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HUMANISTIC CRIMINOLOGY: ROOTS FROM PETER KROPOTKIN

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ABSTRACT

Kropotkin's extensive writings on criminological issues have been almost totally neglected. Through critical historical and macro-structural analyses Kropotkin assessed institutional arrangements disclosing how they were or were not meeting human needs. Our exploration focuses on Kropotkin's theoretical contributions, his feelings-based criminology and his extremely insightful dualistic conceptualization of "human nature". His contributions to penology, and his assessment of social arrangements which would meet the complex and ever-changing needs of humankind are briefly examined. Kropotkin's analytic framework provides an insightful and provocative base from which to synthesize criminological thought and research and from which to take action to alter social arrangements which do not meet human needs.

Although Peter Kropotkin wrote extensively on criminological issues, criminologists have neither acknowledged his insights nor adopted his analytical framework. Perhaps this has occurred because anarchist perspectives have been perceived as beyond the scope of acceptable criminological thought; or perhaps because feelings, which some feel have no place in scientific discourse, hold a central place in Kropotkin's analyses. Regardless of the reason for neglect, Kropotkin's ethical humanism and analyses of

social life are both infused with passionate moral concern and significant for humanistic criminology.

His devotion to uplifting the quality of human life led him to develop a comprehensive and coherent social theory. This theory is as insightful and applicable today as then, for within it he explored: 1) what is necessary to transcend the criminal conditions of current social life; 2) what are the practical means for the development of social life in more humane directions; and 3) what actions can be taken to promote social life in these directions.

According to Kropotkin, most analyses of political-economy and criminology are essentially presentations of what seems to be true under current social conditions. However, these conditions, especially the political-economic ones, are rarely stated and analyzed. Consequently, most political-economists and criminologists present the facts which arise under these conditions and, frequently, these conditions themselves, as natural, universalistic, and inevitable.

In Kropotkin's view political-economy and criminology should not only be historical, cross-species, cross-cultural, and macro-structural, but they should have an entirely different problem in view. Criminologists and humanistic criminologists especially, should ask: 1) what forms of social life assure to a given society, and to humankind generally, the greatest amount of happiness, and hence also the greatest amount of vitality; 2) what forms of social life allow this amount of happiness and vitality to become more complete and more varied (Kropotkin, 1903:58, 59); and 3) what forms of social life direct the activities of individuals so as to receive from them the greatest benefit for the welfare of all, without at the same time paralyzing personal energies (Kropotkin, 1924). Humanistic criminologists should study the needs of persons in social life and the various means, both previously utilized and available under the present state of knowledge, for their satisfaction (Kropotkin, 1903:72, 73). We should analyze to what degree the present institutional arrangements are expedient, economic or wasteful, beneficial or harmful, and morally acceptable. Then, since the ultimate end of every inquiry is its

practical application to life, we should concern ourselves with the discovery of means for the satisfaction of these needs with the smallest possible waste of human labor and other resources and with the greatest benefit to humankind in general.¹

NEEDS-BASED CRIMINOLOGY

Following Kropotkin's analytic framework, we might study the needs of persons for: 1) acclimation to ("protection from") other natural forces (temperature extremes, wind, rain, sun, etc.); 2) social life within a healthful natural environment-"clean", non-polluted air, nutritious, non-poisoned food and water, etc.; 3) social life without any form of coercion in movement, association, or action; 4) social arrangements that allow for both sociality and privacy; and 5) social life wherein our perceived harms, conflicts, and injustices do not spiral into disputes that may lay us open to external imposition and invasion.²

To briefly illustrate Kropotkin's analytic framework, let us consider each of three basic needs - shelter, healthful environment, and non-invaded social life, discuss how each need could be met, and what presently hinders the satisfaction of each need.

SHELTER

All persons feel the need for appropriate and comfortable shelter. Considering the present technological capacity and the organizational and working capacity of persons for shelter construction, every person or grouping of persons could have access to need fulfilling shelter. The question is: What is hindering them from such access when it is readily acknowledged that every person, family, grouping or collective could easily have access to comfortable shelter, apartment, house, or set of rooms.

A certain number of days' labor would suffice to build warm and lighted shelters. But many persons living within current social arrangements have no access to such shelter because shelter producing

arrangements are not oriented to human need. They are oriented to the production of profit, to a sizable return on investment, and to capital accumulation. As people must presently sell their labor to satisfy the wants and interests of elites, they have neither the necessary leisure nor the necessary capital to singly or collectively build shelters. As long as these shelter producing relations remain unchanged many persons are and will continue to be forced to inhabit unsafe, crowded, inappropriate, "sub-standard," or non-need fulfilling shelters.

Shelter producing relations oriented to human need are contrary to the orientation of the "sheltered" economists who immortalize the so-called "laws of production", tabulate the number of shelters built each year, and demonstrate by statistics that as the number of newly-built and renovated shelters is too small to meet demand, many persons and groupings must live in human misery.

HEALTHFUL AND SAFE ENVIRONMENT

More criminologically, all persons feel the need of a healthful and safe environment. We do not need to be poisoned with unhealthful water, food, or air. Taking the capacity of persons for social organization and the present capacity for production, every person can have access to such air, water, and food. The question is: What is hindering them from such access when it is universally acknowledged that every person or group could easily have access to "clean" air, "pure" water, and "nutritious" food. No labor should be required to breathe "clean" air, and a certain number of days' labor would suffice to distribute pure water and tend the growth of, harvest, and distribute nutritious food. But many persons living within current social conditions have very limited access to suitable food, water, and air, because production arrangements are not oriented to consumption or human need; they are oriented to profit, capital accumulation, imperialism, and the vain consumptive needs of elites.

There is little possibility, then, for a safe, non-poisonous environment under these "productive" conditions. However, modern agri-corporate-state

economists demonstrate by statistics that it is too costly not to have acid rain, and not to poison the earth during food production. Since "impure" air and water are produced surpluses (by-products) of industrial economies of scale, most persons have little choice but to breathe and drink these surpluses. On the other hand, nutritious food is a produced scarcity, too costly to be profitable to meet demand; therefore, many persons must either starve or eat an inadequate and non-nutritious, and/or toxic diet.

NON-INVADDED SOCIAL LIFE

Perhaps these illustrations seem uninformative because they are more "economic" than "criminological". However, basic safety needs, needs criminologists might analyze using Kropotkin's framework, are clearly not separable from other basic human needs. A divisive specialization of mental work has seemingly generated a disoperation of inquiry wherein the needs of humankind and those of the whole of nature have been lost. A thorough analysis of the need for non-invaded social life requires an integrated understanding of how needs could be met and what hinders need satisfaction. It requires an understanding of both the concept of appropriation and Kropotkin's feelings-based criminology.

Certainly, coordinating actions to restrict the production and/or distribution of nutritious food or to proliferate poisons during its production is not refining the quality of human social life; it is destroying it. It is appropriating the health, well-being, and perhaps the lives of others.³ It is committing social harms. Such actions do not illustrate social cooperation; but rather, social disoperation. Most persons wish neither to poison, harm, appropriate, nor to starve others either directly or indirectly. Furthermore, most persons wish neither to invade, nor to be invaded, either directly or indirectly, by industrial/agricultural economic policies, by muggers, or for reasons of state.

FEELINGS-BASED CRIMINOLOGY

Clearly, in the illustrations given, our human economy, the division of labor, and the organization of production are not carried out with the aim of securing the well-being and safety of all, while stimulating the energies of the individual to benefit self, nature, and humankind simultaneously. Socially produced wealth is being severely restricted, individual and collective energies enormously squandered. Vast resources are being exerted for the production and deployment of armaments to conquer markets and facilitate exploitation; for officials, bureaucrats, and agents of state to maintain the power of a few to misdirect productive relations in their egocentric interests; for judges, prisons, police, and all the paraphernalia of so-called justice; for the propagation of news, reality, language, and pernicious doctrines in the interests of party, politician, and speculator; for the production of objects that are useless or harmful, by means which are poisonous of nature, human existence, and human relationships, and wherein the love of work and the capacity for invention are destroyed (Kropotkin, 1913a:20).

But let us become more traditionally criminological in our illustrations and discuss the need to be uninvaded in our social life. A critical assessment of our current social arrangements indicates that they thwart the growth of social sentiment, and according to Kropotkin, it is social sentiment or the feelings that we have for one another and for life in all its forms that affects the quality of our life, the degrees of freedom that we enjoy, and the degrees of invasion and coercion that we suffer. We must discover what feelings promote sociality and what social arrangements stimulate and orient individual energies toward the needs of and the well-being of all, and what social arrangements retard the growth of these social sentiments.

According to Kropotkin, a certain degree of identification of the individual with the group to which s/he belongs has necessarily existed since the very beginning of social life (Kropotkin, 1924:30). Sociality - relating with others and developing human

solidarity - and mutual aid have been significant factors in the evolution of the animal world and the unfolding of human history (Kropotkin, 1972). To the extent that cooperation and mutual aid have become patterned and established customs within the human community they engender feelings of sympathy and commiseration - the ability to realize and to feel the suffering and pain of others. Furthermore, the practice of mutual aid and the feelings of solidarity and commiseration give rise to feelings of equity - a recognition of the equal intrinsic value of every human person.⁴ It is only when one considers another as one's equal that one can project the negative equality ethic, "do not unto another what you would not have another do unto you", or the positive equality ethic, "do unto another as you would have them do unto you."

The feelings of solidarity, commiseration, and equality and their consequent equality ethic generate a feeling of concern for the well-being of others and in particular for the development of a principle of equal well-being. The principle of distributive justice, "to each according to his/her needs, taking into account the resources available to the community," is one such principle (Kropotkin, 1913a: D. Miller, 1976). When social relationships and institutional arrangements based on these feelings are solidly established in the human community the ground is prepared for the development of relationships within which magnanimity, self-abnegation, and self-sacrifice regularly occur (Kropotkin, 1924). In these relationships each person understands and feels so deeply the bearing of one's action on other members of the group or community and other forces in nature that one refrains from consciously harming or invading others, even though one may have to forego the gratification of some of one's own desires (Kropotkin, 1904:225-226). Each person so fully identifies one's feelings with those of others that one is willing to share or give to others one's talents and powers without thought of what one will receive in return (Kropotkin, 1924:244-246). Each person is willing to spread one's intellect, feelings, and actions lavishly for the good of each and all (Kropotkin, 1924:244; 1927b:107-109). Furthermore, the more the principles

of solidarity and equality are developed; 1) the greater the chance society has of surviving; 2) the more thoroughly each member of the society feels his/her solidarity with each other member; and 3) the more completely are developed in all of these persons two critical qualities needed for social development: courage and free individual initiative (Kropotkin, 1927b:96).

HUMAN AND PERSONAL DIGNITY

According to Kropotkin, interacting with and feeling solidarity and an identity with the equal well-being of others leads to a full sense of personal dignity and the need to respect the personal dignity of others. It is then that the positive equality ethic, "do unto another as you would have them do unto you," takes on more humanistic meaning. While encompassing the ideas - every human person has equal intrinsic value, and one ought to place oneself in another's place and consciously consider whether or not an action would be acceptable if one were the receiver, - "do unto another as you would have them do unto you," signifies taking one's personal standard or conception of fair treatment and projecting it onto another. In a genuine, humanistic, needs-based conception one would no longer specifically project, "do unto another as you would have them do unto you," but rather, "respond to another person as that specific person would like you to respond to them," or "respond to another person according to how that person wishes to be responded to under the circumstances."⁵ This ethic encourages directness and communication, and it is only then that one begins to appreciate and dignify the uniqueness of each individual person, the specific circumstances, and the special relationships involved. It is only then that one can move beyond mechanical conceptions of human equality that present a consensual model of ethics, dehumanize the person, and imply the necessity of a treator-authority relationship.

A sense of personal dignity is thus a trenchant starting point for the construction of social forms

that develop and reinforce feelings that lead us to relate with one another with respect, well-being, inviolability, and non-invasion (Kropotkin, 1924). Returning to our criminological illustration, our need for movement, association, and sociality without coercion and invasion can be socially constructed when we feel we have personal dignity and see that this dignity is inextricably linked with the dignity of others. It is only then that individuals are able to give free reign to their inclinations and passions without any other restraint than their deep concern, love, and respect for the feelings of those who surround them.

Humanistic criminologists must consider what personal dignity means to different persons, in different social settings; and what within our current cultural and social arrangements contributes to and diminishes personal dignity. If one does not feel personal dignity, how does this affect one's actions and relations with others? Do these feelings lead to harming others, to appropriations and invasions, and to social structures of indignity that un-dignify others on a regular basis? What are the processes and means by which persons define their harms, invasions, and appropriations as non-harms so as to legitimize their actions or remain less conscious of their real effect on others? Are personal dignity, and thus, human dignity promoted by current religious practices and beliefs? Are they promoted by a division of labor and nature of work that is devoid of intellectual stimulation, the spirit of invention, and aesthetic pleasure; when work is felt to be meaningless, useless, fragmented, impersonal, carried out in isolation without talent engenderment and without concern for the well-being of most persons (Kropotkin, 1913a; 1913b)? Are personal and human dignity promoted by arrangements that separate mind from body, feelings from thought, self from others; by practices that enjoin us to commit to others the care of our own affairs and, thus, construct the feelings of indifference to others and collective issues (Kropotkin, 1903:67, 68)?⁶ Are they promoted by hypocrisy and sophistry that result from the practice of a double-faced morality - an attempt to teach the ethics of equality while every day in our

relationships practicing hierarchy and the doctrine of inequality (Kropotkin, 1913a; Kropotkin, 1903:67)?

Is personal dignity enhanced or diminished by the state, law, and penal sanction (police, judge, correctional personnel), which serve to sanctify and maintain structural inequality and social disoperation and which, as well, give rise to a spectacle of espionage, false witness, spying, threats, and corruption (Kropotkin, 1913a:12)? Do the social arrangements within which we now "exist" promote the growth of social sentiment, commiseration, equity, self respect, and a sense of personal dignity? Is it possible to have either human dignity or a non-invaded social life (safety) when each person is severely constrained from developing a full sense of personal dignity?

KROPOTKIN'S CRIMINOLOGICAL CONTRIBUTIONS

To grasp Kropotkin's analytical framework and criminological insights⁷ even more fully one must understand that he perceived human nature as dualistic, as composed of two sets of contrasting feelings (Kropotkin, 1924; 1914). In the first set are feelings that answer to the human need for mutual sympathy and unity. These feelings induce us to unite and cooperate to insure peace, and equality, to settle disputes and to (promote mutual aid) help one another in efforts requiring cooperative effort to attain common ends (Kropotkin, 1903; 6-7). In the second set are feelings that answer to the human need to assert oneself, to struggle. These feelings induce us to break the bonds, always prone to crystallize, that the collectivity (tribe, community, or state) presses upon the individual. These feelings stimulate creativity, risk taking, and social change, while impeding social stagnation, group tyranny and suppression. These feelings also, however, induce us to effect individual and/or group superiority (economic, political, spiritual) and/or to objectify and control others for our individual or group ends.

With this human dualism in mind, Kropotkin analyzed how specific social arrangements or social

forms, such as the wage system (Kropotkin, 1887; 1913a:214-236; 1920) the division of labor (Kropotkin, 1913a:247-296; 1913b), the state (Kropotkin, 1970; 1913c; 1909; 1971c; 1888, 1914b), law (Kropotkin, 1927e; 1886), and prison (Kropotkin, 1971a; 1971b; 1927f) negatively affect the quality of social life and the degree of personal dignity by significantly promoting the superiority inducements of the second set of feelings and relations (invasions, coercions) while retarding the first set of feelings and relations (mutual sentiment, sociality).⁸ Searching for a synthesis of this dualistic conception of human nature Kropotkin (1924), as well, explored and proposed social forms that could produce aggregative well-being while concomitantly stimulating the creative and assertive energies of individuals. However, Kropotkin (1927d:157) saw no final resolution of these contrasting sets of feelings, only the possibility of temporary harmony undergoing continuous change:⁹

.....by a sum of social customs and habits not petrified by law, routine, or superstition, but continually developing and continually readjusting in accordance with the evergrowing requirements of a free life stimulated by the process of science, invention, and the steady growth of higher ideals No crystallization and immobility, but a continual evolution such as we see in nature.

Kropotkin meant these social forms to be uplifting, humanistic and, as well, practicable. The listing below illustrates some of these proposed social forms.¹⁰

<u>Hierarchical Social Forms</u>	<u>Humanistic Social Forms</u>
The State	Voluntary, federated, autonomous collectivities of producers and consumers
The Wage System	Distribution according to need; the separation of contribution from distribution
Division of Labor	Integration of industrial and agricultural produc-

Law and Prison

tion; of mental and
manual work; production
for the well-being of
each and all
True morality and the
ethics of human dignity;
retrospective modes of
conflict resolution;
integration and sociality

What may most interest humanistic criminologists are, however, his radically humanistic, scathingly critical, and insightful essays on topics well within the scope of traditional criminological inquiry. Let us very briefly turn to the hub of these critiques and analyses.

THE STATE AND LAW

The State (Kropotkin, 1970; 1913c) and the wage system (Kropotkin, 1913a; 1887; 1920) were inseparable concepts to Kropotkin. As symbiotic institutions they emerged historically by mutually supporting and reinforcing each other (Kropotkin, 1903:76). In his analyses of the historical role of the state¹¹ and the nature of the modern state, he concluded (Kropotkin, 1913c: May 1914:34):

The fact is, that the great Capital and the State are two parallel growths which never could have existed without each other, and for that reason must be combatted together. The State would never have grown and acquired the power it has now - not even the power it had under the Roman emperors, or the Pharoahs of Egypt, the Assyrians kings, and so on - had it not favored the growth of capital, agricultural and industrial, and the exploiting - to begin with - of wild tribes and shepherds, of peasants later on, and of industrial working men in our own times.

It was by protecting with its whip, its sword, and its clergy those

who grabbed the land and brought free men into slavery and serfdom, that Capitalism was developed; and it was by forcing those who owned nothing to work for the landlords, the owners of the mines, the company promoters, and the industrial employers, that gradually was developed that formidable organization, the present State. If Capitalism could never have reached its present development without the aid of the State, the State in its turn could never have been the power it is now were it not for the support it always gave to Capitalism and the exploiting of labour.

The State enabled members of the capitalist class to assert authority over people, to control and exploit their labor, while at the same time both individual and collective autonomy was being crushed for reason of state (Kropotkin, 1970:264). As society became more and more divided into two hostile classes, habits and customs of dominating and appropriating others' action, labor, and lives were slowly, structurally entrenched and law was introduced to sanctify these arrangements, to place them beyond question (Kropotkin, 1927e:205).¹² Law serves, then, as the inversion of community and the diminisher of human dignity as it legitimates human objectification and appropriation. Law sanctified such appropriations as the right to deny access to well-being and needed resources (food, shelter, use of the means of survival/production); the right to define persons and other forms of nature as property; and the right of agents of state to rob through taxation and to punish with impunity. Thus, most laws were created to ensure the external existence of inequality, to protect the conditions of the accumulation of wealth acquired through the exploitation of others, to rob the wage-slave social producer of a part of what s/he had partially created (property laws), and to legitimate and support the arrangements of state (Kropotkin, 1927e:211; 1920). However, to ensure acceptance and obedience these codes also embodied and sanctified socially anterior habits and customs that are rooted in the feelings of solidarity and equality and essential to the very being of society.¹³ Law, thus,

included rights to guarantee that one respect another's person and their life, and that one not assault, batter, or violate another. As such, law has maintained this skillful commingling, this two-fold character of social custom and class/elite advantage, of equality and inequality, up to today (Kropotkin, 1927e:205). Clearly while communicating the value, equality ("equality before the law"), law, by unquestioned assumption, conceals arrangements or structures of inequality. As such, law and authority are unnecessary for human relationships and, in fact, are harmful to them (Kropotkin, 1927e:212). Laws on property are not made to guarantee either to the individual or to society the enjoyment of the product of social labor or to guarantee the well-being of all. On the contrary, they are made to rob the producer of a part of what has been created, and to secure to certain other persons that portion of the product which they have stolen either from the producers or from society as a whole (Kropotkin, 1927d:212). Laws for the protection of government have no other end than to maintain, patch up, and develop the machinery that serves almost entirely to protect the privileges of the possessing class (Kropotkin, 1927e:212). The category of laws for the protection of persons in society and the detection and prevention of "crime", are, according to Kropotkin, equally as useless and injurious as the preceding categories of law (Kropotkin, 1927e:215).

According to Kropotkin, most "crimes" as defined by law are motivated by reactions to the economic arrangements (deprivation, alienation, acquisitive and competitive pressures) and mirror the aggression, violence, and exploitation of the instituted political-economy. Most "crimes" are instigated by the desire to obtain possession of others' property and will disappear with the disappearance of the institution of property. The existence of the wage system, the class system, is the true ground for "criminality"; and the conditions of life to which each class is subjected amply explains the nature of and incidence of "crime", social harm, and invasion so produced. Within the non-owning class, desperation, spiritual deprivation, and sporadic and disciplined regimentation within wage slavery insure that many

persons will enact the fate of their class and interact so as to become intra-class victims and perpetrators of defined "illegalities." Members of the owning class, in contrast, have the power to define most of their actions ("illegalities") and social harms as non-harms and/or non-"crimes" (Kropotkin, 1888; 1914; 1909). Their actions or "illegalities" are thus beyond incrimination (Kennedy, 1970; Tifft, 1979; 1982; Tifft and Sullivan, 1980; Foucault, 1977) and are of an essentially inter-class, yet affecting all forms of nature, genre.

CRIME AND PRISON

Kropotkin's conception of "crime", then, as traditionally and legally defined, identifies two essential sources. The first source is the social forms that create a maldistribution of socially created wealth: the property system, the wage system, and the concentrated control of the political-economy, which is misdirected from the needs and well-being of all persons. The law, which reflects, protects, and perpetuates these forms, is a point of contact and conflict between those subjected to these forms and those propagating them. Transgressing these laws is an inevitable consequence of both the feelings of sociality, social defense, and mutual aid and the feelings of self assertion. Crime is thus a perennial feature of the nature of this social order (Kropotkin, 1927b:71-73).¹⁴

The state, by punishing, by imprisoning, attempts to relieve us of thinking of crimes as outgrowths of our values and our institutional arrangements.

When a child has committed a fault,
it is so easy to punish - it puts an end
to all discussions. It is so easy to hang
a man - it relieves us of thinking of the
cause of crimes (Kropotkin, 1927c:135).

As crime is a perennial feature of the nature of this social order, neither the fear of punishment nor its severity could possibly have any appreciable effect on the incidence of "crime" or social harms. In fact, according to Kropotkin (1902:10), every legal

punishment is legalized vengeance, vengeance made obligatory.

We are continually being told of the benefits conferred by law, and the beneficial effect of penalties, but have the speakers ever attempted to strike a balance between the benefits attributed to laws and penalties, and the degrading effect of these penalties upon humanity? Only calculate all the evil passions awakened in mankind by the atrocious punishments formerly inflicted in our streets! Man is the cruelist animal upon earth. And who has pampered and developed the cruel instincts unknown, even among monkeys, if it is not the king, the judge, and the priests, armed with law, who caused flesh to be torn off in strips, boiling pitch to be poured into wounds, limbs to be dislocated, bones to be crushed, men to be sawn asunder to maintain their authority? Only estimate the torrent of depravity let loose in human society by the "informing" which is countenanced by judges, and paid in hard cash by governments, under pretext of assisting in the discovery of "crime". Only go into the jails and study what man becomes when he is deprived of freedom and shut up with other depraved beings, steeped in vice and corruption which oozes from the very walls of our existing prisons. Only remember that the more these prisons are reformed, the more detestable they become... Finally, consider what corruption, what depravity of mind is kept up among men by the idea of obedience, the very essence of law; of chastisement; of authority having the right to punish, to judge irrespective of our conscience and the esteem of our friends; of the necessity for executioners, jailers, and informers - in a word, by all the attributes of law and authority. Consider all this, and you will assuredly agree with us in saying that a law inflicting penalties is an abomination

which should cease to exist (Kropotkin, 1927e:216-217).

Similarly, the state, by treating, incapacitating or eugenically eliminating, attempts to relieve us of thinking of crimes, pathologies, disease and economic conditions as outgrowths of our values and our institutional arrangements. Kropotkin (1912:77) decried the narrowness of the Eugenics Congress for excluding from discussion the vast domain where eugenics came in contact with social hygiene, and for attempting to ignore scientific evidence that crimes were a manufactured product of society itself.

Before granting to society the right of sterilization of persons affected by disease, the feeble-minded, the unsuccessful in life, the epileptics is it not our duty to carefully study the social roots and causes of these diseases Just now 100,000 children have been in need of food in consequence of a social conflict. Is it not the duty of Eugenics to study the effects of a prolonged privation of food upon the generation that has been submitted to such a calamity?

Destroy the slums, build healthy dwellings and be not afraid, as you often are now, of "making Socialism"; remember that to pave the streets, to bring a supply of water to a city, is already what they call to "make Socialism"; and you will have improved the germ plasm of the next generation much more than you might have done by any amount of sterilization.

And then, once these questions have been raised, don't you think that the question as to "who are the unfit" must necessarily come to the front? Who indeed? The workers or the idlers [the rich]? The women of the people, who suckle their children themselves or the ladies who are unfit for maternity because they [refuse to] perform all the duties of a mother?

Those who produce degenerates in the
slums, or those who produce degenerates
in palaces (Kropotkin, 1912:78)?

The second and derivative source of "crime" is the moral degradation and demoralization pressed upon the non-owning class and enforced by invidious, panopticonic modes of social discipline. According to Kropotkin, economic relationships are moral relationships (Kropotkin, 1920), and the class conditions of the non-owning class tend to dull the moral feelings of some so exposed. The expectations and realities of "failure" and the acceptance of one's class "fate" leads some to despair, resignation, and self assertions that dull the moral and caring feelings they have for self. This, in turn, leads some persons to attempt to alter these realities and conditions by altering self (alcoholism/substance "abuse", mental "illness"). These same class conditions, expectations, and realities, however, lead others to feel anger and hate and to undertake self assertions that dull the moral and caring feelings they have for others. This, in turn, leads some persons to attempt to search for power-control, esteem, reputation, and identity by altering others via physical aggression (rape, assault) and/or acquisitional invasion (theft, robbery).¹⁵

Invidious and panopticonic modes of social discipline not only enforce these criminogenic class conditions, but invade the state's penal discipline, as well.¹⁶ Just as the mode of disciplined work in the factory is individually isolating (to prevent social solidarity), spatially locating (to centralize control and observation), and specializing (to routinize, make replaceable, and thus reduce any critical dependence on any specific worker), the discipline of the prison is designed similarly and specifically to crush the will of the prisoner (Kropotkin 1927f; Foucault, 1977). As the worker is made docile and prevented from expressing his/her creativity, the prisoner is correspondingly trained to abandon the exercise of discretion, initiative, and self-reliance. The prisoner is alternately subjected to idleness or compelled to work as punishment, which

is naturally revolting and in no way resembles true work - the need for self-expression, creativity, and self-extension to others, sharing (Kropotkin, 1927f:223). Imprisonment diminishes the finer human sentiments.

In the sombre life of the prisoner which flows by without passion or emotion, all the finer sentiments rapidly become atrophied. The skilled workers who loved their trade lose their taste for work. Bodily energy slowly disappears. The mind no longer has the energy for sustained attention; thought is less rapid, and in any case less persistent. It loses depth. It seems to me that the lowering of nervous energy in prisons is due, above all, to the lack of varied impressions. In ordinary life a thousand sounds and colors strike our senses daily, a thousand little facts come to our consciousness and stimulate the activity of our brains. No such things strike the prisoners' senses. Their impressions are few and always the same (Kropotkin, 1927f:224).

Imprisonment also diminishes the feelings and qualities (trust, caring, sociality, self-assertion) that make one best suitable for social life. The prisoner is cut off from sufficient and significant contact with those with whom s/he had previously most developed and expressed these feelings (family, children, friends). Concomitant feelings of resentment and injustice arise not only from the "unjust" punishment endured by the "family members" of those imprisoned, but also because many prisoners believe that the exploitations of persons not in prison are greater and that those persons have simply been more successful in their attempts to exploit.

Moreover, since isolation alternated with sociality is the natural rhythm of human interaction, one of the greatest prison tortures is the practice of disallowing isolation and, in turn, disallowing sociality (solitary) (Kropotkin, 1913a:160). This practice, along with that of suppressing the will of the prisoner, in part springs from the desire to manage, observe, and guard the greatest number of

prisoners with the fewest possible guards. The ideal of prison officials would seem to be thousands of automatons, arising, working, eating, and going to sleep by means of electronic currents switched on by one guard. Economies might be produced, then, but no astonishment should be expressed that persons, when treated as and reduced to machines, are not, on their release, the type which society wants (Kropotkin, 1927f:225; 1971).

Thus, while the prison removes persons from society and from sight, it relentlessly observes, objectifies, and symbolically uses those confined. Designed to degrade and make docile, to diminish the feelings of assertion and person dignity, prison experience frequently produces a reactive subculture. Responding to and reflecting the terror and omnipotence to which prisoners are subjected, the prison counter-culture teaches one to lie and deceive, to trust no one, to project invulnerability, and yet, to share one's knowledge of invasion, appropriation, and criminality. Ironically, prison authorities are, as well, dehumanized by penal confinement (Kropotkin, 1927f:227; 1971; 1888). Having little authority and filled with the spirit of intrigue, scandal, and spying, the prison authorities' subculture transforms them into callous, distrusting, unscrupulous, cynical persecutors. Prison discipline and its reactive cultures thus produce two sets of persons with little sense of personal dignity: 1) the "criminals", who when released from prison frequently have learned how to more effectively continue to invade others; and 2) the "authorities", who spend the greater part of each "work" day invading others' lives and who by doing so learn more effective modes of invasion.

Kropotkin correctly saw that imprisonment: 1) had little effect on rates of legally defined crime; 2) produced an increase in career criminality, frequently increasing the degree of harm subsequently committed; and 3) reinforced the legitimacy of the exercise of power over others. Since the social harms, "crimes", and illegalities of the state and the owning class were so stark and overt in his time he neither foresaw that these "crimes" (the wage system and the state) would become so fully legitimated and accepted nor did he foresee that prison would become

such a significant element of the creative processes that define the reality of crime and criminals, concealing the illegalities of the owning and ruling classes and the criminogenic social forms they impose (Foucault, 1977; Tifft, 1982).

In conclusion, we hope that we have demonstrated that Kropotkin's analytical framework and orientation toward the study of criminology can provide an especially insightful and provocative base from which to synthesize criminological and political-economic research and to take humanistic action to alter our criminal social forms in the interest of all nature.

NOTES

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1. According to Kropotkin, what benefits humankind in general must concomitantly benefit individual vitality and diversity.
2. This is meant to be an illustrative, not an exhaustive, listing of needs.
3. To appropriate is to deny to others future access to a resource one does not immediately need. Appropriation underlies all legal definitions of crime, whether crimes against persons - appropriation of human "resources" - or crimes against property - appropriation of extrahuman resources (Pepinsky, 1976:36-37). However, it should be noted that these familiar linguistic distinctions (person-property) constitute a double false dichotomy: 1) that persons are entities distinct from the earth, food, air; and 2) that persons are not property to be appropriated, which

they assuredly are considered under the principle of law or under slavery, conscription, internment, or wage-labor. When appropriations are legally proscribed; when detected, they are defined as crimes. However, appropriation transcends the legal definition in the sense that many appropriations are based on legal rights; though these people may legally deny others future access to resources. Thus, the concept of appropriation allows us to explore the appropriations of those who are now "beyond incrimination" (Kennedy, 1970), for example those who commit legal appropriations for reasons of state (e.g. war, capital punishment, imprisonment, taxation) or legal appropriations for reasons of profit (e.g. silent killings, environmental ownership and pollution) (Swartz, 1975). Note that the concept of appropriation also underlies the human rights conception of crime such as that proposed by the Schwendingers (1970;1977). Appropriation is a much preferable concept as it does not require the idea of rights or the need of guardians. Both these ideas imply elitism, the state, or hierarchy (Tifft and Sullivan, 1980).

4. There is an irony intrinsic to all bases of equality - that in order to treat persons equally one has to treat them differently. This irony is most clearly seen in the most fundamental meaning of equality - a recognition of the equal intrinsic value of every human personality (D. Miller, 1976; Vlastos, 1962; Frankena, 1962). If we are humanly equal and yet diverse and unique (different), it is necessary to specify the equalities or essences of our equalness in order to provide ethical guidance for constructing just or moral relationships between individuals, communities, societies, or within the world order. A historical quest for social justice has consisted largely of attempts to eliminate certain dissimilarities as bases for difference of treatment. Distributive justice concepts must involve a formula or maxim for assessing some similarities as justifying similar treatment or some differences, different treatment.

5. Kropotkin recognized this though not clearly presenting this altered form of the equality principle: "the better he has identified himself with the person's dignity or interest . . . the more moral will his decision be." (Kropotkin, 1927b:102).
6. According to Kropotkin, hierarchical relationships and centralized relationships such as those of state deprive people of the experiences within which they would develop a sense of shared interest and responsibility. In these relationships decision making becomes monopolized and public issues are placed beyond the reach of people's experiences and consciousnesses. These insights are clearly similar to the critical sociological insights made later by C. Wright Mills (1959) and Paul Goodman (1963:183) - that public issues are systematically psychologized and reduced to personal troubles, and that as the state grows in size and power, people become more stupid, and less caring, and vice versa. Also see Punzo (1976).
7. For an assessment and commentary on Kropotkin's criminology see Osofsky (1979:102-112, 123-130) and Capouya and Tompkins (1975:XIII-XIX). For an assessment of Kropotkin's theoretical perspective and intellectual context see Galois (1976), M. Miller (1976), Capouya and Tompkins (1975), Osofsky (1979), Punzo (1976), Woodcock and Avakumovic (1950), Kelly (1976), and Kropotkin (1889).
8. The following quote may aid in seeing the application of Kropotkin's dualistic analysis (1913c: November, 1913:86).

The right to work at what a man choses to work at, and so long as he chooses, thus remains "the principle" of modern society. Consequently, the chief accusation we level at society is that this freedom, so dear to man, is continually rendered a fiction by the worker being placed under the necessity of

"selling" his labour-force to a capitalist - the modern State being the chief weapon for maintaining the working men under this necessity, by means of the monopolies and privileges it continually creates in favour of one class of citizens, to the detriment of others.

It begins, indeed, to be generally understood that the fundamental principle, upon which all are agreed, is continually evaded by means of a wide-developed system of monopolies. He who owns nothing becomes once more the serf of those who possess, because he is bound to accept the conditions of the owners of the land, the factory, the dwelling-houses, the trade, and so on; he is thus compelled to pay to the rich - to all the rich - an immense tribute, as a consequence of the established monopolies. These monopolies become hateful to the people, not only on account of the lazy life they guarantee to the rich, but chiefly on account of the rights they give to the monopolists over the working class.

Consequently, the great fault we find with modern society is, that after having proclaimed the principle of liberty of work, it has created such conditions of property-ownership that "they do not permit the worker to be the master of his work." They wipe out this principle, and place the worker in such a condition that he "must" work to enrich his masters, and to perpetuate, as it were, his own inferiority. He is forced to forge his own chains.

9. See Le Guin (1975) for an extension of this idea of never-ending revolution. To Le Guin the hope for survival is the ever continuous breaking down of barriers, never pausing, but never pressing revolution. It entails continuous change, a never-wavering commitment to risk, to the negation of certainty, for to be certain is to be an exile

(Tifft and Sullivan, 1979:184). Le Guin (1975: 288-289) says:

The duty of the individual is to accept no rule, to be the initiator of his own acts, to be responsible. Only if he does so will the society live, and change, and adapt, and survive. . . . Revolution is in the individual spirit, or it is nowhere. It is for all, or it is nothing. If it is seen as having any end, it will never truly begin

10. These social forms were designed to promote a future world order which would eliminate collective violence, repression, and the current depth and spread of misery, while simultaneously promoting and preserving human dignity, collective autonomy and cooperation, and environmental quality (Falk, 1975a; 1975b; 1978; Wieck, 1978). The struggle to create such forms "both transcends and unites different cultures and historical epochs" (Moore, 1972:11), and exposes the institutional basis of the current world order as both ill-equipped to provide for the fundamental well-being of most people and unable to inspire any future hope of such a capability (Falk, 1975a:10).
11. One should note how Kropotkin's historical analysis is paralleled in Mark Kennedy's benchmark article (1970). Note, however, that Kropotkin (1913c: May, 1914:34) stated that:

When some people say that Capitalism dates from the fifteenth or sixteenth century, they affirm something which is not true. Such an affirmation may aid people in understanding "the parallel development of the modern State and Capitalism." But Capitalism existed already wherever there existed an individual possession of land, and, later on, the possibility of cultivating the soil by the hired labour of the expropriated peasants.

and furthermore, concluded (1913c: December, 1913: 84):

Born in the times when the Church had undertaken to govern men in order to bring them to salvation, inherited by us from the Roman Empire and the Roman Law, this idea of an omnipotent and all-organizing State has silently made its advance during the second half of the nineteenth century.

12. According to Kropotkin (1913c: December, 1913: 94):

Two great currents of thought and action have characterized the nineteenth century. One of them was a systematic fight against all survivals of serfdom. And the result of it was that in the laws of Europe personal servitude has at last disappeared, even in Russia (1861) and in the Balkan States (after the war of 1878).

More than that; in every nation man has worked to conquer personal freedom. He has freed himself to a great extent from superstitious respect for nobility, royalty, and the upper classes; and by a thousand small acts of revolt, accomplished in every corner of Europe, he has established - by using it - his right of being treated as a free man.

At the same time, all the intellectual movements of the nineteenth century - its poetry, its romance, its drama, when they were something more than a mere amusement for the leisured class; its history and philosophy, even its music - have borne in their highest productions the same character of a struggle for freeing the individual, the woman, the child, from the habits and manners of thought that had been established by centuries of slavery and serfdom.

But, by the side of this liberating movement, another movement, which also had its origin in the Great French Revolution,

was going on at the same time. And its purpose was, "to develop the omnipotence of the State" in the name of that vague and treacherous conception which has opened the door to all ambitions - the conception of public welfare organized, not by the nation itself in each town and village, but by its chosen so-called representatives"....

13. Kropotkin (1905:8) also accepted this analysis in regard to the origins of "international law". Social customs and habits are anterior to both state law and laws among the society of states. The international customs, habits and agreements which preceded the development of international law embodied feelings of mutual aid and equality, and were essential to the very being of world society.
14. This is a critical point, therefore we include here a fuller presentation of Kropotkin's argument (1927a:71-73):

The more we study the question, the more we are brought to the conclusion that society itself is responsible for the anti-social deeds perpetrated in its midst, and that no punishment, no prisons, and no hangmen can diminish the numbers of such deeds; nothing short of a reorganization of society itself.

Three quarters of all the acts which are brought before our courts every year have their origin, either directly or indirectly, in the present disorganized state of society with regard to the production and distribution of wealth - not in perversity of human nature. As to the relatively few anti-social deeds which result from anti-social inclinations of separate individuals, it is not by prisons, nor even by resorting to the hangmen, that we can diminish their numbers. By our prisons, we merely multiply them and render them worse. By our detectives, our "price of blood," our executions, and our jails, we spread in society such a terrible flow of basest passions and

habits, that he who should realize the effects of these institutions to their full extent would be frightened by what society is doing under the pretext of maintaining morality. We "must" search for other remedies and the remedies have been indicated long since.

Of course now, when a mother in search of food and shelter for her children must pass by shops filled with the most refined delicacies of refined gluttony; when gorgeous and insolent luxury is displayed side by side with the most execrable misery; when the dog and the horse of a rich man are far better cared for than millions of children whose mothers earn a pitiful salary in the pit or the manufactory; when each "modest" evening dress of a lady represents eight months, or one year, of human labor; when enrichment at somebody else's expense is the avowed aim of the "upper classes," and no distinct boundary can be traced between honest and dishonest means of making money - then force is the only means for maintaining such a state of things. Then an army of policemen, judges, and hangmen becomes a necessary institution.

But if our children - all children are "our" children - received a sound instruction and education - and we have the means of giving it; if every family lived in a decent home - and they "could" at the present high pitch of our production; if every boy and girl were taught a handicraft at the same time as he or she receives scientific instruction, and "not" to be a manual producer of wealth were considered as a token of inferiority; if men lived in closer contact with one another, and had continually to come into contact on those public affairs which now are vested in the few; and if, in consequence of a closer contact, we were brought to take as lively an interest in our neighbor's difficulties and pains as we formerly took in those of our kinfolk - then we should not resort to policemen and judges, to prisons and executions.

15. Please note that these reactions may overlap and some persons may both attempt to alter the feelings they have about themselves as well as those they have for others. David Matza's work can be seen as excellent development of these ideas (Matza, 1964:1969).

16. Osofsky (1979:111) points out that:

Kropotkin's prison experiences reinforced his political views and provided him with yet another example of the failure of social institutions premised on a traditional view of human nature. In a real sense, he saw prisons as a microcosm of bourgeois society. The prisons were overcrowded and filthy, like industrial cities. Then there was "the flagrant immorality of a corps of jailers who were practically omnipotent and whose whole function it was to terrorize and oppress the prisoners, their subjects." This was a parody of government as the lack of useful labor and the total absence of all that could contribute to the moral welfare of men was a parody of political economy.

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