

# COMMUNITY BASED LAW: COMMUNITY BASED SOCIETY

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Dave Brown's paper on Policing (prepared for the ALWG co-ordinating committee, 20.5.82) raises crucial 'structural' questions that tend to lurk behind all 'issue' campaigns, such as the issue of police verbal. How are any gains from such campaigns to be consolidated and how safe are they? Is the effort put into the campaigns worthwhile if there is no structural change so that the same type of issues will not recur? These questions are relevant to activists in all fields, not just the law.

As regards policing, Dave Brown proposes "bringing the police under some form of local democratic accountability", having noted Russell Hogg's criticism of specialised, central squads that are even less accountable than most. He looks at the U.K. police committees and then proposes such a committee in the Redfern area, "to monitor the activities of the police. The committee to be initially set up by popular pressure from within Redfern, rather than by governmental or council appointment." He then lists the various community organisations that could participate in the committee and gives a theoretical defence to revolutionary criticism that might oppose any such constructive developments within the present class and power structure.

This latter point had been dealt with, more broadly, by Lenin, in his critique of the "infantile disorder" of the left that did not seek to make use of existing albeit reactionary, structures. (V.I. Lenin- Left Wing Communism, An Infantile Disorder). Of course Lenin intended the use to be revolutionary, rather than simply functional. However these two are not irreconcilable. Community based projects - in security, education, housing, production of basic goods and services - can all be revolutionary models and educational experiences of the highest order.

For instance, economic co-operatives are difficult to establish and maintain (as co-operatives) in the present corporate-dominated environment. Many institutional pressures work against them; yet attempts to develop them may

have practical benefits in the political lessons they provide and in their presentation of real and viable alternatives to people in general.

Of course the problems involved - in 'going against the flow' - should not be underestimated from the start.

Similarly, while the construction of a community-controlled policing system, through unit-development, will face tremendous opposition - and could not hope to transform the police force from the instrument of class power that it is, to something else, without a parallel political movement - the attempt could be educative and valuable.

A fundamental political problem, which Dave Brown notes, is that, while decentralised control may lead to greater community accountability, it can also lead to control by "corrupt and right-wing" cliques. Likewise, it can lead to the destruction of common and minimum standards. Witness the existing practice of NSW jail superintendents being given administrative 'autonomy' in their own jails. This is a colonial relic (the superintendents still call themselves 'governors') which allows a proliferation of arbitrary regimes (this is an issue the Nagle Royal Commission did not attack) each with its own administrative practices and repressions.

Similarly, in attempting to establish community-controlled police, we don't want different treatment under law, according to the local power clique. A sobering example of the danger of this is the April 30 Calcutta massacre of 17 Ananda Marga monks and nuns, by the ruling stalinist CPM, while local police stood by. The local police were controlled by the local CPM branch, which has long resented the growing AM and Amra Bengali (the AM-backed political movement in West Bengal) support in 'their' area.

A similar proposition could be put up for education, to further illustrate the general problem involved. There is a lot to be said for community-based schools, where co-operative efforts utilise community energies and provide a fuller education for the children.

But educational standards can't be left to local schools, nor should the position of teachers be over-borne by non-teachers. The 2/3 elected - 1/3 professional committee that Dave Brown refers to in the U.K. context may also be relevant here.

The basic trend in a capitalist society - i.e. where there is not collective control of the dominant capital - is for economic power to be (privately) centralised. (The stalinist trend is somewhat similar.) This dominant economic trend creates 'vectors of power' along which other trends begin to run. Things such as urban development and specialised police squads - and alienation of the mass of people from social structures - tend to increase.

But political centralisation - to the extent mentioned in the above examples - also has advantages. What is required in each case, and overall, is some synthesis of collective interest (law and control of standards) with community/co-operative structures. This implies the existence, in addition to the community organisations and co-operatives, of a 'benign state'. Under a capitalist state all community-based organisations will find existence a struggle. But to work at building these structures at all levels of basic needs - co-operatives for production, housing, education, health security and so on - will certainly radicalise those who come in contact with them, and will make people more aware of their existence as a community and the real possibility of gaining greater control over all aspects of their lives.

