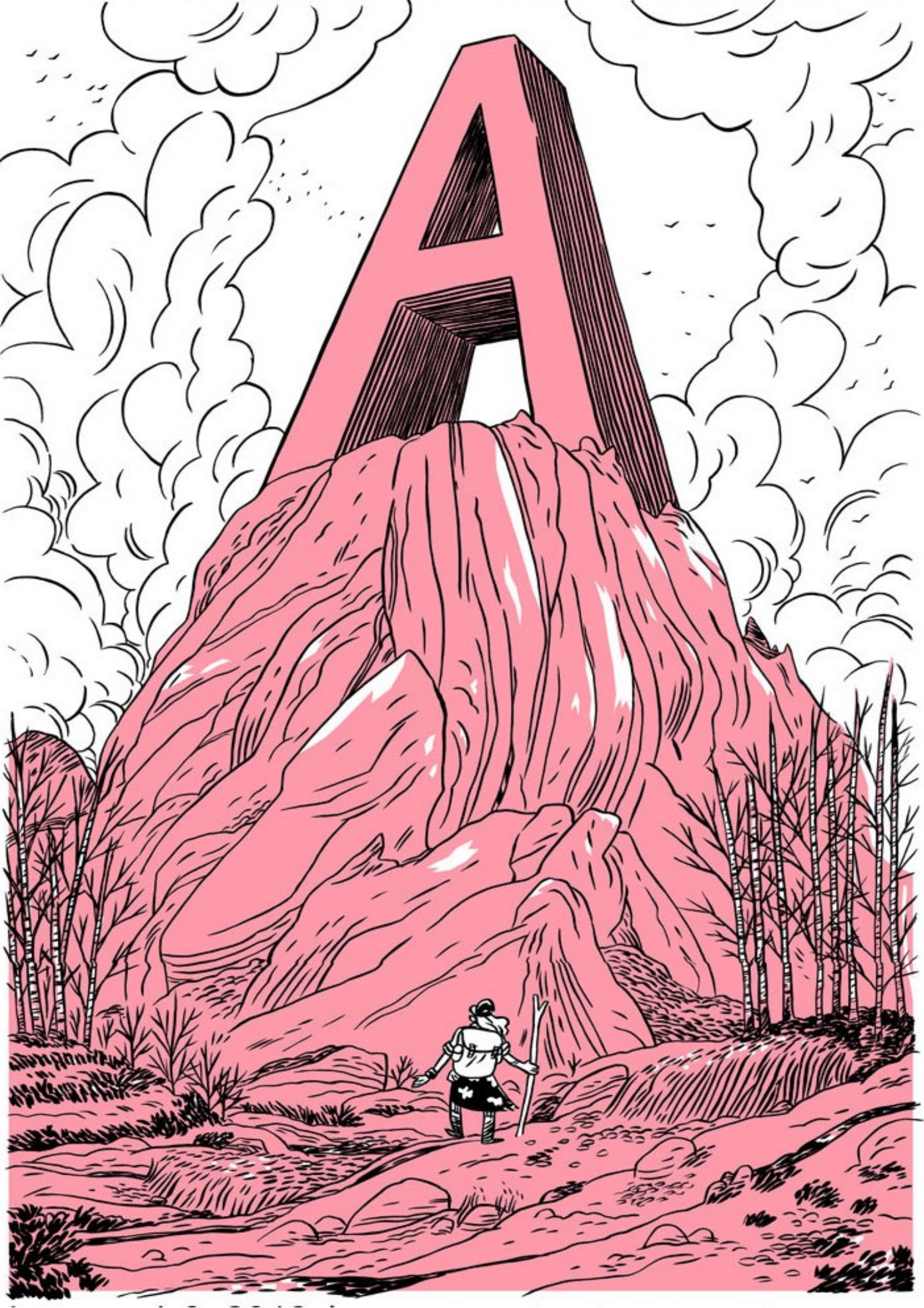
A painting of a horse and rider in a landscape. The horse is dark brown with a white blaze on its face and is wearing a harness. The rider is wearing a red tunic and a blue hat. The background shows a landscape with a blue sky and a red horizon. The text is overlaid on the center of the image.

' The
Temple
Was Built
Before
the City '



**This edition to supplement Return Fire vol.6 chap.7 & 8 (winter 2024-2025)
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Note from *Return Fire*: What follows is a transcription from a recording (contributed to us recently by a correspondent) made in the summer of 2021, in Setúbal, Portugal. The event in question celebrated the release of *Contra o Leviatã, Contra a Sua História*, the Portuguese edition of *Against His-story, Against Leviathan!* by Fredy Perlman (translated by Pedro Morais, and put out by Livros Flauta de Luz), first published in 1983.

Fredy has been enormously important to the anarchism of the last half-century in many circles. Based on his experience on two continents in the revolutionary upheavals of the year 1968, he – while obviously not he alone – simultaneously beat a path away from the leftism he saw hamstringing revolt, while also rooting the struggle in a legacy reaching much further back than the stated anarchisms of Pierre-Joseph Proudhon, Mikhail Bakunin or the other (male) figureheads of the 19th Century. But it was from the Left that he came; a reminder, if ever there was one, to not write off grassroots and critical participants in those spaces, where we may yet find comrades willing to betray their leaders and their dreams to capture the helm

of the State, which (following English philosopher and State-worshiper of the 17th Century, Thomas Hobbes) Fredy's book terms *Leviathan*.

While also credited with his part in the rise (or return) of anti-civilisational ideas in the anarchist space – as was another former communist to live through 1968, Jacques Camatte, who Fredy translated and published – Fredy was perhaps alone among those anti-civilisation theorists coming out of (and vocally rejecting) the ideology of Karl Marx, in that Fredy arguably also shed Marx's historical determinism that still infected anarcho-primitivism for example (including as regards the origin of the State, as mentioned in the talk below).

At the event in Setúbal, where it was presented by the translator, Pedro, this subject was later brought into conversation with a contemporary anarchist treatise on State-formation – *Worshipping Power*, a 2017 book by Peter Gelderloos – with another presentation by that author, promoting while also updating the work laid down by Fredy in a generation past.

We are truly grateful to the correspondent who passed this recording on, and to be able to release it now in text form, as Fredy in general and *Against His-story, Against Leviathan!* in particular were major planks lent on when writing the forthcoming book *Instigations* which will mark the end of the *Return Fire* project, and so was Peter, as part of the full range of intellectual inheritors of Fredy's projects. Without giving too much away before the torturous editing for length is complete, one theme that comes up is the rich metaphorical and allegorical language and literary devices mobilised in *Against His-Story, Against Leviathan!*, and the ways in which this sometimes must be qualified (as Peter mentions below) in light of research that Fredy didn't have access to in his day or that arguably occasionally points in different directions than *Against His-story, Against Leviathan!* suggests at times, while mostly of only tangential importance (although the book's unfortunate gender essentialism cannot escape mention here).

This is a point made (and perhaps over-made) in the hostile thesis of Mark Huba, *The Other Shore: On politics and 'spirit' in Fredy Perlman's Against His-story, Against Leviathan* ; yet as even that work acknowledges, and oft-overlooked element of Fredy's book is the way in which it is simultaneously a veiled account of his own life and experiences. Hence, while also ironically faithful to the so-called historical record (bar some inevitable exceptions), the mythology of the book allows Fredy to filter his the experiences of 1968 and Camatte's critique of the organisation through Christian heretics of the Middle Ages, or the increasing awareness of his day to the industrial despoliation of the planet through Zoroastrian religious dualism, and so on, and must sometimes be read in this unstated light. But this will be elaborated elsewhere; as will the torch left to us by Fredy, to bring that style of mythologising to present struggles in a more explicit way, extending Fredy's non-deterministic re-enchantment of the past up to today (or at least until 2020, when *Instigations* was capped).

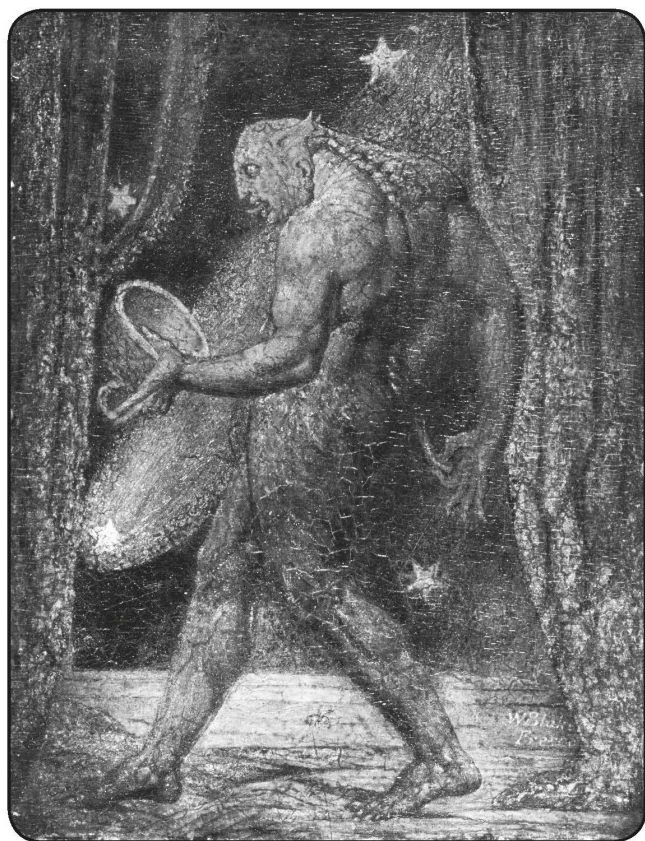
In this light, while we are convinced that *Against His-story, Against Leviathan!* doesn't need the more qualified, technical explanation furnished by those like Peter (yet also here in a more conversational and informal format than on his written page) in order to greatly nourish our struggles, it is a brilliant embellishment and extension of it none-the-less, and we were

delighted to have this opportunity to compile the two complimentary approaches in one release.

The audio used as the source here is not from a sterile conference in an auditorium. Rather the background teems with signs of life; motorbikes revving, children and dogs playing. Hence the transcript is, unavoidably, imperfect. Any discrepancies therefore are our own. We have also removed some repetition and minimally smoothed the flow of some speakers' contributions for the benefit of English-language readers (to the best of our ability, without changing the tone or sentiment in which they seemed delivered) . Additional material on a theme key to supposed justification for the State's dominance, sign-posted in the footnotes for its relevance, has been added by us as an appendix, also hostile to those who would monopolise the telling of (his-)stories in our lives.

Enjoy.

– R.F., March 2025



[opening: conversation between Pedro, another presenter, Peter and the gathered participants in Portuguese, apparently over whether to hold the first presentation – Pedro's – in Portuguese, Catalan, Esperanto or English, finally agreeing on English for the benefit of some participants without a great grasp on Portuguese]

Pedro: So, first, the idea of this conversation came from the opportunity of having Peter here, and – as well – from an invitation that became made about one month ago, more or less. We had published the book from Fredy Perlman, *Against His-Story, Against Leviathan!*. And because he invited me to come here to present the book, during the activities that were made in the end of July.

But for me, it was not possible at the time. And at the time, as well, I was in contact already with him over Twitter, because he was thinking of coming here to make a tour, give some talks... As well, get to know a little bit of Portugal, because he has never been here before.

And in the end, I asked him if we could maybe make something together based on these two books. Because, as well, the book of Fredy Perlman has an introduction by Peter. He was involved in the translation and the publishing of the book in Spanish, that was published more or less one year ago. And he had wrote an introduction, that we adapt to this book. It's not a complete version (of that which it is in English), just one part of it. But I thought it could be interesting as well, because he has this other book called *Worshipping Power: An Anarchist View of Early State Formation*. And the book of Perlman as well talks a little bit about that, about the the beginnings of what we can call the State: that, in the case of Perlman, is named Leviathan, as in the book from Thomas Hobbes, *Leviathan*.

So in the end, we managed to agree with doing this without having organizing that properly, because the distance doesn't allow us. But the idea is, first of all, maybe to speak a little bit about Perlman's book. And then from that point on, Peter will speak about his own book, and a little bit as well about the book of Fredy Perlman.

I would like first of all to introduce this character Fredy Perlman, because maybe some people here don't know him, or don't know him well. So we can have a perspective of what he was, where he came

from, to where he went: all of his life, related to politics, to publishing and so on. So I will start with this, and I will speak a little bit about the book afterwards.

Perlman was born in what is now called Czech Republic (at the time, it was called Czechoslovakia) in the year of 1934, the 20th of August. He was from a Jewish origin. It was very complicated period, because it was the period when Nazis came to power. And there was already a big trend of Jewish people being persecuted and so on.

So before the occupation of Czechoslovakia by the Nazis, his parents migrated to South America. They went first to Bolivia, in 1939, when he was five years old, more or less. It was at that point that he had his first contact with the original people from the continent of America; mostly with the Quechua people. Bolivia is a country that has still has a lot of people that come from that time, a lot of people that were not migrants (like it happens in Argentina, or in other countries of South America). So he had this first contact; it was as well the first time that he had contact with the Spanish language. It was a language that he learned very well.

He stayed there for some time. And when he was around 10 years old (10, 11), his parents migrated to the United States in 1945; more or less at the time that the Second World War ended. And it was there that he started to go to school; to have contact as well with some movements of contestation over there (in university, mostly). He first went to the University of Los Angeles,¹ and there he started to publish a paper called *The Daily Bruin*, that showed already some of his political views.

But this was as well a period in the United States (in the '50s) when there was a lot of persecution towards people who had ideas more close to communist ideas and so on.² And the repression was very hard; it was called the period of the witch hunt during the time.³

- 1 R.F. – After a short stint at Morehead State College in Kentucky.
- 2 R.F. – When editors of *The Daily Bruin*, including Fredy, were expelled by the reactionary University of Los Angeles administration, five started an independent paper to distribute on campus.
- 3 R.F. – Later remembered as McCarthyism after U.S. Senator Joseph McCarthy, who spearheaded the campaign (though others were more central to its operation) but gradually lost his public popularity and credibility after several of his accusations were found to be false;

So he moved for some time to Mexico; for about one year. Then he returned again, to come to university studies: in this case in Kentucky.⁴ He got to know at the time a professor that had a lot of influence on him, called C. Wright Mills. He actually did some work in the end, published together a translation of a book. I don't remember the name. At that time as well he met his long-time partner, Lorraine Perlman, who's still alive. In 1957, and from that point on, they were always doing things together: she was a very, very close person to him. But I will speak about this after.

At the time he started as well to collaborate with the Living Theatre. That was a theater very linked to the more radical environment. There were a lot of people at that time – anarchists and so on – that collaborated with the Living Theater (like, for example, Paul Goodman). And he started as well to do work with mimeography and so on that has afterwards influence as well on the work as a publisher that he did.⁵

happened alongside the much wider-reaching 'Lavender Scare', a bureaucratic institutionalization of homophobia led by McCarthy and others leading to mass dismissals from State institutions due to their alleged tendency to end up as communist sympathisers (actually, despite Soviet Russia and Soviet Ukraine briefly decriminalising homosexuality in the face of the 1917 revolution – unlike Soviet Azerbaijan, Soviet Transcaucasia, Soviet Uzbekistan and Soviet Turkmenistan, who all passed laws criminalising it during the same period, followed by Soviet-allied Mongolia – by the time of McCarthy's efforts it had long become punishable there for men with up to five years hard labour, with dictator Joseph Stalin ironically also believing in homosexual *fascist* espionage while the Nazis themselves spoke of "sexual Bolshevism"; queer liberation only picked up steam again there in the 1980s despite being targeted by the intelligence agency, repealing criminalisation in 1993 after the fall of the Soviet Union and de-listing it as a mental disorder in 1999, although the Russian Communist Party still promotes homophobia) or national security risks due to the possibility of blackmail against outing.

4 R.F. – According to his obituary from *Fifth Estate*, it was actually Columbia University he next attended.

5 R.F. – "Anchored by the hulking printing press, the co-op declared its facilities "social property" and offered free use of its equipment to anyone with the requisite know-how; the co-op's members provided training enthusiastically, introducing militants and local teenagers alike to DIY printing and offering a platform for numerous editorial ventures, from the Perlmans' own Black & Red imprint to the journals *riverrun* (a literary magazine) and *Radical America*. Crucially, the co-op paid no wages to its membership; per the guidelines adopted by its founders, it was "not the purpose of the Printing Co-op to solve the problem of unemployment, nor to provide

Already in the '60s, because of all of the problems related to the Cuban crisis, after the revolution in Cuba and so on, all the persecution that was being made in the United States and so on, he started to leave the United States again, with Lorraine Perlman. And they went back to Europe, and travelled a little bit to Denmark, Paris, and so on, and they settled in Yugoslavia. In Yugoslavia, he made some studies, started a Master's, did a PhD as

business opportunities for enterprising capitalists." Making no secret of its founders' ambitions, the co-op's union bug, a decal emblazoned on the inner cover of its publications, stated proudly ABOLISH THE WAGE SYSTEM – ABOLISH THE STATE – ALL POWER TO THE WORKERS.

[...] Fredy Perlman was a novice printer at the project's outset but soon came to relish the creative potential of the Harris press, interspersing illustrations and photo-collages in numerous co-op publications. Exploiting the process of color separation in ways that recall the work of his contemporaries Andy Warhol and Robert Rauschenberg, Perlman undertook an array of visual experiments in his book designs. Writing about the layout of Perlman's 1970 book *The Incoherence of the Intellectual*, a critique of the work of sociologist C. Wright Mills, Aubert observes that the images operate "as a kind of extension of Perlman's argument." CMYK color separations overlap and combine to suggest the patterns of dialectical thought: In one of the book's many photocollage illustrations, a smiling woman holds a sign bearing the message SEE THE U.S.A. IN YOUR CHEVROLET; below, Julius and Ethel Rosenberg (American citizens who were charged with spying for the Soviets and executed in 1953) stare out from behind prison bars. None of these images straightforwardly illustrates the book's analysis; rather than subordinate image to text, Aubert observes, Perlman approached the printing process as a totality, and saw himself as occupying the role of "intellectual craftsman," a position that unified the mental and the manual. [...] After the revolts of 1968, he had held out hope that communications technology – printing presses, Risograph machines, etc. – might be repurposed toward collective ends. Submitted to the co-op's program of "combined daily activity," individual photographic images became fragments in an encompassing CMYK totality. The New York Situationists tarred Black & Red as image worshippers, yet the group misunderstood the significance of images for Perlman and his collaborators: Nothing was to be left "unresolved" in their choice of photographs – every illustration was calculated to make its point. Often, this worked to brilliant effect, as with the pamphlet *The Fetish Speaks!* (1969/1973), Perlman's cartoon treatment of Marx's *Capital*; but as his faith in left-wing insurgency waned, so too did his belief in the dialectical function of images.

"It is fitting, then, that he turned to the art of William Blake in his later years, illustrating *Against History* with plates from Blake's illustrations of *The Divine Comedy* (1824–27). On the book's cover, an eagle-headed monster – Leviathan's avatar – assaults a nude male,

well on economics.⁶ (In a book that we have over there [in the space of the event], there's actually a text from him about that period in Yugoslavia, his critique about the idea of self management over there and so on.)

He stayed there for a period of three years. And then he went back to the United States and invited someone that he met in Yugoslavia.⁷ He was invited to give classes in university in Kalamazoo. He stayed there for three years giving classes over there,⁸ but then he gets a little bit fed up of the environment in university. So he decided to leave the university and the classes there, and he actually wrote the text called 'I Accuse This Liberal University of Terror & Violence', related to experience in the university.

And they came back to Europe; this was in '68. He travelled a little bit, gives some conferences in Italy and so on, and then ended up in Paris, during the the period of May '68. He went there by chance, arrived there,⁹ and he got caught up with all of the things that were going on over there.¹⁰

This was a period that had a lot of influence in his writings, in his life; because as well he got to know a lot of the ideas of the Situationists and the anarchists that were also living in Paris. The first theoretical texts that he wrote were quite based on these ideas, like 'The Reproduction of Daily Life'. It's a text that had a lot of influence from the Situationists as well as Marxists (because [initially] he came from that perspective, from a Marxist

clasping his muscle-bound torso with claws and coils. Amid tooth-and-nail combat, the bodies of man and monster converge and congeal, the predator becoming its quarry and vice versa. The engraving's demonic ambiguity sums up Perlman's argument: History, a rictus masquerading as order, holds us in its death grip; it can't be called to reason – can't be neatly detoured, as the Situationists had hoped. The demon is called progress, and we must pierce its heart" (Information War: Daniel Marcus on Danielle Aubert's *Detroit Printing Co-Op*).

6 R.F. – Which caused outrage among some members of his faculty.

7 R.F. – Milos Samardzija.

8 R.F. – Again causing outrage among some members of the faculty when he initiated student-run classes and let the students grade themselves.

9 R.F. – On the last train before rail traffic was shut down by the strikes.

10 R.F. – For example, in the striking car factories, where he translated incitement and communication from other social sectors to the workers who spoke Serbo-Croat and Spanish, against the wishes of the union leaders attempting to tame the revolt.

perspective; there was an evolution in his thought).

After May '68, he returned to the United States – still in '68, at the end of '68 – and he started to publish (him and Lorraine)¹¹ a magazine called *Black & Red*. There were six issues of this magazine. And afterwards it ended up being a printing house. The book *Against His-Story, Against Leviathan!* was [later] printed by Black & Red, like many other books that he wrote.

After that he returned again to Europe,¹² before returning to the United States, and settled eventually in Detroit. It was in Detroit that he started as well to collaborate with *Fifth Estate*. (*Fifth Estate* is one of the oldest anarchist magazines I guess in the world, I would say, that has been running more than 50 years now: it started to be published in '65.) He started to collaborate with *Fifth Estate* in '69. It was also based in Detroit; it's still published nowadays by many other people; and some people, still, that were from that time.

There in Detroit as well he founded a co-operative for the printing of books and so on.¹³ He as well joined IWW, the Industrial Workers of the World, already in the '70s; and started to publish his own writing. One of the first books that he published was a book that he wrote together with Lorraine Perlman; it was called 'Manuel for Revolutionary Leaders'. It's interesting, this book, because he wrote it with a pseudonymous fake name. It was in some way an apology for all of these people that were more-or-less linked to the ideas of Maoism and so on: but it was a satirical one. It was critical in the sense that it was so absurd that eventually people would understand that the ideas behind all of these nationalist movements that were growing all over the world were in some way absurd. But the thing is, that people started to buy the book thinking that it was actually a book written in a serious way.

He published as well some translations, like two things about the Makhnovist movement (Voline, [Peter] Arhsinov). He published Jacques Camatte, he published Guy Debord; he published mostly his own books. In the '70s he published as well a book

11 R.F. – And several others.

12 R.F. – Spending several weeks in Yugoslavia penning 'Revolt in Socialist Yugoslavia', which was suppressed by the authorities as a "CIA plot."

13 R.F. – I.e. newspapers, leaflets, etc.

called *Letters of Insurgents*, which is a big, big book, and it is based on his experience in Europe. It is a fictional story of changing of letters between two revolutionaries; one that stuck to the cause, the other one that was disillusioned.

It was in the '80s already that he started to write what was supposed to be his great book; it was called *The Strait*. And this book is very important, *The Strait*, a book he never managed to finish; even though there's a first volume that is complete, the second one is not complete.¹⁴ Because actually, this book *Against His-Story, Against Leviathan!*, it's in some way a prelude to *The Strait*. I never read it, but it's a book that wanted to tell a story of colonialism in the United States, through the vision of what it would be for the people originally from the continent. And yet, he started this and in the middle, he wrote *Against His-Story, Against Leviathan!*, which was published in 1983. And eventually, because he had some problems (he had heart disease), he was operated on. And during this operation, in '85, he died because of problems with this.

So maybe I can start talking about *The Strait* in relation to this book *Against His-Story, Against Leviathan!*. Because what I think this book is, it's a book that wants to tell a story. And it doesn't want to make history, in the sense that it's against history; it's against the idea of creating a narrative through the vision of the lenses of the Western world. It's a book that is based on a lot of histories that were told or that were written, but he picked up all of this history that was created during a long period of time to try to create a version of history through the lens of people that were not Westernised people, who would see history in a different way.

In this sense it's a very metaphorical book, because it uses a lot of metaphors, a lot of images, a lot of his own writing, and so on, that is more-or-less linked to what would be a vision of someone that is telling you a story without the lenses of the scientist or historian. And I remember from the introduction of Peter that he actually tells us that the book is read in some way that it could be

14 R.F. – It is the first and last chapters of *The Strait* which were still unwritten at the time of his death (he estimated having it done by May 1986 at the latest), and hence excluded from the edition of *The Strait* released posthumously; recently talk has been afoot by Lorraine and other previous collaborators of completing the unfinished project from his notes.

someone sitting by the fire just telling a story, without *facts* (in the sense that he doesn't tell exactly the dates, doesn't make references, he doesn't have notes, it doesn't have all the things that normally a historic book has).

And he starts his history in Mesopotamia (because as well, the first fragments of written history come from that time).¹⁵ And it's from that time that he started to try to create an idea of what could have been the origin of the State, or the origin of what he calls the Leviathan. For, in his idea, he saw the world as people living together in different communities, small communities and so on, where people didn't really have a hierarchy. And this, of course, is as well in some way a mythological way of constructing a story. But most of the historians as well create mythologies! They don't really know the facts; they know some things from the time and they try to create a story based on those facts. And he does the same, he creates mythology to try to explain this formation of the State.

He says that this formation starts mostly from conflict. People starting to [struggle] to survive in some way: they enter into conflict with other people. And these conflicts make people go to war, to fight with each other; and create the first people that are enslaved or are forced to work for other people. He called these people *zeks*, which is a name that he took from this book, *The Gulag Archipelago*, by [Aleksandr] Solzhenitsyn. The zeks were the people were working in the gulags; they were doing forced labour over there. He adapts this, and he says that most of the people [at this early stage of State construction] were *not* in the position of being forced to work for others. They were zeks. And they were zeks that were constructing, that were making, creating this Leviathan. This is an idea that we can see as well in this book called... I don't know the name in English, by [Étienne de] la Boétie...

participant 1: *Human Servitude* by [W.] Somerset Maugham?

Pedro: No no, la Boétie... it's a book from the 16th Century,¹⁶ that basically say that servitude is

15 R.F. – This is in the second chapter; after already having touched on pre-His-story from the caves of Altamira, Abrigo del Sol in the Amazon Valley, Shanidar, Jericho, Çatal Höyük, Hacilar, and the banks of Gichi-Gamig.

16 R.F. – *Discourse on Voluntary Servitude*, published clandestinely in 1577 long after its composition.

voluntary. It's the fact that people serve others that creates the structures that we tend to call the State, or tend to call hierarchies and so on. So he says that they were the parts of Leviathan; they were the wheels, they were the gears, they were all these parts that formed the Leviathan. And this Leviathan started from that period, and it started to form, to create a body, and to assimilate other people in what we now call colonization. They were colonizing other people; they were putting all these parts together and growing and growing.

And the story comes from that time, and it passes through a lot of different periods of history (like Rome, like the Greeks, like the Franks, like, well, many, many, many other empires, many other kingdoms: many other names, a lot of different groups throughout the book). And this Leviathan grows so strong that it passes over the ocean in settles in the American continent. And the story of the book goes up to that period, in the 19th century United States.

participant 1: Sorry, can you just explain the concept of the Leviathan of Thomas Hobbes initially? Because I don't remember exactly.

Pedro: Well, let me see if I can explain because it's...

participant 1: Just roughly...

Pedro: Well, Thomas Hobbes sees the State as a monstrous thing. A monstrous thing, but he didn't really feel that it was something that was wrong. It was just... He was a very pragmatic person, so he thought that the state of nature is the state of people fighting with each other; people wouldn't be able to survive without the construction of something that was bigger and that eventually would control and assimilate people. So the idea of the Leviathan is this, it's the idea that people would be under the control of something monstrous, that would be the State.

participant 1: Which would be already non-human, by definition, for Hobbes?

Peter: Super-human.

Pedro: Yeah, it would overcome the human. It would be something that's already over-coming... I read Hobbes a long, long time ago, so I don't remember exactly. Maybe there are some questions

that I will not be able to answer. But the idea is this; he has this famous sentence in Latin, *homo homini lupus est...* Man is a wolf to man... So this is the idea. He had a negative vision of the nature of people, in contrast with Jean-Jacques Rousseau who had some different idea (but as well, was an apologist for the creation of Republican states). Hobbes had this idea, and the Leviathan is the image that he took from the Bible. Because it's a monster that supposedly would mean (for the Jewish people) Babylon.

Again, I got lost in my own voice and what I'm saying... Well, I was saying that the story of the book goes more or less to that period – finished more or less at that period – when Europeans settled in the American continent. And I suppose that because he wanted to continue that book, *The Strait*. He wanted to finish that book, it was his idea; and eventually it would be a kind of connection, it would make probably thought tell the story of those people in this book called *The Strait*.

He didn't manage to do so. But the idea of the book is this. And one of the interesting things as well is the title (in Portuguese it's untranslatable); that is, the idea of his-story, the idea of men (as gender) telling the story of mankind. There's a part here (maybe I'll try to re-translate to English!), when he says that “*Mary Jane Shoultz has demystified the word. When we speak of real History, of His-story, we mean His-story. It is an exclusive masculine affair. If women make their appearance in it, they do so wearing armor and wielding a phallus shape. Such women are masculine. The whole affair revolves around phallus shapes: the spear, the arrow, the Ziguat, the Obelisk, the dagger, and of course later the bullet and the missile. All these objects are pointed, and they're all made to penetrate and kill.*” So this is more-or-less his idea of what is his-story, and why he called history something that is mostly dealt with – told – by men.

And what can I say more... I guess this is a book that was already published a long time ago; probably some people already read it, and already have an idea of what it says. But I think the important thing here is that we don't see it as a history book; that we see it as a story. A story told by someone who was reading a lot of history, a story of someone who wanted to create a narrative where they could go against this history and try to make history by other means, I would say.

I don't know if you want to add something to it? I think it's important as well to see the book in the perspective from the American continent. Because the history of Europe is not the history of the American continent, even though they intermingle. But it's something completely different, in the sense that what we could call these more original people, or those more pagan and so on, is something that was destroyed a long, long time ago; and that still endured in the American continent. So the perspective here is different from the perspective that someone can have in relation to this who comes from the United States or from the American continent. Someone that comes from Europe? It's completely different. And I think it's interesting as well to try to understand it in that perspective, from someone that comes from that continent.

I don't know. Maybe if someone wants to ask something? Or I can speak maybe a little bit later about this, and I will give the word to Peter.

Peter: So, State formation. Before I get into it, if at any point I start speaking too fast, or there's any terminology that you don't understand, please, do stop and let me know. Sometimes I start speaking fast.

There are actually a lot of professionals who who study and research State formation. And I'm not one of them. The money that exists for financing studies of State formation: the most employment around State formation has to do with when states collapse, and other states want to put them back together. Because that [State collapse] is something that in our world is never allowed to happen.

There are purely academic jobs that exist. But a lot of the employment opportunities will eventually go back to places like Somalia, Afghanistan, Iraq. And we know what's happening there.

So we know why states study State formation; because we live in a world in which no territory is ever allowed to be stateless. We live in a world in which the State is simultaneously presented to us as something natural, something eternal, something universal, where history is the history of the State; we're almost never taught stories of stateless societies. (Unless they begin: "One day, they got discovered by...") Their only interest in studying how states can be created is to put them back together when they fall apart.

Now, that's an interesting question to start with. If states really were eternal, if states were universal and natural to humankind, why do they keep falling apart? Even in the 21st Century, with all of this technology? There's one question that they very rarely asked when they're studying State formation, which is: why do states form? What what purpose do they serve? What conditions bring these about? Because that question is not so compatible with dominantly mythology that we're taught.

I'm not an academic, I don't even have a university degree. I'm an anarchist, I participate in movements. So my interest in in studying State formation is maybe coming from an opposite place; it's more about how to destroy them and make sure they never come back. So for me the purpose was to understand what are the pathways of State evolution: what course do they follow? And what helps them build up and why?

The story of this particular book is actually maybe a little bit interesting, so I'll share that. There was actually an international anarchist gathering in Russia, in Pryamukhino, which is the village that Bakunin came from. So there's some anarchist historians and others, and they gather there every year. And of course, there's a lot of repression in Russia generally and against the anarchist movement specifically. So they couldn't have an open gathering, like we might have in Barcelona (which is more-or-less where I live), or like there might be here with anarchist bookfairs.

So they had to have the fake gathering and then the real gathering. So they actually took advantage of some comrades [who] were working in one of the universities in Moscow, in the anthropology department. And they got academic invitations for several people from different countries to come as representatives to this anarchist gathering (a number of us didn't even have the basic university degree required to go and speak at an academic conference), to be able to get the visa to come into the country: and then all sneak onto a bus afterwards and go to Pryamukhino in the countryside to have the real anarchist gathering. Which was also funny, because we each actually had to give a presentation [in the fake anarchist gathering], and we just gave it about social movements or something related to where we were living. And the academic comrade later said that some of her colleagues came and they were crying;

they're like, *"these people, they actually believe what they're talking about, they don't just do it for their careers!"*¹⁷

But by coincidence of being at that academic conference: there's different currents of study into State formation. But one – The Early State Project – just so happens to have nuclei at a couple of universities in Russia, and a couple of universities in the Netherlands, and some other places. So I went there, and they were just all of these books and peer-reviewed journals full of academic articles, with just a lot of raw material about different cases of State formation around the world: from the 20th Century, all the way back to Mesopotamia. Also, a lot of research that wasn't available when Perlman was researching.

And I'm just a big nerd, and you know, big nerdy books like that... I mean, academics are usually not trying to really talk with a lot of people. They usually don't really give much of a fuck about us, to generalize broadly.¹⁸ They cost a lot of money, to

17 R.F. – See the appendix of this supplement for Peter's contribution to that conference.

18 R.F. – "A serious danger posed to and by social scientists is the question of studying the movement. Our narcissistic side may be thrilled by academic studies of anarchists, but these studies are a threat. We do want constructive criticism but I argue that we should absolutely not want to be legible to the authorities, and the authorities are the ultimate audience of all academic production. Just as anthropologists help the CIA to manage Iraq and Afghanistan, they could also provide information that facilitates the infiltration and repression of our movement. We do not need professionals to enable us to communicate with other people. They will only translate us for the authorities. We must build our own networks that expand beyond the ghetto. In the meantime we need to obstruct any serious ethnologies or studies of our networks. It seems strange, since networks are second-nature to us, but the authorities really don't get it. Many of our tactical victories so far are attributable to their ignorance of how networks function. They're still trying to identify our leaders and funding structures for chrissake. Once some clever academic finds a way to translate networks into terms that are actionable for technocrats, police control of horizontal movements will become much more effective.

"For that reason, with both irony and seriousness, I call for the excommunication of all academic anarchists who produce not for the movement but for the academy. If you study networks, find ways to explain to **us** how to effectively extend networks to people currently plugged into the system (or some other useful question), not how to analyze our networks so they can be understood by outsiders, as intellectually stimulating as that task may be.

"Simply producing information aids the system, even if that information seems to be revolutionary in its implications. This is because in democratic societies,

get access to these scholarly articles. And here were piles of the stuff at Russian prices, right? Like a few rubles... So I'm just packing my suitcase, and just started reading this and decided I'm gonna write about this and continue researching and make a book about it.

So I'm just gonna give a talk about a few stories from that, because it's a very broad subject. And I started – which I think is maybe the better way to do it – without a clear hypothesis, mostly just

people are pacified, and even if they are well informed they will not have gotten what they need to fight back. Information is not what's lacking. It is the institutions of power, and not the people, that are positioned to act on this information, and even critical information coming from dissident academics can help these institutions correct themselves. The Early State project provides a great example. Among their writings, one finds many articles that squarely disprove the statist mythology regarding the creation of the state – that it arose out of need or out of some social contract. They make it clear that the state is a coercive institution, thus they have a clearer view of the true nature of democracy than nearly everyone on the left. Yet this information will not find its way into the popular mind, because the government and the capitalists control the infrastructure that shapes the popular mind and those academics are not engaged in any political actions to directly spread that awareness to the people. And then there's something else: among the Early State writings one inevitably finds the humanitarian pieces that, taking advantage of new knowledge on how states formed in the first place, provide analyses for how to establish state control in situations of "failed" or "weak" states, for example in Somalia, where the US and Ethiopian governments are fighting against pirates, tribes, and terrorists, many of whom are organized horizontally to a large degree.

"Among these varying approaches, which studies do you suppose will find government funding? Which will be repeated and expanded, and make their way into evolving government policies and strategies? This is why the apparent independence of the academy is so indispensable. The dissidents will tweak the machine.

"This ironic outcome points to perhaps the most important distinction between academics and anarchists. Academics put everything in terms of discourse. Their fundamental claim to neutrality is that they're just trying to talk about these things, to study them, and not to be actors. At their most active, they will make policy recommendations (aimed at those who create policy, that is, the elite), and thus their preference for discourse signifies their loyal passivity as technicians in a ruling institution. At the most absurd end, things that are very clearly actions are referred to as part of the "literature."

"Anarchists, on the other hand, talk about things in terms of action. Even speech, in its ideal form, is an action, because its purpose is to create change. In our most absurd moments, we refer to purely symbolic protests as "direct action." With this language we signify that we are at war with the system and we actually want to do something about it, to empower ourselves rather than to

trying to understand different experiences of State formation. And to understand them in their own right, as best as possible. I think the most accurate version is that there's no single cause for State formation. And all of the theories that I've seen that say "this is what causes states to form," I think are not supported by the evidence. They're supported by a *part* of the evidence, but they don't work for all of the histories of State formation. So I think the best view is that there are many different pathways of State formation.

The idea that states are an inevitable outgrowth of agriculture is disputed by all of the examples of societies that were stable, that practiced agriculture, without being authoritarian; until the point that they were colonized by the West. The materialist idea that states are an outgrowth of economic accumulation doesn't hold up to the record at all; it's completely contradicted by the archaeological record. If anything it's backwards. The materialist lens can be very useful for studying (within a narrow timeframe) the last 500 years of Western society. I think it provides a useful theoretical lens for looking at certain processes that make states stronger, without a doubt.

But (again, this is a generalization that's not true all the time, but usually) it's impossible to have any economic accumulation until you first have other kinds of accumulation. Because the majority of human history is anarchic; and human societies have been anarchic not because we lived in some Garden of Eden, and we're too stupid to make states, and we were just like "oh, let's be all equal, because we can't imagine any other possibilities." We're constantly running into conflict. We're constantly running in to opportunities to not treat other people very well. We're constantly creating the possibilities – and certainly creating the technologies – to put ourselves above other people. If we don't do that (in a way that creates a very stable hierarchy, with different ladders and a lot of oppression on the bottom), it's because we're specifically trying not to do that. It's because we're specifically organizing our societies in a way that makes states impossible. There was this one

become invisible observers.

"This is our strength, and whatever forays into the academy some anarchists may choose to make, it is the one thing we must not lose. And it is also this approach, this emphasis on action, that we must push those academics who consider themselves anti-authoritarian to adopt" (The Difference Between Anarchy & the Academy).

academic who did a study of hundreds of different documented stateless societies. And he found that there were actually very common behaviors – across the continents – of these different stateless societies, to prevent hierarchies from getting too powerful.

Hierarchies are always a possibility in human society; it's a constant, present danger. But usually in human history, we just don't let them get out of control. We either constantly break them down, or keep them at a very weak level. A few of the very common things that are done would be, if someone (or a group of people) is trying to build themselves up at the expense of others, to attack them: starting with ridicule, making fun of them.

Like, maybe, we are a society, right? We're a community. And at one point, we're like "Hey, your name's Pedro and my name's Peter; I think the people whose names start with P, we should make the decisions, because it's a good name, right?" So all of the Pedros, Peters, Piotrs and whatever; we're like, "hey, we're just cool, or we're too cool for school. So y'all gotta like, give us the best food"... Or, I don't know, this is obviously a stupid example, but...

So then what other people would start to do would be, they'd make jokes. They'd make jokes about people with names starting with P, to bring us down. If that didn't work, then they take it up to the next level; with the highest levels being killing or ostracizing people who were acting in an authoritarian way. And many, many, many, (easily most, the vast majority) of stateless societies had this as a systematic practice: to either kill or ostracize people who are consistently acting in an authoritarian way. So that's collective self-defense.

Also, and this might be useful for society today... Within our community – well, within our pseudo-communities, because I don't believe that we really have communities – within our scenes, we have conflicts. Obviously, because you don't have society without conflict. And often, one of the easiest things to do (especially if you grew up with Facebook, social media, etc.), is just to stop talking to someone, to ostracize them. And the interesting thing is in stateless societies, that tends to be at the highest level together with murdering someone. I'm not a pacifist, I don't think it's always wrong to kill someone. But I do think it's very interesting to think that physical death and social death are

equally serious. And if you see people as social animals, then taking away all of someone's social relations; that's top notch. I think it's a sign of alienation in capitalist society that that's the easiest thing to do. So that speaks to a whole range of tactics (and, really, technologies, social technologies) of dealing with conflict, of embracing conflict. And being like, "hey, Pedro's being a real jerk. So we need to talk to him, we need to bring them out in front and talk to them all together, instead of just being like, oh, Delete, Block, and that's the end of it. That's something that I think is very interesting, looking at all of these different practices or technologies to prevent the State. And also to recognize, human societies: we're not defenseless. They had all of these different defenses against hierarchy.

So getting back to the idea of material accumulation. I don't know, maybe we're society in which making tools out of wood and rocks or whatever are very important. And let's just say that I spent a lot of time making these, and I make the best ones, and I keep them all for myself, and I only give them away if someone else gives me something in an exchange that's unfair in my favor, right? So I can start maybe accumulating wealth in this society. How long is that going to last? We have no police here, we have this culture of self-defense against these inequalities. A day is going to come when, you know, three, four, or five of you just come, and you take my things and you share them out as it should be. And if I keep doing this, maybe you'll just kick me out of the community.

Material accumulation is impossible unless you already have other forms of accumulation. And it seems that in a lot of societies, one of the forms of accumulation that really needs to happen before a material accumulation is *spiritual accumulation*. Creating a mythology in society – creating a set of relations to the rest of the world and relations amongst one another, and stories about those relations – that shift us from a completely interconnected world to a hierarchical one.

Really the first story that we know about of a statist society started with a temple. And that temple wasn't just a shrine at a sacred place, where people can come and celebrate together: it was a giant stage. It was a platform, made out of gypsum, made out of very shiny stone that was shaped like this: flat at the top, where they could do rituals on top. That was in Uruk, which was also the first city in

the world. But the interesting thing is, the temple was built before the city. So it was the temple that brought the people together to create an audience.

That's really important. If you have small, decentralized communities that are practicing agriculture for thousands of years, it doesn't make sense to bring a lot of people together in one place. That's not good agriculture. So what they made first was a stage; a newer kind of spirituality that was spectacular, that had performers and that had an audience. And the temple? It had to have been a collaborative work. At that point, they could not force people to work. They had light hierarchies, but it was not a strong enough hierarchy that they could force anyone to labor. So they had to sell this idea to people; they had to interest people in making this. And honestly, I probably would have fallen for it, if I'd lived back then! It's like, "hey, you want to make the most amazing thing that you've ever seen?" "Okay, yeah, let's do it. We have plenty of food, my day is free." (That kind of thing might be more possible if you've already chopped down all the great 4,000-year-old trees in your area, and you have a kind of more tamed, boring landscape.) "So yeah, let's make a giant pyramid." And so you basically made the television screen; and you brought the people get together to sit there and watch it. So now all of a sudden, you have a technology which is unprecedented; because you can transmit spirituality, instead of creating spirituality all together in a mutual way.

Still, it was hundreds of years after that before they enclose the space on top; which talks about now really different castes – at this point very much an authoritarian society – because what's happening on top is now a secret, right? If you make the first television in the world, and then you put a blanket over it and you say "what's happening on the screen is really interesting but you're not allowed to watch" – no-one's gonna sit there like being like "Oh, I wonder what's happening in this box behind the screen." That's not going to work.

First you need to get people addicted, you need to draw people there. And they see, like, "you know, what, these specialized priests, they're doing something amazing!" And then make it that it's enough of a habit and a part of who we are – you have to believe the people on top of that pyramid are communicating with the gods; and that the gods, they're not all of us. They're not a part of us,

they're not our ancestors. They're not this tree, and everything. There *are* those spirits too; but there are more important ones. And they're up in the sun. And they're the ones with the most power.

So you've already shifted from a horizontal spirituality to a vertical spirituality, before you can have that kind of hierarchy in human society. So the priests at that point; they couldn't force anyone to do anything. They couldn't kill anyone. They couldn't imprison anyone. It was voluntary; they had to attract people in a voluntary way. And then they started telling the story of a pyramid and that unifies the whole world, and that the ones on top are the most amazing ones, in order to prefigure that – to imagine that – and over hundreds of years to create that as the reality among human society. And then once all of us believe that this is the world that we lived in, and what's *up there* is most important: what happens when you close that off? Do you just go back and say “oh well, we just lost the most important aspect of our lives; let's just go back to how things were before”? You stay there and you watch even more, like “oh, it's its hidden now, it's a secret” – so it increases in value. So that's a process of spiritual accumulation that eventually can make material accumulation possible.

How are we doing on energy and tiredness? Good? The book is full of stories, I'm definitely not gonna tell them all! I do want to give an idea of some of the range of possibilities. And also one thing. If any of you do read the book, some people find this frustrating (good!): is not written in chronological order, because linear chronology is the second lie. So it doesn't start with Mesopotamia, because it didn't start with Mesopotamia. Okay, technically, that was longer ago in the past. But history is not just a line that we trod down. So the book is actually divided into chapters of different pathways, different patterns of State formation. And so Mesopotamia comes up when I'm talking about something that was relevant to Mesopotamia, but not as in like, “in the beginning there was...” because that's bullshit. Because there's a billion beginnings, and they all fall back on each other and start over again; and more states have collapsed throughout human history than have successfully projected themselves through time. You can't really tell the true history of the State that has a beginning, a middle and an end, because it's just like... take a ball of yarn, and 50 scissors and just chop at it, and just leave all the pieces on the

ground. How do you tell that chronologically? You can't; I can't anyway, so I didn't.

Monte Albán. Monte Albán was a settlement around the Oaxaca Valley, in Mexico. And there you have a State appear between 500 and 300 BCE (so 2,500 years ago). But okay, I've skipped something, actually.

So I said there's no one pathway of State formation. Which is true; I think it's true anyways, enough to have to published that. There are some common characteristics. A lot of people talk about sedentary society, like society has to be sedentary – people living in one place – to have a State. And that's kind of true, but it's actually more complicated than that.

Because multiple times throughout history, you've had nomadic societies with lots of hierarchies that create states (and create very powerful states). Once they do, those states are sedentary societies: they usually conquer sedentary populations and create a sedentary State. So technically, those states are sedentary. But the social technologies that created them – the hierarchies – emerged among nomadic peoples. So it feels a little bit inaccurate to say that states are strictly tied to being sedentary.

One thing that I think they are strictly tied to (that I found zero exceptions for) was being patriarchal. There's not a single documented case of a State arising in a society that was not strongly patriarchal.

At this point, we can talk about, well, what do I mean by the State? I proposed a definition for it in the book, which is partially just a very, very technical definition, taken from anthropologists who specialized in State formation. I'm not gonna get into that, because it's very technical. It's like, “this number of population centers, this number of ranks,” etc., etc. And then I combine that with Bakunin's definition: which is, states are bullshit, states are slavery... an ethical definition, which I think is useful. It had things that the academic definition doesn't have. Because it positions us in relation to the State. If you're just like, “well, you know, you have four levels of population hierarchy, and...” Who are you? What are you? Who do you work for? Where is this coming from? Why are you... It's important to position ourselves.

So when I'm talking about a State, I'm talking about

a society that goes over a certain limit of hierarchy. So below that limit, we're not talking about perfect societies: we're talking about societies that have some hierarchies. Like I said, all societies have had the potential (at least) for hierarchy. And so one of these is patriarchal dynamics, which can be more or less intense. Those can reach a degree where they exercise systematic coercion in a society (and if we're talking about systematic coercion, then usually I would say that this is a State), or they can be at a lesser degree, where they manifest an inequality of values – and certain oppressive values – without getting to this level of being able to effectively enslave a part of the society. Nonetheless, it seems that every single society that did cross that limit: a large part of the basis for that were patriarchal values in that society, and some process of spiritual centralization.

So the societies in Monte Albán area around Oaxaca: they were already fairly hierarchical. But not enough to cross the boundary and to be states.

participant 1: I still don't understand the boundary, sorry... Is it a fusion between a spiritual accumulation and patriarchal organization? Is that what you call crossing the boundary of hierarchy into the State formation?

Peter: I give a technical definition in the book, which is useful because with the archaeological record, you could look at the archaeology and say, "Okay, this was probably a State, because it had A, B and C." If you want, I can go and give that technical definition; it's just a bit dry and long. So I was trying to save time by skipping that over. But if we wanted to simplify very much, it would be more-or-less when there's a centralized ability to coordinate strategy over territory and to exercise systematic coercion (for example, to enslave a population). So I would say, if we're gonna simplify a lot, the quickest version would be like that.

participant 1: And the patriarchal element is just more like an accident, or...?

Peter: No no, it seems to be that is the foundation, before you even get there. You can't get there without having first a patriarchal foundation, it seems.

participant 1: It seems.

Peter: Yeah. So, these societies in Monte Albán: they were patriarchal. They had some levels of economic inequality. Certain families in the community had higher status than other families. But still, every family had to feed itself. You just have a family where everyone's bringing them food; and the others just sitting back all day, like "you, bring me more food, and you do this, and you do that". So there were inequalities, but not like our society (where you have people who take everything from everyone and don't do anything). Also Monte Albán saw warfare, and therefore warriors. And then specialized priests were important in this society. You had neighboring communities that were frequently at war, frequently fighting each other. But, in these communities, probably a lot of decisions would still be made in assemblies, and no one could survive exclusively off the exploitation of others. So hierarchy, but not extreme hierarchy.

And then something really interesting happened. In a precise year, a precise moment, instead of just with the yearly raiding, instead of just going and attacking the neighboring community (which was ready for it; they had pretty much the same technology level and they were always fighting each other, sometimes one would win, sometimes the other, but more or less equal), the ones with the most influence in this society organized a military expedition that they did not yet have the technology to carry out. So in other words they did something very, very bold and strategic; which was, they organized an attack against the community... I don't have it written down... the community about 80 kilometers away.¹⁹ So a little bit farther away from this cycle of more intense warfare, and therefore a community that was a little bit more peaceful, a community that wasn't interested in this hyper-patriarchal, militaristic culture, and therefore was a little bit less prepared to defend itself.

So they got all of their warriors together, and instead of attacking their usual rival, they went on a multiple-day march, and completely conquered this other community. And then what did they do? They didn't do what they usually would have done against their usual rivals (kill some warriors, steal some things and then go back home). They kidnapped – they enslaved – the entire population, brought them back, and then put them to work; and then also settled that other community and put

19 R.F. – In the canyon Cañada de Cuicatlán.

them to work too.

So at the time that they did this, they didn't have the technology to do this; because this hadn't been done before. This required social technologies (for basically having slaves, having dependent laborers), and then having an agricultural colony that they would administer and make sure that most of that food got back to them, so that their warriors could dedicate themselves only to war, and so their priests could dedicate themselves only to spiritual centralization. That's interesting, because the way it happened shows that it was not just an outgrowth of material accumulation. It wasn't just like they're accumulating more wealth and *boop*, up another level of hierarchy. One year, maybe, some war leaders had a plan, like "let's go do this," or maybe the priest had a vision and said "we can make our gods happy if we go do this," and they made a strategic plan, and completely changed their material reality. That's a qualitative leap: from having inequalities to having slaves, and having a machine that will produce more warfare; and a machine that will produce more hierarchical patriarchal spirituality.

That completely flies in the face of a materialist attempt to explain State formation. Because it actually is really depressing if you think that, you know, these were some ugly motherfuckers, right? These were some bad people who thought of this idea. But in another way, I think there's something optimistic about it. When we think about how to destroy the State, we don't have to just wait for the right material conditions: we make the conditions. And so with our own agency, with our own strategies, we can also make a difference; and we can topple hierarchies.

Shit, okay, so we've been talking a long time. I always go on longer than I mean. So there are maybe two other examples that I wanted to talk about, but I also wanted to leave time for discussion. So maybe I can leave out one of the examples if y'all prefer. One has to do with ecological collapse, which is maybe interesting because... And then the other one is about democracy and how democracy sucks. Do we have a preference? One, the other, both?

various participants: Both!

Peter: Okay, I'll try to be quick. So the Hawaiian archipelago, the largest island is Hawaii. And all of

these islands were settled by the same culture (Polynesian culture, which had some similarities, with light patriarchy, certain agricultural technologies). And so the Polynesian experience is interesting, because you had the same beginning but then different outcomes depending on what island they settled on. So sometimes, geographical determinists will use the story of the Polynesians to promote the idea of geographical determinism: that the geography determines the human society. But this is a bad usage of that history. Because you started with the exact same culture. You started with one Polynesian culture: on a big island they could do *this*, on a small island they could do *that*. And so for Jared Diamond, this pop writer, he uses that in an uncritical way to say anarchy is possible in small societies, because the Polynesians had anarchy when they settled small islands. But when they had big islands, they made states: therefore states are natural at a higher level of complexity. Which is bullshit because the Polynesians started with a lightly patriarchal society with certain tendencies: they already had high status families. They weren't killing off people who said "we're the Pedros, we're more important!". They're like, "hey, the Pedros, they're more important, yeah it's cool..."

(I should probably apologize to Pedro, because the joke about the Pedros is going to be going on long I've left Portugal. I should have said American, or something easier... fucking Americans!)

So, Hawaii is a very big island. So they were actually moving very much along the path to State formation before they were invaded and colonized.²⁰ And so that was interesting: you had families with more status, families that had more influence, families that had more wealth. But still, they didn't have anyone working for them. They didn't have slaves. But their culture did legitimate this idea of "a certain family is better than other families, and a certain family is more central to our society."

Some people didn't like that. And so you had this big island of Hawaii, all of the best agricultural land on the coast is taken; and some people (actually, a lot of people) preferred a materially more difficult existence going up in the mountains, where they could be free; where they could have a much more completely egalitarian society. Without the fucking Pedros!

20 R.F. – By... the Americans.

So, they preferred a life where it was more difficult to carry out agriculture (in these steep mountains, but where they could be completely egalitarian) to living with these light hierarchies. And that's very, very common throughout human history, that people... Oftentimes we're lazy, it can be good to be lazy. But sometimes we'll actually prefer something which materially is more difficult, in order to have more freedom.

What happened? The Polynesian agricultural technology was not super-well adapted for steep mountain farming. And this is common. Most human societies that carry out farming in the mountains will eventually cause deforestation and then erosion. And the Polynesians were no exception. So after a few hundred years of this egalitarian society in the mountains: no more trees, heavy rains, all the soil goes down the hill. They couldn't really live there anymore. So you had now thousands of people who couldn't make a living. And, ironically, their topsoil went down to the farms of the bottom lands and refertilized the soil of the Pedros!

So you have to have a society of total and complete bastards who don't want to help hungry people. You have to look to modernity, to capitalism, before you can find a society of such complete assholes where you're like, "Oh, you're starving to death? Not our problem." There's desertification all throughout Northern Africa. There's desertification in the Middle East. There's desertification in South America. "Too bad, starve to death and die:" that's extremely rare in human history. We (this society) have made the biggest assholes in human history.

What would be more common with a proto-asshole society (a semi-hierarchical society) would be if someone was hungry, you never refuse them food: but you attach conditions. This is actually interesting; this came up in Kropotkin's book on the French Revolution (which I think is a good book, it's underrated). He talked about how one very important dynamic in the French countryside during the French Revolution was the difference between the *citizens* and the *inhabitants*. And it turns out that all these villages: they divided their people into citizens and inhabitants. The citizens were the people in the family who are from that town, and the inhabitants those who just lived there. How long was this going back? In some cases, it would go back hundreds of years.

You're always gonna have disasters every now and then. Sometimes people are always gonna have to move to look for survival somewhere else. A good, anarchic, horizontal society will say "come in, welcome: what's mine is yours." And they don't put conditions. A society that's already a bit patriarchal, that's already dealing with some kind of economy of scarcity, that is already looking at status? They'll say, "Okay, well you can use that land over there. It's not as good land, and you won't get as many rights; maybe at first, you don't get to participate in the town assembly." So we're not talking about a State, but still an inequality, a very basic hierarchy: that in this case, lasted for hundreds of years.

So when the French Revolution broke out, the citizens actually supported the liberals who were privatizing the commons, and destroying this possibility for mutual survival. Whereas the inhabitants tended to be much more radical, and to want to, you know, kill the priests, kill the landowners, and communalize everything.

You had a similar dynamic in Hawaii, where they let the people come back down to the low-land, to the good farmland: but on a condition that they occupy a new rung – the lowest rung – on this social hierarchy. So they could have inequality before, but they never let themselves sink so low as to have this lower rung of people who, in order to survive, had to do work for other people. That happens a lot, where you'll see some kind of ecological collapse that elites will take advantage of to create more hierarchy.

And we're definitely seeing that today. Different movements of people who are fighting against the destruction of the environment: these movements are overwhelmingly anarchic. They're overwhelmingly horizontal, anti-authoritarian, many indigenous movements, anti-capitalist movements, anarchist movements... And in the last couple of years, all of a sudden you have people coming along who are saying, "Oh my God, it's really urgent: we need the State to come in and solve this now. No more anarchy bullshit, no more social movements: we need the State to achieve net zero carbon. Now."

First of all, it's not urgent now. It was urgent in the '80s in the '90s. Now it's too late. It's here. It's a reality. Tens of millions of people are already dying.

Let's do this right. Let's not come up with some shitty solution to solve it quick, because it's too late to solve it quick.

Secondly, net zero is bullshit. Net zero is a lie. And thirdly, all of these these different authoritarians (many of them academics or politicians who want to lead the climate movement) often have a lot of tolerance for racism in the movement. So that's opening the door to eco-fascism, which is definitely a growing danger as we go forward. This story from almost 1,000 years ago is very, very relevant today because it underscores the fact that all states are ecocidal: this is another thing that came up in my research. I couldn't find a single example of a State that is ecologically sustainable. They're all ecocidal. Sometimes states destroy themselves by creating ecological crisis. Other times, though, they take advantage of the crises that they create, to increase their power. And something similar is happening now. So it's good to be aware of that.

The very final example: of why democracy is bullshit. So 3,200 years ago (roughly 1200 BCE), in the eastern Mediterranean you had a lot of powerful states. You had the Mycenaeans, you had the Hittites, you had the Assyrians, you had the Egyptian State; a lot of powerful states occupying almost all of that territory, fighting each other, enslaving people, building big things, enslaving more people... for a long time.

And then all of a sudden, nearly every one of them collapsed. Most of those states disappeared forever and didn't come back. Many of the states that that did survive: they lost a lot of their population, most of their cities got burned down. And the interesting thing is, they don't like to talk about it. Which is weird, because usually, states: one thing that they do is they keep records. And all these states also kept records. But they didn't really explain what the hell was happening.

Most of the professional academics who studied this (it's called the Late Bronze Age Collapse): they look at climate, they look at problems and shortages in the bronze production network, they look at all of these factors, warfare... But one of the factors that they seem least likely to want to engage with is revolution. Revolution from below. And it's interesting, because if we look at how human societies move now, we can see something similar. We'll take the Arab Spring: that actually had

ramifications well beyond the Arab world. It influenced the plaza occupation movement in the Spanish State, which influenced Occupy in the US: completely different states where they speak different languages, and face different conditions. It felt like this whole wave of revolution, of resistance, of uprising that's spreading around the world, it's been happening in states that were experiencing economic growth (like the Gezi Park uprising in Turkey happening when Turkey was fully in a phase of economic growth) and also countries facing extreme economic downturns (like the insurrection in Greece).

People speaking different languages, different conditions. But we understand one another on the bottom. We see cop cars getting set on fire, in the US, in Chile, in Hong Kong, and we see: those are our people. And that's not supposed to happen, right? The way institutions of power study us, we're divided by borders, we're determined by material conditions: we're not supposed to be communicating in these ways. But when you look at it, we really do. And we learn how to revolt from one another, we see that revolt is possible, and we get inspired to revolt.

So we can see in our own lives that this is a real effect. And so there's no reason to believe why this would not be a real effect 3,200 years ago in the eastern Mediterranean. Because a lot of these peoples, they were mixing all the time, they were getting attacked by slave raiders, forced to live somewhere else as slaves, mixing with people from many different language groups, many different countries, escaping, going to live with other people. So they had their networks. They had their "internet;" they had their ways of communicating and sharing this.

This is just a hypothesis, but it is completely feasible that a revolution would have spread throughout that entire world-system, and led to the collapse of most of the states that existed at that point in time. And that would be one of the things that the states would not want to write down, they would not want to talk about. Because in the official histories, where did they talk about Gezi Park? Where did they talk about the insurrection in Greece in 2008? What did they say about the huge insurrections last year in the United States? They will say "oh, there was a movement to defund the police." Fuck no, there was a movement to burn the fucking police to the ground. It doesn't appear in

the official histories, because they never want to talk about revolution.

So that I think is the most consistent explanation for this collapse. And there's another piece of evidence (circumstantial, but I think it's very worth considering), and that's what happened after. So if you look at the peninsulas and the archipelagos in the part of the eastern Mediterranean (what's now called Greece, though of course, the concept of Greece didn't exist then): for 500 years after the Late Bronze Age Collapse, there was no State. No State whatsoever. So 500 years of some kind of anarchy.

And then a State does emerge. What kind of State? One that is completely different from any other State that had existed in that part of the world previously. The prior states all shared some certain things in common: a very, very centralized hierarchical religion, with the supreme god linking the ruling class – the elite – to those gods. So the rulers of that society were themselves gods, or at least connected to divinity. Very, very strong caste distinctions in the society, with the majority of the population being slaves. And territorial-based empires; empires based on controlling land area, and landmass. And extremely concentrated decision making. So they shared certain characteristics.

The State that came after that (which was actually a lot of very tiny states, the Greek city states... you know, “the cradle of democracy,” this wonderful thing that we just need more of, or better versions of, and then all of our problems will be solved...) – first of all, they did not have a ruling caste. They had a relatively large body of people who were entrusted with these elite roles and making decisions for society. It was still overall a minority, but a very large minority compared to, say, the Assyrian ruling class. They had a culture of a certain amount of distrust towards those rulers; that they had to cycle, they couldn't always be the same ones. It wasn't necessarily hereditary. They made fun of their gods: their gods were stupid drunkards who couldn't be trusted. They didn't look too much at the conquest of territory, but rather at controlling flows of trade. And that's where they did a lot of their accumulation of wealth.

So a completely different model for the State. And one that spoke about participation; one spoke about “you know, you too can be the State.” Again, this is hypothetical, but I think it's the strongest

hypothesis that there is: where would a State like that come from, if not a corrupted revolution? Because that State: what that looks like are revolutionary values that were corrupted. And over generations – over 500 years – one story got turned into another story; a little bit different, but just different enough to allow for a State.

So imagine that all of these enslaved peoples, they did rise up: they burned temples, they burned cities, they deserted from armies, they killed rulers. And they said, “We're going to be free.” If you do a revolution like that, one of the first things you say (and one of the first things you tell your children) is, “never again. This is what we came from: we were enslaved, we were forced to live for the benefit of others. We won our freedom. We'll never do that again.” So you pass this on as a story.

What are ways that you can corrupt that story to make the State possible again? Because they didn't turn it around 180 degrees to say, “actually, no, the Pedros are gods, and all you should shut up and listen to the gods, who are the most wise, the strongest, the most powerful... And y'all are the warriors, y'all are the priests, y'all are the artisans: and follow your roles, obey, and *just* do that.” They didn't do that. They didn't completely change the values.

They actually had values of participation. “We have assemblies, we make our decisions in assemblies, all of us are equal (except the slaves and the foreigners, but you know, they're minorities...). So all the people who are proper Greeks (proper Athenians, proper Spartans): we're all equals.” That's a big idea. But we're seeing how it's corrupted.

A lot of societies are actually formed in moments of collapse. Because a lot of these people were probably from many different societies, many language groups; and they formed a new society when they ran away, when they rebelled. So over time, they're gonna have a new language. Many stateless societies identify themselves as “the free ones.” And that's problematic when freedom becomes an ethnic property; when it's like... Okay, so we're our society, the Masharenkas – you know, “oh, the Masharenkas – we're free, we're us and fuck the State: we burned down Setubal, we burned down Lisbon, and then we came here and we lived and we're free and we're equal and everything.” But you think this is just a property of *our* group,

because we're the fucking best ones. "And the people who still live in the ruins of Setubal: they didn't rise up like we did. They're lesser than us because they didn't fight for their freedom as hard."

So this idea of fighting for freedom actually becomes status, that puts you above others who you identify as not being so connected to freedom. Over hundreds of years – over generations – you can say *our* group, the ones who speak our language; we're more deserving of freedom than others are. So that's one difference.

Another important difference is patriarchy. You had these enslaved peoples living for hundreds of years, subjected to a patriarchal society. It would be very easy for them to absorb the values of that society. So they rebel against the king, they rebel against the gods, they rebel against the caste system. But if they don't go to the root of that, and if they don't also rebel against the patriarchy, then what you're gonna have after that is a society without a State; but still a society with this gender division that is in itself an inequality, that is in itself a form of oppression, and that serves as a springboard, serves as a foundation for many others.

So that, for example, could give more status to the warriors. "Well, the warriors," they say, "they're the ones who made the revolution: so they should be more important anyways, they're the ones who keep us safe. The warriors were the ones who killed the kings, the warriors killed the gods, and they protect us from other slave raiders (because the Egyptian State still exists); thanks to our warriors we're saved from the Egyptians and not becoming slaves." Anyone who's participated in a social movement knows that kind of division is bullshit. You need the attacks, you need the riots, you need people who can go against the police. You also desperately need people who can solve conflicts. You need people who can pass on memory, who can pass on knowledge. You need people who know how to care. So this division: it's total bullshit, but it's easy to understand the mistake, it's easy to understand the logic. And militarism was essential to Greek democracy. Being a citizen, it was required that you do military service. That's a common idea also throughout modern democracies.

Just these small corruptions of revolutionary values can actually make us betray the project of liberation and create a new State. So it's really important to see how clever states are. If we attack their values,

and we're strong enough to win, they won't... the conservatives will, because conservatives tend to be the stupider ones, and they'll come with these more fascist movements, saying "no, we need to be obedient" and all the rest... but really, you have these more intelligent currents of the State, which will take our own values: and they won't bend them around 180 degrees, they'll just bend them a little bit, to redirect us to another statist project.

That's another reason that it's important for me to realize that there are many different pathways to State formation. That also means that there are many different pathways to defeat a revolution. And right now they're doing it with green capitalism. Right now they're doing it in the US with police reform movements (you know, "give the police body-cameras"). They're doing it with alternative energy and electric cars and lithium mining.²¹ And so it's really important to be aware how much strategy comes into it, and how intelligent they can be to turn our own struggles against us.

So that's why I think it's relevant to continue to look at these stories from hundreds and thousands of years ago; because they can tell us a lot about what's happening right now, and about the nature of the State that we face. So, those are the stories I wanted to share with you. Thanks so much for coming and listening.

participant 2: Thank you for sharing!

participant 3: Thank you.

participant 4: I would like to ask you some questions and point of views. You talk about the spiritual verticality...

Pedro: Speak more loudly!

participant 4: Okay, now it's good? Now, the point is, you speak about spiritual verticality before having the society's hierarchy. It's a very interesting idea, and I think that it arrives to some ideas that

²¹ R.F. – Around this time a mobilisation was getting underway in Portugal to resist lithium mining; in November of 2023, the Portuguese Prime Minister was forced to step down after an investigation into corruption in his administration's handling of supposedly "green" energy deals. For more context on the struggle there, see 'Social warfare for lithium extraction? Open-pit lithium mining, counterinsurgency tactics & enforcing green extractivism in northern Portugal'.

Mircea Eliade talks of: the axis mundi. He means people looking for complete reality that is not organized, that is a chaos. You need to build an axis that helps to connect to rite, myth, and doubt, to create interpretation and a cosmos. And cosmos is just – the society is just – the only event that they can understand. So, I think this is a very interesting idea when you speak to that spiritual verticality which arrived before the hierarchy. Because it's just after this understanding of verticality that you can create the hierarchy in society.

Another point is, I'm a little bit outside what you talked of, but when you're talking about the power of groups, that sends me to some interesting idea, which is the War of Four Years. What is that? It is a war that lasted four years in some space; and one group is a dissident, and the other group planning punitive expeditions until they kill all these dissidents. And they kill these dissidents not just to kill, but under torture. What is more disturbing: it was not humans. It was chimpanzees. It was chimpanzees, they did that. It means the cousin of a group grows up, and for another group to be punitive to another group, is something that is not only for human beings, but also from some other primates in a big social organization.

But in the end, the question of societies without the State that exist (today still existing in some South American Indian groups in Amazonia with no contact with white people, with civilized people): this organization – in some studies anthropologists did – is interesting because (that happens too in Africa in the old societies without State) it's that the man that heads up the hierarchy must be rich. To have a lot of... well, not money, but things that he can give his clientele, to have the political power of his people. It means that the “king” is not working; especially in Amazon, he was not working... the toil is saved for the subjects. But he must work more (for collections and so on) to *give* to the subjects! And Kant I think had this quote that talks about that; that one king, although they cannot give the food to these subjects (for these subjects it was gone), just in the end it's only him and his wife; so it's gone too! So it's interesting to see your point of view on these points of view too; to make a comparison and have discussion about this topic. Thank you.

participant 1: You talk about stateless societies, but you didn't give an example yet. And I was just wondering again: this the difference between State

society and the absence of State, you can have I guess stateless society with strong hierarchy. Maybe if we go from the point of a stateless society, what could be the turning point that is the most threatening? In your point of view, can you give an example of a stateless society that you believe has successfully found a solution to the accumulation of spiritual power and this accumulation of material power: do you know one, and you think that we can learn something from them?

Peter: There are a lot of documented stateless societies; it's a huge range, a lot of diversity. Some that have a fair amount of hierarchy, and also a lot of documented ones (before colonization) that had very, very little hierarchy. I am a little bit worried about that way of posing the question of learning *from* them, just because of the history of colonialism, and how easy it is to idealize non-Western societies: and also how culturally-rooted knowledge is.

I think societies serve as the examples for themselves; they serve as the answers for themselves. So I wouldn't want to be like, “well, this society (before colonialism) were really great, so let's emulate them.” I think it's a more useful question to ask ourselves, what societies now are struggling against colonization? How can we be in solidarity with them? And what does their practice look like?

Personally, one struggle of a historically stateless people that's been influential for me is the struggle of Mapuche people whose lands are colonized by the Chilean and Argentinian states. Obviously, they don't exist to provide an example for white anarchists; many different Mapuche communities in struggle choose to build solidarity with contemporary anarchists, but they're not... For example, a lot of Chilean anarchists that I know are always like, “oh, well the Mapuche are very authoritarian” – and I think that that's actually a misunderstanding of authoritarianism, that comes from a democratic mindset. Because they have positions of traditional authority in society, and these are some of the traditions that they're fighting to preserve against colonialism.

So for example, they have *lonkos*, they have *weichafes*, they have *machis*, and when we translate them into European languages they're things like *chief*. You know, like “if a society has a

chief then that's not anarchic at all." And I strongly dislike how a lot of European (including myself as European) and Western anarchists don't think enough about what translation means, and what things can be translated and what things can't be translated.

If we don't have a word for lonko aside from chief or *jefe*,²² that's our problem: that's not a Mapuche problem. As the one thing that I think is very important that democracy does (that's a root of the State) is it creates a unified power; and this is something that even unifies direct democracy with representative democracy. So in the 15M movement, Real Democracy Now, the *indignados* movement in Plaça de Catalunya; they recreated the State with 100,000 people in Plaça de Catalunya just by unifying power. By saying all decisions have to go through this central point; we all participate in the decisions, but they go through this point. And in the way power is created in traditional Mapuches societies, there is no unified power. The power that the lonko uses is completely different from the power of the machi uses, is completely different than the power of the weichafe. And so everyone has a kind of power that they can have access to, and nobody can have access all the power.

So that to me actually is much more anti-authoritarian than in your typical Western anarchist scene; where we don't talk about power, we pretend that there's no power. But you look around, you go into the scene, and there's always there's someone who has more influence than others. And I think in large part that's because we refuse to acknowledge that there are different roles, and that these are important.

If you more specific examples of stateless societies, there's examples in *Anarchy Works*, which I guess is in Portuguese now. So one example would be the Mbuti; an important part of that society is having distinctions between ages, but each age group has autonomy. So there's not oppression between the older people to the younger people. In every Mbuti community traditionally (before they're forced into sedentary living), the children: they have their own separate village. And if adults come into the children's village, then they get yelled at and made fun of until they leave. So how can you create a hierarchy if you can't even tell the children what to do, right? That's pretty amazing.

22 R.F. – Chief in Spanish.

However, I feel worried about using that example of "look at the Mbuti; this is an amazing case of such an egalitarian society." Because it's easy to fall into romanticism. And it's easy to forget that they're for the most part forced into sedentary living; most of them are being killed off by cobalt mining for our smartphones. So what does it mean that put them in a book and say "an example of anarchy!" rather than trying to travel there to make contact and to support struggles against colonialism?

So it's a useful question to expand our idea of what's possible, but just one that I think we also always need to balance with the necessity for anti-colonial solidarity.

participant 1: Yeah yeah, I understand the trap of romanticizing, and looking for a solution outside of our own vocabularies, and our own language. But the idea that I just wanted to say is that some societies have been constructing experiences and finding solutions to some human situations that I think are... maybe not universal, but at least recurrent. And that maybe some social experiments have found some valid solutions for conflict, for repartition of power. It's true that (in our tradition of Western thinking) it's been a long time... For example, in anthropology (because I come from this discipline), there's been a very romantic view of trying to dig up the flourishing and the egalitarian path, or the myth of the noble savage. I read still a lot of that in the modern thinking, having read stuff and studied a bit. For example, in the Amazonian society, there is higher class, there is chiefs or whatever, there is separation, there are gender roles. There is no perfect society, and we're all in this big experiment together, all continents and ages (let's say) of humanity. But there have been some solutions found, or specific situation that can apply to me, for example; maybe they don't apply to another society in Europe, or another group. But basically the thing you were saying: like, let's dig up in the past, find some shape that is interesting or relevant for us. It is true – beyond the romanticism – I think that some people have participated to find some solutions that we can still use.

Peter: Maybe in that line, naming two things really quickly... If we name roles (in our groups, in our communities, in our movement), I think that can be a good way of avoiding these invisible hierarchies,

by saying “what you do is important.” If someone wants to do, let's say, carpentry, or fixing electricity, this is the person who knows most about it: it's okay that someone knows most about it. That's not a bad thing. And we recognize it, and we honor that. And we also think... where's Vical... Cooking something: you want to cook a great meal (I thought it was good food!), you cook a meal for a big group. So recognizing, naming the roles I think can help.

And then another thing you mentioned, conflicts (that also came up earlier), that is really important. The Diné were colonized by the United States – and of course earlier by the Spanish – and have a community mediation system (which is actually studied by Scandinavian social democracies; which of course is totally hypocritical, but that has professional recognition of experts). And from what I've read, and things that have been shared, one thing that seems to be very important for Diné conflict resolution (that I think we could all learn a lot from) is this idea that people don't harm other people unless their relations are weak or their relations are unhealthy. So this idea that we *are* our relations, and that if there's a case of harm within our circles, we need to look at how is this person's relations so weak that they were able to hurt another person? And that I think is a really healthy approach: because there's no easy solutions. There's no moral dichotomies of good people and bad people. And there's a lot of hard work: like, “let's come together, this this implicates all of us, where did this weakness come from? It's not this person's fault (just “because he's a bad, evil person” or something).” It's like, “this is a weakness, it's collective and so we need to fix this collectively.” So that I think is something that we could learn a lot from.

participant 5: I have some questions, and I would like to start more-or-less on this topic of your conclusion, that “democracy is bullshit” statement. How do you regard these modern experiences – I don't want to name it, I think everybody knows – the ones that claim to be stateless democracies; and especially being that the one that is currently being built (or not, I don't know...) claims also to fight simultaneously this patriarchal issue?²³ What are

your opinions of this? And also regarding this little bit on internal conflict issue in society; how to explain... it's probably a pragmatic answer... in today's society, how do you regard this?

Peter: Friends from that movement – and then also friends who have who have gone over there – I think have been impressed and have impressed me with transformative processes that are happening there. And so I think within very difficult circumstances, very powerful experiences are coming out of that. I also don't think that it's a perfect... there is no perfection, we shouldn't be looking for perfection. I think we need to be honest about that every revolutionary movement is also gonna have maybe authoritarian tendencies or authoritarian structures.

From some reading I've done and talking with people I get the impression that it seems actually kind of similar to the Spanish Civil War, which we often romanticize; but which had a shitload of

movements aimed to create independent states, unconsciously emulating Western values in order to disprove racist stereotypes or consciously seeking power in Western terms. However, many of these movements have since rejected the goal of state formation, realizing that states are incompatible with freedom. In the dungeons of the democratic United States, revolutionaries locked up for fighting for black liberation – like Russell “Maroon” Shoatz, Lorenzo Komboa Ervin, Kuwasi Balagoon, and Ashanti Alston – developed anti-state positions. Mapuche communities fighting for the recovery of their land, usurped by forestry and mining corporations with the backing of the Chilean and Argentinian governments, have broken with the leftist movements working to install socialist governments – since not even the socialists have wanted to put a decisive end to colonialism – and now reject the State as a Western imposition and an irremediable tool for domination.

“One of the most well-known examples of this pattern comes from Kurdistan. For decades, the Kurds have been fighting against the occupation of their lands by Turkey, Syria, Iraq, and Iran. In the eighties and nineties, they followed the well established Marxist-Leninist model of national liberation through the creation of an independent state. Through experience and reflection, however, they came to the conclusion that socialist governments are incapable of breaking with capitalism and all the misery and exploitation it produces, and that states can never be a tool for emancipation because they will inevitably centralize the dominant culture and repress minority cultures. In Rojava and Bakur – the parts of Kurdistan occupied by the governments of Syria and Turkey – the people are currently fighting off the brutal and genocidal imposition of state authority (primarily by Turkey and the Islamic State) and engaging in a dedicated experiment with freedom, building confederal structures of communitarian organization from the ground up” (Worshipping Power).

23 R.F. – “Given state responsibility for colonization, nationalism, and the subjection of minority ethnicities, in the twenty-first century there are still hundreds of movements for national liberation and struggles against occupation. In the previous century, most of these

internal authoritarianism and problems too. But there are people who were fighting against those problems, who were trying to make it better. So I think it's something that we should definitely not dismiss, that I think it's important to build solidarity with, but also not make it our new religion of like, you know, "this is *the* revolution." I don't know how it is here, but I worry about in my circles how there's often a tendency to be able to have international solidarity with one place at a time... You know, like the Zapatistas are the hot cool thing. And then it goes on to the next thing, and then the next thing... and then the Zapatistas had to cross the ocean and be like "hey, Europeans, we're still here!" So that's problematic.

With a specific critique of that kind of democratic practice: for me, it's not ideal.²⁴ I'm again saying I

24 R.F. – "They are not doing this in a typically anarchist way, because they have not made a complete rupture with preexisting governmental and capitalist institutions, but neither are they trying to change these institutions from within – as so many naïve reformists have done – so much as trying to supplant them with autonomous organizations. The Rojava experiment involves a confederal structure united by an anti-authoritarian ethos. One of the most lively debates of the decade concerns whether they can emancipate themselves with such a structure. So many revolutionary movements have condemned themselves to new kinds of authoritarianism in the past, that skepticism is healthy and inevitable.

"A critical position asserts that the structure being used in Kurdistan is pyramidal, and will therefore result in the centralization of power and the formation of a new state. Even some proponents of the model admit it to be pyramidal. In fact, every confederation is a pyramid, uniting local organizations into a single entity through multiple levels of coordination. The Haudenosaunee – the League of the Six Nations – successfully resisted state formation and promoted harmony and reciprocity using such a model for centuries. With the Six Nations, however, the pyramid was inverted, and most of the power was in the local groups. There were also multiple, complementary forms of power that prevented centralization – such as spiritual power and social power, or power in the household and power in times of war – and a deeply rooted autonomy by which delegates could not impose decisions on other community members, and the large-scale coordinating bodies (the "higher" levels of organization in a Western logic) could not impose decisions on the communities. Because of the principle of voluntary association, leaders could at any time be abandoned by their followers.

"What allows a pyramid to be inverted or upright? Experience and continued struggle will give the clearest answers, but our study can suggest a number of factors. Is there a strong, anti-authoritarian ethos in the society in question, or is power worshiped? Are leaders mistrusted or adored? Is leadership fragmented and complementary, divided among the fields of spirituality,

think there's a lot of powerful, amazing things coming out of that. I think one of the biggest weaknesses of democratic revolutionary movements is that they're going to be easier to co-opt, or they're going to be easier to recuperate or institutionalize by the State. And that (for better and, often, for worse) is not a danger that the comrades over there have had to deal with so much, because they're not generally faced with states that want to recuperate them. They're faced with states that want to annihilate them. So the Turkish State, for example, it's not that interested in like, "hey, make your political party and come in to government!" I feel confident just by looking at the patterns of history, that if the Turkish State had taken a softer approach, and allowed those political parties to remain legal, that already by now we would see more and more selling out, more and more institutionalization, and more and more loss of revolutionary values. Instead, they decided to try to imprison or murder everybody, then there's not a possibility for institutionalization. So yeah, it's complicated.²⁵

coordination, sustenance, healing, history, artistry, warfare, conflict resolution, and so forth – allowing everyone to exercise some kind of non-coercive leadership – or is the principle of authority unified, allowing government by a single ruler or ruling body? Is the economy based on local self-sufficiency and shared access to the commons, or on an industrial organization that requires massification and large-scale coordination? A healthy anarchist idealism would suggest pushing for the former against the latter in each of these tensions, or avoiding confederal structures and delegation altogether; however, the struggle in Kurdistan may throw light on how much wiggle room a society has to strike a balance on these diverse organizational questions without creating a new state. And there is also the strategic question of whether, given an armed uprising, we can supplant existing institutions or whether we need to rupture with them unequivocally. Lenin already proved that states do not wither away if we are using them as instruments for change; the Kurds may show whether or not certain state institutions may be left intact while we build grassroots structures" (Worshipping Power).

25 R.F. – Nearly four years after these words were spoken, the situation in Rojava (Western Kurdistan, site of the revolutionary experiment) is graver still. Critical solidarity has accompanied many steps of the revolution, not least in their acceptance of allyship with powers such as the US and UK in their fight for against the Islamic State; which have predictably abandoned the Kurds when their interests have changed. Zahir Bahir of the Kurdistan Anarchist Forum in London has said, regarding her position on the revolutionary structures in Rojava, that "[r]eferring to the positive points I mentioned, we need to promote these points. At the same time there are negative points which we should not support. What's important for our anarchist comrades is not just to support the movement, but also to

participant 5: Regarding the amount of things that you managed to read when you wrote the book and also all the historical studies that you mention seeing, how much do you think that we... Also a little bit like you were saying, how we romanticize the non-Western cultures as Europeans: this on the one hand, but on the other hand, how much do we see some of these processes of colonialism and domination as a Western exclusive process? And how would you contrast this to some of... for

criticise it on the basis of our ideas. It's not right to align with the US or the UK, it's wrong to line up with them, it's wrong how the communes are shaped and how influential cadres are. This is why we need to offer both, criticism and solidarity."

When it came to the invasion of the Rojava's region of Efrîn and Sere Kanye by the Turkish army itself, the second-largest military force in NATO, the US forces on the group did nothing short of withdrawing (despite having previously warned Turkey against any incursion) under presidential orders during Trump's first term, allowing the crushing of the invaded territories despite fierce resistance, with ethnic cleansing which has seen the Kurdish population in Efrîn driven down from 97% to under a third, as Turkey installed primarily Arab and Turkmen militias in their place and terrorises the remaining Kurdish population. (Despite their finger-wagging, the US did not hesitate to sell Turkey the weapons and war-planes used, as part of the alliance between the two powers since the Second World War which far overshadows the passing instrumentalisation of the Kurdish-majority revolutionary structures in their fight against the Islamic State. They essentially handed the territory over to Turkey under the guise of a ceasefire agreement; sound familiar?) This winter, amid the long-awaited fall of the ruling dynasty in Syria (partly attributable to the weakening of the State caused by the presence of the revolutionary structures in Rojava, but also swept away by an insurgent Islamist faction painting itself as more moderate than the Islamic State), the refugees from that invasion have been attacked in their camps by Turkish-aligned militias and forced to flee again, with the city of Manbij falling to brutal assault, torture squads and summary execution of those injured appearing to be Kurdish in the taking of the hospital.

Fate hangs in the balance not just for Kurds but also for other minorities like Armenians, Syrians and Assyrians in the north-eastern part of Syria's claimed territory, not to mention the Druz in the south (where Israel has taken opportunity of the fall of the regime to steal land beyond that it already occupies in the Golan Heights and displace people, conducting the largest air bombardment operation in that settler-colony's history). The Syrian transitional government announces minister positions for well-known Islamist fighters, despite its leadership claiming that it will dissolve during the transition process (probably a media strategy to lose the terrorist label of the Islamist factions and win stability on the world-stage); the Minister of Women's Affairs has already announced that Islamic law will guide the new Syria, and feminist NGOs will not be allowed to operate,

example, most of the examples that you gave, that you read out, were not Western-based (Western as in European, basically) – so how do you see this dynamic...

Peter: ...As in the danger of non-Western states being colonial, or...?

participant 5: Do you feel somehow by studying these things that we tend to excessively blame Western society or Western culture as the only evil in the world, somehow? That we tend to wash away, or just neglect some of these – I don't know – maybe human tendencies that are also found in other places in the world: like slavery, state-building, colonialism, and that kind of stuff. How do you regard that?

and the new Minister of Justice has been identified in footage from 2016 reading out a judicial sentence from a phone-screen to armed men in the middle of the street, who then execute their woman prisoner with a head-shot. Islamic State attacks are back on the rise in both Syria and Iraq. In Aleppo in early January, regime loyalists planted explosives in the Kurdish neighbourhoods before being shot by defence forces, and a crowd chanting slogans aligned with the transitional government were only prevented from marching into the neighbourhoods by Kurdish-majority defence forces firing warning shots in the sky to disperse them.

As it becomes clear that Kurdish-majority autonomous zone has not managed to buy itself sufficient protection by appealing to the great powers (offering now the Deir El Zorr oilfields to US capitalists, now the gasfields to a Russian State company), while this supplement goes to press the military commander of the autonomous region has been flown to Damascus aboard a US military helicopter to sign an agreement with the transition government that subordinates all of Rojava's civilian and military institutions to the Syrian State. In return vaguely-worded assurances of respect for minority groups are given; by the very factions that ten years ago were attempting their full annihilation. Quite possibly Rojavan fighters will be integrated into the Syrian military alongside the very Islamic State fighters Rojava has been warehousing with US aid after their capture during the conflict of years gone by, and who increasingly have been escaping and re-arming. (Days before, when violence erupted between the new regime and the Alawite minority from which the deposed dynasty hailed, government-backed militias murdered around 1,000 civilians in Syria's coastal provinces.) No promises are in the agreement to defend the anti-patriarchal gains made during the revolutionary years.

Foreseeing such abandonment of revolutionary change as a potential outcome in 'The Fall of Assad, the Future of Syria', in December it was with sadness that Peter Gelderloos noted that "[t]his would provide (another) opportunity for global movements to learn that there will always be a fork in the road between democracy and revolution, but it would be much better if we didn't have to learn from another defeat."

Peter: I think all states are colonial in some way: all states will try to dominate their neighbors, regardless of what culture that State is coming out of. I think it's a social machine that works more-or-less one way. On the other hand I don't think we blame Western society too much. I think it can take a lot more blame.

participant 5: The question is, are we blaming other societies way too little, maybe?

Peter: I think binary anti-imperialism is a problem: this idea that you have the one most dominant empire, and so anyone who's against that empire is good (and that'd be supporting dictatorships in other countries, which is just ridiculous). Comrades in Ukraine would be like, "okay, over there the US is the dominant empire, but actually where we are relatively Russia has more power. So that's actually the bigger..." So yeah, I think that's important: to not fall into this easy binary anti-imperialism.

And I think it's best not to talk about a human tendency, but to talk about human capabilities. Humans have the capability to be oppressive, but I don't think it's a tendency. It's just one among a vast variety of behaviors and practices that can be encouraged or discouraged. And so, for me, the important question is: what are we encouraging and what are we discouraging?

participant 6: When you are speaking about this, you always speak about society. But in my plan, in my head, what I was reading, many times in my mind every time you speak about society, in my mind comes civilization. Because society is civilization. When it was organized, the first kind of society or civilization... was in... was it Babylonia? I don't know, I don't remember...

Peter: Mesopotamia?

participant 6: But it was this, the point: for me when you create civilization, civilization has existed maybe 15,000 years, humanity would have existed 250,000 years. So, we live without this society or civilization at least close to 235,000 years, no? All the history we have is the story of civilization. We don't have history before that. Of course before that there was not so much writing, it was not so much like a document. Also civilization was the first one to... when they create cities, with the cities come the State. Before the State was the

first lie; someone with a great power, this big lie... But first was, I believe, the big construction to civilization and to the State. And my point is, this big lie (like I said before), this creation of a kind of God; or society, because when you create a God, you create a society. Because it has to stand behind a God.

Because what you're doing to live... like here, with the Christians: the Sunday you go to pray, blah blah blah... You create a way of society. So you can create also the way of society: that we need to work the fields, we need agriculture, and we need some slaves to build some statues or some pyramids...

So, a few years ago I began to believe that in the construction of the State and civilization the first point was in this creation of something outside of humanity, like a God, or a religion. With religion it was more easy to, afterwards, create this State and manipulation. So I think it really connects: every civilization you're going to see in the world, one of the pillars was religion, agriculture and the State.

Again, my point was this: when you say society, or civilization, maybe another point was this of the religion. Every State needs a religion. It's more easy to make the people believe in something if they believe they do something with a purpose. Now we have TV; maybe 10,000 years ago they created digital stories of God or paradise or whatever... and helped manipulate people.

Peter: Just for clarity, I don't use society and civilization has synonyms. So if I talk about society, I'm just talking about a human group with a shared ability to communicate.

participant 6: I think that's nice, because sometimes when we speak about civilization in a big group I feel a little bit afraid to tell this, because everybody thinks civilized is a good thing. But I think society is the same. Civilization and society...

participant 2: I can just pick up there. I have three points throughout the discussion where I could pick up, but I will only shortly make a way to then pose an actual question to everybody (which has been rummaging around me now throughout the discussion).

And the first one is: thank you for this input about the vertical and the horizontal spirituality and spiritual accumulation, because it has actually led

me to a new view of the idea of “no gods, no masters.” Because, again, putting it to another perspective than seeing just this as a colonial idea to speak of “no gods, no masters,” but also to see the idea of having an installment of a vertical spirituality as the problem.

The second one was about how the story you were telling about the breakdown in the Bronze Age – and then the foundation of Greek democracy – actually reminded me a lot of more recent Western history. You have a feudal system or monarchic system, and then you have – coming out of a crooked revolution, what happened with the French Revolution – what we live in now. So the interesting part for me, as a revolutionary in the year 2021, would be, “okay, but can we look at people getting out of this Greek democracy, as an example?” Because we have a completely different place of where we have to revolutionize from: we have to revolutionize *from* democracy. So this is the second question to everybody.

And the third one is, when you're talking about how, when you are in a movement, you know that it's bullshit: we don't only need fighters, we need all the other things. And I think that's a very idealised view of people that are in a movement. Because how I feel, how still values are given within an anarchist movement, within emancipatory movements, they are still very much about valuing people that fight in an obvious way a lot more than people who do the very slow and very annoying work of actually talking to people. And I think this also has a lot to do with gendered views, and a lot to do with patriarchy still within our movement, on how we see which work is more valued towards the revolution. And for me, if the warriors... you know, you see the sexy revolutionary guy throwing a Molotov cocktail, and you don't talk about how doing revolution is actually how we build relationships between each other.

I think at this very moment, what I can see in Western European anarchist movements and other anti-authoritarian movements, it's actually that this shift needs to happen. And this is also where I see many projects breaking apart that still have these values (in what I see in Germany, mainly these values from the '80s autonomous scene and ideas for this valued revolutionary). Then you have all these huge housing projects that get into infights about violence, and then all the same people always

move out of projects; all the same people always get excluded. But get excluded by a patriarchal structure, and not by a form of self-defense of the movement. So this is also something that I think we could talk about. And I know it's already late, and just opens this up, because this is something that really annoys me.

Peter: Yeah, I was trying to be prescriptive, rather than descriptive. It's definitely (like you said) not the reality that we have. But it's the one we need.

participant 2: Yeah, it's a very idealist view on how it could be.

Peter: How we need it to be.

participant 1: Also, we try to define a lot of stuff in the negative: stateless society, or by an ideal that would destroy the status quo or our present day. But from my personal experience, we lack a positive construction of what is the thing that we want to achieve. How do we want a social group to behave? What is the limit of hierarchy that we don't want to arrive at? What type of hierarchy do we tolerate? Because it exists: like the thing you were saying, like an expert society – people that have the knowledge and the experience – naturally (let's say) emerge as the reference on some subjects, which is a type of hierarchy. I would call it this, I don't know if you would agree... But that, for me, is valid. A person that has to practice something, experience something and has knowledge about something should have the ability to give advice or to orient the group. And a lot of times, we will define ourselves against something, and become just *anti-clowns*.

It's true, I really hate the entire mentality, because it leaves you with empty hands. What do you know, in the end, about the inner motivation that makes you alive? A lot of times it's about the contradiction and the critique, but in the end, have you thought about what is your own project? I'm not gonna say *ideal*, because it's obviously something that is never going to be realized. But yeah, I think we should gather around the positive experience and observation, and the people that agree on this positive observation naturally will come together and build something. But we cannot build something just with the critique...

The Justice Trap: Law & the Disempowerment of Society

This paper was presented by Peter Gelderloos at the conference Hierarchy and Power in the History of Civilizations at the Russian Academy of Sciences in Moscow, June 2009, and published in *Social Anarchism* summer 2010.



Justice is a multifaceted concept, and thus perhaps a cumbersome one to negate with one stroke of the pen. One might say that justice has a discrete, defined institutional existence, in Euro/American states generally referred to as criminal justice, as well as a popular, informal existence in public opinion and the values claimed by social movements – social justice. These two aspects are subject to different forms of contestation, change, and formulation, but generally when they are not in agreement there is cause for social conflict, and social movements attempt to influence the forms of institutional justice as much as agents of institutional justice attempt to influence public opinion of what constitutes justice. I argue that justice as a concept unifying both its social and institutional aspects has certain common characteristics that can be identified through comparison to non-Western structures of restorative justice, and through contrast with systems of conflict resolution that do not qualify as justice systems. Furthermore I argue that the habit of social movements to claim social justice as a value and to enter into dialogue or the logic of demands with the institutions of criminal justice is a key element that allows the state to intervene in and control these social movements. Then I provide a personal anecdote that illustrates some of the contradictions and power relations in the practice of justice.

I make these arguments from the perspective of an anarchist, a university dropout, and an ex-prisoner. In other words, I am attempting to intervene in academic discourse from the outside, and speaking about justice not from the vantage of an elite social actor positioned to make policy suggestions, but from the vantage of someone who is policed by these justice policies on a daily basis. Though, given the audience, I defer as much as I can to the style vogue in academic circles, some readers may be perturbed by a breach of etiquette within these pages. One is a matter of sources. I may or may not have disguised this fact well: in case I have not I will come out and admit that I have not comprehensively read the literature on justice, social or criminal. I personally question the validity of the tradition of literature, although I can see its advantages. I provide citation where I can, while elsewhere I simply express what I have puzzled out for myself, unsure whether that particular point has already been argued or refuted in the literature.

Too often the literature constitutes a closed circuit or feedback loop with only selective and highly managed input from people who have directly experienced imprisonment, probation, judgment, or whose friends and family have experienced the same. I have been to prison, several friends of mine are imprisoned or otherwise held hostage by the justice system, and I dedicate my life to fighting the state, with the express goal of razing all courthouses and prisons to the ground. In the course of this struggle I have accumulated experiences and information, and most of all a perspective or an affective reality, that is embarrassingly absent in the literature on justice. In this article I have dealt with the literature that has actually made itself relevant to the social movements with which I participate. The rest, I ignore. Not out of lack of interest, but lack of time. I know of no one who is able to live fully in both the world of literature and the world of action, however much those who belong to the former protest against this dichotomy. I have chosen to participate in social struggles rather than study them, and this participation frequently requires me to communicate with those outside as much as

inside the struggle, hence the writing of this article.

Another possible breach is a matter of generalization. Perhaps some of the most obvious generalizations in these pages are expressed in the critique of academic discourse. Particularly when I have made past criticisms of that constellation of institutions called somewhat romantically “the academy,” members thereof have without fail demanded that I enter a logic of particularization and compartmentalization. Your critique, stated thus, is unfair. To what discipline are you referring? To which individuals? How do you define “recuperation”? On the one hand, this is a fair response. On the other hand, it is the discursive defense typical of all elite institutions engaged in the softer areas of counterinsurgency. The mass media, with their fair share of progressive, sympathetic, and humanitarian functionaries, operate with the exact same logic, especially in periods of social rebellion. Everything must be particularized, everything must be compartmentalized, everything must be defined. Segregated social actors must not be allowed to meet, the boundaries that separate them not allowed to blur. The parallels of this discursive framework to the alienation constantly reproduced by capitalism are obvious. In any case, with or without valid arguments, people in the street and people in prison know instinctively and from experience that academics are not their allies. Rather than demanding what precisely is meant by this or teasing out exceptions that challenge the rule, those academics who do not see themselves as recuperators and vivisectioners of social movements would better ask themselves why such a sweeping generalization is so commonly applied to them.

For my part, I am attempting in good faith to communicate with members of an institution I believe needs to be utterly destroyed, as much as the prisons do, because of all the good people I personally know who dedicate themselves to this institution.



In academic discourse and the literature of the social movements there is no shortage of critiques of the justice system. At the radical end of the spectrum we can find well reasoned, clear-headed calls for the abolition of its more obviously violent institutions – the police (e.g. Williams, 2004) and the prisons (e.g. Mathiesen, 1974, or Bissonette, 2008), and we also find plenty of analysis of the law itself as an elite tool (e.g. Thomson, 1975). Yet, just as the mass media may report individual cases of police and prison abuse but never spread a generalized critique of these institutions (which should be distinguished from the periodic calls to modernize them),¹ social critics may target these institutions but rarely question the practice and the concept that lie behind them: that of justice. On the contrary, people who speak out and people who act out against the great social harm perpetrated by these institutions often do so in the name of justice. These advocates of justice include anarchist academics such as Noam Chomsky, who often calls for the enforcement of international law, to the annual masses of protestors whose signs and banners demand justice for Mumia,² justice for Palestine. In these cases they are either calling for the existing judicial framework to change its mind – as Mumia has already gone to trial, and the UN has

- 1 Modernization is impelled by a discourse full of specific criticisms, that take as their highest goal the good of the institution itself, its effective and continued functioning, whereas a real critique of an institution must lift it up by its very roots and include the possibility of discarding it wholesale, should it be found to conflict with the independent goals those formulating the critique have prioritized.
- 2 R.F. – Mumia Abu-Jamal, one of the most recognised “political prisoners” in the world, then on death row (changed in 2011 to life imprisonment without parole) in the United States for the alleged killing of a white cop in 1981 who was attacking Mumia's younger brother. Since 1968 Mumia was participant in the Black Panther Party (on both coasts) from the age of 14, before leaving a couple of years later and becoming a radio reporter and organising with black journalists, reporting on the famous black anarcho-primitivist MOVE commune (before its siege and destruction by the police) in Philadelphia and the trial of nine participants for the death of another cop, before being asked to resign from by his radio bosses for lack of objectivity in reporting, and joining MOVE. After conviction in a trial decried internationally for its politicisation and the well-documented recent history in Philadelphia of police fabrication of evidence, he has continued writing, organising and even broadcasting from the inside.

already deliberated and decided to partition Palestine; or they are imagining a new judicial framework that will be structurally better equipped to dispense desirable outcomes.

But desirable to whom? The police unions are quite happy with Mumia's verdict, and world leaders and Judeo-Christian religious organizations are satisfied with the just outcomes west of the Jordan. This follows a general pattern: the definition of criminality, the structuration of justice, and the outcomes of the justice system in our society favor privileged and powerholding members of society over poor and disenfranchised members of society. This holds true for economic class as well as other axes of privilege and oppression such as race and gender. Because justice systems need to win consent, as will be argued below, justice systems also include limitations on the prerogatives of owners and rulers, and exceptional cases of punishment when such individuals are caught violating universal laws. The limitations generally protect privileged members of society from one another, for example prohibiting investors from defrauding other people with enough capital to invest, facilitating a consensus of the elite; meanwhile the exemplary and mediatic nature of the punishments, combined with their disproportionately meager numerical appearance, reveals their function to be legitimizing the universality and inviolability of a justice system that in its execution and in its breach preserves unequal distributions of wealth and power in society. In other words the present justice system does deliver what is considered to be justice for the privileged and powerful; what is perceived to be injustice is only systematic in the view of the poor and powerless. The existing judicial framework demonstrably operates on an elite mentality of social control, thus those justice-seekers who wish for the institutions to change their minds can be understood as naive, timidly pragmatic, or sympathetic to the elite mentality but holding a dissident opinion in some particular case.

The remaining viewpoints – that justice is served, or that it can only be served by changing the existing institutions – require one to declare their allegiances, given the opposing character,

the contrasting relationship to a social hierarchy, of each viewpoint. One either adopts the perspective of the rulers or of the ruled, each of which conform to a high degree on whether they see justice or injustice in the functioning of the system. Yet the idea of taking sides is inimical to the concept of justice, which must be blindly impartial. This contradiction illuminates a necessary third way: the elimination of social classes through some revolutionary process. Couched in certain terms, this need not be such an extreme proposition, given that equality is generally seen as a prerequisite to justice, and the current definition of equality, limiting itself as it does to voting rights and civil liberties, has proven inadequate. Thus, the quest for justice reveals itself to be perfectly compatible with social movements that have revolutionary aims. I argue that this coexistence, this collaboration between social justice and revolution is one factor that frequently enables the recuperation of social movements within the dominant social order.

Before trying to understand how this is so, it would help us to examine just how far outside the concept of justice human societies have come. At the far end of the justice concept, we have multiple examples of *restorative justice*. Without any institutions of policing, imprisonment, or even anything properly characterized as punishment or a legal code, numerous human societies have arbitrated social conflict. In the system used traditionally by the Navajo [Diné], a system that survived a period of legal prohibition by the US government and is in official use today, elders seen as neutral act as specialized arbiters in trials that take place in the public eye. Non-specialized members of the society bring forth the conflict voluntarily, and encouraged by the arbiter they tell their stories. The emphasis is on discovering the root of the discord and mobilizing social support to restore harmony (Tifft and Sullivan, 2001). In comparison to Euro/ American justice systems, the Navajo practice is beautifully humane, but a number of elements are familiar. We will look at these, after examining a model of conflict resolution that cannot be characterized as a justice system, to help us create and understand a working definition of justice and imagine some of the possible alternatives.

This is the model of *diffuse sanctions* (Barclay, 1993) which is especially common in egalitarian societies that can be understood as post-state or as existing within a regional system that includes hierarchical societies – in other words anti-authoritarian societies that exist in tension with authoritarian neighbors or that may have even formed their present structures as part of a process of abandoning earlier state-organized societies to which they belonged (Scott, 2005). In such societies, conflict resolution is subjective, decentralized, diffuse, and carried out by what anarchists would refer to as direct action. On an economic level, incidentally, such societies are usually characterized by mutual aid or the gift economy.

In this model, conflict is subjectively defined. Ideally speaking, the individual identifies conflict for herself, in horizontal collaboration with her peers, through the personal interpretation of non-codified³ cultural values of what is and is not acceptable behavior. Conflict resolution is decentralized: it does not take place within a singular, ritualized and formalized social space but within multiple ritualized and non-ritualized loci (thus it is impossible to speak of a single or official outcome). And within this model conflict resolution is diffuse and based on direct action: any and every individual has the prerogative to respond to a perceived conflict or breach of good behavior as she sees fit, and social peace is ensured through the sharing rather than the specialization of this duty. Social sanctions are meant to discourage rather than punish antisocial behavior and ideally everyone is empowered to carry out these sanctions.⁴ Common sanctions include ridicule, criticism, withholding esteemed social connections (e.g. sex or friendship), all the way up to ostracism and assassination (Boehm, 1993). The sanctions are aimed at the offending individual's social sensibilities and seem to be based on the assumption that the individual voluntarily wants to be an upstanding member of society. Only the

most extreme sanction, assassination, falls outside this logic, but it does not seem to be universally present among societies that resolve conflicts through diverse sanctions, and seems to be reserved for the rare cases when the individual in question poses the danger of destroying the society itself – through repeat homicide or tyrannical behaviors.

An important portion of conflict resolution activities in societies that use diffuse sanctions can be characterized as *intentional levelling mechanisms*, actions that intentionally protect the society's horizontal characteristics and dissuade people in leadership positions who would attempt to dominate their peers (Boehm, 1993). The social dynamics in horizontal societies suggest that the democratic ideal of egalitarianism does not apply to so-called egalitarian societies in which justice systems are absent. In a society in which conflict resolution is, ideally speaking, a subjective process, an abstract equality strikes me as philosophically irrelevant. One might identify a notion of equal rights in many such societies, such as everyone's right to eat, but in a society in which this right is never under question, it seems more like a foregone conclusion than a discrete concept. Historically, rights come into question only with the existence of a central authority that has the power to grant or withhold those rights. In other words, not only in practice but also in terms of origins, might makes right.

Individuals can only ever be equal in an abstract sense. Equality is a mathematical concept and it might be useful to bureaucrats but it is inapplicable to human personalities and capabilities. An anarchist ontology should leave social democracy forever behind and insist that, in fact, no two humans are equal. If we accept that human needs and desires are different and furthermore are best defined by the individual himself, how can we continue to insist that one law can be applied to two different people, or two different circumstances, if our interest is fairness or the meeting of human needs and desires? Of course it's an act of projection but one can see this principle in the so-called egalitarian (more accurately 'anti-authoritarian') societies referenced by Boehm. In the course of their daily activities, these societies recognize the

3 A code being distinct from a norm in how it is remembered, interpreted, and applied.

4 In many societies certain sanctions were the prerogative of one gender or age group although among anti-authoritarian societies such distinctions tended to be closer to generalizations or norms than to essential categories.

existence of leadership positions – leaders in the hunt, leaders in war, leaders in ritual, leaders in healing, leaders in oration. People are, after all, different in terms of their inclinations and abilities, so equality becomes a useless phrase when speaking of lived experiences in a horizontal society. What is relevant is the cultural determination, identified by Boehm, on the part of these anti-authoritarian societies to not let anyone use a leadership position to exercise power over others, and to respond with diffuse sanctions, with intentional levelling mechanisms, to knock someone's legs out from under her should she ever try to stand above the rest. The recognition of this prerogative in every individual is especially advantageous to preserving a horizontal structure, because specialized justice seekers are likely social actors to nourish the development of hierarchy.

States⁵ formed by a variety of means throughout the world, over the course of hundreds or thousands of years. Especially when considering the development of the first coercive, class- or caste-based hierarchical societies thousands of years ago, it is difficult to identify causes with any certainty. But one common element in the social processes that led to the eventual formation of states seems to be the concept of justice and the specialization of arbiters of social conflict. It is something of an idealization, and thus cannot be entirely true, but the historical likelihood that specialized arbiters preceded a specialized military class in the development of the state suggests that, while the state is certainly a military formation, it is even more the fruit of justice.⁶ Granting a specialized group the

exclusive prerogative of sanctioning undesirable behavior, and thus defining undesirable behavior, and thus sculpting society's desires, seems to me to be a prerequisite (or perhaps a concomitant) to the creation of a class-based, hierarchical society. This is not to say that justice systems automatically lead to hierarchical societies: no social or cultural processes are automatic. The Navajo, for example, have specialized arbiters, and are a horizontal society, perhaps because in their case the same cultural determinations that legitimize the activity of neutral, elderly arbiters also legitimize certain ideas of fairness, harmony, and horizontality. Segmentary lineage systems that enable the existence of elderly arbiters as a nascent political class also contain many structural characteristics that could impede the development of a state. But because we do not have a mechanistic view of the development of societies, saying that the state is the fruit of justice is not the same as saying that justice is the seed of the state. Outcomes are always multiple, contested, and unpredictable.

Human societies have been diverse enough that one could imagine a society developing coercive hierarchical structures without a system of justice. In any case, examples abound of the correlation between justice systems and the development of the state, and in Western civilization, which has produced a world-dominant culture that has to a great extent authored the institutional bylaws of every government on the planet, justice played an indispensable role in the early development of the state and currently is a dominant concept in state interventions in mass psychology and public opinion, in popular conceptions of conflict resolution, in state counterinsurgency and repression of social movements, in surveillance and control of lower classes, in the identity and activity of social movements, and in the disciplining of a broad host of human relationships in both the public and private spheres.

What are the common elements of justice systems? Because they seek to impose an official, singular outcome, the justice seekers must win social consensus. In stateless societies, this means that justice is largely a

5 As an anarchist I am using the concept of "state" in a different way from how it is usually understood by anthropologists. As we are interested in a unified critique of coercive and self-perpetuating hierarchies whereas they are interested in differentiating hierarchies, our usage is broader and finds its first appearances further back in history.

6 David Graeber (2004) writes of democracy as a military formation, with reference to the ancient Greeks. At this stage, justice and warfare were not all that far removed. In Athens, next to the Acropolis stands Areopagus, the hill dedicated to Ares, the god of war and executions. Areopagus was used by a justice cult of elderly men who tried and punished criminals. Today, the criminal justice system has often been described as a military occupation or a domestic war against poor communities and communities of color (for just one example, see Gelderloos and Lincoln, 2006)

popular concept. The arbiters do not have structurally reinforced roles and thus they can lose followers if they are seen to mete out injustice. But even under the state, where justice is institutionalized and enforced, consensus, or its watered-down democratic version, consent, is a necessary element. All elites have had to work hard to win consent, and though the governed classes in Euro/American societies have to do much more than simply walk away in order to vacate our role as spectator/object, our rulers have needed no small amount of bread and circus to keep us in our seats.

The necessity of consent reveals the centralized character of justice. The justice ideal holds that conflicts must have a single, official outcome, not multiple, decentralized outcomes chosen by different social actors. In the extraordinary, to me humane, traditions of justice such as that practiced by the Navajo, legality and punishment are not key features, but centralization is a prerequisite for both legality – the codification of human behavior and morality that provides a potent set of tools for social control and reduces ethics to following orders; and for punishment – the prerogative of the state to cause harm and not be questioned for doing so, and another potent set of tools for social control.

Another common element is the idea of neutrality. The person who is hurt, the person who for whatever reason hurt another person – the lived realities of these characters become secondary within the logic of neutrality. They are recharacterized as biased, and their viewpoints cast as untrustworthy for arriving at just outcomes. Neutrality removes fairness to a bird's eye view, protagonizing nobody in theory. But in practice, the protagonist is the personification of neutrality – it is the arbiter himself. (This primitive epistemology should in no way be seen as distant from the proliferation of TV series protagonizing judges, prosecutors, and police in current day American society). Thus, the person who is most important to the justice process, the person who inhabits the center of the damaged community's affective attentions is the person judged to be most distant from the act of damage itself. Understood thusly, the neutrality of justice appears less like a noble principle and more like a pathological avoidance of the trauma

which the community has been presumably convened to address. At the end of the spectrum most distant from the Western practice, in the framework of restorative justice, the arbiter is more of a narrator who uses her power to protagonize the people directly involved in the conflict, presumably for the benefit of all society. But in all forms of justice familiar to Euro/American society and to all forms present in hierarchical societies, the chief interest of justice must be the imposition of justice itself, given that the crimes of the lower classes always contain some element of negation of the ruling class's legitimacy in criminalizing certain behaviors.

The portrayal of emotions and affective ties as impediments to the execution of justice must also be examined. An arbiter's neutrality is based to a large part on his psychological, emotional distance from the act of social harm which must be resolved. Such distance is represented as an advantage. Yet without empathy, without consciousness of the pain that surrounds and gives meaning to each particular story of social harm, just what kind of resolution is society able to facilitate? Turning instances of social harm into cases of facts and technicalities is to set down codes of conduct that ignore the causes and consequences of harm but allow society to get on with business as usual. Justice is an avoidance mechanism that leaves the so-called perpetrator in denial or guilt, the so-called victim in ashamed trauma, and lets society off the hook: the crime was a breach of code that concerned one or two or several people, those responsible have been punished, and the rest of the community has no obligation to help those who hurt and those who got hurt to become healthy and whole again, nor to examine what in the social environment may have allowed this harm to take place. In this aspect justice is a patriarchal concept. Its appointed symbol is a goddess,⁷ blindfolded and made to hold a sword and a scale, tokens of the military and the market.

Justice requires us to view human conflicts in

⁷ Note that male priest classes in patriarchal societies of the era to which we owe this statue-personification of justice frequently co-opted feminine fertility symbols. Their ability to harness these symbols came to symbolize the new male power.

inhuman terms. Those of us involved in an incident of social harm must remove ourselves from the space of its resolution, we must vacate our personal emotional needs to make room for the imposition of an objective solution we have no part in crafting and no choice but to consent to. We must sympathize against our own interests. Justice is self-betrayal. Given the common elements of justice as a unifying concept and given that the contestations of social justice generally seek to change the forms or spirit of institutional justice, social contestations regarding justice are thus an invitation to betrayal.

Beyond single incidents of social harm – that which in our society is disciplined as crime – what does justice mean for social movements? When a social movement demands justice, even if it is demanding a restructuring of the existing institutions, it preserves the alienation of people from the resolution of their own problems. The demanding of justice imposes the logic of demands within the movement, a negotiation with power rather than a negation of power. Negotiation preserves the central role of the state, the institutional hierarchy which is often the cause and beneficiary of what we identify as injustice; meanwhile the ritual of entreaty – protests, petitions, letters – focuses the energies of justice-seekers towards communication with the state rather than direct resolution of the problem itself, thus preserving the alienation between what we want and what we do. Conversely, the social movements' voluntary adoption of the justice etiquette imposes on those movements what Scott (1998) might refer to as legibility, a social ordering that on the one hand facilitates state intervention in locales distant from the seat of power and on the other hand loses local knowledge and obstructs resolution of problems at the local level. Historically the process by which legibility is imposed has often provoked popular opposition to authority but tragically the social movements of democratic societies have been trained to abandon their protective incoherence-to-authority and explain themselves, to translate their multiple desires into demands that fit within authority's parameters, and lay down the red carpet for state intervention. The language of justice reinforces in people's minds the idea of

the state's role in conflict resolution, because it is a call for a fair arbiter, a call for compromise among all parties rather than the negation of the elite. The language of justice also clarifies to the state paths of intervention into the popular conflicts with the potential to birth rebellion. It informs the state of the very worst grievances, which masks need to be changed, which institutions need to be reformed. When a social movement demands justice it is naming the price for which it can be bought off.

An example close at hand is that of the squatting movement in Barcelona. Barcelona is a city with a long tradition of resistance to the state and to capital, relatively strong social movements, a stupefying amount of tourism and real estate investment, and tens of thousands of empty buildings. Squatting is as old as property, but squatting as a social movement arose in Barcelona in the '80s, identifying more with the autonomous movements of northern Europe than with the city's legacy of anarcho-syndicalism, though it was nonetheless influenced by the latter. In years past, squatters defended their houses and social centers with physical resistance to a greater extent than they do today. A popular slogan spraypainted across the walls of the city succinctly declared: "Desalojos – Disturbios," *Evictions – Riots*. In the first decade of the 21st century, the Spanish and particularly Catalan police modernized and increased their capacity for repression, also developing the anti-terror politics formulated in the suppression of the Basque struggle to a point where it could be utilized against anarchists and squatters, no doubt inspired by the agile American usage of terrorism after September 11th. In the same years that a number of anarchists and squatters in Barcelona were arrested and dispersed to high security prisons across the country under creative or sometimes just insubstantial terrorism charges; the same years that the age-old beatings on the street and torture in the jails combined with an increase in conviction and imprisonment of people identified and particularized by the media as *antisistema*; that the city passed its Rudy Giuliani-style *civisme* laws to increase state control over public space and create a more tourism-friendly environment, the criminal justice system became the exclusive arena of resolution

for the problem of squatting.

Whereas in the past a squatter might pick up a brick to defend her house, now the only option is to hire a lawyer, even if that method is doomed to failure: fighting back physically is too heavily persecuted and penalized. The courts remain benignly inefficient, however, so that by fighting eviction through legal channels, one may win a year or even two in the squatted building before a judge finally signs an eviction order. And although the squatters are still in a way fighting for their expropriation of abandoned property, the courts do not allow the laws regarding private property to be questioned, nor do they deign to substantiate the Spanish Constitution's guarantee for the right to housing nor its prohibition on real estate speculation. The legal resolution of squatting dodges the important social questions that squatting as direct action against speculation, against property, and against the social relationships of capitalism poses. It pacifies the movement tactically and disciplines squatters to think in terms of dialogue and argumentation with the authorities, or appealing to one elite institution (the courts) for protection against other elite institutions (real estate companies or the police, who often evict without a court order). It is no surprise that this change in the squatters movement coincides with an increase in rhetoric that values rights, citizenship, civil society, civil disobedience, and demands for affordable housing (i.e. demands that are compatible with, rather than a rejection of, the state and capitalism), at the expense of the anticapitalist and anarchist values of the movement in earlier years.

Even if the call for justice is a call against the state, it still contains a subtext of pleading that idealizes a benevolent authority (a neutral, centralized arbiter able to mete out singular outcomes and win social consent) and inscribes the typical ending: the return of the state, hands washed, sins forgiven, legitimacy renewed. The state has no qualms about intervening against itself. One ministry or bureaucracy that has kept clear of the present scandal and retains the legitimacy to act with a mandate will mercilessly announce a "crusade" against their colleagues in another office. An opposition party that has not yet had the opportunity to stain its reputation will

adopt the revolutionary rhetoric, recklessly so according to some commentators, and ride the old guard out of office. The office itself will remain, unquestioned and often more functional after a little spring cleaning. In a classic example, segments of the Civil Rights movement in the US in the '50s and '60s called for the federal government to intervene against several more reactionary state governments to end segregation. In this process, the federal government won itself leverage within the movement which it used to isolate and silence black organizations and individuals who were critical of the legislative solutions the federal government was proposing. Today, with these laws on the books and a black president in the White House, legal segregation is a thing of the distant past but de facto segregation (in terms of access to food, housing, education, and medical care) is worse than before. By creating a role for the federal government as a dispenser of social justice rather than focusing on creating the desired changes through direct action,⁸ the Civil Rights movement aided the state in dividing and conquering it, in defining the movement's demands, and improving its image in the process.

One might worry that if the resolution of social conflicts were up to subjective direct action rather than a structurally reinforced neutral arbiter, we would have the justice of the lynch mob. A long tradition of Western thought has sought to design fairer social structures of conflict resolution to mediate this dilemma: that both the social hero (in this example, black freedom fighters) and the social villain (the racist lynch mob) think they are in the right, and allowing one to act freely also means allowing the other to act freely. In other words, equality before the law requires that the social villain must have the same rights as the social hero, thus both must be equally restricted in their actions, in order to protect the primacy and prerogative of an institutional framework that is entrusted with the resolution of social conflicts. But evading this problematic by limiting the freedom of all social actors and bequeathing that

⁸ Of course there are countless examples of direct action and direct action victories throughout the course of the Civil Rights movement; however the movement leadership continuously subordinated these actions, which were often spontaneous, to their strategy of negotiation.

freedom as privilege to an institutional framework powerful enough to guarantee outcomes creates a far more dangerous situation. Firstly, neutrality does not exist, if it is to mean a position from which one can act without self-interest and without a personal perspective. The arbiters have a marked self-interest, and given that their identity and their ability to act exist at odds with the rest of society, from whom the freedom to act has been stolen, their intervention in social conflict will be characterized by their ulterior motive of competitive self-preservation.

The democratic structuration of justice prevents antisocial elements from acting freely, but it also prevents any individuals or groups we might identify as justice-seekers, freedom fighters, or social innovators from acting freely; in fact it de-protagonizes them, and in turn it creates a configuration of institutions peopled by individuals who are equally fallible in terms of judging fairness or right, yet who enjoy the sole power to resolve conflicts, mandate social changes, and foster among themselves and in the rest of society a belief in their legitimacy to do so.⁹ Furthermore, all checks and balances are executed by people ensconced within this institutional configuration. It is a classic case of the fox being put in charge of the hen house, and the irony only deepens when we reexamine the myth used to justify this structuration of conflict resolution, the one steeped in fear of lynch mob-justice; historically, haven't lynch mobs been instigated by the ruling class?

In the era of the War on Terrorism, it is interesting to note that our fears of conflict resolution in a horizontal society, one without any overarching arbiter, actually reflect the archetype of asymmetrical warfare. *Taking things into their own hands*, rather than being seen as an assumption of responsibility, calls up images of anarchy and terrorism. People are conditioned to expect violence and mayhem will arise in the absence of a powerful social arbiter. But that which we understand to be terrorism is a characteristic of society under the state.

9 I would also argue that these are people who operate at the very bottom of Kohlberg's stages of moral development, those who make decisions on the basis of reward or punishment, those who do what they do because it is their job, the banal bureaucrats described by Hannah Arendt.

Dissidents whose demands are too far outside the parameters imposed by the state, deprived of any power to determine their own outcomes, attack the weak underbelly of society as a whole. This is an activity that is only rational within a justice-oriented society.

The idea that we can escape the dangers of antisocial actors through recourse to fairness-ensuring structures is an institutionalization of ethical immaturity. Implicit in its justification is the recognition that right and wrong do in fact exist; if not, there could be nothing *wrong* with letting the lynch mob act freely. The fact that both the lynch mob and the freedom fighters think they are right is immaterial. Parallel to an unfettered ability to act in order to better society exists our ability to communicate with our peers to approach some sort of shared social ethos. In fact, challenging attitudes we see as harmful or antisocial, and receiving criticisms of our own attitudes, is necessary to our personal ethical development. Democratic pluralism prevents any such growth, which is very useful, because an ethical system in which we surrender the resolution of all conflicts to an unquestionable, powerfully God-like arbiter requires citizens of the basest ethical qualities. Democratic government negates the possibility of resolving social contradictions. There is after all an imperative that in a hierarchical, class-based, white supremacist, patriarchal, ecocidal, and rampantly abusive society, certain contradictions must not be resolved (Jensen, 2004).

The frequency with which the present system produces injustice, as evaluated by almost any standards (e.g. a person who is innocent by strictly legal standards being sent to prison) is a tragedy of immense proportions. But looking beyond that, to recognize that the successful production of justice is also an abusive violation of human needs, clarifies that our task is not to fix the justice system but to abandon it in favor of something else entirely. To demonstrate that justice is a violation of human needs, I'm going to tell a story about myself. It is a story about me being arrested on false grounds, and of justice being served. As a story it is not as dramatic as that of, say, Mumia abu-Jamal, and it certainly lacks the social importance. But perhaps its mundaneness brings it closer to the millions of

other processes of the justice system occurring all around us.

On 23 April 2007, I was arrested in Barcelona after a small squatters' protest.¹⁰ The protest took place on one of the busiest pedestrian streets of the city, Las Ramblas, on an especially busy holiday, St. Jordi. The purpose of the protest was to communicate with the public about squatting. To this end a festive banner was made, and flyers were distributed. Someone in the protest had fabricated a homemade firework. The idea was to grab people's attention and to shoot flyers into the air (and such fireworks are a Catalan anarchist tradition). It was poorly made, and produced much too loud a noise. With a tragicomic grace, the flyers that had been stuffed down the tube floated down as confetti, having been shredded by the force of the blast. I was already leaving the protest and the noise of the firework took me by surprise. At the time I had only been in Catalunya three weeks, and did not understand Catalan or Spanish. I returned to see the police chasing one of the protestors, and, thinking myself safe since I had not been on the scene when the firework went off, followed at a distance to see if anyone had gotten arrested, so we could begin legal support. I forgot that I was wearing a t-shirt with an anarchist symbol on it (it was a gift – I usually don't dress so explicitly), and when the police saw me watching the arrest, they arrested me as well. The two of us were charged with public disorder with explosives, which carries a minimum sentence of three years in prison, and a maximum of six years.

The institutional narrative is very simple: justice was won. The police alleged that the firework was a mortar, and that it shot out stones that caused damages and injuries. A forensic analysis proved it was just a firework, and witnesses clarified that there were no injuries, no damages, and no panic or disorder. We were acquitted. End of story.

But in human terms, the most important feature is not the outcome. It is the experience of living under a system powerful enough to submit an individual to a process for reasons that it alone

deems valid.¹¹ In my case, this meant going to jail in a foreign country (and, this seems a triviality until you imagine having to do it yourself, going to jail practically blind, because I was arrested while wearing contact lenses, which I had to take out after a couple days) for one week, until the movement could raise the unprecedentedly high 30,000 euro bail the judge had set, believing police allegations that we had just carried out some quasi-terrorist act. It meant being forced to live for the two years until trial in a strange place where previously I had no social roots nor friends, and for the first year having to sign in at court every fortnight; not being allowed to work or renew my visa but required to remain there, under the constant threat of being kidnapped and locked in an unpleasant building watched over by violent thugs for three to six years of my life. And having to raise several thousand euros to pay for a lawyer to defend me (because, within this system, we cannot defend ourselves, in every sense). And now that it's all over, knowing that the same thing could happen all over again, that even, to add insult to injury, the very same cops who accused me the first time, who it is tacitly admitted were lying, could invent another story about me.

On an ethical dimension this story has interesting implications. Technically I was innocent; I neither constructed, set off, nor knew about the firework, and the firework was not really an explosive and did not constitute a felony disorder. However the justice process proved completely maladapted as a truth-seeking mechanism, which is ironic considering that criminal justice prioritizes facts and definitions over affective causes and results. I was compelled to misrepresent my political affinity to the anarchist squatters, to deny that I would have been more involved could I communicate with them better, and that I was more than just a passerby. I declined to mention that earlier that day I had helped make the banner used in the protest, and that in fact I had been staying at the squat from which the protest began its route, because no matter what legal principles they adhere to, guilt by association and collective guilt

10 R.F. – Along with another, Xavier Mazas, on the same charges.

11 For the elaboration of this theme, a friend of mine who studies criminal justice in the academy recommends Malcolm Feeley, 1979. *The Process is the Punishment*, New York: Russell Sage Foundation.

are indeed active categories in the minds of judges, especially when dealing with such distinct Others as squatters. My attorney as much as the prosecutor acknowledged this unwritten fact with the questions they did and did not ask me. For their part the organizers of the protest were compelled to downplay, at least in outward discourse, that the use of the firework had been irresponsible: it was poorly made, had not been tested, and the plan was not well communicated to other people in and around the protest.

This brings us to the social dimension of this incident: the firework was certainly loud enough to bother or upset people in the immediate area. Yet the intervention of the police prevented any resolution and transformed everyone into spectators or perpetrators, subsequently segregating these two categories. Whatever disturbances the firework may have caused were turned into legal tools, as the police pressured two people into signing a form saying they were injured (“You never know, that ringing in your ears, tomorrow you may be deaf. We won’t take you to the hospital to get it checked out unless you sign this form.”) Fortunately those people took the trouble to later go to the police commissary to retract their denunciations and say they had been pressured. Still, this favorable outcome obscures the fact that because of police intervention they never got the chance to yell at the people who set off the firework, and the people who set it off never got the chance to hear that criticism.

This prophylactic approach to social control reveals the political dimension. The police personally view themselves as opponents of the anticapitalist squatters, and the squatters certainly return the favor. Most squatters have friends who have been beaten, jailed, or tortured by the cops, all have been insulted, degraded, and threatened by them, and the cops exist in part to counteract the squatters’ forceful subversion of the social order and the property laws. Thus the police understand it as their responsibility to prevent or punish squatter interventions in public, and to them public fear of terrorism is simply a tool to achieve this. Significantly, this particular protest was organized as part of a response to a wave of

evictions and repression carried out against anticapitalist squatters over the previous year. Actions on other days included interrupting a meeting of property owners and holding a major march. This action was to be the most tranquil, the most focused on meeting the public and communicating. The justice system repressed it and cast it as a “paramilitary” attack by squatters who wanted to vent their rage “against people who disagreed with them.”¹² In practice we can see a blurred distinction between democratic pluralism’s ideal function to protect people with different opinions from attacking one another and its bad habit of preventing people with different opinions from communicating with one another. In a spectacular society, the only mediator of opinions is to be the spectacle itself.

My tawdry little story illustrates how the justice system can meet its political objectives, which are, to speak honestly, oppressive, even while meting out justice. The movement was repressed, my codefendant and I received a just outcome, and there is no contradiction between these two facts. Without ever having to falsely imprison anyone, the justice system was able to strike a number of blows against a movement that is the declared enemy of capitalism and the state. Two people were briefly locked up and for a longer period submitted to a regime of psychological harassment. Dozens of people had to scramble to raise money, organize support, communication, and solidarity events, taking a great deal of time away from their other projects and from their initial effort to communicate and create connections with the public, further distancing them from public reality (since the public does not consciously exist in a state of war, as much as the state consciously employs methods of warfare against them); additionally these people had to live through a psychological hardship, having a friend of theirs and another person with whom they felt affinity being kidnapped and threatened with imprisonment. In other words, two people are arrested and their entire community is punished over a period of two years even though the court pretends to have absolved them.

If we had been seeking justice, if we imagined

¹² Quotes are from the initial accusation submitted by the prosecutor.

that we would find victory within the courts, this would be the end of the story. Fortunately, we recognize that we live under a domestic state of war. This declaration may seem dogmatic, or hotheaded, or self-important, except that criminologists and police theorists are quick to acknowledge this point as well: policing is counterinsurgency (Williams, 2004). Current military doctrine on “fourth generation warfare” is even more explicit in describing the war as both domestic and permanent. Our ability to survive the frequent attacks of the justice system lies in our negations of that system: creating relationships of solidarity; developing means to resolve our own conflicts without recourse to the justice system; abandoning the morality of innocence and guilt, of codified, objective law; revealing the class interests of the institutions and agents of the justice system; engaging in direct, nonmediated communication with people from whom we are meant to be isolated; surviving in illegality; and continuing to take action without permission. I would say that on balance, we won this particular contest. There was a great deal of psychological stress, but in the end strong personal relationships were formed, the justice system was shown to more people for what it truly is, and the squatters’ movement proved itself capable yet again of surviving repression. Personally, I was forced to live in a situation of illegality, and I did it triumphantly, stealing what I needed for survival since I wasn’t allowed to work for it.

This is the point in the essay where I am to argue that society would be safer, more empowered, and much freer to develop ethically and to repair social harm, to right wrongs, if it were organized horizontally and individuals were allowed to use direct action and diffuse sanctions, if there were no justice system, no government – democratic or otherwise – and no hierarchy of social classes. Yet I have no intention to write a pamphlet, stating the obvious, for some, and spouting dogma, for others. And I have no intention to elaborate in convincing detail, because social planning is inimical to horizontal forms of organization. One cannot produce a policy paper against societies guided by policy papers. And if one doubts the clear acts of negation, the millions of people *taking things into their own hands* every day, one has

already chosen sides.

Arguing objectively against justice can only bring one so far, precisely because of the importance within justice systems of denying subjective realities. The millions of people who violate the law out of need or on a whim, especially when these violations challenge social control or existing hierarchies, are negating the very basis of the justice concept, yet most of the objective criticisms of the justice system that appear in academic discourse do not seem to recognize the full implications of these frequent negations. I feel it necessary to point out that the academy as a whole shares in the responsibility for the ongoing disempowerment of society constituted by the practice of justice, because the academy, through objectivity, avails itself to institutions rather than to lives. The academy *produces discourse* rather than *enabling action*, and discourse is fodder and fuel for institutions that already exist. It is the vital force that animates and adapts the bureaucracies that govern; it is useless to the governed except as palliative.

A clear example, from a social question less complicated than conflict resolution, is that of climate change. On the one end, the academy produces the engineers and public relations specialists who are, apart from the politicians and business executives, most directly responsible for destroying the planet.¹³ On the other end, the academy produces the scientists who are studying this destruction. Climate scientists know very well that our society is engaged in an act of mass suicide. However, they continue to produce studies which, it is overwhelmingly obvious, only corporations,

¹³ Responsibility is judged by how much one profits from the harmful action, how much power one exercises in the realization of the harmful action, and how much access to information about the harm one has. The problem of climate change is not the product of the personalities of certain individuals, it is the product of the capitalist logic of production and Western values regarding human relationships with the environment, all reproduced in the actions and decisions of everyone within society.

Participation in the destruction of the planet is spread out, but responsibility is concentrated. A common person must risk her liberty and with luck and good planning might shut down a coal-burning power plant for one day. The executive of a power company need only risk her ludicrous financial privileges and she could shut down a great many power plants and create a much larger ripple in public consciousness.

governments, and other elite institutions are positioned to act upon; these studies are not even written in language accessible to a general audience. It is left up to the mass media, financially inseparable from the corporations responsible for climate change, to choose just how and to what extent this disaster should be communicated to the public. On the whole climate scientists do not sabotage the work of their colleagues in the disciplines that produce the technicians whose job it is to destroy the planet, they do not hijack media broadcasts to tell the real story, they do not stand at the local grocery store handing out flyers informing people that they only have a few years left to save the planet, they do not avail themselves, their institutional resources, and their cultural legitimacy to the anarchists who are going to prison for using sabotage to stop deforestation, and they are not themselves setting car lots full of SUVs on fire (or developing other means to render large numbers of these fuel-inefficient vehicles unsalable while releasing less carbon into the atmosphere). They have chosen institutional loyalty over loyalty to the planet and to what they themselves know to be true.

Certain things I have written in this essay are similar to arguments that have been made by scholars with an abolitionist perspective. The difference is that these scholars have presented their arguments as suggestions for social design. But the justifiable argument that the police, the courts, and the prisons constitute part of a counterinsurgency war waged against oppressed members of society require one to take sides. Faced with an asymmetrical war of aggression, one cannot choose neutrality. You cross a critical boundary when those who are processed, those who are jailed, those who are tortured, those who are killed, are your friends or family members, when they are not simply “informants”¹⁴ or members of a sample. Criticizing justice through the production of discourse rather than the enabling of action is unforgivably cynical. It is useful to recall that the prison system developed in large part as a humanitarian reform (Foucault, 1977), guided by scholars, many of them well

meaning, drafting papers and formulating better means of social management.

In today’s bureaucratic system of control, one need not be ridiculously wealthy to be part of the ruling class. One need only view society from above, see human problems in inhuman terms, alienate desires from actions, and contribute one’s two cents.

There are already many acts of resistance against the justice system, and millions of people who understand themselves to be at war with the police or with at least some aspects of the state. What is needed is not that their enemy be advised of more humane ways to treat them, nor even that these millions be studied by some progressive academic bold enough to acknowledge their existence – the study will probably not be of any use to them, but it will be useful for government agencies tasked with analyzing and undermining these uncontrollable social elements. What is needed is solidarity: rather than particularizing, joining together to create a collective force capable of changing this reality from below.

My goal in writing this article is to enable action, not to produce discourse. Seeing through our own eyes rather than dehumanizing social conflicts can help us to act more effectively and more honestly. Realizing that it is our responsibility to take things into our own hands rather than calling for a more powerful actor to solve a problem allows us to confront the institutional configuration that causes or exacerbates many of society’s worst problems. Believing that we can survive the repression that this path will incur can give us the courage to do what must be done.

¹⁴ I think there is no small significance in the difference of usage this word has for us and for academics. What is most significant is that the meaning is the same: “those who talk with the authorities.”

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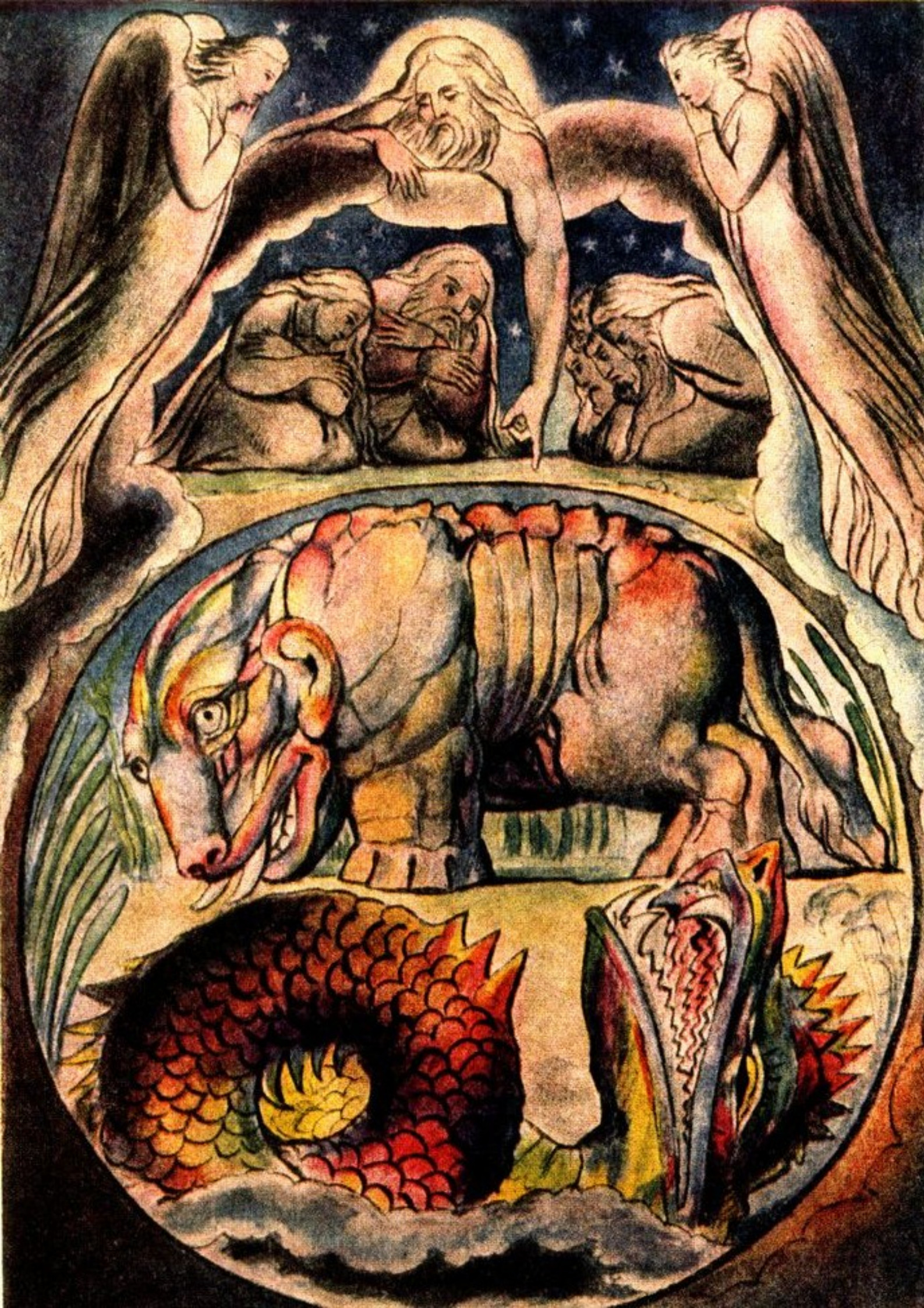
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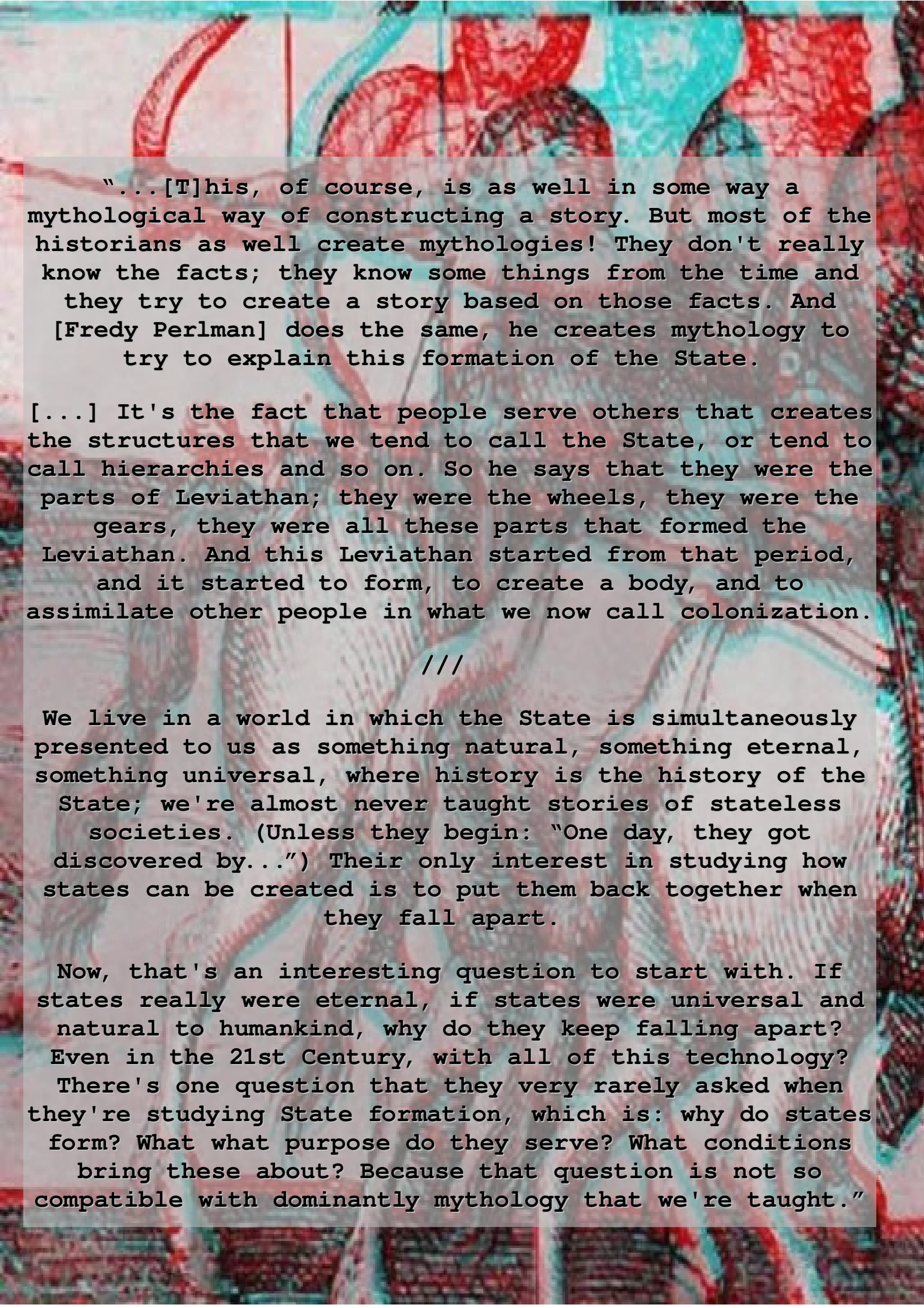
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"...[T]his, of course, is as well in some way a mythological way of constructing a story. But most of the historians as well create mythologies! They don't really know the facts; they know some things from the time and they try to create a story based on those facts. And [Fredy Perlman] does the same, he creates mythology to try to explain this formation of the State.

[...] It's the fact that people serve others that creates the structures that we tend to call the State, or tend to call hierarchies and so on. So he says that they were the parts of Leviathan; they were the wheels, they were the gears, they were all these parts that formed the Leviathan. And this Leviathan started from that period, and it started to form, to create a body, and to assimilate other people in what we now call colonization.

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We live in a world in which the State is simultaneously presented to us as something natural, something eternal, something universal, where history is the history of the State; we're almost never taught stories of stateless societies. (Unless they begin: "One day, they got discovered by...") Their only interest in studying how states can be created is to put them back together when they fall apart.

Now, that's an interesting question to start with. If states really were eternal, if states were universal and natural to humankind, why do they keep falling apart? Even in the 21st Century, with all of this technology? There's one question that they very rarely asked when they're studying State formation, which is: why do states form? What what purpose do they serve? What conditions bring these about? Because that question is not so compatible with dominantly mythology that we're taught."