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Errico Malatesta
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Anarchists and the Law
30 May 1897

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The Duty of Resistance

Anarchists and the Law

Errico Malatesta

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There are huge disparities in economic circumstances, political liberties and civic status between the proletariats of the various countries around the world. And *our* Italy occupies one of the lowest rungs. Few countries are as afflicted with poverty, few have a government so given to brazen prevarication or so ferociously thuggish—and none dispatches out into the world so many offspring who, being used, in their homeland, to a way of life that looks brutish to workers elsewhere, then compete with the native workforce, bringing hatred and contempt down on their own heads.

What did we do to earn such a dismal primacy?

Elsewhere, as in Italy, society is founded upon the individualistic principle of man versus man and class versus class, so there is a constant tendency in the direction of growing tyranny by the few and slavishness for the many. The institutions are essentially the same everywhere; private property and government are everywhere. So how come the consequences in Italy are even more disastrous than elsewhere?

Because in Italy people do not resist—and resistance from the people is the only boundary set upon the bullying of the bosses and rulers.

In Italy there is no resistance—and there is no resistance because the spirit of cooperation, of association is missing. The Italian reacts violently, overly so, to personal insults received from one of his peers; yet he supinely endures the boss's arbitrariness and the constable's bullying, because, left to his own personal devices, he feels powerless to resist the very person who can starve or imprison him and he winds up taking his punishment and becoming inured to mistreatment.

If current conditions are to be improved upon, if they are to be prevented from becoming even worse, if we are to pave the way to the future, then, first and foremost, every Italian must learn how to join forces and act collectively and look to mutual aid and solidarity for the opportunity to resist effectively, and for an appreciation of that opportunity.

And if we anarchists want to live up to the mission imposed upon us by our program, and unless we mean to remain impotent dreamers day-dreaming about an ideal without a care for bringing about the conditions that make its implementation feasible, we must strive actively and methodically to prepare, organize and inspire popular resistance in every aspect of life in which the people suffer injustice or violence; economic resistance to the bosses' exploitation, political resistance to trespasses against liberty, moral resistance to anything that tends to ensure that the worker is looked upon and treated as some lesser breed.

That is our duty; that is our concern.

Led astray by a narrow, one-sided doctrinaire approach, anarchists have often lost interest in practical struggle and have thereby contributed to that moral collapse whereby

the police today can thrash and murder citizens without provoking a backlash likely to stop them in their tracks.

Or else, they have reacted individually and paid back the boss and the constabulary in their own coin, the upshot being that, to their credit but to the detriment of the cause, they have been hauled off to prison and rendered hors de combat without having done a thing to encourage the people to resist and to fight.

Against the backdrop of a cowed people such as the people of Italy are today, any act of revolt in which the *law still has might on its side*, helps not so much to invite imitators, but rather to confirm the people's superstition that authority is invincible and to the upkeep of the vague terror that is authority's only strength.

Enough of rebellions *for art's sake*. Our thoughts today need to be of winning; we need to seek out means conducive to victory. True, we must come into conflict with the law some day; but let it be whenever the likelihood is that might is no longer on the side of the law or at least that it does not easily prevail and remain unscathed.

Meanwhile, let us do today whatever we usefully can do. And since we have not yet managed to amass the strength to resist the law, let us at least resist and let us urge the people to resist within the limits of the law. Even so we already have a fair way to go.

We are opposed to *legalism* which consists of seeking to resolve the social question and secure emancipation by means of law; but this is not to say that we refuse to avail of whatever means we feel useful when the law has not, perchance, outlawed them and only because it has not outlawed them.

We produce a newspaper, which is a perfectly lawful thing; we are in association with one another—that too is lawful; and

we seek to hold popular rallies, speak in public, demonstrate, etc., etc., all of these being lawful activities, albeit that the police, cashing in on the people's docility and our weakness, now frequently dare to ban them.

Besides, it has never occurred to any revolutionary to stop breathing, eating or walking, etc., merely because the law was kind enough not to have banned them!

But we would do well to explain this point a little more.

The law is essentially the weapon of the privileged; it is made by them for the purpose of enshrining their power and the people need to dismantle it entirely if they mean to be genuinely free.

But there are some laws that signal a people's victory in that they rescinded earlier and more oppressive laws or set a limit on the bosses' whims. When the people insist upon a right and do so vigorously, those in power, finding themselves with no option but to grant the people some relief, *pass a law*, which, whilst giving away as little as possible, and striving to make that concession as hollow as it can, is an attempt to ward off a greater danger and, unfortunately, is often successful in this.

It is a bad thing that the people should let themselves be taken in and demand a law and be appeased by that, instead of seizing for themselves the entirety of the right they demand. And it falls to us and to our party to demolish this cult of law, and encourage the people on to de facto gains that are absorbed into custom and practice and that are the only serious definitive gains. But it is even worse that the people, having extracted some concession from throwing a scare into its masters, should then blithely allow it to be snatched back, only for the same old struggles to begin all over again. And it falls to us also to see to it that the people, even as they fight on for

greater gains, do not let gains already made be snatched away from them.

This is the point we are at in Italy today: all the political freedoms bought at the cost of so much bloodshed by our forefathers—freedom of the press, the right of association, the right of assembly, the inviolability of the home, the secrecy of the mail, freedom of the person—are done for, or are about to be done for, unless a strong resurgence of public opinion applies the brakes to the police's arrogance.

It is in our interest more than anyone else's that public opinion be roused and resistance organized, both because we are more under threat and targeted than others and chiefly because the loss of acquired freedoms would do very great damage by shifting the struggle back on to political terrain and overshadowing the economic issue that is the most important one.