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WROL IRL

What does justice look like in a world without police, without jails? This question should be familiar to anyone who has spent time in leftprogressive circles in the last decade. But it’s also a question urgently pondered by right-wing militias and end-times “preppers.”

In prepper lingo, WROL (without rule of law) signals the shift in a doomsday scenario from mere emergency to a situation where the ordinary function of the state, the state of law, has ceased to exist—a change of circumstance that requires a new survival strategy and a new moral framework. The online quiz “How Prepared Are You?” from the hit television show Doomsday Preppers begins by inquiring how many barrels of water, cans of food, and energy sources you have and seques seamlessly to enumerating your firearms, rounds of ammunition, and yards of razor wire. WROL is a fantasy logic that approximates a practical moral philosophy: What are you prepared to do in the face of transgressions against you? What will you do to protect your own safety, your community’s safety, your community’s resources?

WROL imagines a transition to statelessness that works like a light switch, from on to off. In case of emergency, break out alternative moral framework. But in real life, the absence of rule of law—or at least a compromised faith in the police’s ability to uphold the law—is already here, just spread out unevenly. NAACP co-founder Ida B. Wells famously wrote in the 1892 pamphlet Southern Horrors: Lynch Law in All Its Phases that “a Winchester rifle should have a place of honor in every black home, and it should be used for that protection which the law refuses to give.”

One mainstream Western political tradition, proposed by Hobbes and elaborated by Weber, commonly understands the “monopoly on legitimate violence” as one of the fundamental features of the state. This monopoly is what protects us from random violence and the tyranny of “might makes right.” It allows us to exit the cycle of retribution and devotes our energies to more productive enterprise. It is, some argue, the fundamental good that the state provides. But what happens when the state’s legitimacy, and the legitimacy of the police as agents of the state, fall away? We are in the process of finding out.

The text you are reading is a kind of literature review for an ongoing research project, WROL IRL, inquiring into the many parallel and intersecting strands of what we call “post-state logic” developing in the United States. This visual exploration of memes is intended to look at the process of creating and imagining possible justice systems, both “post-state logic” developing in the United States. This visual exploration of memes is intended to look at the process of creating and imagining possible justice systems, both

Wild. We hope to offer readers/viewers a window into very different conversations about community justice, sovereignty, and life WROL. We believe that the growing appeal, legitimacy, and practical detail of these imaginaries reflect the urgent and current aspiration to build a world without (any longer) believing in the state.

The ideas and approaches to community justice we are interested in are scenario driven—that is, they are not elaborated as top-down principles but imagined as specific responses to conflict. In some cases they are highly practical guides; in others, highly fictional what-if scenarios, and very often strange mixes of the two. They are not political theory as Hobbes or Locke might have written it, but they imply serious ideas about the role of the state, the obligations of a community towards strangers, and what constitutes an appropriate use of violence.

**Breaking The Cycle With The Circle**

Hostility to the police is an American evergreen, at least in terms of the counterculture. But the heightened public visibility of police killings and the urgent social movement response has catapulted a formerly fringe idea—a world literally without police—to a surprisingly broad new audience. The public responses to the killings of 22-year-old Oscar Grant by an Oakland public transit police in 2009 and 17-year-old Trayvon Martin by a Florida civilian in 2012 quickly moved from local to national. While fighting against police brutality was a consistent commitment of Civil Rights and Black Power organizers for decades, the more recent activism of groups like Copwatch and the National Police Accountability Project in the 1990s has built an infrastructure for today’s movements. Instances of police murder of unarmed civilians like Mike Brown and Eric Garner in 2014 led to a further widening of the awareness that many communities have had for too long—that police, far from being protectors, are themselves primary threats. From there, #BlackLivesMatter and #SayHerName became global movements. Pop stars like Beyoncé offered their platforms to the mothers of victims in an effort to highlight the social and familial dimensions of these traumas. In 2016, it was not uncommon to hear “police abolition” added to the list of possible solutions, next to “increased accountability,” “body cameras,” and “more training.” Mainstream publications like The Atlantic and The New York Times began running articles and op-eds urging citizens to avoid calling the police.

With police abolition come efforts to knit together and promote public-safety alternatives. Initiatives such as Cure Violence in Chicago, founded in 1995, have brought a public-health approach to the problem of gang violence, and entities ranging from the U.S. Department of Veterans Affairs to activist groups like Iraq Veterans Against the War (founded in 2004) have sought to address the impact that those suffering from combat-related post-traumatic stress can have on their communities when they return. The acceptance of concepts like intergenerational cycles of violence has prompted experimentation with new approaches to justice outside of conflict, punishment, and vengeance. Critics of mass incarceration have mounted an increasingly accepted analysis of the failure of prisons to break the cycle of violence has prompted experimentation with new approaches to justice.

ATTACKING THE CYCLE

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For most among these public-safety alternatives are the practices contained beneath the banner of restorative justice (RJ). Kay Pranis, a national leader who has served as the restorative justice planner for the Minnesota Department of Corrections, defines it like this:

Restorative justice is a philosophical framework which has been proposed as an alternative to the current way of thinking about crime and criminal justice. Restorative justice emphasizes the ways in which crime harms relationships in the context of community. Crime is viewed as a violation of the victim and the community, not a violation of the State. As a result, the offender becomes accountable to the victim and the community, not the State.

In practice, RJ often involves the creation of a “circle” in which those who have harmed and those who have experienced harm come together with the goal of breaking cycles of conflict. In contrast to traditional justice systems that focus on guilt and responsibility, RJ hinges on questions like: Who has been hurt? What are their needs? Whose obligations are these? What are the causes? Who has a stake in the situation? Of course, RJ is not a new idea. Its modern rise is typically pegged to a 1974 case in Kitchener, Ontario, in which two teenagers were required to meet with and pay restitution to the owners of property that they had vandalized. Practitioners of RJ frequently draw upon much older inspirations, from 16th-century Mennonite practices to the healing circles codified and popularized by the Hollow Water First Nation. Regardless of origin, RJ is now mainstream in North America, endorsed by the American Bar Association, in hundreds of school districts, and built into formal alternative-to-incarceration programs in more than thirty states.

**Little Wars**

If one end of the spectrum of post-state logic suggests a world without the need for violence or retribution, the other sees a world where violence and preparedness for it are fundamental. In the winter of 2015, white militias occupied U.S. government-owned land in Oregon under the explicit banner of opposition to federal law. One of the members, LaVoy Finicum, was shot and killed in a standoff with government agents, becoming a martyr of the movement. Finicum’s end-times novel, Only by Blood and Suffering: Regaining Lost Freedom, is now a touchstone for many rural Westerners resisting the “yoke” of the federal government. The novel imagines a world overrun with gang violence in which its protagonists have no choice but to band together to protect their kin and create a heavily armed new society. They fend off, at first, gangs of random thugs and, eventually, opportunistic politicians. Among the greatest killers in human history . . . Governments, not just the wars they spawn, kill people with efficiency and dispatch. The counterargument, that without those governments people would run amuck, plunder, and kill one another, is less convincing to me than the long-observed and mortal facts of state warfare.

So, I have decided to sit out the next national or global war. But I will not sit out little wars. If, for example, war breaks out between Berkeley and Jefferson counties over our creek and the shooting starts—though I doubt it will since my neighbors are marketers, not warriors—I will shoot back . . . I think some neighborhoods in Washington D.C. realize this; they know that if they were more heavily armed they might be safer. They could defend themselves better, and they “should” defend themselves. The defense of the place where you have your good life is a reasonable responsibility, one that you should at least be prepared to carry out. I also think that Robert Heinlein was right: an armed society is a polite society.

The fantasy is seductively expressed by Hess: Reduce your circle of concern to a manageable size—your family, friends, and neighbors. Remove the indignities and absurdities of federal law—from foreign wars to the Endangered Species Act—and what remains is pure noblesse: the obligation to protect your loved ones, no matter what.

**The Golden Rules Of End-Times Empathy**

Compare Finicum’s Only by Blood and Suffering with another work of end-times fiction with a devoted cult following. Octavia Butler’s Parable of the Sower, published in 1993, has renewed its purchase on the progressive imagination in the age of Trump. Its fantasy of societal breakdown, drought, wildfires, and racist mobs feels uncannily plausible today; her follow-up book, Parable of the Talents (1999), even features a nominally Christian American presidential candidate who promises to “make America
great again.” Butler’s writing has become a touchstone for progressives trying to imagine their way forward from now. The plausibility and rationality of end-times planning is here and demands answers: How do you build community in times of extreme fear? What are the limits of our ability to trust one another?

Butler’s novel, like Finicum’s, opens with marauding gangs overtaking a gated community and goes on to follow a group (importantly, not connected by blood) that must learn to survive in a hostile environment, undergo rigorous training in self-sufficiency, and face a variety of moral choices about the use of force. But here the story lines tellingly diverge. Parable of the Sower’s politics grow from the familiar ground of restorative justice: Correct action extends from empathy and imagination. How well can we imagine the needs of others or the consequences of our own deeds? Parable’s protagonist, Lauren Olamina, is blessed and cursed with a “superpower” in the form of telepathic empathy—she feels others’ pain and pleasure almost to the point of disembitation. It is that unique quality that guides their group, though not to freedom.

The moral imagination and empathetic reasoning can also extend in other directions. The blog Prepared Christian frequently poses the ethical questions inherent in the WROL mindset through highly detailed and violent what-if scenarios. In one post, Prepared Christian writes:

In reading the book Facing Violence: Preparing for the Unexpected [one I would recommend highly as a preparation for the realities of ... what people very well could and would be like following a major disaster/period of civil decay] the author is speaking about determining our capacity for dealing with violence and, in turn, inflicting violence on others to protect ourselves/ the ones we love. He speaks of determining, ahead of time, your capability vs. Your capacity. The example he uses is that of a person coming at you with a butcher’s knife. They have the intent, means and opportunity to kill you. You have nowhere to retreat, but are armed. This is a shoot/no shoot scenario. The question is do you shoot? Are you OK with shooting the person and killing them? Now, change an element. The threat is twelve years old. Do you still shoot? Kill? Are you okay with that? If the threat were six years old? Four? A woman? A pregnant woman? A mentally disabled person who can’t realize what they are doing? Your own spouse? Your own child? What if the threat’s toddler children are watching? What if cameras are rolling? The threat is the same—even a four-year-old with a big knife can kill and there are no degrees of dead. Do you feel the same about all of those scenarios? I don’t. Even knowing full well how dangerous a knife is and how many people die from overconfidence I would have a hard time shooting a child. I might feel differently about the other scenarios but would act the same—I would just feel worse about it later. Think about this. Explore it. Listen to your gut feelings before you try to logic it out. When you do try to logic it out, pay special attention to when you are rationalizing—when your logic is serving not to make the best decision but to justify the decision that your gut wants.

Or consider a YouTube video titled “Prepper Code of Ethics,” which the maker, whose username is Bruce Wayne, describes as “A prepper’s compass for navigating through an ethical forest.” The proposed code is:

1. Do not steal, unless it is truly needed for sustaining life.
2. Do not kill, unless there is no alternative.
3. Practice defense, not offense.
4. Do not vandalize or pillage others property.
5. Do not obstruct or infringe operations at a hospital or care facility.
6. Do not damage or disable life safety systems.
7. Protect innocence whenever possible.
8. Do unto others as you would like done unto you.
9. Do not take advantage of the weak.
10. Create order from disorder.

This is the Ten Commandments modified with caveats, and it is, of course, the caveats that matter in the end-times. Still, it is fascinating to inhabit this limited empathy for a time. What do killing and stealing only when necessary look like when applied at scale? Bruce Wayne’s video is littered with comments, many of which extol his list and praise #8 in particular. While nearly every religion or culture has some theory of reciprocity or the “golden rule,” there is substantial debate about the details. Anthropologist David Graeber explores this concept, which he terms “baseline communism.” He applies it to everything from sharing information in an impersonal setting to sharing food in a more familiar setting and the reasonable expectation of a stranger saving a drowning person or helping a fallen child. What unites these divergent fantasy ethics is the conviction that a morality enforced by the government, or even the church, has ceased to exist. We now need something else, maybe as a contingency plan, maybe right this minute.

(I Don’t Need To) Imagine No Police

Leftist groups are increasingly fascinated by forms of collaboration and conflict resolution that bypass the government. This way of thinking is well represented by the writings of activist Cindy Milstein, political scientist James S. Scott, and Graeber; the enormous interest in the consensus process of the Occupy movement; the Spanish municipalists; and the ever-present slogan “Be the change you want to see.” Such practices are often collected under the heading of “prefigurative politics.” We call attention to a parallel right-wing strand—what could be called “postfigurative politics”—which hopes to push conditions of disrepute to the brink of destruction, with the faith that “restored freedom” will emerge from the ensuing chaos. Despite their differences, both sides grapple with the challenges of how a community can exist and thrive without the rule of law.
Jill Leovy’s book Ghettoside makes the case that many black communities in America don’t actually need to imagine this. They have lived without real police protection for one hundred years (or more). But rather than gang violence manifesting as an anarchist utopia of “little wars,” the situation has produced suffering. Leovy writes:

Black America has not benefited from . . . “state monopoly on violence.” . . . A monopoly provides citizens with legal autonomy, the liberating knowledge that the government will pursue anyone who violates their personal safety. But slavery, Jim Crow, and conditions across much of black America for generations after worked against the formation of such a monopoly. Since personal violence inevitably flares where the state’s monopoly is absent, this situation results in the deaths of thousands of Americans each year. Leovy recalls Hortense Powdermaker’s anthropology of law and vigilantism in Jim Crow-era Mississippi, where killers of black people were convicted at a fraction of the rate of killers of whites. She notes further that the same disparity prevails half a century later in L.A.: “30 percent then versus 36 percent in LA County in the early 1990s.” When we imagine “no police,” the context matters quite a bit.

All of these prophecies about life in end-times are self-fulfilling. What we enact in the absence of law follows from what we have been taught to prepare for and what we believe others will do. Whether or not we’re actually approaching end-times, we are contemplating it very seriously. We see two strands developing, one derived from a closed and determinate system of kinship that views morality as protecting the family while minimizing harm to others. The other is based on radical empathy, exploring the limits of who can be absorbed into a meaningful bond. If we imagine these movements as a kind of landscape of post-state thinking, the next question is: What happens within the borders of this landscape, where these ways of thinking interact? The protagonists of Parable of the Sower and Parable of the Talents do not end up evading violence, and they do spend a substantial part of their lives enslaved by white supremacists. Is this what happens when you join the imagination of restorative justice to the imagination of a LaVoy Finicum?

In the context of Walls Turned Sideways, we emphasize our respect for the daily and immediate activism attempting to change the conditions of mass incarceration and reentry for the formerly incarcerated. In WROL IRL we step back from that work to ask questions about the “after”—what might emerge beyond prisons, beyond police, and what can be done to make it better than what we have now. Keep up the conversation at little-wars.tumblr.com.

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