groups of riot cops constantly ready for an attack. At no point have the police been able to carry out normal policing activities. Police do not patrol the neighborhood on foot, and rarely drive through. When they enter, they come prepared to fight and defend themselves. People spray graffiti and put up posters in broad daylight. It is to a large extent a lawless zone, and people commit crimes with an astonishing frequency and openness. However, it is not a dangerous neighborhood. The crimes of choice are political or at least victimless, like smoking weed. It is safe to walk there alone at night, unless you are a cop, people in the streets are relaxed and friendly, and personal property faces no great threat, with the exception of luxury cars and the like. The police are not welcome here, and they are not needed here.

And it is exactly in this situation that they demonstrate their true character. They are not an institution that responds to crime or social need, they are an institution that asserts social control. In past years, police tried to flood the area, and the anarchist movement in particular, with addictive drugs like heroin, and they have directly encouraged junkies to hang out in Exarchia Square. It was up to anarchists and other neighbors to defend themselves from these forms of police violence and stop the spread of addictive drugs. Unable to break the rebellious spirit of the neighborhood, police have resorted to more aggressive tactics, taking on the characteristics of a military occupation. On December 6, 2008, this approach produced its inevitable conclusion when two cops shot 15-year-old anarchist Alexis Grigoropoulos to death in the middle of Exarchia. Within a few hours, the counterattacks began, and for days the police throughout Greece were pummeled with clubs, rocks, molotov cocktails, and in a couple of incidents, gunfire. The liberated zones of Athens and other Greek cities are expanding, and the police are afraid to evict these new occupations because the people have proven

¹³ Philly's Pissed, <http://www.phillyspissed.net/> [Viewed May 20, 2008]

themselves to be stronger. Currently, the media is waging a campaign of fear, increasing coverage of antisocial crime and trying to conflate these crimes with the presence of autonomous areas. Crime is a tool of the state, used to scare people, isolate people, and make government seem necessary. But government is nothing but a protection racket. The state is a mafia that has won control over society, and the law is the codification of everything they have stolen from us.

The Rotuman are a traditionally stateless people who live on the island of Rotuma in the South Pacific, north of Fiji. According to anthropologist Alan Howard, members of this sedentary society are socialized not to be violent. Cultural norms promote respectful and gentle behavior towards children. Physical punishment is extremely rare, and almost never intended to actually hurt the misbehaving child. Instead, Rotuman adults use shame instead of punishment, a strategy that raises children with a high degree of social sensitivity. Adults will especially shame children who act like bullies, and in their own conflicts adults try very hard not to make others angry. From Howard's perspective as an outsider from the more authoritarian West, children are given "an astonishing degree of autonomy" and the principle of personal autonomy extends throughout the society: "Not only do individuals exercise autonomy within their households and communities, but villages are also autonomous in relation to one another, and districts are essentially autonomous political units."⁶ The Rotuman themselves probably describe their situation with different words, though we could find no insider accounts. Perhaps they might emphasize the horizontal relationships that connect households and villages, but to observers raised in a Euro/American culture and trained in the belief that a society is only held together by authority, what stands out most is the autonomy of the different households and villages.

Though the Rotuman currently exist under an imposed government, they avoid contact with it and dependence on it. It is probably no

enemies and punishing rebels have always been functions of the government, and nowadays so many private companies are invested in the prison system that it has become a growth-based industry. But when people are no longer dependent on police and prisons, when communities are no longer crippled by self-inflicted social harm, it is much easier to organize resistance.

Throughout the United States and other countries, feminists have organized an event called "Take Back the Night" to address violence against women. Once a year, a large group of women and their supporters march through their neighborhood or campus at night—a time many women associate with increased risk of sexual assault—to reclaim their environment and make the issue visible. These events usually include education about the prevalence and causes of violence against women. Some Take Back the Night groups also address our society's rampant violence against transgender people. The first Take Back the Night march took place in Belgium in 1976, organized by women attending the International Tribunal on Crimes against Women. The event takes much from the tradition of Walpurgisnacht protests in Germany. Known as Witches' Night, April 30, the night before May Day, is a traditional night for pranks, rioting, and pagan and feminist resistance. In 1977, German feminists involved with the autonomous movement marched on Walpurgisnacht under the banner "Women take back the night!" The first Take Back the Night in the US occurred November 4, 1977, in San Francisco's red light district.

Such an action is an important first step to creating a collective force capable of changing society. Under patriarchy, every family is isolated, and though many people suffer the same problems, they do so alone. Gathering together to talk about a problem that has been unspeakable, to reclaim a public space that has been denied to you—the nighttime streets—is a living metaphor for the anarchist society, in which people come together to overcome any authority figure, any oppressor.

Sexual violence affects everyone in a patriarchal society. It occurs in radical communities that are opposed to sexism and sexual violence. Unless they sincerely focus on unlearning patriarchal conditioning, self-professed radicals often respond to rape, harassment, and other

⁶ Alan Howard, "Restraint and Ritual Apology: the Rotumans of the South Pacific," in Graham Kemp and Douglas P. Fry (eds.), *Keeping the Peace: Conflict Resolution and Peaceful Societies around the World*, New York: Routledge, 2004, p. 42.

of those involved. People present their stories, their perspectives on the problem, and their feelings. The ultimate goal is to find a practical solution that restores people's relationships. To aid this, the peacemaker delivers a homily that often draws on Navajo creation stories to show how traditional figures have dealt with the same problems in the past. In cases where there is clearly someone who acted wrongly and harmed another person, at the end of the process the offender often pays an agreed amount of restitution, or *nalyeeh*. However, *nalyeeh* is not a form of punishment in the spirit of "an eye for an eye," but rather a way to "make things right for the person who has suffered a loss." 104 of the 110 chapters, or semi-autonomous communities, of the Navajo Nation currently have designated peacemakers, and in many instances in the past respected family members have been called on to settle disputes in an unofficial capacity.

Critical Resistance is an anti-authoritarian organization in the US formed by ex-prisoners and family members of prisoners with the purpose of abolishing the prison system and its causes. As of this writing, the group is working on setting up "harm free zones." The purpose of a harm free zone is to provide "tools and trainings to local communities to strengthen and develop their ability to resolve conflicts without the need for the police, court system, or prison industry. The harm free zone practices an abolitionist approach to developing communities, which means building models today that can represent how we want to live now and in the future."¹² By building stronger relationships among neighbors and intentionally creating common resources, people in a neighborhood can keep out drug dealers, provide support for those suffering from addiction, intervene in abusive family situations, set up childcare and alternatives to joining gangs, and increase face to face communication.

Other anti-authoritarian groups, some inspired by this model, have begun the hard work of setting up harm free zones in their own cities. Of course, even if there were no violent crime at all, a racist, capitalist government would still find excuses to lock people up: creating internal

coincidence that the Rotuman murder rate stands at the low level of 2.02 per 100,000 people per year, three times lower than in the US. Howard describe the Rotuman view of crime as being similar to that of many other stateless peoples: not as the violation of a code or statute, but as something causing harm or hurting social bonds. Accordingly, mediation is important to solving disputes peacefully. Chiefs and sub-chiefs act as mediators, though distinguished elders may intervene in that role as well. Chiefs are not judges, and if they do not appear impartial they will lose their followers, as households are free to switch between groups. The most important conflict resolution mechanism is the public apology. The public apology has great weight attached to it; depending on the seriousness of the offense, it may be accompanied by ritual peace offerings as well. Apologizing properly is honorable, while denying an apology is dishonorable. Members maintain their standing and status in the group by being accountable, being sensitive to group opinion, and resolving conflicts. If some people acted in a way that we might expect in a society based on police and punishment, they would isolate themselves and thus limit their harmful influence.

For two months in 1973, maximum-security prisoners in Massachusetts showed that supposed criminals may be less responsible for the violence in our society than their guards. After the prison massacre at Attica in 1971 focused national attention on the dramatic failure of the prison system to correct or rehabilitate people convicted of crimes, the governor of Massachusetts appointed a reformist commissioner to the Department of Corrections. Meanwhile, the inmates of Walpole state prison had formed a prisoners' union. Their goals included protecting themselves from the guards, blocking the attempts of prison administrators to institute behavioral modification programs, and organizing prisoners' programs for education, empowerment, and healing. They sought more visitation rights, work or volunteer assignments outside the prison, and the ability to earn money to send to their families. Ultimately, they hoped to end recidivism—ex-prisoners getting convicted again and returning to prison—and to abolish the prison system itself.

Black prisoners had formed a Black Power education and cultural group to create unity and counter the racism of the white majority,

¹² <http://www.harmfreezone.org/wiki/index.php/HarmFreeZone>About> (viewed November 24, 2006)

and this proved instrumental in the formation of the union in the face of repression from guards. First of all, they had to end the race war between the prisoners, a war that was encouraged by the guards. Leaders from all groups of prisoners brokered a general truce which they guaranteed with the promise to kill any inmate who broke it. The prison union was supported by an outside group of media-savvy civil rights and religious activists, though communication between the two groups was sometimes hampered by the latter's service-provider mentality and orthodox commitment to nonviolence. It helped that the Corrections commissioner supported the idea of a prisoners' union, rather than opposing it outright as most prison administrators would have.

Early on in the life of the Walpole prisoners' union, the prison superintendent attempted to divide the prisoners by putting the prison under an arbitrary lockdown just as the black prisoners were preparing their Kwanzaa celebration. The white prisoners had already had their Christmas celebrations undisturbed, and the black prisoners had spent all day cooking, eagerly anticipating family visits. In an amazing display of solidarity, all the prisoners went on strike, refusing to work or leave their cells. For three months, they suffered beatings, solitary confinement, starvation, denial of medical care, addiction to tranquilizers handed out by the guards, and disgusting conditions as excrement and refuse piled up in and around their cells. But the prisoners refused to be broken or divided. Eventually the state had to negotiate; they were running out of the license plates Walpole prisoners normally produced and they were getting bad press over the crisis.

The prisoners won their first demand: the prison superintendent was forced to resign. Quickly they won additional demands for expanded visiting rights, furlough, self-organized programs, review and release of those in segregation, and civilian observers inside the prison. In exchange, they cleaned up the prison, and brought what the guards never had: peace.

In protest of their loss of control, the guards walked off the job. They thought this act would prove how necessary they were, but embarrassingly for them, it had the exact opposite effect. For two

stateless societies have used a needs-based paradigm. This paradigm frames these forms of violence as social harm, thus focusing on the needs of the survivor to heal and the need of the offender to become a healthy person who can relate with the broader community. Because these acts of social harm do not happen in isolation, this paradigm draws in the entire community and seeks to restore a broad social peace, while respecting the autonomy and self-defined needs of each individual.

The Navajo method of "peacemaking" has survived for centuries, despite the violence of colonialism. They are currently reviving this method to deal with social harm and decrease their dependence on the US government; and people studying restorative justice are looking to the Navajo example for guidance. In the Navajo practice of restorative justice, a person respected by all parties as fair and impartial acts as a peacemaker. A person might seek out a peacemaker if she is seeking help with a problem on her own volition, if her community or family is concerned about her behavior, if she has hurt someone or been hurt by someone, or if she is in a dispute with another person that the two need help solving. Contrast this with the statist system of punitive justice, in which people only receive attention—and always negative attention—when they commit a statutory offense. The harm itself and the reasons they are causing it are irrelevant to the judicial process.

The purpose of the Navajo process is to meet the needs of those who come to the peacemaker and to find the root of the problem. "When members of the Navajo community try to explain why people do harm to themselves or others, they say that those responsible for a harm behave that way because they have become disconnected from the world around them, from the people they live and work with. They say that that person 'acts as if he has no relatives.'" The peacemakers solve this by "talking things out" and helping the person who harmed to reconnect with his community and regain the support and groundedness he needs to act in a healthy way. Additionally they provide support for the person who was harmed, looking for ways to help that person feel safe and whole again.

To this end, the peacemaking process involves the family and friends

self-defense. People who go to the state to report sexual or physical assault face added humiliations. Courts question the honesty and moral integrity of women who bravely go public after being sexually assaulted; judges award custody of children to abusive fathers; police ignore domestic violence calls, even standing by as husbands beat wives. Some local regulations require the police to arrest someone, or even both involved parties, in a domestic violence call; often a woman who calls for help is herself sent to jail. Transgender people are betrayed even more regularly by the legal system, which refuses to respect their identities and often forces them into prison cells with people of different genders. Working class and homeless transgender people are systematically raped by agents of the legal system.

A great deal of abuse not directly caused by the authorities is a result of people taking out their anger on those below them in the social hierarchy. Children, who tend to be at the bottom of the pyramid, ultimately receive a great deal of this abuse. The authorities who are supposed to keep them safe—parents, relatives, priests, teachers—are the most likely to abuse them. Seeking help may only make things worse, because at no point does the legal system allow them to regain control over their lives, even though it is this control that survivors of abuse most need. Instead, each case is decided by social workers and judges with little knowledge of the situation and hundreds of other cases to arbitrate.

The current paradigm of punishing offenders and ignoring the needs of victims has proven a total failure, and increased enforcement of laws would not change this. People who abuse were often abused themselves; sending them to prison does not make them any less likely to act abusively. People who survive abuse may benefit from having a safe space, but sending their abusers to prison removes the chance of reconciliation, and if they depend economically on their abusers, as is often the case, they may choose not to report the crime for fear of ending up homeless, poor, or in foster care.

Under the state, we address sexual and domestic violence as crimes—violations of the victims' state-mandated rights, unacceptable because they defy the commandments of the state. In contrast, many

months, the prisoners ran the prison themselves. For much of that time, the guards were not present within the cell blocks, though state police controlled the prison perimeter to prevent escapes. Civilian observers were inside the prison twenty-four hours a day, but they were trained not to intervene; their role was to document the situation, talk with prisoners, and prevent violence from guards who sometimes entered the prison. One observer recounted:

The atmosphere was so relaxed—not at all what I expected. I find that my own thinking has been so conditioned by society and the media. These men are not animals, they are not dangerous maniacs. I found my own fears were really groundless.

Another observer insisted “It is imperative that none of the personnel formerly in Block 9 [a segregation block] ever return. It’s worth paying them to retire. The guards are the security problem.”⁷

Walpole had been one of the most violent prisons in the country, but while the prisoners were in control, recidivism dropped dramatically and murders and rapes fell to zero. The prisoners had disproved two fundamental myths of the criminal justice system: that people who commit crimes should be isolated, and that they should be recipients of enforced rehabilitation rather than the ones who control their own healing.

The guards were eager to end this embarrassing experiment in prison abolition. The guards' union was powerful enough to provoke a political crisis, and the Corrections commissioner could not fire any of them, even those who engaged in torture or made racist statements to the press. To keep his job, the commissioner had to bring the guards back into the prison, and he eventually sold out the prisoners. Major elements of the power structure including the police, guards, prosecutors, politicians, and media opposed the prison reforms and made them impossible to achieve within democratic channels. The

⁷ Both observer quotes from Jamie Bissonette, *When the Prisoners Ran Walpole: a true story in the movement for prison abolition*, Cambridge: South End Press, 2008, p. 160.

civilian observers unanimously agreed that the guards brought chaos and violence back to the prison, and that they intentionally disrupted the peaceful results of prisoner self-organization. In the end, to crush the prisoners' union, the guards staged a riot and the state police were called in, shooting several prisoners and torturing key organizers. The most recognizable leader of the black prisoners only saved his life through armed self-defense.

Many of the civilian observers and the Corrections commissioner, who was soon forced out of his job, ultimately came to favor prison abolition. The prisoners who took over Walpole continued to fight for their freedom and dignity, but the guards' union ended up with greater power than before, the media ceased talking about prison reform, and as of this writing Walpole prison, now MCI Cedar Junction, still warehouses, tortures, and kills people who deserve to be in their communities, working towards a safer society.

WHAT ABOUT GANGS AND BULLIES?

SOME FEAR THAT IN A society without authorities, the strongest people would run amok, taking and doing whatever they wanted. Never mind that this describes what generally goes on in societies with government! This fear derives from the statist myth that we are all isolated. The government would very much like you to believe that without its protection you are vulnerable to the whims of anyone stronger than you. However, no bully is stronger than an entire community. A person who shatters the social peace, disrespects another person's needs, and acts in an authoritarian, bullying way can be defeated or kicked out by neighbors working together to restore the peace.

In Christiania, the anti-authoritarian, autonomous quarter in Denmark's capital, they have been dealing with their own problems, and the problems associated with all the visitors they receive and the resulting high social mobility. Many people come as tourists, and many more come to buy hash—there are no laws in Christiania and soft drugs are easy to come by, though hard drugs have been successfully banned. Within Christiania there are numerous workshops that

WHAT ABOUT RAPE, DOMESTIC VIOLENCE, AND OTHER FORMS OF HARM?

MANY ACTIONS THAT ARE CONSIDERED crimes by our government are completely harmless; some crimes, such as stealing from the wealthy or sabotaging instruments of warfare, can actually decrease harm. Still, a number of transgressions that are now considered crimes do constitute real social harm. Of these, murder is highly sensationalized but rare compared to other more common problems.

Sexual and domestic violence are rampant in our society, and even in the absence of government and capitalism these forms of violence will continue unless they are specifically addressed. Currently, many forms of sexual and domestic violence are commonly tolerated; some are even subtly encouraged by Hollywood, churches, and other mainstream institutions. Hollywood often sexualizes rape and, along with other corporate media and most major religions, glorifies female passivity and servility. In the discourse these institutions influence, the severe problem of spousal rape is ignored, and as a result many people even believe that a husband cannot rape a wife because they are joined in a contractual sexual union. News media and Hollywood movies regularly portray rape as an act committed by a stranger—especially a poor, non-white stranger. In this version, a woman's only hope is to be protected by the police or a boyfriend. But in fact, the vast majority of rapes are committed by boyfriends, friends, and family members, in situations that fall in the gray area between the mainstream definitions of consent and force. More frequently, Hollywood ignores the problems of rape, abuse, and domestic violence altogether, while perpetuating the myth of love at first sight. In this myth, the man wins over the woman and the two fulfill all of each other's emotional and sexual needs, making a perfect match without having to talk about consent, work on communication, or navigate emotional and sexual boundaries.

Police and other institutions purporting to protect women from rape counsel women not to resist for fear of aggravating their attacker, when all evidence and common sense suggest that resistance is often one's best chance. The state rarely offers self-defense classes to women, while frequently prosecuting women who kill or injure attackers in

of its socialistic domestic policies. A further similarity is a reliance on mediation rather than punishment, police, or prisons to solve disputes. Norway does have police and a prison system, but compared with most states there is a high reliance on conflict mediation mechanisms not unlike those that flourish in peaceful, stateless societies. Most civil disputes in Norway must be brought before mediators before they can be taken to court, and thousands of criminal cases are taken to mediators as well. In 2001, agreement was reached in 89% of the mediations.¹¹

So in an anarchist society, violent crime would be less common. But when it did occur, would society be more vulnerable? After all, one might argue, even when violence is no longer a rational social response, psychopathic killers might still occasionally appear. Let it suffice to say that any society capable of overthrowing a government would hardly be at the mercy of lone psychopathic killers. And societies that do not come about from a revolution but enjoy a strong sense of community and solidarity are capable of protecting themselves as well. The Inuit, hunter-gatherers indigenous to the arctic regions of North America, provide an example of what a stateless society can do in the worst-case scenario. According to their traditions, if a person committed a murder, the community would forgive him and make him reconcile with the family of the victim. If that person commits another murder, he would be killed—usually by members of his own family group, so there would be no bad blood or cause for feud.

The state's punitive methods for dealing with crime make things worse, not better. The restorative methods for responding to social harm that are used in many stateless societies open new possibilities for escaping the cycles of abuse, punishment, and harm that are all too familiar to many of us.

produce a variety of goods, most famously their high-quality bicycles; there are also restaurants, cafés, a kindergarten, a clinic, a health food shop, a book shop, an anarchist space, and a concert venue. Christiania has never been successfully dominated by gangs or resident bullies. In 1984 a motorcycle gang moved in, hoping to exploit the lawlessness of the autonomous zone and monopolize the hash trade. After several conflicts, the residents of Christiania succeeded in kicking out the bikers, using mostly peaceful tactics.

The worst bullying has come from the police, who recently resumed entering Christiania to arrest people for marijuana and hash, generally as a pretext to escalate tensions. Local real estate developers would love to see the free state destroyed because it sits on land that has become very valuable. Decades ago, the residents of Christiania had a heated debate about how to deal with the problem of hard drugs coming in from outside. Over much opposition, they decided to ask the police for help, only to find that the police concentrated on locking people up for soft drugs and protected the spread of hard drugs like heroin, presumably in the hope that an addiction epidemic would destroy the autonomous social experiment⁸. It is by no means the first time police or other agents of the state have spread addictive drugs while suppressing soft or hallucinogenic drugs; in fact this seems universally to be a part of police strategies for repression. In the end, the residents of Christiania kicked out the police and dealt with the hard drug problem themselves, by keeping out dealers and using social pressure to discourage hard drug use.

In Christiania as elsewhere, the state presents the greatest danger to the community. Unlike the individual bullies one imagines terrorizing a lawless society, the state cannot be easily defeated. Typically, the state seeks a monopoly on force on the pretext of protecting citizens from other bullies; this is the justification for prohibiting anyone outside the state apparatus from using force, especially in self-defense against the government. In return for relinquishing this power, citizens are

¹¹ Graham Kemp and Douglas P. Fry (eds.), *Keeping the Peace: Conflict Resolution and Peaceful Societies around the World*, New York: Routledge, 2004, p. 163.

⁸ One can't help but compare this to the British spreading opium in China or the US government spreading whiskey among indigenous people and, later, heroin in ghettos.

directed to the court system as a means of defending their interests; but of course, the court system is part of the state, and protects its interests above all others. When the government comes to seize your land to build a shopping mall, for example, you can take the matter to court or even bring it before the city council, but you might find yourself talking to someone who stands to profit from the shopping mall. The bully's courts will not be fair to the bully's victims, and they will not sympathize with you if you defend yourself against the eviction. Instead, they will lock you up.

In this context, those who want resolution often have to seek it outside the courts. A military dictatorship seized power in Argentina in 1976 and waged a "Dirty War" against leftists, torturing and killing 30,000 people; the officers responsible for the torture and executions were pardoned by the democratic government that succeeded the dictatorship. The Mothers of the Plaza de Mayo, who began gathering to demand an end to the disappearances and to know what happened to their children, were an important social force in ending the reign of terror. As the government has never taken serious steps to hold the murderers and torturers accountable, people have elaborated a popular justice that builds on and goes beyond the protests and memorials organized by the Mothers.

When a participant in the Dirty War is located, activists put up posters throughout the neighborhood informing everyone of his presence; they may ask local shops to refuse the person entry, and follow and harass him. In a tactic known as "escrache," hundreds or even thousands of participants will march to the house of a Dirty War participant with signs, banners, puppets, and drums. They sing, chant, and make music for hours, shaming the torturer and letting everyone know what he has done; the crowd may attack his house with paint bombs.⁹ Despite a justice system that protects the powerful, the social movements of Argentina have organized collectively to shame and isolate the very worst bullies.

⁹ Natasha Gordon and Paul Chatterton, *Taking Back Control: A Journey through Argentina's Popular Uprising*, Leeds (UK): University of Leeds, 2004, pp. 66-68.

WHAT'S TO STOP SOMEONE FROM KILLING PEOPLE?

MUCH VIOLENT CRIME CAN BE traced back to cultural factors. Violent crime, such as murder, would probably decrease dramatically in an anarchist society because most of its causes—poverty, televised glorification of violence, prisons and police, warfare, sexism, and the normalization of individualistic and anti-social behaviors—would disappear or decrease.

The differences between two Zapotec communities illustrates that peace is a choice. The Zapotec are a sedentary agrarian indigenous nation living on land that is now claimed by the state of Mexico. One Zapotec community, La Paz, has a yearly homicide rate of 3.4/100,000. A neighboring Zapotec community has the much higher homicide rate of 18.1/100,000. What social attributes go along with the more peaceful way of life? Unlike their more violent neighbors, the La Paz Zapotec do not beat children; accordingly, children see less violence and use less violence in their play. Similarly, wife-beating is rare and not considered acceptable; women are considered equal to men, and enjoy an autonomous economic activity that is important to the life of the community so they are not dependent on men. Regarding child-rearing, the implications of this particular comparison are corroborated by at least one cross-cultural study on socialization, which found that warm, affectionate socialization techniques correlate with low levels of conflict in society.¹⁰

The Semai and the Norwegians were both previously mentioned as societies with low homicide rates. Until colonialism, the Semai were stateless, whereas Norway is ruled by a government. Socialization is relatively peaceful among the Semai and the Norwegians alike. The Semai use a gift economy so wealth is evenly distributed, while Norway has one of the lowest wealth gaps of any capitalist country on account

¹⁰ Graham Kemp and Douglas P. Fry (eds.), *Keeping the Peace: Conflict Resolution and Peaceful Societies around the World*, New York: Routledge, 2004, pp. 73-79. The cross-cultural study is M.H. Ross, *The Culture of Conflict*, New Haven: Yale University Press, 1993.