What Would Abolition Look Like?

written by Daniel Brown | June 19, 2020



In recent days, with the spread of increasingly militant Black Lives Matter protests across all 50 U.S. states and beyond, it is little wonder that abolition of the police is a common demand from the left. For many it is clear why abolitionist politics are gaining traction, given that a recent poll showed 54 percent of the U.S. public supported the Minnesota protests and burning down of the local police precinct. The brutal murder of George Floyd was sadly just the latest in a long line of racist violence committed by the police but the protests that have been sparked by the murder have been historic in their scale. What's perhaps not clear is what abolishing the police might look like in more concrete terms. In a world dominated by procedural police dramas and Hollywood cop heroics it is often difficult to imagine justice and security could be any other way.

To understand police abolition, it is important to firstly look at the historical and structural role of the police and the wider criminal justice system. This also helps us understand why reforms have repeatedly failed in the past and stand little chance of succeeding in the future. Similarly, a historical analysis can demonstrate how criminal justice systems play a central role in supporting capitalist exploitation. Given the criminal justice system's propensity to disproportionately target communities of color (especially black communities) and working-class communities it is no surprise that policing historically arose as a social phenomenon at the same time as the West embarked on colonial and capitalist ventures.

In the United States, the police's historic roots in slave-catching and union-busting is a clear example of such origins. Similarly, in the UK the first establishment of publicly funded professional police forces was in Glasgow and London; two key ports for the British slave trade. As colonial profits and plunder filled these ports, protecting these riches from growing thefts became increasingly important.

Colonial looting also helped kick the industrial revolution into overdrive. To keep these factories running capitalists needed large numbers of workers desperate to work long hours in terrible conditions. To achieve this, the common land farmed by the peasant majority of the British population was enclosed by force. Common land was seized by private owners and dispossessed peasants were driven to the cities by hunger or the force of vagrancy laws designed to criminalize the newly homeless who refused to join the urban exodus. All of this was enforced under the aegis of new criminal acts which began to approximate the modern criminal justice systems we see today.

With rampant industrialization came trade unions and demands for universal suffrage. In 1829 the British home secretary Robert Peel set up the London Metropolitan Police in response to such revolts. Peel's new police force was directly informed by his experience policing colonial unrest in Ireland. This new constabulary was widely unpopular earning them nicknames like 'Raw Lobsters', 'Blue Devils' and 'Peel's Bloody Gang'.

Angela Davis' seminal work on prison abolition further highlights the capitalist logic of this new mode of criminal justice. She notes how the shift towards punishment computed in time-units mirrored the rise of commodified labor measured in hours and minutes[1]. The disciplining of workers into alienated individuals whose lives can be quantified based on labor time is clearly embedded into the modern criminal justice system.

Crucial to understanding the modern system of criminal justice is the abolitionist notion that crime is based on a 'false ontology.' This is the idea that there is no underlying ethical or philosophical justification for what makes certain acts a 'crime' and others merely 'unlawful' or completely legal. In essence then, the concept of criminality links a wide variety of acts, from "violence in an anonymous context" to "different types of conduct in traffic", together[2]. The only unifying factor being the state's choice to designate an act as a criminal one. This matters because it means that the criminal justice system is an attempt to address a host of vastly different social issues with the same approach, i.e. the punitive brute force of policing and carceral systems.

The notion of 'crime' focuses on individual acts classifying these as the unifying aspect of wrong-doing and often erasing the socioeconomic context behind the act. Even within the same category of crime, e.g. homicide, there is not necessarily a unifying social cause. Compare the killing of a domestic abuser in self-defense to the murder of an innocent citizen by a cop and this becomes fairly obvious. The necessary ethical response to these two acts is very different because the underlying social conditions that caused or enabled them are also very different.

This is why the abolitionist answer to 'what would we replace the police or prisons with?' cannot be one simple solution. The solution to these myriad social issues must be a correspondingly diverse set of radical social programs and institutions. A good illustration of this is the way drug addiction for the rich leads to rehab whilst for the poor the result is often criminalization by the state[3]: in fewer words, prison. A public health system with access to rehabilitation facilities free of charge is clearly a more effective approach to the social problem of drug addiction than the violent policing and incarceration imposed on communities of colour by the War on Drugs.

The carceral state of course is not really interested in addressing such social issues, whatever their rhetoric might claim. The purpose of criminal justice has always been social control over working classes and colonial subjects. Whilst this role has always been historically important to continued capitalist expansion, it has taken on a special importance in the context of post-industrial states like the UK or US.

A crucial part of the criminal justice system's purpose has always been in the management of the 'surplus population'. Capitalist production necessitates having a section of the population unemployed and in competition with wage-laborers to ensure wages remain low and labor power never becomes too powerful. However, with the outsourcing of production to the Global South beginning in the 1970s and a general rise in automation, the size of this unemployed or under-employed population ballooned.

Capitalist managers of course ensured that it was non-white workers who would be disproportionately affected by the collapse of industry. With factories in communities of color often being the first to be outsourced, and neighborhoods most populated by people of color often being the ones facing the harshest austerity measures[4]. This expansion of the 'surplus population' required a corresponding rise in criminal justice measures to 'manage' communities affected by de-industrialization. For example, in the US Davis notes "the massive prison-building project that began in the 1980s" to concentrate and manage "what the capitalist system had implicitly declared to be……human surplus"[5].

The racialized and class-based nature of this de-industrialization has also been a key component in justifying this expansion of the criminal justice system. The 'law and order' rhetoric of politicians like Reagan had its roots in the 'Southern strategy' of using racist dog-whistles to create hysteria around crime in order to justify an expansion of heavy policing and punitive incarceration[6]. Expansion of Nixon's war on drugs cemented the racist and classist narratives still used to justify aggressive militarized policing today. Such policing helps fill the prison industrial complex, even when crime rates fall. This prison-industrial complex adds a further facet to the 'management' of the 'surplus population' with the expansion of prison labor giving corporations access to what is essentially slave labor.

This focus on policing and prisons means diverting public funds from social programs (which often help reduce crime by addressing conditions of poverty). As Davis argues, the criminal justice system generates "profit as it devours social wealth, and thus it tends to reproduce the very conditions that lead people to prison"[7]. The exploitation of prison labor also undermines the wages of workers on the outside, further exacerbating the poverty that leads to criminalization in the first place.

Whilst the U.S. is the most glaring and heinous example of such corrosive carceral systems, this trend of criminalization and racialized criminal 'justice' is not unique to the U.S. The sociologist Loic Wacquant notes that a common trend in the UK, France and the U.S. has been the justification of such carceral logics through a potent mix of political rhetoric and media narratives blaming growing social issues on "the (dark-skinned) figure of the street delinquent"[8]. This is well evidenced by Davis' observation that whilst U.S. homicide rates halved in the period between 1990 and 1998, coverage of homicide by major TV news networks tripled[9]. Inflating the threat of the 'criminal', a figure often used as a racist dog-whistle, helps to continue the justification of militarised policing and the prison-industrial complex.

In the UK this came with a conscious police strategy of 'over-policing' non-white communities, especially Caribbean immigrants. Thus, the 1970s saw a rise in British police targeting black communities with tactics like "mass stop and search, semi-militarized riot squads, excessive surveillance, unnecessary armed raids, and police use of racially abusive language"[10].

This racialized policing continues today with the disproportionate use of stop and search against people of color. Similarly, black people are four times more likely to have the police use force against them than white people. People of color are also over-represented when it comes to deaths in custody. When it comes to sentencing, research suggests that BAME [Black, Asian, Minority Ethnic—ed.] defendants often face significantly harsher sentences than white defendants committing similar offenses. This is especially true of drug related offenses where BAME individuals are 240% more likely to face imprisonment.

The colonial history of British policing is also informed by the British state's use of repressive policing strategies in Northern Ireland. For example, between 1970-2005 over 125,000 rubber and plastic bullets were fired by the police force, the Royal Ulster Constabulary (RUC), and the British Army. This resulted in 17 murders by rubber bullets including 8 children as well as countless injuries often including the blinding of victims. Victims were overwhelmingly catholic civilians. This history of colonial policing is often forgotten in the UK but it has been a key influence on the structure of the British criminal justice system.

An analysis of 'criminal justice' therefore reveals its historic roots in colonial capitalism and its continued role in systems of neoliberal capitalism and neo-colonialism. Its failure to solve the social problems it claims to address is clear, but of course the purpose of 'criminal justice' has always been the 'management' of marginalized communities. This coercive purpose is written into the very DNA of these systems.

The militarization of policing might be the strongest example of the influence of neo-colonialism and imperialism on criminal justice systems. Most clearly, this can be seen in the US where the surplus of tanks, Humvees and other weapons from the 'War on Terror' abroad have flooded into police departments around the country. The ranks of the US police are also disproportionately filled with the veterans from these wars[11]. If this wasn't enough to instill the attitude of the occupying invader, the military-style 'Close-Quarters Combat' training common in many police departments surely is[12]. More egregiously, many police departments in the U.S. receive training from the IDF, thus learning to replicate the military tactics of an occupying force. Such training is not limited to the U.S. either, the Metropolitan police in London have also received IDF training.

If as Michael Novick argues "fascism can best be understood as bringing the methods of imperial rule in the colonies into the metropole", then the growing militarization of the police both ideologically and in terms of equipment is a serious threat. As we face a new wave of global fascism which has manifested itself as a creeping tide of authoritarianism, the police's increasingly empowered role in the growing surveillance state cannot be underestimated. Reports suggesting deep links between the far-right and the police especially in the U.S. further underline this threat. In recent protests, Police have looked on with little response as growing numbers of far-right terrorists have attacked protesters. This all suggests that the threats of increasingly common far-right terrorism and militarized policing are part of the same trend of resurgent far right politics.

If all of the above isn't enough evidence that we cannot reform criminal justice systems, we need only look at the repeated failure of liberal reform programs. Police departments across the United States have had millions invested into educating police about racism and following proper procedure[13]. Stricter rules on procedure, like bans on chokeholds, have gone completely ignored. The effect of such reforms then has simply been more funding for policing with no de-escalation of police violence.

As well as diverting funds from social welfare, the carceral logic of the criminal justice system has also invaded these welfare systems. Angela Davis notes the "perilous continuity" between the way black and Latino men in the United States are disciplined in schools, criminalized on the streets by police and then treated in prisons.

A similar trend has been noted in French and British schools with programs that encourage schools to treat minor misbehavior as legal infractions, so that schoolyard squabbles become akin to criminal offenses. These programs are of course mostly aimed at schools in the poorest neighborhoods, which often means an overrepresentation of people of color too[14]. The most obvious out-growth of such logics has of course been the increased presence of police officers in schools.

A similar trend of growing carceral logics can be seen in the UK with medical staff, social workers and housing associations being asked to check the immigration status of patients and residents. Similarly, the Prevent program encourages teachers and academics to report students who display support for 'extremism'. Even school-children have been visited by police after expressing support for environmental activism and others have faced police questioning through Prevent for supporting solidarity with Palestine.

This means we must be clear about what kind of education, housing and healthcare projects we are advocating for when we talk about them as abolitionist alternatives to criminal justice. Clearly, the presence of carceral schemes forcing nurses and teachers to turn informant against the people they are meant to be helping must be resisted. There is also, however, a deeper need to make such projects democratically accountable to the communities they serve. A more democratic vision of such work is also more likely to be able to effectively meet the needs of communities; such projects could draw on people's understandings of their specific contexts to properly address issues and be

held accountable more effectively when they fail.

This means that the multiple solutions posited by abolitionists can broadly be categorized into three key areas. Firstly, removing police presence by defunding and demilitarizing policing, ending programs which inflict carceral logics beyond the criminal justice system, abolishing prisons, legalizing sex work and ending the war on drugs. It is important here to include immigration enforcement agencies in our definition of policing. Secondly, abolitionist demands require a shift towards investment into education, housing, food sovereignty, healthcare (physical, mental and social), restorative justice and other social programs as a broad range of solutions to social issues which the criminal justice system claims to address. Finally, all such measures need to be rooted in a move towards local self-governance and grassroots democracy ensuring that all programs are accountable to the communities they aim to protect and serve.

Many of these demands are derived from the long history of abolitionist work carried out by groups in the US and beyond. Such a movement has been able to draw on the historic experience of revolutionary groups, like the Black Panthers, with a long history of social programs supporting communities and resistance to the police.

More recently, campaigns like 8toAbolition have formulated such demands in an accessible way, outlining 8 material steps towards abolition in the US. And as Black Lives Matter protests have made it impossible to ignore the militarized violence of the police, abolition has suddenly entered mainstream political discourse. Minnesota's city council has moved towards disbanding their police department and cities like Los Angeles have promised cuts to police budgets. We are a long way from the actual implementation of such policies, but abolition should not be seen as an impossibly radical demand.

A key question that must be answered by abolitionists is of course that of community security, justice and self-defense after abolition. After all, social programs may greatly reduce crime rates, but they will not necessarily eliminate all conflict.

Here we can learn from the revolution in Rojava (Northern Syria), a movement based in direct democracy and the ideology of 'democratic confederalism'. The democratic system in Northern Syria is based on a confederation of neighborhood assemblies and communes with quotas to ensure representation for women and ethnic minorities, including parallel assemblies for women and minorities with veto powers. Key here is the application of such democratic principles to all areas of life including justice and security.

Communities elect the members of the Civil Defence Forces (HPC) who will serve in their neighborhood and can remove these HPC members when they go against the wishes of the community. HPC membership rotates so that as many people as possible have some security training with the ultimate aim of fully abolishing policing (a difficult task in the context of civil war and an ISIS insurgency). HPC members also undergo regular criticism sessions where community members can air any complaints or criticisms they have. Such methods ensure that community security becomes a collaborative process whereby no-one can become too powerful thanks to processes of democratic accountability. Such a model provides a concrete image of what security beyond policing could look like.

Similarly, the justice system in Rojava takes a communal and democratic approach. This includes a strong emphasis on restorative justice, a justice process focused on dialogue between victims and perpetrators to help offenders understand the impacts of their actions and work out an appropriate way to make amends to their victims. Trials of restorative justice across the world have often reported higher levels of satisfaction with the outcome of the process for both victims and

perpetrators than with conventional criminal justice procedures. In Rojava this has also included specific support for marginalized groups. For example, issues of domestic and gendered violence are handled by women's groups specifically.

There are many similarities between these democratic structures for security and justice and those proposed by Kali Akuno for the specific context of black communities organizing in the US. The *Handbook on Organizing New Afrikan and Oppressed Communities for Self-Defense* lays out an exhaustive example of how community self-defense could be rooted in democratic structures with specific provision for the protection of women's rights and LGBTQ rights through democratic organizations and educational workshops for communities. The key difference here perhaps being the specifics of organizing in a context where self-defense against white supremacist violence, and state repression by the Police and intelligence agencies is of vital importance.

Clearly this anti-capitalist vision of abolition means abolitionist work would need to be part of a broader political effort to overcome global capitalism. The integral nature of the criminal justice system under capitalism means it is unlikely that a full abolitionist program would be achievable under capitalism. However, as recent events have shown, this does not mean that abolitionist demands should take a backseat. In fact, they appear to be a key part of the puzzle when it comes to building radical infrastructure and fostering belief in the possibility of a better world beyond capitalist modernity.

Such examples of abolitionist politics provide us with a potent political argument for why a world without policing is a real possibility. More than that, it is an urgent and pressing part of any anti-capitalist project. Abolition, then, has a clear structure of demands and workable alternatives that are sorely needed. Defunding the police and diverting funds back to social welfare is a good start, but that should only be the beginning. Change will require a concerted abolitionist agenda dedicated to alternative visions of justice and security. Essential to such change will be broader struggles for increased local and economic democracy.

Policing and the wider criminal justice system thus have a long history as an integral part of capitalism and colonialism. That history informs their continued function of 'managing' marginalized communities who might resist the expansion of capital, especially in the case of post-industrial 'surplus populations'. This function explains the repeated failure of attempts to reform the system and the need for abolitionist alternatives. There are already a growing number of concrete examples of how this might look that can be drawn upon by movements that stand a real chance of delivering change with today's political climate radically opening up discussions about a world beyond policing.

Notes

[1] Angela Y. Davis, *Are Prisons Obsolete?* (Open Source Media 2003) Pg 44

[2] Louk Hulsman, 'The Abolitionist Case: Alternative Crime Policies' (1991) Israel Law Review, 25: 681-709

[3] Angela Y. Davis, *Are Prisons Obsolete?* (Open Source Media 2003) Pg 109

[4] Jalil Muntaqim, 'The Criminalization of Poverty in Capitalist America' (1996) in Joy James (Eds), *The New Abolitionists: (Neo) Slave Narratives and Contemporary Prison Writings* (State University of New York Press 2005) Pg 33

[5] Angela Y. Davis, *Are Prisons Obsolete?* (Open Source Media 2003) Pg 91

[6] Katherine Beckett and Bruce Western, 'Crime Control, American Style: From social welfare to

social control' in Mary E.Vogel (eds), *Crime, Inequality and the State* (Routledge 2007) Pg 168

[7] Angela Y. Davis, *Are Prisons Obsolete?* (Open Source Media 2003) Pg 17

[8] Loic Wacquant, *Punishing the Poor: The Neoliberal Government of Social Insecurity* (Duke University Press, 2004) pg 3

[9] Angela Y. Davis, *Are Prisons Obsolete?* (Open Source Media 2003) Pg 91

[10] Coretta Phillips and Ben Bowling, 'Racism, Ethnicity, Crime and Criminal Justice,' in Mary E. Vogel (ed), *Crime, Inequality and the State* (Routledge, 2007) Pg 378.

[11] Alex S. Vitale, *The End of Policing* (Verso Books, 2018) Pg 15

[12] Alex S. Vitale, *The End of Policing* (Verso Books, 2018) Pg 20

[13] Alex S. Vitale, *The End of Policing* (Verso Books, 2018) Pg 19

[14] Loic Wacquant, *Punishing the Poor: The Neoliberal Government of Social Insecurity*, (Duke University Press, 2004) Pg 35