

No Monsters in the Wild

Our biggest misbelief and perhaps mistake in the fight against crime in Jamaica is that gangsters are monstrous and cancerous anomalies in our construct that must be violently removed in order to achieve a peaceful society. The very same class of people that we have resigned to being bush creatures that we must keep our gates shut or citizen associations alerted against as if they reside in our nearby bushes and alight from same with the sole purpose of terrorizing and disrupting our otherwise eutopia. It would be reckless if I did not add this caveat that the opinions expressed herein are by no means absolute or backed by a conclusive study.

This ignorant approach to crime management has caused successive governments to wage wars against gangs rather than undertaking a more clinical study as to how we can reduce the need for these informal groups as if we are merely carrying out pest control exercising; labouring under an unending order of nature that gang control is synonymous to pest control. Perhaps, the only similarity between the two is that they seem to fester wheresoever there seem to be a fowl disintegration or rotting of structural foundations.

In fact, we have become ignorant to the correlation between assertive (aggressive) policing and the flare up of community-based gangs. By definition, a gang is.

1. a group of persons working to unlawful or antisocial ends *especially*: a band of antisocial adolescents, or¹;

1

2. a group of persons having informal and usually close social relations, or²;
3. a group of people who regularly associate with each other with a common purpose³.

Members of gangs in Jamaica are usually from the same community organized with a common design which is heavily debatable and far from absolute. Given the last statistic provided by the Jamaican Government, there are three hundred and eighty-nine (389) criminal gangs currently operational in Jamaica. The harsh reality is that they spring as a community defense against crime almost as prevalent as ‘pardner’ has sprung as a socio-economic response to financial inflexibility. Both means to an end in depressed communities facing hardships. There must be a common design or sustenance in the formation and maintaining of gangs that derive whether immediate, medium term or long-term benefits to these gangsters.

Lastly, in that expansive consideration, why do our people feel the need to engage in criminal activity as a group and to what end can it be justifiable. Criminal in the sense that their activities and operation are wholly or in part against the laws of the country and generally accorded to law enforcement personnel; the carriage of high-profile weapons, the enforcement of set rules and the maintaining of law and order. Quite ironically, it would seem as though the common design is to create peace and safety, if even for themselves and their community. An even greater paradox being the person most likely to understand their active rebellions plights usually stands at the next end of their pistol barrels.

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The time has come for the government to explore this consistent deviation from the formal system which only exist in almost all forsaken communities. Are they really making society their victims or are they victims of society? I must pay homage to the late Ian Boyne who wrote;

‘Criminals are human beings, after all. Human beings are not just biological specimens. They are creatures of history and society. They are created not only by God, as religious people believe, or through natural selection, as naturalists believe. They are also created by society. They are created by us. And then, when some go rogue, they are destroyed by us.’⁴

Though sociological research has proven a negative correlation between increased social investment and gang activities, it is far from conclusive that the modus operandi of these informal organizations is the appropriation of scarce resources.

As written in a study conducted in “The Socio-economic determinants of Violent Crimes in Jamaica”⁵;

“Some incidents of crime are not explained by the model and will happen whether or not the standard of living is improved as a result of factors outside of this model’s purview. The model has considered, however, those incidents that may be avoided once those in power, in partnership with the society, engage in activities and projects that enhance life for all citizens rather than allow the feeling of marginalization or inequality to occur in any sector especially critical ones such as education or healthcare.”

An investment in education cannot be understated and our education system must be representative and reflective of indoctrinating the best, time and most appropriate principles and sciences (body of knowledge” that can prepare our youngsters to operate and cope cohesively in society. Given

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the persistent deterioration in our social fibre where crime prevention and the offspring of informal organizations is concerned, it is indeed alarming that we have not instilled in our curriculum disciplines which instill the importance of peace and proper conflict resolution. Just maybe, it would be useful to use our own gangsters and their intimate plights as historical examples in our own history books rather than allowing our youngsters to be condemned to the very same inevitable faith of ending up a criminal statistic.

According to section 2 of The Criminal Justice (Suppression of Criminal Organizations) Act of Jamaica a criminal organization means;

“any gang, group, alliance, network, combination or other arrangement among three or more persons (whether formally or informally affiliated or organized or whether or not operating through one or more bodies corporate or other associations.;

- a. that has as one of its purposes the commission of one or more serious offences; or*
- b. in relation to which the persons who are a part thereof or participate therein (individually, jointly or collectively) issue threats or engage in violent conduct to*
 - i. create fear, intimidate, exert power or gain influence in communities or over other persons, in furtherance or unlawful activity; or*
 - ii. obtain, directly or indirectly, a financial or other material benefit;*

but does not include any combination or arrangement among three or more persons, whether. Formally or informally organized, acting in contemplation or furtherance of an industrial dispute within the meaning of The. Trade Union Act.⁶”

6

For such a long and well coined definition, if strictly followed, it would not appear strange the reason the courts have not treated same with any sense of impunity in balancing the scales of justice for persons charged under this legislation and it is quite indicative of both the complexion of gangs in our society and the society itself.

It cannot be said conclusively or stated unequivocally that the nature of gangs that we have in Jamaica has enlisted as one of its purpose the creation, commission or perpetration of serious offences. Further, and maybe more importantly, under arguably our gangs are not so intent on creating fear in communities but aligned by the common yet informal means of dealing with fear as a group itself. We must now ask ourselves, after deeper considerations, whether or not the gangs that operate within our society are orchestrated to create (drive) fear in communities or consequentially formed as a means of dealing with the fears that already exist in socio-economic communities within our country.

Fear in the current context being;

“an unpleasant often strong emotion caused by anticipation or awareness of danger”⁷.

If it is that our gangs are being formed to create fear, by the definition of fear itself, it begs the question of what awareness of danger or anticipation exist in the minds of our gangsters that would create the need for their united and informal organization as a reaction.

In the current context, we would have mischaracterized these organizations, or some at least, if our legislators envision them being instituted for creating fear when it naturally appears based on some of the most prevalent “ghetto realities” that these gangs are misdirected means of self-preservation. It would be an injustice to this article if we were not to consider for a moment the “awareness of danger” that present themselves to these informal gangs and the “fears” which would spark the interest in these “informal organization” or gangs in our communities. For the purpose of this piece, I have found it necessary to break down fear into three break categories: direct fear, consequential fear and impulsive fear. These three categories of fear are prevalent and persistent elements that drive the creation of gangs.

Direct Fear

Direct Fear (Rational Fear) occurs when there is a real imminent threat or danger. Given that our garrison communities are closely knitted together in Jamaica often time delineated by a cook shop, lotto shop, lane or bridge, when territorial interests become conflicting, the fear that one side cannot be “completely” safe once the other side still breathes on the opposite side of a fence does fester consistent animosity and arms attacks on each other in a bid to secure personal or communal peace. This level of direct fear, juxtaposed by sling shot reprisals, have catapulted gang violence into a lifestyle and means of self-preservation rather than what the legislation in its limited purview considers to be a “group purposed on the creation of one or more serious offence”.

No doubt that gangsters keep tallies of body counts and tear drops but that isn’t unique to the informal gangs solely within our societies and the formal gangsters are quite guilty of the same body count tallying. However, the deficiency of the police force and the persistent need for

personal and communal safety are cornerstones to the transition from fully integrated young men in communities to being considered monsters in the wild.

If we lived in a perfect society where those living in socio-economic conditions can sleep. On their verandahs peacefully knowing the presence of the police in their communities is such that would deter and/or curtail the creation of crime and violence thereby threatening their personal safety, what would therefore be the purpose of these gangs. Maybe, the government should consider offering them formal training and an integration programme whether informal community policing agents may join the formal policing force. Adapting them to formal rules of engagement and the recording and proper prosecution mechanisms for crimes within our communities.

Consequential Fear

Consequential fear is quite self-explanatory. The fear of a result and its adverse effect on the subject's life, liberty or property. This considerably affects those in socio-economic conditions to a lesser degree. Now that the gangsters or by now societal monsters have aligned themselves with others of like mind, the "informer fi dead" culture seemingly isn't enough to shield members from their newfound lifestyle of criminality and its peripheral felonies that comes with the job and territory. To a smaller degree, many persons are murdered in our society in total fulfillment of a no witness rule to prevent the likelihood of prosecution which would naturally follow if there were to be a formal investigation into the matter.

In this instance, whether it be larceny, rape, murder or whatever offence that can be punishable by imprisonment, there is a low tolerance for witnesses in our society that has hardened our gangsters

to disenfranchise innocent bystanders of their own life in a bid to protect any threat to their personal liberty.

Impulsive Fear

This category, I believe, represent the least operative in the context of our society. It is simply described as an instantaneous apprehension and anxiety in hostile circumstances. When in terse and uncontrollable circumstances it is not unnatural for us to react as human beings by such means that we believe would best protect our interest in the flash of a moment. This impulsive fear is usually the spark to set off any flammable circumstance.

It is, often, the reason, the draw of short words, the final straw on the camel's back or the final (punitive yet symbolic) act might cause a circumstance to descend into absolute chaos in the blink of an eye.

In understanding these three basic types of fear, would certainly assist us to develop the science necessary for us to tool the necessary disciplines in our secondary education facilities and rehabilitation centres for the benefit of our students and prisoners, especially the young men.

Lest we forget, it was the women and children who filled the streets in the standoff against the police during the attempt by the law enforcers to effect the extradition of Christopher "Dudus" Coke. Many would believe that they were coerced in such move but in the very least we cannot dispute that rather than feeling oppressed by him and the showa posse gang, they felt protected by it and the operations of that institution.

If we were to decommission such traditional gangs, it would take a strong resocialization exercise by the government to integrate the entire community to utilize state instated agencies as an

expression of their personal lifestyles; a function which traditionally, for them, which was marshalled by the traditional gangs within their societies.

Need for Personal Protection

On the same stream of facing fears and becoming apprehensive and in the blatant face an “awareness of danger” with a dash of a lifetime in crime plagued communities, what avenue has the state created or regulated for these youngsters to protect (defend) themselves. Is it so reliable and effective for them to call the police each time they feel so violated with a natural expectation that the police will respond immediately? No. Therein lies another vacuum/ void between what we theorized as a well-structured society and ghetto realities.

This void is further fueled by the societal means approach we have taken, without being cognizant of our innate prejudices, to the issuance of licensed firearms. It is easier for you to get a licensed firearm with a criminal record than a ghetto record. An undesirable address is a life sentence against what is considered a constitutional right in many first world territories.

Why is it that you obtain a firearm in Jamaica, you are almost required to sell your first-born child, give a blood offering and prove royal lineage? This has only normalized the market in the informal community for unlicensed firearms. Further, all hopes of ballistics tracing has been dashed by denying adult tax paying citizens the right to bear arms on the basis that they would have been paying lesser tax than in middle class or upper-class communities. It is almost as if we are creating the jungles and complaining about their existence.

I believe, we need to move from a place of requiring applicants to prove that they are fit and rather grant access to same unless proven to being unfit. One simple consideration for being unfit is if the applicant suffers from some mental illness. This shall not operate in a vacuum and must be

taken together with the regulators current authority to seize firearm permits where there is a criminal investigation. I have no doubt nor waived assurance that the courts will play their part in instances of illegal possession of firearm matters – which by our laws even licensed firearm holders can be charged if found to be using such firearm contrary to the firearm user's guide. Until we can re-regulate some of these colonial prejudices, we may never be able to tame the jungles that are being created outside the gated communities.

I will never forget when I was part of a University summer team that is mandated to drive educational syllabus in inner city communities. Around 7 years ago I was assigned to the tavern community in August Town and my students were between the age group 13 and 19. We targeted mainly dispossessed youngsters to see how best we can impact their lives in positive. Recognizing that mathematics was completely foreign to them, I requested through the supervisor to change the discipline to English. Literature as I believe it was a better means of impacting them since they had obvious difficulties expressing themselves on the first session that we had. The second time around I asked them to write anything on their mind, whatever they would like, it was quite strange that they all wrote either about life in the ghetto or police abuse. They all can't be "pathologically mendacious" and imaginative in that regard and it would cause you to immediately question whether the inter-relation that the police develop in inner cities were significantly different from that of any other class of citizens within our society; especially the more formal settlements whether created for middle- or upper-class citizens. Lest we forget, squatter settlements are part of our deep history in Jamaica whereby emancipated slaves would occupy large parcels of lands and further break them down into sub parcels to form residences. In the city of Montego bay, for example, very few know that the community of Granville is one of the first places emancipated

slaves would resettle. Different missions and even political directorates overtime would like appropriated or purchased lands for the benefit of this class of people; a misstep which is so difficult to re-formalize today. The simple answer to this question has to be yes. I cannot recall as a defense attorney the last time a warrant was presented in a ghetto community for any invasion of personal homes. Next time, I will seek to examine this relationship and interplay and how it contributes to the current deficiencies in trust and law enforcement and providing a fertile environment for these informal groups; gangs.