## ABOLISH THE "INSANITY" DEFENSE (continued from page 5)

actions, the fact of a person's status as a former psychiatric inmate would not be as likely to create fear and suspicion among neighbors and co-workers.

Mark Chapman, John Lennon's "alleged" assassin, like many other people, has in the past been psychiatrically incarcerated, apparently on the basis of attempted suicide. It now appears likely that he will be exonerated of murder on the basis of the "insanity" defense and then subjected to some form of psychiatric mind-tampering. The end result is the public complaining that "they let too many nuts out on the street." This is an extremely vicious example of emotionalist scapegoating, and also a means of avoiding any deeper examination of the circumstances at hand. Mark Chapman is also a former security guard and Jesus freak, by the way; so far I have heard no calls for tighter surveillance of security guards or Christians, although the logic of that would be identical to that applied to psychiatric inmates. (Such logic might even be superior: Chapman is reported to have been angered by Lennon's famous remark that "the Beatles are more popular than Jesus." Although it is too early to draw conclusions about the motivations behind Chapman's act, a thought-provoking discussion of possible "born-again"/moron majority influences on Chapman may be found in the Jan.-Feb. issue of Overthrow.*)

What might have happened in Chapman's case without the intervention of psychiatry? To begin with, he might have killed himself instead of John. But that part is behind us; what lies ahead is his psychiatric defense. In a true court of justice (presuming such an animal exists) Chapman would be tried and dealt with on the basis of evidence at hand, the testimony of witnesses, and his own explanations of his act, rather than those of the myriad of psychiatric "experts" hired by the prosecution and defending attorneys to "validate" their opposing positions. Without psychiatrists distorting and confusing the situation, something a bit closer to the truth might come out and we might gain some insight as to how future tragedies might be prevented. And most importantly to most people, the perpetrator of the crime would be held accountable and not merely dismissed as "sick."

The question of the "insanity" defense and its abolition is complex, and the debate must necessarily take place on many levels. My position that the "insanity" defense should be eliminated is qualified in practical terms on several accounts. I want to emphasize that in criticizing the function and implications of the "insanity" defense, I in no way intend to lend support to the string-em-up, "law'n order" mentality exemplified by Reagun and his cronies. I consider the so-called "justice" system of the U. S. government itself to be criminal--a terrorist organization set up to enforce the rule of the few over the many. It is in no position to adjudge the common people of "crimes" and is even less justified in meting out "punishment" of any sort. Thus, I stress that I am discussing these questions of justice in regard to the "insanity" defense in anticipation of an eventual revolution and the creation of a new society.

The traditional rationalization of the "insanity" defense is that it "protects" the person who may have been so emotionally overwraught and/or confused during the commission of a criminal act that he or she could not grasp its full implications at the time. Nevertheless, even if this were true, the primary purpose of any system of justice is supposedly to protect the public against criminal acts; this includes apprehending the perpetrators of crime and taking measures to ensure that their crimes are not repeated. Looking at it solely on an individual basis, the most permanently effective way of accomplishing the latter is via lifetime imprisonment or execution of the offender. However, humanitarian considerations, including the realization that most "criminals" are mere reflections of the lethal system in which we live, dictate that we strive to create a system of justice which extends the utmost understanding and support to the offender who engages in sincere self-criticism and demonstrates a real desire to change.

The prospects for such changes in individuals' attitudes and behavior towards humanity as a whole are seriously undermined whenever those concerned are encouraged to view any criminal action as the "product of a sick mind," thus relieving the perpetrator of legal responsibility. This perpetuates a situation where the "criminally insane" individual is understandably inclined to place the responsibility for his or her actions elsewhere, thus opening the door to future "sick" crimes; and in which society meanwhile absolves itself of any responsibility of looking inside itself to understand the roots and nature of criminal violence.

The personal and the political here exist in a yin-yang relationship: Let us not forget that although individuals must be held accountable for crimes against the people, the social order (the state) must also be held accountable its crimes against individuals when they occur. We must also remember that what constitutes "crime" is largely in the eyes of the beholder--take the example of a cop being shot in self-defense. On the other hand, some crimes--rape is one of them--can never be justified or rationalized on the basis of class, race, religion, political persuasion, or "state of mind."

*.$1 from Box 392, Canal St. Station, NYC 10009.

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