

Criminal Aspects of Voluntary Slavery and Delinquent Unconscious

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ABSTRACT: From a philosophical point of view within a free system, an individual has the possibility, and thus is allowed by his own autonomy of will, to sell himself as a slave without being sanctioned by the rules of society, or by bearing the consequences of these rules (in his book *Anarchy, State and Utopia*, in one of the chapters *A Framework for Utopia* Robert Nozick deals with the problem of voluntary slavery). From a psychocriminological point of view, voluntary slavery is closely linked to the unconscious delinquency and the pulsation of destruction. Entry into Street Gangs can only be accomplished by respecting the rituals and the Code Matrix. A member of Banda (a woman or a man) accepts to lose her social freedom in order to enjoy the respect, reputation and esteem of the veterans. The exit of a street gang member is not accepted by the essence of the behavioral code, the sanction being death.

KEYWORDS: code matrix, delinquent unconscious, libido, pulse of destruction, semiotics of violence, street gangs, voluntary slavery

Introduction

The renunciation of social life to penetrate into street gangs transforms the individual's existential behavior. From the psychic point of view he fails to understand the inner conflict between the dark forces of the ego, dominated by neuroticism, pulsations and lifeless experiences without exertion, and the weak power of the Supra, incapable of imposing its moral judgments. The delinquent personality of those who are part of street gangs can be characterized as an antisocial personality. In the *Personality Psychology Treatise* “this type of disorder is strongly correlated with criminality, and this behavior has led clinicians to characterize individuals with this type of disorder as insensible, incapable of love, incapable of learning from their own experiences and lacking of shame and remorse” (Aniței, Chraif, Burtăverde, Mihăilă 2016, 305). The disorder is also affected by the aggressive family climate, drug and alcohol use, depression, school dropout, difficulty finding a job, difficulty in maintaining a relationship with a partner. Internal aggression directed against one's own person as a feeling of guilt as a sign of the destruction pulse (the inferiority complex of the Ego) can turn into external aggression against the world against those guilty of its socio-human situation and failure. In the middle of the gang, the young individual is condemned to reinvent themselves, to begin to create a destiny, learn other rules, and accept other challenges and consequences. Getting into a street band means agreeing to a voluntary slave contract. A gang member loses his social identity, belongs to the group and obeys the rules imposed by his leader. He must be prepared to give up his life, to rape or kill, to steal and rob, to carry drugs and to hide weapons. It will do everything it takes to enjoy the respect of the group members.

Philosophical legal aspects

In *Anarchy, State and Utopia*, Robert Nozick believes that a truly free system can exist only within a minimal state, “no state with wider powers than those of the minimal state can not be justified” (Nozick 1997, 355). The minimal state is viewed in classical liberal theory as the night watchman “limited to the functions of defending all its citizens against violence, theft and scams, and ensuring compliance with contracts” (Nozick 1997, 68). Nozick appreciates that there may also be an intermediate social structure between the system of private protection associations and the night watchman. The ultraminimal state is considered to be this social structure and has the role of providing protection through its specific mechanisms only to those who buy its protection and its policy of coercion. Depending on this, the minimal state is redistributive in that it forces some individuals to pay for the protection of others by ensuring the extra costs of income from the taxes of contributors. What is imputed to the minimal state is that it lacks the glory and glory, meaning that during a great danger that threatens its stability, performance and identity, it will fail to create a

state of heroism, nor will it could cause people to fight with devotion or sacrifice. John Stuart Mill, in his book *About Freedom*, “states that the individual must be freed from that part of his life that pertains to the individual; society that part of the life of its members, which looks at society as a leader. Although the company is not based on a contract and therefore does not respond to any positive objective, we have to conclude a contract to deduct from it the series of social obligations” (Mill 1996, 139). Every individual must have a fair attitude towards community members, as long as they are protected, and are obliged to contribute to the benefits they receive. Any state, which has the most important attributions and has the ability to control citizens, is immoral and violates people's natural rights. Every individual must enjoy his total independence and have the opportunity to freely associate and realize his existential projects. Nozick believes that only in a utopian system any rational being will have the same rights as those that the members of the community possess. If an individual is not satisfied with his existential situation, he can choose to leave the world and live in another world. In the modern state the legal system is well regulated, any violation of normative acts implies the presence of coercive force, the institutions also establishing the mode of imposition.

In the philosophical legal sense through the voluntary slavery contract we understand the agreement between two persons to constitute a subordinate report in the sense that one of the parties procures without any advantage an advantage to the other and undertakes to execute any moral or material service under the authority of the other. The contract is consensual and unilateral, which means that it is formed by the simple agreement of the parties, only the slave obliges himself to the master, and he does not have certain predetermined obligations. The voluntary slave contract is neither legal nor moral, the voluntary slave has no rights, but only obligations, and must comply with the form and terms of the contract. The offer of the contract must be accepted without reservation from the slave. The essential elements of the contract establish the life and death rights of the master over the slave, and other secondary elements may subsequently be established. Contract terms may be violated only by the master. The voluntary slavery contract is considered to be beginning when the slave commits an act or convincing fact for the benefit of the master. The will to contract can be expressed verbally or by manifesting behavior, which according to the convention of established parties and practices leaves no doubt about the slave's intention to entrust his life and liberty to the master. In some cases, oath is essential and obligatory. By the valid contract, the master of slaves has absolute power over the slave's life. The contract changes or terminates only with the consent of the master. The absolute character of the contract stems from the absolute will of the individual to sell himself to a master. The owner's right to property on the slave is an absolute, exclusive and perpetual right.

In a utopian community, the individual can impose any coercion, may abuse his own person even by making it the object of a sales contract. The question is whether society can accept the right of the master to profit and prosper from the slave's absolute will to obey the inhuman conditions of the contract. In this utopian construction, only the master may modify or cancel the terms of the contract, no decision taken by other third parties as members of a moral community can violate the expression of his contractual freedom, because he has contracted the voluntary slavery contract on the basis of the will agreement expressed in freely and discerningly by the slave. The community is seen as an association of individuals in which everyone realizes the world, his utopian existence, in this community the individual expresses freedom and happiness by trying to respect the happiness and freedom of others to create the best possible world. But any community, whether utopian or real, is based on certain rules. The individual can accept and integrate in the community or reject the rules, considering that they affect their natural freedom and happiness and are no longer the best possible world. The community has to find solutions to compensate for the individual for existential dissatisfaction, the lack of unhappiness caused by the coercive enforcement of community rules, and the fact that the individual undertakes not to harm his activities. Violation of the rules raises the sanction of the community, the individual must explain his antisocial behavior before the courts. Because no one can remain forced into a society that does not provide the individual with the satisfaction of realizing his personal projects and self-happiness, the individual has the opportunity to leave this community, to emigrate and to create his own world where he does not need consensus

and respect for others to exist. In *Being and Time*, Martin Heidegger considers "that when, by virtue of being in the world (the fact-of-the-fact-world) we make the intramundal being to be met, we give space" (Heidegger 2003, 152). The individual must capitalize on his space in the opening of his being in society. The space of the human being is gained with the engagement of social consciousness in the writing of existential projects. The positive concern of a social being to achieve its public space is the confirmation of the value of the community it belongs to.

Street Gangs

Dismissal of liberty means giving up justice. The intrusion into street gangs implies the refusal of the young person to benefit from his socially positive status and at the same time his intention to fully engage in the illicit activities of the gang. Both boys and girls must observe the ritual of initiation and co-optation among the gang. Girls, though minor, are forced to have sex with veterans and band leaders (those who lead, who have the best reputation), and the boys are stoically beating members' battles to test their physical or mental resistance. Sometimes they are required to commit a theft, seriously hurt a person, or even commit a crime to be accepted as members. In his work, Luca Vincenti street gangs believe that taking a weapon, or transporting drugs, can be the first condition for becoming a member of the band. "The custody of the weapon can often be a subtle sample by itself, having the sole purpose of keeping the young man under observation, of discovering whether he is trustworthy. Instead, possession is a real instrument. The kid, without being suspected because of his early age, can be a real shopkeeper, not just guns and drug gangs" (Vincenti 2018, 128). Baptism of band members or initiation rituals is accomplished in several stages and has a specific complexity according to gang's habits and leader's decision. Usually the ritual involves a beating of the young man by veterans and effective members, the violent act ending with a group hug in order to consecrate the unity of the family.

"Ten new members are in fact 10 new transports, 10 new races on which the package can be reached, a race supported by a bold, bold, clean, faultless criminal carrier, who is not given anything but a slap on his shoulder and a beautiful hat hanging on the throat ... For the new member who really wants to be part of the band, about which so many important facts have been said (a real gesture), it is an honor to be in charge of the boss, to enjoy his approval and conquer a reputation beginning" (Vincenti 2018, 131). The new member must respect the gang's hierarchy, learn the normative code, fight for the common interests of members, affirm and gain reputation, defend the territory of the gang, and carry out the occasional assignments assigned to it. Other general rules may impose total restrictions on cooperation with the police, the disclosure of information about illicit activities of the gang, betrayal being punished with death. Crime on the territory of the gang is forbidden, murder must always be carried out outside the districts that the street lane occupies. Women and members of family members must be protected, churches and cinemas are considered neutral areas, territories where criminal activities are not accepted. The new member's career is dependent on the observance of these rules, as well as on the inner motivation that causes him to go out of anonymity and assert himself to join the group hierarchy. Sometimes the ferocity of crimes, exaggerated violence surprises even veterans, young people being aware that climbing into the street organization is an important step for receiving in large criminal organizations. Entering into prison for criminal acts committed in the interest of the aggressive gang contributes to the reputation of the convicted person, the fact that he does not betray his gang, leader and friends leads to the increase of prestige and honor.

"By the semiotics of violence, we understand to refer to all those processes of communication and significance used by gangs to other gangs in their aggressive expressions. The study of the communication channels and their actions is the way to understand the contents and the modalities of the spoken language (verbal, analogical, symbolic) their valiological, normative, sense sense" (Vincenti 2018, 104).

The street gang leader is the one acting for the common good of the members, he is the one who decides the street actions, the conflict and the war with other rival gangs, the alliances and the measures that the gang needs to take. Depending on hierarchy, experience and training, the leader is

followed by veteran gang members, those who live in the gang's illicit actions and are able to sacrifice themselves for the survival and activity of the street gang. In the lower area, the band members, members with a decorative role, gregarious members and young people aspiring to join a day of the street band appear in the lower area. The leader establishes the value-normative code, band hierarchy, morphology, communication, daily activities and priorities, access systems, land establishment and control, mobility and rewards for all members of the gang. Depending on age we encounter multiple structures on multiple levels, so the bottom band consists of boys aged 6 to 12 years, the average band comprises members between 12 and 24 years of age, and the high band is made up of peaks, after 24 years, experienced members.

Respect, reputation, esteem, vendetta, honor, omerta, and notoriety form the Street Band Code Matrix. Identity in the middle of the gang is based on these members' qualities. The Code requires the individual to be a spokesman, to be brave and faithful to the group to which he belongs, to observe the band hierarchy, leader, veterans and all experienced members. Every member must wear the right dress, use hand marks and any other symbols necessary to differentiate himself from opposing gangs. During the confrontations, the hard look and the eccentric colors must impress, the reputation of the members increases and according to the mutual observation of the street behavior. When the band suffers an offense, the Code forces the leader and members to counterattack and revenge (vendetta). The honor of the members and the gang must remain permanently defended, an honorable member is marginalized and despised. The honor of the group must be protected, it is inviolable, maintaining it as a vital condition. Omerta (the silence law) is punished with death if any member speaks about the criminal actions of the group (murders, drug trafficking, robberies). Tape career, street villas and reputation in group battles define the reputation and notoriety of members and the street gang, a condition for controlling important territories and the growth of illicit business.

Psychoanalytic aspects

Utopia of street gangs is seductive. The young member is stripped of the complexity of guilt he knows in the school and family environment, the abandonment of social life taking place in unfortunate circumstances: rejection, marginalization, existential failure in the realization of positive projects, sometimes discrimination and lack of equal opportunities. "Failing to comply with social rules, the teenager, who prefers behaved behavior by inhibiting brakes, will acquire the habit of acting immediately or whenever he has the opportunity to acquire a sense of accomplishment and action independence, post factum thinking about the consequences, sometimes to show how strong it is" (Tănăsescu 2012a, 121). Unhappy childhood, lack of affection and love, disorientation in the overwhelming real world by imposing social engagements, emotional instability, lack of livelihood, delayed social assistance, inconsistencies in juvenile delinquency, and failure to provide stable social assistance complete the teenager's image thrown into the world without reason, direction and justification, forced to decay, using his rebellious spirit and the pride of persecuted being to enter a much closer world that can give him respect and bring revenge.

The delinquent unconscious is the host of the suppression of the neurotic Ego exhausted by the conflict of destruction pulses, which seeks to satisfy the Se requirements without moral restrictions.

"In the male delinquency structure there are found organizational models suitable for the aggressive operating environment, in which each individual will obtain the greatest advantages" (Tănăsescu 2012b, 151). In society the individual finds only the pleasures of futility. Being marginalized by school colleagues, teachers, the intellectual atmosphere becomes aggravating and finds abandoning the way to change the perspectives of its existence in society. You just have to have the courage to leave this unpleasant and inappropriate relationship to the revolted person. The ruin in the middle of the community, the feeling of indifference and misunderstanding of legal norms, the hidden joy of a perverse lucidity in the face of fatalities, the lack of a moral barrier, the inhibition of social actions prepare for the decline of the future member of the street gang and make it much easier.

“Personal competence is the ability to be permanently aware of your emotions and to manage your behavior and trends” (Bradberry and Greaves 2016, 30). The young delinquent understands and accepts his voluntary slavery within a gang because he considers himself privileged to achieve another destiny, to become useful by using all his aggressiveness and criminal powers, his antisocial anger becomes a necessary capital to gain respect and for to promote in his new group. Freud believes the Superego main activity is to impose restrictions to stop satisfying the inborn needs of the Se. “The ego tends to pleasure, wants to avoid the discomfort” (Freud 2014, 175).” The whole energy of Eros, which we will now call libido, is present in the Ego, is still undifferentiated and serves to neutralize the existing destructive inclinations simultaneously” (Freud 2014, 179). Becoming a member of the gang, the individual escapes the author's supreme voice that imposed the rules of conduct. Removing the Superego also means annihilation of the complex of guilt, the young aggressor wants to release his libido, wants to escape any moral constraints and to participate without inhibitions in committing illicit activities.

But when in the inner life of the individual the energy of the Eros (compulsion of love) begins to gradually quench, then the libido as a function of this energy will leave behind the coming of a forgotten energy, the pulsation of destruction (compulsion of death) that wants to reinstate without limits the force to which it was dropped.

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